

AMENDMENT TO THE CONSOLIDATED SCALE OF FINES (SEC MEMORANDUM CIRCULAR NO. 6, SERIES OF 2005)

SEC MEMORANDUM CIRCULAR NO. 4, S. OF 2009, June 08, 2009

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The Commission En Banc, in its meeting held on May 13, 2009, approved the amendment of the Consolidated Scale of Fines (SEC Memorandum Circular No. 6, Series of 2005) by deleting the word “Warning” as a penalty for the First Offense and including a sub-group for public companies engaged in the business of providing “health and educational” services after paragraph 3 of said Circular as follows:

“However, if the violation of the SRC Rule 17.1 and its Implementing Rules and Regulations is committed more than three (3) times by any of the public companies enumerated below, the Commission may impose a fine, in lieu of suspension or revocation, equivalent to the basic penalty plus the daily penalty per current Scale and increments of P10,000.00 and P100.00 on the basic penalty and the daily penalty, respectively:

- i. Public companies engaged in the business of formal education as defined under Section 20 of Batas Pambansa Bilang 232 which includes preparatory grade or the one-year preparatory level prior to Grade I, elementary education, secondary and/or tertiary education; and
- ii. Public companies engaged in the business of health care services rendered by health care institutions as defined under Section 4 (o) (1), Article II of Republic Act 7875, excluding wellness centers and health care institutions engaged exclusively in out-patient psychotherapy and counseling for mental disorders, drug and alcohol abuse or dependency treatment, cosmetic surgery, home and rehabilitation services, optometric services, or normal obstetrical delivery.

Attached as Annex “A”[*] is a Table of penalties for public companies engaged in the business of education and health care services to the public.”

The foregoing amendment shall take effect fifteen (15) days from publication in two (2) newspapers of general circulation in the Philippines.

Adopted: 08 June 2009

(SGD.) FE B. BARIN
Chairperson

[*]Text Available at Office of the National Administrative Register, U.P. Law Complex, Diliman, Quezon City.

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