



PAMAHALAANG BAYAN NG TAYTAY TANGGAPAN NG SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 119th REGULAR SESSION (ONLINE SESSION) OF THE 11th SANGGUNIANG BAYAN, TAYTAY, RIZAL, HELD ON JANUARY 11, 2022, 1:17 PM AT TAYTAY, RIZAL

PRESENT:

Hon. Michell B. Bermundo	-	Vice Mayor/Presiding Officer
Hon. Sophia Priscilla L. Cabral	-	Councilor
Hon. Ma. Jeca B. Villanueva	-	"
Hon. Patrick John P. Alcantara	-	"
Hon. Joanne Marie P. Calderon	-	"
Hon. Ceferino R. Resurreccion Jr.	-	"
Hon. Kyle Georic Y. Gacula	-	"
Hon. Ma. Elaine T. Leonardo	-	"
Hon. Philip Jeison J. Cruz	-	"
Hon. Frank Luster L. Santos	-	LnB President
Hon. Roda May A. Diño	-	SK Federation President

Authored by:	Coun. Philip Jeison J. Cruz
Sponsored by:	Committee on Labor & Employment, Human Resources, Trade, Commerce and Industry
Co-Sponsored by:	Vice Mayor Michell B. Bermundo Coun. Sophia Priscilla L. Cabral Coun. Ma. Jeca B. Villanueva Coun. Patrick John P. Alcantara Coun. Joanne Marie P. Calderon Coun. Ceferino R. Resurreccion Jr. Coun. Kyle Georic Y. Gacula Coun. Ma. Elaine T. Leonardo LnB Pres. Frank Luster L. Santos SK Fed Pres. Roda May A. Diño

ORDINANCE NO. 732 series of 2022

AN ORDINANCE CREATING THE TAYTAY PRICE COORDINATING COUNCIL (TPCC), DEFINING ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES

WHEREAS, Republic Act No. 7394, otherwise known as the "Consumer Act of the Philippines" states that the State shall protect the interests of the consumer against hazards to health and safety and against deceptive, unfair and unconscionable sales acts and practices; promote his general welfare; and establish standards of conduct for business and industry;

WHEREAS, Republic Act No. 7581, as amended by R.A. 10623, otherwise known as the "Price Act" embodies the policy of the State to ensure the availability of basic necessities and prime commodities at reasonable prices at all times without denying legitimate business a fair

return on investment, as well as the policy to provide effective and sufficient protection to consumers against hoarding, profiteering and cartels with respect to the supply, distribution, marketing and pricing of said goods, especially during periods of calamity, emergency, widespread illegal price manipulation and other similar situations;

WHEREAS, with the declaration of public health emergency by President Rodrigo Roa Duterte due to COVID-19 as well as anticipation for natural disasters and calamities, the National Government approved the immediate activation of the Local Price Coordinating Councils (LPCCs), with the guidance of the Department of the Interior and Local Government (DILG), to strictly monitor prices and enforce Suggested Retail Price (SRP) and price freeze for basic necessities and prime commodities;

WHEREAS, Governor Rebecca A. Ynares issued Executive Order No. 13 series of 2021 and the Sangguniang Panlalawigan of Rizal adopted Resolution No. 356 series of 2021 both geared towards the protection of consumers from hoarding and price manipulation of exploitative individuals;

WHEREAS, there is a need for the implementing Agencies under the Price Act to work closely with the LPCCs, and to harmonized the monitoring of supplies and prices of basic necessities and prime commodities, especially the business establishment's compliance with Automatic Price Control or Price Freeze, or mandated price ceiling, if any, during a declared state of calamity or emergency;

WHEREAS, towards this end, the Municipality of Taytay seeks to institutionalize the Taytay Pricing Coordinating Council (TPCC) and the allocation of the buffer fund to help the National Government in managing unreasonable and excessive price increase of basic necessities and prime commodities, especially during the pandemic and other calamities;

NOW THEREFORE, BE IT ORDAINED, by the Sangguniang Bayan of Taytay, Rizal, in session assembled:

Section 1. Short Title - This Ordinance shall be known as the "Taytay Price Coordinating Council (TPCC) Ordinance".

