

AN ACT TO FURTHER PROMOTE ENERGY CONSERVATION AND FOR OTHER PURPOSES.

BATAS PAMBANSA BLG. 73, June 11, 1980

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Be it enacted by the Batasang Pambansa in session assembled:

SECTION 1. Declaration of Policy. In the face of the uncertainties of continuing world oil supplies, it is hereby declared the policy of the State to institutionalize energy conservation in order to enhance the availability of energy supplies required to support the country's economic, social and developmental goals.

SEC. 2. In order to carry out the policy declared in this Act, the heads of ministries, bureaus, and agencies of the Government, including those of political subdivisions and government-owned or controlled corporations, shall adopt and strictly enforce measures, particularly those that will facilitate and expedite official action on transactions involving the public, to promote the conservation of energy. They shall enjoin observance of such measures by their officers and employees through administrative sanctions.

SEC. 3. Towards the same end and to develop a more dynamic and effective program for the rational use of energy, the following acts are hereby prohibited:

- The importation, manufacture or assembling of gasoline-powered passenger motor cars with engine displacement of over 2,800 cubic centimeters or Kerbweight exceeding 1,500 kilograms, including accessories.
- The use of neon lights and electric lights for commercial advertising earlier than 6:00 o'clock P.M. and beyond 9:00 o'clock P.M.; and, except during the Christmas season and during the Ramadan, the deliberate use of unnecessary and excessive lighting in hotels, motels, shopping complexes, buildings, structures and similar commercial establishments as shall be determined by the Ministry of Energy in accordance with accepted electrical; standards and practices.
- The use of government vehicles for purposes other than official business: Provided, That in every case, the trip ticket authorizing the use of the vehicle shall be displayed on the windshield or in another conspicuous place on the vehicle: Provided, further, That vehicles used by intelligence and investigative agencies of the Government shall not be covered by the foregoing proviso.

The use of government vehicles on Sundays, legal holidays, or outside regular office hours or outside the route of the officials or employees authorized to use them, or by any person other than such official or employee, shall, , unless properly authorized, be prima facie evidence of the violation of this paragraph. For the purpose of this paragraph, vehicles owned by government-owned or controlled corporations are deemed government vehicles.

SEC. 4. Also towards the same end and to develop a more dynamic and effective program for the rational use of energy, the Ministry of Energy, after public hearings, is hereby empowered:

- To establish and administer a fuel allocation, and rationing program; during periods of tight supply,, and to assure that dealers of fuel deliver the. right quality arid quantity of the product to their customers.

- To require, at reasonable profit levels,, the distribution and. safe of alcohol/gasoline or other energy blends in order to increase the use of domestic energy resources.
- To set standards of energy consumption for oil-powered or electric-driven machinery, equipment, appliances, devices, and vehicles imported into, manufactured, assembled or sold in the Philippines for domestic use, in consultation with the Ministry of Industry and the Ministry of Trade, taking into account the technical and economic limitations involved.
- To require industrial, commercial and transport entities or establishments to collect or cause the collection of waste oil for recycling as fuel or lubricating oil.
- To fix the oil refineries' production yields and product quality, especially during periods of oil shortage, taking into account the technical limitations involved.
- To require industrial, commercial and transport establishments consuming more than one million fuel oil equivalent liters of energy including liquid fuels and electricity annually to submit fuel and electric consumption as well as production and sale statistics, in order to properly monitor energy consumption and utilization efficiency.
- To set, in consultation with the Ministry of Industry, energy use standards for industrial, commercial and transport establishments, taking into account the technical and economic limitations involved: Provided, however, That in the case of sugar mills and refineries, the Philippine Sugar Commission shall be consulted.
- To require industrial, commercial and transport establishments consuming more than two million fuel oil equivalent liters of energy annually to employ qualified engineers to act as energy managers, and to submit energy conservation programs and energy audits.
- To regulate, in consultation with the Ministry of Public Works and the Ministry of Industry, the use of air-conditioners in offices and in commercial and industrial establishments, including but not limited to requiring the use of thermostats and setting them to certain temperatures that will conserve energy but still assure reasonable convenience to the users thereof. A permit issued by the Ministry shall be required for all new or additional air-conditioning equipment to be installed after January 1, 1981, in commercial and industrial establishments so as to ensure that capacity is not in excess of that which is reasonably required to cool the premises.

