



Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



EXCERPT FROM THE MINUTES OF THE 94TH REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF BATAAN ON JUNE 10, 2024 HELD AT THE SESSION HALL, THE BUNKER, CAPITOL COMPOUND, BALANGA CITY, BATAAN

PRESENT:

Hon. Ma. Cristina M. Garcia, Vice Governor and Presiding Officer

FIRST DISTRICT:

Hon. Antonino B. Roman III, J.D., LL.M., Board Member
Hon. Benjamin C. Serrano, Jr., Board Member
Hon. Jomar L. Gaza J.D., Board Member

SECOND DISTRICT:

Hon. Maria Margarita R. Roque, Board Member
Hon. Manuel N. Beltran, Board Member
Hon. Noel Joseph L. Valdecañas, Board Member

THIRD DISTRICT:

Hon. Romano L. Del Rosario, Board Member
Hon. Jorge S. Estanislao, M.D., Board Member
Hon. Angelito M. Sunga, Board Member
Hon. Roman Harold R. Espeleta, Board Member

Hon. Romeo A. Austria, Board Member (FABC President)
Hon. Lovely Joy A. Poblete, Board Member (SKF President)
Hon. Feliciano G. Magay, Jr., Board Member (IPMR)

ABSENT:

Hon. Jovy Z. Banzon, Board Member (PCL President) (On Leave)

PROVINCIAL ORDINANCE NO. 17 Series of 2024

AN ORDINANCE ESTABLISHING THE PROVINCIAL ONLINE PRICE MONITORING SYSTEM (POPMS), REGULATING THE REPORTING OF PRICES FOR BASIC NECESSITIES AND PRIME COMMODITIES, AND PROMOTING TRANSPARENCY IN PRICE MONITORING WITHIN THE PROVINCE OF BATAAN.

SPONSORED BY:

HON. JORGE S. ESTANISLAO, M.D.

WHEREAS, the Provincial Government of Bataan (PGB) is dedicated to promoting fair market practices, consumer protection, and accessibility of basic necessities and prime commodities;

WHEREAS, recognizing the potential of technology to enhance transparency and efficiency in price monitoring, the PGB seeks to establish the Provincial Online Price Monitoring System (POPMS);

WHEREAS, the establishment of the POPMS is aligned with the PGB's commitment to consumer welfare and competitive market principles;

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"EXCELLENT PUBLIC SERVICE TOWARDS A BETTER QUALITY OF LIFE FOR ALL"

WHEREAS, pursuant to Republic Act No. 7581, also known as the "Price Act," the State shall ensure to provide effective and sufficient protection to consumers against hoarding, profiteering and cartels with respect to the supply, distribution, marketing, and pricing of basic necessities and prime commodities;

WHEREAS, Executive Order No. 123, Series of 2022, was issued, creating the Provincial Price Coordinating Council of Bataan, which aims to closely monitor the prices of basic necessities and prime commodities in accordance with programs and policies of the National Government;

WHEREAS, the Bataan Provincial Price Coordinating Council is the appropriate body to serve as the implementer of the POPMS;

NOW, THEREFORE, be it ordained, as it is hereby ordained by the Sangguniang Panlalawigan in session assembled, that:

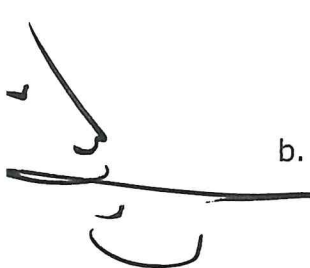
Section 1. Short Title. - This Ordinance shall be known as the "Provincial Online Price Monitoring System (POPMS) of Bataan."

Section 2. Purpose. - This Ordinance establishes the POPMS, which aims to facilitate transparent online price monitoring and reporting of basic necessities and prime commodities within the Province of Bataan.

Section 3. Definition of Terms. - The following words and phrases, whenever used in this Ordinance, shall be construed as defined in this section:

- a. **Basic Necessities** - refers to goods which are vital to the needs of consumers for their sustenance and existence in times of any of the cases provided under Section 6 or 7 of Republic Act No. 7581 such as, but not limited to, rice, corn, root crops, bread; fresh, dried or canned fish and other marine products; fresh pork, beef and poultry meat; fresh eggs; fresh and processed milk; fresh vegetables; coffee; sugar; cooking oil; salt; laundry soap and detergents; firewood; charcoal; candles; drugs classified as essential by the Department of Health and such other goods as may be included under Section 4 of Republic Act No. 7581;
- b. **Prime Commodities** - refers to goods not considered as basic necessities but are essential to consumers in times of any of the cases provided under Section 7 of Republic Act No. 7581 such as, but not limited to, fresh fruits, flour; dried, processed and canned pork, beef and poultry meat; dairy products not falling under basic necessities; noodles, onions, garlic, vinegar, patis, soy sauce; toilet soap; fertilizer, pesticides and herbicides; poultry, livestock and veterinary products; paper; school supplies; nipa shingles; sawali; cement; clinker; GI sheets; hollow blocks; plywood; plyboard; construction nails; batteries; electrical supplies; light bulbs; steel wire; all drugs not classified as essential drugs by the Department of Health and such other goods as may be included under Section 4 of Republic Act No. 7581;
- c. **Provincial Price Coordinating Council (PPCC)** - refers to the Council created to coordinate and rationalize programs to stabilize prices and supply of basic necessities and prime commodities in the province;
- d. **Provincial Online Price Monitoring System (POPMS)** - refers to a centralized online platform for the collection, analysis, and dissemination of accurate price information on basic necessities and prime commodities;