Section 2. Creation of the Taytay Price Coordinating Council (TPCC) – There is hereby created the Taytay Price Coordinating Council, which shall be composed of the following:

Chairperson - Municipal Mayor

Vice Chairperson - Municipal Vice Mayor

Members

- a. Sangguniang Bayan Committee Chairperson on:
 1. Trade, Commerce and Industry,
 2. Cooperatives,
 3. Health and Sanitation,
 4. Environmental Protection,
- b. Municipal Administrator,
- c. Municipal Market Administrator,
- d. Municipal Treasurer,
- e. Municipal Budget Officer,
- f. Municipal Health Officer,
- g. Municipal Legal Officer,
- h. One representative from the Business Sector,
- i. One representative from the Labor Sector,
- j. One representative from the Consumer Sector,
- k. One representative from the Marginalized Sector, and

1. Other Government Agency, Official or Sectoral Group as may be deemed necessary and determined by the Local Chief Executive.

Section 3. Powers and Functions of the TPCC – The TPCC shall exercise the following powers and functions:

- a. Coordinate and rationalize the programs to stabilize prices and supply of basic necessities and prime commodities in Taytay, Rizal,
- b. Recommend to the National Price Coordinating Council (NPCC) or to the implementing Agencies suggested retail prices (SRP) and/or the price ceilings for certain basic necessities and/or prime commodities in the Municipality of Taytay,
- c. Conduct in-depth analysis on causes for price fluctuations,
- d. Recommend steps to correct unwarranted price increases and supply shortages,
- e. Regularly inspect or cause inspection of public and private markets, as well as warehouses,
- f. Deputize Barangay Officials, members of the Philippine National Police (PNP) and municipal departments and offices to monitor abnormal price increases and to enforce laws, rules and regulations that will promote stability of prices and supply of basic necessities and prime commodities,
- g. Actively coordinate with other appropriate government agencies to prevent unwarranted price increases, hoarding of rice and other prime commodities and any act of price manipulation under Section 5 of the Price Act, and
- h. Perform or exercise such other powers and functions as may be mandated or directed by law or the President of the Republic of the Philippines.

Section 4. Meetings and Quorum – The TPCC shall meet at least once every quarter or as often as may be necessary. Majority of all the members present shall constitute quorum to do business.

Section 5. Price Action Officer and Monitoring Task Force – The TPCC may designate a local Price Action Officer who shall carry out, implement and enforce its policies and decisions during the period of the Automatic Price Control under Section 6 of the Price Act. The local Price Action Officer shall also perform other duties and responsibilities as may be determined by the TPCC.

The TPCC may also constitute a monitoring task force to monitor and coordinate to it the status of implementation of the policies adopted, ordinances, as well as existing laws, rules and regulations by the National Government.

Section 6. Measures to Undertake during Emergencies – In time of crisis, calamity or state of emergency, the TPCC shall convene immediately after the occurrence of such crisis, calamity or state of emergency to coordinate the implementation of emergency measures, such as but not limited to:

- a. Price / supply monitoring activities of basic necessities and prime commodities shall be conducted immediately following the calamity of state of emergency,
- b. Specific items identified as basic necessities and prime commodities not part of the regular monitoring may be covered,

- c. Frequency of price supply monitoring may be increased.. Only items with price change and supply problems shall be reported,
- d. Reports must be submitted to the Secretariat of the NPCC for coordination,
- e. Frequency of the price / supply report may be reduced as soon as prices and supply situation have stabilized,
- f. To ensure equitably supply distribution during emergencies, the implementing agencies may:
 - 1. Activate rolling stores,
 - 2. Stock up government warehouses and storage facilities of basic and prime commodities in sufficient quantities / volumes, and
 - 3. Mobilize available government transport facilities and other utilities vehicles.
- g. Deputize or enlist other government agencies, private sectors for assistance in the monitoring, transport, movement and distribution of goods,
- h. Field enforcement team to ensure compliance with price ceilings and prevent illegal acts of price manipulation, and
- i. Adopt such other measure to ensure adequate supply of goods and protect consumers from unreasonable price increase and other illegal acts of price manipulation during emergency situation.