SEC. 5. The Ministry of Labor and Employment, in consultation with the Ministry of Industry and the Ministry of Trade, is hereby empowered to stagger the working hours in industrial and commercial establishments and in offices, or fix the number of working days per week in such establishments or offices, for the purpose of conserving energy and relieving traffic congestion: Provided, however, That no diminution in the pay of the employees or workers affected shall result thereby: Provided, further, That in fixing working hours and working days in the Metro Manila Area, the Metro Manila Commission shall be consulted.

SEC. 6. The Ministry of Education and Culture is hereby empowered to fix the schedule of school hours in urban centers for the purpose of conserving energy and relieving traffic congestion, without, however, sacrificing educational standards; and also to prescribe the study of energy conservation in the appropriate grades or levels in schools.

SEC. 7. The Ministry of Trade, in consultation with the Ministry of Tourism and the Ministry of Labor and Employment, is hereby empowered to limit and fix the operating hours of business and entertainment establishments, except those business establishments which by their very nature have to operate on a twenty-four

hour basis: Provided, That the Ministry of Trade shall require the manufacturers or dealers of oil and electric-consuming devices, equipment, appliances, and vehicles manufactured or sold in the Philippines to show their product's energy requirements and consumption efficiency.

SEC. 8. The Ministry of Human Settlements is hereby empowered to set standards, in accordance with accepted engineering principles and practices in the use of building materials and the designs for private offices, commercial, and industrial buildings, which will promote the ends of energy conservation. The Ministry, with the assistance of the Ministries of Industry, Labor and Employment, and Education and Culture, shall also make plans and find ways to enable people to reside at a convenient distance from the place where they work and/or study.

SEC. 9. The Ministry of Transportation and Communications is hereby empowered to regulate the use of motor vehicles so as to conserve fuel and relieve traffic congestion, including but not limited to restricting the use of certain types of vehicles during peak hours of the day and during Sundays and legal holidays, or their use for certain destinations or over certain streets during stated hours; or imposing carless days; or requiring the organization of car pools in specific areas or among residents of certain neighborhoods; or fixing a minimum number of passengers for certain types of motor vehicles with certain destinations; or fixing speed limits on certain highways or streets; or requiring certificates of road-worthiness before registration of motor vehicles; or denying registration to vehicles which do not meet the standards of energy consumption set pursuant to the provisions of this Act; or setting and enforcing yearly limits on the number of passenger cars that are sold and/or registered for the first time.

SEC. 10. The Ministers of the various ministries empowered to perform certain acts in the preceding sections shall conduct public hearings within sixty (60) days from the date of the approval of this Act, and thereafter issue such rules and regulations as may be necessary to implement its provisions. Such rules and regulations shall be subject to the approval of the President (Prime Minister) and shall take effect fifteen (15) days after their last publication in two (2) newspapers of general circulation in the Philippines once a week for two (2) consecutive weeks.

SEC. 11. Any person who willfully violates any provision of Section three hereof or any rule or regulation promulgated pursuant to the authority granted in this Act shall, upon conviction, be punished by a fine of not less than one thousand pesos but not more than five thousand pesos, or by imprisonment of not less than one month nor more than one year, or both, in the discretion of the court: Provided, That if the violation is committed by a juridical person, the penalty herein provided shall be imposed on the official and/or employee thereof responsible for the violation: Provided, further, That if the violation is committed by a government official or employee including those in government-owned or controlled corporations, he shall, in addition to the penalty provided above, be subject to disciplinary administrative proceedings and penalties: Provided, finally, That any passenger motor vehicle manufactured or assembled in violation of Section 3 (a) hereof shall, after proper proceedings, be confiscated and forfeited in favor of the Government.

SEC. 12. Any provision of law, presidential decree, executive order, or rules and regulations inconsistent with the provisions of this Act or with the rules and regulations issued pursuant thereto, is hereby repealed or modified accordingly.

SEC. 13. If for any reason or reasons, any part or provision of this Act shall be held unconstitutional or invalid, no other part or provision hereof shall be affected thereby.

SEC. 14. This Act shall take effect upon its approval and shall remain in force for a period of five years thereafter.

Approved, June 11, 1980.

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