NATIONAL ADMINISTRATIVE REGISTER · NOVEMBER 28, 1990

Modifying Ministry Order No. 69 s. 1983, To Include Provisions Of The New Civil Code On Warranties Of A Seller And Batas Pambansa Bilang 8 In The Enumeration Of “Trade And Indus...

DTI ADMINISTRATIVE ORDER NO. 14, November 28, 1990

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SECTION 1. Pursuant to Executive Order No. 913, s. of 1983 and Executive Order No. 133, s. of 1987, and for the purpose of affording further protection to consumers, Batas Pambansa Bilang 8 and Arts. 1546-1547, 1562, 1564, 1566-1569 of R.A. No. 386, as amended, otherwise known as the New Civil Code are hereby incorporated in the enumeration of “trade and industry laws” to be implemented by the Department.

Section 1 (d) of Memorandum Order No. 69, s. of 1983, is therefore, hereby amended to read as follows:

> “d. rade and industry law” means any Act, Commonwealth Act, Republic Act, Batas Pambansa Bilang Presidential Decree, General Order, Letter of Instructions, Executive Order, and other similar issuances, which regulate trade and industry activities, the violation of which subjects the offender to criminal or administrative penalties or civil liability, or does not subject the offender to any penalty, sanction, or liability at all, and which laws or issuances are subject to the implementation, administration, execution, or enforcement of the Ministry. The rules and regulations implementing the said laws and issuances are deemed included in the term “trade and industry law.”

When a ministry, bureau, office, agency, local government unit, government-owned or controlled corporation including any of its subsidiaries, or any other government instrumentality deputizes the Ministry upon the latter’s request, to perform some of its functions which are related to trade and industry, as provided under Section 15 of Executive Order No. 913, the regulatory laws and rules and regulations on which said functions are based shall be deemed “trade and industry laws” and therefore the violations thereof shall be subject to the adjudicatory power of the Minister.

The following are some of the laws covered by the term “trade and industry law”:

1. Arts, 1-30, Code of Commerce – Law on registration of merchants

2. Act No. 2333 – Law on untrue, deceptive or misleading advertisements.

3. Act No. 2728 as amended – Organic Act of the then Bureau of Commerce.

4. Act No. 3595 as amended – Law on the manufacture, importation, and sale of galvanized iron, barbed wire and nails.

5. Act No. 3596 – Law on the sale of paints and paint materials.

6. Act No. 3740 as amended – Law on fraudulent advertising, mislabeling and misbranding.

7. Art. 186, Art No. 3815 as amended – Law on monopolies and combinations in restraint of trade.

8. Art. 187, Act No. – as amended – Law on importation and disposition of falsely marked articles or merchandise made of gold, silver, or other precious metals or their alloys.

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9. Art. 188, Act No. 3815 as amended – Law on substitution and alteration of trade-marks, trade name or service marks.

10. Art. 189, Act No. 3815 as amended – Law on unfair competition, fraudulent registration of trade mark, trade name or service mark, fraudulent designation of origin false description.

11. Act. No. 3883 as amended – Law on business names

12. Act. No. 3893 as amended – Law on bonded warehouses.

13. Act No. 3952 as amended – Law on bulk sales

14. R.A. No. 71 as amended – Law on price tags

15. R.A. No. 165 as amended – Law on patents

16. R.A. No. 166 as amended – Law on trademarks, trade names and service marks.

17. R.A. No. 623 as amended – Law on the use of duly stamped or marked containers for products.

18. R.A. No. 1180 as amended – Law on retail trade nationalization.

19. Sec. 3, R.A. NO. 1292 – Law requiring importers of prime commodities to sell to Filipino retailers at the same mark-up as their sales through their present trade channels at least 30% of their imports.

20. R.A. No. 3137 – Law on embroidery and apparel.

21. R.A. No. 4109 – Law on product standards.

22. P.D. No. 94 as amended – Charter of the Philippine Cement Industry Authority.

23. P.D. No. 165 as amended – Law Creating the Philippine Shippers Council.

24. P.D. 218 as amended – Law on the establishment of regional headquarters of multinationals.

25. P.D. No. 272 as amended – Charter of the Iron and Steel Authority.

26. P.D. No. 279 – Charter of the Design Center Philippines.

27. P.D. No. 488 as amended – Charter of the then Ministry of Industry.

28. P.D. No. 721 – Charter of the then Ministry of Trade.

29. P.D. No. 930 – Law on export procedure and documentation.

30. P.D. No. 1167 – Law regulating the overseas construction industry.

31. P.D. No. 1419 – Law on the establishment of regional warehouse multi-nationals.

32. P.D. No. 1466 – Law on the utilization and services of Philippine flag vessels, in international trade.

33. P.D. No. 1572 – Law on accreditation of service and repair enterprises.

34. P.D. No. 1674 – Law on price stabilization of prime and essential commodities.

35. P.D. 1746 – Law creating the Construction Industry Authority of the Philippines (CIAP).

36. P.D. No. 1788 – Charter of the NACIDA.

37. P.D. No. 1820 – Law on International Gift-giving Program.

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38. E.O. No. 537 as amended – Charter of the Garments and Textile Export Board.

39. E.O. No. 574 – Revised Charter of the then Ministry of Trade.

40. E.O. No. 782 – Law on importation of used trucks and engines.

41. E.O. No. 843 – Law creating s Commission on Export Procedures.

42. LOI No. 444 – Law on trading with socialist and other centrally-planned economy countries.

43. LOI No. 1208 – Law on product qualification, product quality assurance and quality control schemes for electrical wires, materials, components and devices, as well as fire0fighting equipment, systems and devices.

44. LOI No. 1305 – Law on cement hoarding, price manipulation and profiteering.

45. LOI 1336 – Law requiring MTI (among other agencies) to ensure that all export proceeds and remitted.

46. LOI No. 1355 – Law modifying the International Gift-giving Program.

47. LOI No. 1359 – Law directing measures to prevent hoarding, profiteering and price manipulation of prime and essential commodities.

48. Arts. 1546-1547, R.A. 386, as amended – (The New Civil Code) – Law on Conditions and Warranties.

49. Arts. 1561 – 1564, 1566-1569, R.A. 386 as amended (The New Civil Code) – Law on Warranty against Hidden Defects of, or Encumbrances upon the Thing Sold.

50. Batas PambansaBilang 8 – An Act Defining the Metric System and its Units, Providing for its Implementation and Other Purposes.

SECTION 2. This Department Administrative Order shall take effect 15 days following its publication in two (2) newspaper of general circulation.

Adopted: 28 Nov. 1990

(SGD.) JOSE S. CONCEPCION, JR.

Secretary

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