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- e. **Small, Medium, Large (SML) Groceries/Supermarkets** - refers to groceries/supermarkets whether single proprietorship, cooperative, partnership or corporation whose total assets, inclusive of those arising from loans but exclusive of the land on which the particular business entity's office, plant and equipment are situated, must have value falling under the following categories:

small: P3,000,001- P15,000,000
medium: P15,000,001- P1,000,000,000
large: P1,000,000,001 and above

- f. **Market Associations** - refers to the Bataan Market Administrators' Association, which is composed of public market administrators from the different Local Government Units of Bataan.

Section 4. Establishment and Implementation of the POPMS.

- a. The PGB, through the Office of the Provincial Information Technology Officer (OPITO), shall develop a system that would monitor online the prices of the basic necessities and prime commodities within the Province of Bataan. OPITO shall likewise operate and maintain the POPMS to serve as an online tool for collecting and disseminating accurate price information;
- b. The PPCC shall enact and carry out the execution and administration of the system of the POPMS;
- c. The PPCC, together with the Office of the Provincial Planning and Development Coordinator (OPPDC) and OPITO, shall also oversee the development, operation, and maintenance of the POPMS, and ensure its proper functioning;
- d. The Department of Trade and Industry (DTI) - Bataan will oversee the validation of prices for basic necessities and prime commodities under their jurisdiction before posting in the system;
- e. The Office of the Provincial Agriculturist (OPA) shall be responsible for supervising the validation of prices of "basic necessities and prime commodities" specifically for agricultural products to be uploaded in the system;
- f. The OPPDC shall be responsible for monitoring and maintaining custody of records transferred by the DTI and OPA;
- g. The POPMS shall be accessible to the public through the official website of the PGB;
- h. The POPMS shall allow users to view prices of basic necessities and prime commodities, especially in times of emergencies and during calamities;
- i. The POPMS shall serve as the basis of the PPCC for their Situational Report in times of emergencies and during calamities.

Section 5. Reporting of Prices.

- a. All SML Groceries/Supermarkets operating within the Province of Bataan


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engaged in the sale of basic necessities and prime commodities shall be enjoined to report the prices of basic necessities and prime commodities to the POPMS as part of customer service, for transparency, and in support of Article 81, Price Tag Requirement of RA 7394 or Consumer Act of the Philippines as well as the RA 7581 or Price Act;

- b. All market vendors operating within the Province of Bataan engaged in the sale of agricultural products shall be required to report the prices of agricultural basic necessities and prime commodities to their respective Market Administrators;
- c. The Market Administrators will upload the report of the market vendors to the POPMS;
- d. The PGB, through OPITO and OPPDC, shall establish reporting guidelines, frequency, and format of the POPMS, which shall align with existing laws and regulations.

Section 6. Data Integrity and Security.

- a. The PGB shall implement stringent measures to ensure the accuracy, integrity, and security of data collected in the POPMS;
- b. Appropriate safeguards shall be implemented to prevent unauthorized access, tampering or manipulation of information;
- c. All personal or sensitive personal information acquired or obtained under this Ordinance shall be strictly confidential. Any third party, aside from the Implementing Agencies, which shall be given access to any of the information obtained or processed and other related documents within the limits of the authority given in this Ordinance, must obtain a written consent from the PPCC in accordance with the Data Privacy Act. The Implementing Agencies contracting with such third party is obliged to secure a Data Sharing Agreement before any personal or sensitive personal information may be released to said third party.

Section 7. Compliance Monitoring.

- a. The PGB, as well as the implementing agencies: DTI-Bataan, OPA, and any additional agencies, shall have the authority to verify the accuracy of price information submitted by Market Administrators and the SML Groceries/Supermarkets in the POPMS;
- b. The OPPDC shall monitor the compliance of SML Groceries/Supermarkets and Market Administrators of their regular uploading in the POPMS on a weekly basis.

Section 8. Transcription of Records from the SML Groceries/Supermarkets and Public Markets.

