

FOURTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Second Regular Session )

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SENATE  
S. NO. 2544

RECEIVED BY: [Signature]

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Introduced by Senator Antonio "Sonny" F. Trillanes IV


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**EXPLANATORY NOTE**

Competitive markets, when feasible, are demonstrably the most efficient way of allocating resources in the economy. With our unstable economic situation, however, it is not difficult to imagine how the basic commodities can be artificially raised. The exercise of market power by cartels has often led to onerous increases in prices and shortages of basic commodities which have burdened the consumers.

This bill, therefore, seeks to amend Republic Act 7581<sup>1b</sup>, otherwise known as the "Price Act," by defining the situation constituting a prima facie case of cartelization in order to facilitate the enforcement of the prohibition against any form of cartel. The Price Act was passed to enable the government to address the problem of monopolies, cartels, unfair competition, and the hoarding of basic commodities, especially food.

In view of the foregoing, early passage of this bill is earnestly requested.



ANTONIO "SONNY" F. TRILLANES IV  
Senator



1 intents and purposes of this Act, the head of the implementing agency shall have the  
2 following additional powers and responsibilities:

3 x x x x

4 “(12) WITHOUT PREJUDICE TO THE CRIMINAL PROSECUTION OF THE  
5 PERSONS ENGAGED IN ACTIVITIES CONSTITUTING A CARTEL AS  
6 PROVIDED IN THIS ACT, UPON A SHOWING OF A *PRIMA FACIE* EVIDENCE  
7 PURSUANT TO SECTION (5) HEREOF, he may CAUSE THE SEIZURE of basic  
8 necessities and prime commodities subject of a violation of this Act and order their sale  
9 *to the public at reasonable prices whenever the demand for such goods so requires, OR*  
10 *WHEN THERE IS A PUBLIC AND OFFICIAL DECLARATION OF ARTIFICIAL*  
11 *SHORTAGE IN THE MARKET OF SOME BASIC NECESSITIES AS DEFINED IN*  
12 *SECTION 3, PARAGRAPH 1, AND/OR PRIME COMMODITIES AS DEFINED IN*  
13 *SECTION 3, PARAGRAPH 8 OF THIS ACT: *Provided, That, pending litigation, the**  
14 *proceeds of the sale shall be held in trust or escrow by the implementing agency:*

15 *Provided, further, That, should the owner of the basic necessity or prime commodity*  
16 *seized and sold be found not liable for the violation which was the basis for the seizure,*  
17 *HE SHALL BE REFUNDED HIS ACQUISITION COST AND EXPENSES*  
18 *INCURRED IN THE MARKETING THEREOF, otherwise, they shall accrue to general*  
19 *fund of the Government and: *Provided, finally, That the head of the implementing**  
20 *agency AS DEFINED IN SECTION 3, SUBPARAGRAPHS (a), (b), (c) and (d) OF*  
21 *THIS ACT shall cause the broadcast in radio or television and the publication in at least*  
22 *two (2) newspapers of general circulation of the fact of sale or disposition of such seized*  
23 *goods at least three (3) days before the date of sale or disposition;*

24 x x x x

25 SEC. 3. This Act shall take effect upon its approval and fifteen (15 days) after publication in  
26 the Official Gazette or a newspaper of general circulation.

Approved,