Section 7. Monitoring and Enforcement during Normal Times – The TPCC shall continue to monitor prices of all basic necessities and prime commodities in Taytay, Rizal, and shall enforce SRPs even during normal times to make sure that business establishments do not take advantage of the consumer.

Section 8. Allocation and Utilization of Buffer Fund – In accordance with the Price Act, the Municipal Government of Taytay shall allocate a buffer fund appropriations. A trust fund shall be constituted for this purpose, subject to existing rules and regulations. Said amount shall be used exclusively to procure, purchase, import or stockpile may basic necessity or prime commodity.

The goods shall be distributed for sale to the areas where there is shortage of supply or where there is a need to effect changes in the prevailing prices after consultation with the concerned sectors. The TPCC shall determine the volume / quantity of the goods needed for stockpiling in the affected area. For this purpose, the TPCC is hereby authorized to enter into and execute contracts, agreements with concerned supplier, distributor, or retailer for the purpose.

In the distribution of the goods for sale, the following shall be followed:

- 1. Preference shall be given to municipal government offices authorized to handle sale of the goods,
- 2. Establishments of retail outlets that are duly accredited by Municipal Government of Taytay,
- 3. Retail outlets and cooperatives duly registered with the Cooperative Development Authority and accredited by the Municipal Government, or
- 4. Consumer groups and similar associations duly registered with the Securities and Exchange Commission (SEC) and accredited by the Municipal Government.

The above criteria, however, shall be without prejudice to the paramount consideration of the financial capacity of the recipient entity or organization to pay for the purchase. Further, they should sell goods at prices within the ceiling mandated by the government. Proceeds from the sale shall revert to the buffer fund of the Municipal Government.

Section 9. Separability Clause – In case any provision, section, or part of this Ordinance is declared unconstitutional or illegal, the remaining provisions shall not be affected.

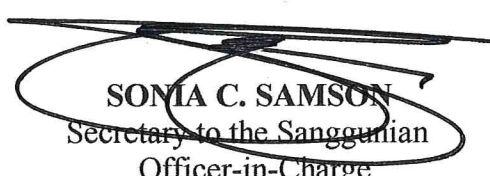
Section 10. Repealing Clause – All other existing Ordinances and Resolutions contrary to or inconsistent with this Ordinance are hereby repealed or modified accordingly.

Section 11. Incorporation Clause – Any similar and relevant future issuances from the National Price Coordinating Council, or any of its Implementing Agencies that implement the Price Act shall automatically form part of this Ordinance, unless otherwise provided by a Resolution.

Section 12. Effectivity – This Ordinance shall take effective immediately after approval.

ENACTED, this 11th day of January, 2022, 2:16 PM at Taytay, Rizal.

I HEREBY CERTIFY, to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Bayan of Taytay on second reading on January 11, 2022 and was passed on third and final reading on January 11, 2022, during the 119th Regular Session (Online Session) held on the 11th day of January, 2022.


SONIA C. SAMSON
Secretary to the Sanggunian
Officer-in-Charge

ATTESTED AND CERTIFIED TO BE DULY
ADOPTED BY HER HONOR


HON. MICHELLE B. BERMUNDO
Municipal Vice Mayor/Presiding Officer

APPROVED BY HIS HONOR
DATE 21 JAN 2022


HON. GEORGE RICARDO R. GACULA II
Municipal Mayor