



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod Mandaluyong

ORDINANCE NO. 815, S-2021

AN ORDINANCE CREATING THE
MANDALUYONG CITY PRICE COORDINATING
COUNCIL (MCPC), 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, Republic Act No. 71, on the other hand, requires that all articles of commerce and trade offered for sale to the public at retail shall be publicly displayed with appropriate tags or labels indicating the prices of such articles and such articles to be sold uniformly and without discrimination at the stated price;

WHEREAS, with the declaration of public health emergency 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, there is a need for the Implementing Agencies under the Price Act to work closely with the LPCCs, and to harmonize the monitoring of supply and prices of basic necessities and prime commodities, especially business establishments' 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 City of Mandaluyong seeks to institutionalize the Mandaluyong City Pricing Coordinating Council (MCPC) 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 calamities.

NOW, THEREFORE, be it ordained by the Sangguniang Panlungsod of the City of Mandaluyong, in session assembled:

SECTION 1. Short Title. - This Ordinance shall be known as the "Mandaluyong City Price Coordinating Council (MCPCC) Ordinance".

SECTION 2. Creation of the Mandaluyong City Price Coordinating Council (MCPCC). - There is hereby created the Mandaluyong City Price Coordinating Council (MCPCC), which shall be composed of the following:

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|------------------|---|-----------------|
| Chairperson | - | City Mayor |
| Vice Chairperson | - | City Vice-Mayor |
| Members | - | |
- a.) Sangguniang Panlungsod Committee Chairperson on:
- 1.) Trade, Commerce and Industry;
 - 2.) Livelihood and Cooperatives;
 - 3.) Marginalized Sectors; and
 - 4.) Health, Sanitation and Environmental Protection.
- b.) City Administrator;
- c.) City Market Administrator;
- d.) City Treasurer;
- e.) City Budget Officer;
- f.) City Health Officer;
- g.) City 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
- l.) 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 MCPCC. - The MCPCC 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 Mandaluyong City;
- (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 Mandaluyong City;

- (c) Conduct in-depth analysis on causes for price fluctuations;
- (d) Recommend action 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) Provide stalls, kiosks and/or spaces for the KADIWA ni ANI at KITA Program of Department of Agriculture (DA) and Diskwento Caravan of Department of Trade and Industry (DTI) and similar projects in the public markets, including flea market at the barangay level, under its jurisdiction and control;
- (g) Deputize Barangay Officials, members of the Philippine National Police (PNP) and city 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;
- (h) 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
- (i) 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 MCPCC 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 MCPCC 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 MCPCC.

The MCPCC 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 MCPCC 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 or 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 equitable 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/volume; and
 - 3. Mobilize available government transport facilities and other utility 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 MCPCC shall continue to monitor prices of all basic necessities and prime commodities in Mandaluyong City, 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 City Government of Mandaluyong shall allocate a buffer fund in the annual 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 any 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 MCPCC shall determine the volume/quantity of the goods needed for stockpiling in the affected area. For this purpose, the MCPCC 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 city government offices authorized to handle sale of the goods;
2. Establishments of retail outlets that are duly accredited by City Government;
3. Retail outlets and cooperatives duly registered with the Cooperative Development Authority and accredited by the City Government; or
4. Consumer groups and similar associations duly registered with the Securities and Exchange Commission (SEC) and accredited by the City 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 government. Proceeds from the sale shall revert to the buffer fund of the City 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.

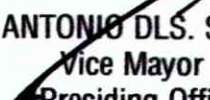
SECTION 12. Effectivity. - This Ordinance shall take effective immediately after approval.

ENACTED on this 8th day of February, 2021, in the City of Mandaluyong.


I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ENACTED AND APPROVED BY THE SANGGUNIANG PANLUNGSOD OF MANDALUYONG IN A REGULAR SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


MA. TERESA S. MIRANDA
Sanggunian Secretary

ATTESTED BY:


ANTONIO DLS. SUVA
Vice Mayor &
Presiding Officer

APPROVED:


CARMELITA A. ABALOS
City Mayor

Date: FEB 08 2021