

EMPOWERING THE SECRETARY OF TRADE TO REGULATE AND CONTROL THE OPERATION OF SERVICE AND REPAIR ENTERPRISES FOR MOTOR VEHICLES, HEAVY EQUIPMENT AND ENGINES AND ENGINEERING WORKS; ...

PRESIDENTIAL DECREE NO. 1572, June 11, 1978

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WHEREAS, the government is concerned with providing adequate protection to safeguard the interest of the public against unethical, unfair and incompetent practice of service and repair enterprises;

WHEREAS, the government is also concerned with protecting reliable and competent service and repair enterprises against such malpractices which undermine their good name and established reputation;

WHEREAS, the promotion and development of service and repair enterprises are effective ways of hastening technological development and encouraging professionalism to assure the public of reliable, ethical and competent services conformable with the standards of discipline of the new social and economic order;

WHEREAS, in order to attain these objectives and purposes there must be evolved and implemented a program of accreditation of such enterprises;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

SECTION 1. Accreditation. All enterprises and technical personnel employed therein engaged in the service and repair of motor vehicles, heavy equipment, engines and engineering works; electronics, electrical, airconditioning and refrigeration; office equipment; medical and dental equipment; and other consumer industrial electro-mechanical, chemical and gaseous equipment, machinery appliances or devices, shall apply for accreditation with the Department of Trade within ninety (90) days from the promulgation of this Decree and shall apply for renewal on or before the 31st day of January of every year thereafter.

No such service or repair enterprises and technical personnel shall be licensed or permitted to operate in the Philippines for the first time without first being accredited by the Department of Trade.

SEC. 2. Powers and Functions of the Secretary of Trade. To develop, maintain and implement a progressive program of accreditation of all service and repair enterprises and technical personnel referred to herein, the Secretary of Trade shall have the following powers and functions:

- To undertake researches on the conditions, practices and facilities affecting the operation of enterprises engaged in the service and repair of motor vehicles, heavy equipment, engines and engineering works; electronics, electrical, airconditioning and refrigeration; office equipment; medical and dental equipment; and other consumer mechanical and industrial electro-mechanical, chemical, gaseous equipment, appliances or devices in the country;
- To establish, promote, maintain and enforce ethical, moral and professional standards in the operation and practice of such service and repair enterprises;

- To undertake researches and prescribe the basic essential requirements of setting-up, including the management and operation, of such enterprises and accredit those which have complied with such requirements;
- To establish measures as may be deemed proper for the advancement of professionalism and consumerism in such service and repair enterprises;
- To investigate violations of this Decree and its implementing rules and for this purpose issue subpoena and subpoena duces tecum to secure attendance of witnesses and the production of documents in connection with charges presented to and/or any investigation pending with the Department of Trade and to impose penalties, sanctions and such other appropriate measures;
- To collect filing fees and accreditation fees from such service and repair enterprises, and fees for the commercial practice of technicians classified according to the National Manpower and Youth Council classifications as follows:
 - Filing fee of Fifty (P50.00) Pesos;
 - Accreditation fee of not less than One Hundred (P100.00) Pesos but not more than five Hundred (P500.00) Pesos depending on the classification of the enterprise;
 - For technicians not covered by the Professional Regulation Commission:
 - 1st Class—P50.00
 - 2nd Class—P35.00
 - 3rd Class—P20.00

These rates are subject to change depending on the conditions and practices obtaining at a given point of time in the service and repair business.

- To utilize and disburse a portion not to exceed fifty per cent (50%) of the total income derived from the implementation of this Decree, for the maintenance and improvement of facilities, services, organization, equipment outlay and other resources of the Accreditation Boards under the Office of the Secretary of Trade in carrying out the accreditation program;

An additional amount not exceeding ten per cent (10%) of the total income shall constitute a special fund for discretionary use of the Secretary of Trade in the implementation of this Decree;

- To create other accreditation boards, national or regional in scope, for other consumer and/or industrial, electro-mechanical, chemical, gaseous equipment and machinery, appliances or devices and to recommend to the President of the Philippines the dissolution of such boards including the other boards created herein when their services are deemed no longer necessary;
- To create appropriate positions exempt from WAPCO and to appoint the personnel required to fill such positions for the effective implementation, maintenance and attainment and observance of the objectives, aims of this Decree and the implementing rules and regulations, programs and policies;
- To delegate any or part of his power to any official when the exigencies of the service require to attain the aims and objectives of this Decree; and
- To lay down policies and issue rules and regulations and programs of actions for the implementation or compliance with this Decree.