- a. Records of the prices of basic necessities and prime commodities, specifically for agricultural products, from the Public Market of the City/ Municipalities shall be encoded by their respective Market Administrator on a schedule to be determined by the Bataan Provincial Price Coordinating Council;


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- b. Records of the prices of basic necessities and prime commodities from SML Groceries/Supermarkets of City/Municipalities shall be encoded by establishment's respective authorized personnel on a schedule to be determined by the Bataan Provincial Price Coordinating Council;
- c. In the event that there is a calamity or emergency, the aforesaid Market Administrator/establishment's authorized personnel shall monitor and upload the records as often as may be imposed by the Bataan Provincial Price Coordinating Council until such time the emergency ceases;
- d. The deadline for submission of data from SML Groceries/Supermarkets, and Public Markets shall be as determined by the Bataan Provincial Price Coordinating Council;
- e. The deadline for data validated by the implementing agencies and deadline for posting of consolidated data by OPITO, shall be both as determined by the Bataan Provincial Price Coordinating Council;
- f. In the event that the deadline or schedule falls on a holiday, the submission, validation and posting of the records shall be done a day prior the holiday.

Section 9. Access to Agencies.

- a. The developed software for POPMS shall be accessed and managed only by the PPCC and authorized individuals of the implementing agencies;
- b. The implementing agencies shall appoint a personnel with approval from the PPCC to use and track the software system as needed;
- c. SML Groceries/Supermarkets, and market Administrators shall, likewise, appoint an authorized person, who shall register and submit the needed data for the POPMS.

Section 10. Process of Validating/Transferring of Data Gathered to Implementing Agencies (IA).

a. Data gathering

SML Groceries/Supermarkets and public markets (Market Administrators) shall encode prices of basic necessities and prime commodities recorded from Saturday to Thursday and upload them to POPMS on a schedule to be determined by the Bataan Provincial Price Coordinating Council.

b. Checking/Validation of Implementing Agencies of such data entered

The DTI - Bataan will check/validate the prices for basic necessities and prime commodities entered by the authorized personnel of SML Groceries/Supermarkets and public markets, while the OPA shall validate the prices for agricultural products to be uploaded into the system by the market administrators. Checking/Validation should be done on a schedule to be determined by the Bataan Provincial Price Coordinating Council.

c. Entering of data in the system

After checking and validation by the implementing agencies, they will


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notify the OPITO through the system that the prices of basic necessities and prime commodities are ready for posting.

d. Posting of OPITO in the system for public viewing

After receiving the notification from the IA, the OPITO will post the data and updates on prices of basic necessities and prime commodities in the system for public viewing and information on a schedule to be determined by the Bataan Provincial Price Coordinating Council.

Section 11. Funding of the System.

The funding for the creation and development of POPMS shall be appropriated from the General Fund of the PGB.

Section 12. Data Analysis and Utilization.

- a. The OPPDC shall conduct semestral data analysis using information collected through the POPMS to identify price trends, fluctuations, and anomalies;
- b. The analysis shall serve as a basis for recommendations for price stabilization measures and policy adjustments.

Section 13. Awareness Campaign.

- a. The PGB shall conduct an extensive awareness campaign to educate the public about the existence and benefits of the POPMS;
- b. Information dissemination shall encompass various online channels, including social media, official websites, and digital announcements.

Section 14. Incentives. - SML Groceries/Supermarkets, and market administrators who timely and completely update their data through the POPMS will be recognized in the PGB's annual awarding of top SMEs and other awards.

Section 15. Separability Clause. - Any provision or portion of this Ordinance found to be violative of the Constitution or any existing law or rules and regulations shall not impair the other provisions or parts thereof which shall continue to be in force and in effect.

Section 16. Repealing Clause. - Ordinances, rules and regulations or part thereof, which are inconsistent or in conflict with the provisions of this Ordinance are hereby repealed and/or modified accordingly.

Section 17. Effectivity. - This Ordinance shall take effect immediately upon its approval and compliance with the relevant provisions of the Local Government Code of 1991.

UNANIMOUSLY ENACTED 10th day of June 2024.

I HEREBY CERTIFY to the enactment of the foregoing ordinance.


ATTY. MARK LORENZ C. QUEZON
Secretary to the Sangguniang Panlalawigan


JOSE ENRIQUE S. GARCIA III
Provincial Governor



































ANTONINO B. ROMAN III, J.D., LL.M.
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Board Member


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Board Member


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ROMEO A. AUSTRIA
Board Member
(FABC President)



LOVELY JOY A. POBLETE
Board Member
(SKF President)


FELICIANO G. MAGAY, JR.
Board Member
(IPMR)

ATTESTED:


MA. CRISTINA M. GARCIA
Vice Governor & Presiding Officer

APPROVED:


JOSE ENRIQUE S. GARCIA III
Provincial Governor
Date: 6-19-2024 t

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