SEC. 3. Accreditation Boards. To provide the Secretary of Trade with technical assistance that may be necessary in the implementation of this Decree, there are hereby created the following boards:

- Accreditation Board for Motor Vehicles, Heavy Equipment, Engineering Works and Engine Service and Repair Enterprises;
- Accreditation Board for Electronics, Electrical, Airconditioning and Refrigeration Service and Repair Enterprises;
- Accreditation Board for Office Equipment Service and Repair Enterprises; and
- Accreditation Board for Medical and Dental Service and Repair Enterprises;

SEC. 4. Composition of the Boards. Each Accreditation Board shall be composed of not more than eleven nor less than nine members, including the Secretary of Trade as the Chairman, and shall be chosen from among the nominees of reputable and recognized professional and/or technical service and repair association or societies, respectively, including one representing the consumer to be appointed by the Secretary of Trade. A Vice Chairman for each Board shall be designated by the Chairman from among the members.

SEC. 5. Qualifications of the Members of the Board. No person shall be appointed member or alternate member of any of the Accreditation Boards unless he is a citizen of the Philippines, of good moral character and unquestionable integrity and responsibility and, in the case of members representing the professional and technical groups, they should be of recognized competence in the field of repairs, technical servicing, service management and service contracting.

SEC. 6. Compensation and Tenure of Office of Members of Accreditation Boards. The Chairman and the Vice Chairman of the Accreditation Boards shall receive a per diem of not more than Three Hundred Fifty (P350.00) Pesos and the members not more than Two Hundred (P200.00) Pesos for every Board meeting actually attended, which shall not exceed the sum of One Thousand and Fifty (P1,050.00) Pesos and Six Hundred (P600.00) Pesos, respectively, for any single month.

Of the members first appointed, three shall serve for one year, three for two years, and four or the remaining, if the total number of members appointed shall serve for three (3) years, except that any person chosen to fill a vacancy shall hold office only for the unexpired term of the member whom he succeeds.

SEC. 7. Penalties. A fine of not less than One Hundred (P100.00) Pesos and not more than Five Thousand (P5,000.00) Pesos or imprisonment of not less than thirty (30) days and not more than one (1) year, or both, at the discretion of the court, shall be imposed for violations of any of the provisions of this Decree and its implementing rules and regulations; Provided, That if the violation is committed by a corporation, partnership or an association, the penalty provided herein shall be imposed upon the director, partners, employees or persons therein responsible for the offense; and Provided, further, That if the violation is committed by an alien, he shall be deported after service of sentence. If the offender is a naturalized Filipino citizen, he shall be automatically divested of his Filipino citizenship and, likewise, deported after service of sentence. If the offender is a government official or employee he shall, in addition to the penalty herein provided for, suffer the penalty of perpetual and absolute disqualifications to hold public office.

SEC. 8. Appropriation and Allocation of Funds. The amount of One Million (P1,000,000.00) Pesos, out of the funds of the National Treasury, is hereby appropriated annually to carry out the intents and purposes of this Decree. This appropriation shall be solely for the Accreditation Boards in the Office of the Secretary, Department of Trade, and the Secretary of Trade is empowered to apportion said appropriation in accordance with the requirements of each Board.

Additional appropriations may be granted upon justification of the needs for accreditation by the Secretary of

Trade.

SEC. 9. Repealing Clause. All laws, decrees, orders, ordinances rules and regulations of the Department of Trade or other government agencies or instrumentalities, with the exception of those entrusted to the Professional Regulation Commission for implementation, not consistent with this Decree, are hereby repealed or amended accordingly.

SEC. 10. Effectivity. This Decree shall take effect upon approval.

Done in the City of Manila, this 11th day of June, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

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