

PRESCRIBING A SCHEDULE OF FEES AND CHARGES FOR SALES PROMOTION ACTIVITIES

BTRCP DTI-DOH JOINT ADMINISTRATIVE ORDER NO. 01-A-00, July 20, 2000

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Pursuant to Title X, Book IV of E.O. 292, otherwise known as the Administrative Code of 1987 and to have a uniform and more effective implementation of Title III, Chapter I, Article 54; Chapter VI, Articles 109 and 116 of RA 7394 otherwise known as the Consumer Act of the Philippines and Chapter VI, Rule IX, Section 8, of Department Administrative Order No. 2, Series of 1993, Implementing Rules and Regulation of R.A. 7394, the Department of Trade and Industry-BTRCP and the Department of Health-BFAD, hereby prescribe and promulgate the following fees and charges for the information, guidance and compliance of all concerned.

ARTICLE I - Title

SECTION 1. This Joint Administrative Order shall be referred to as "The Schedule of Fees and Charges for Sales Promotion."

ARTICLE II - Scope

SECTION 1. The Department of Trade and Industry covers fees relative to the issuance of permit in the conduct of sales promotion activities for Goods and Services under Act No. 2333 as amended by Act 3740 and as implemented by Ministry Order No. 33, series of 1985, Republic Act 7394 as implemented by Department Administrative Order No. 2, Series of 1993, including Beauty Contest under Letter of Instruction No. 1376 as implemented by Department Administrative Order No. 1, Series of 1985;

SECTION 2. The Department of Health covers fees relative to the issuance of permit in the conduct of sales promotion of products classified as food, drugs, cosmetics, devices and hazardous substances in accordance with RA 7394.

ARTICLE III - Coverage of Fees

SECTION 1. There shall be collected permit fees for the conduct of the following activities as follows:

A. Beauty Contest (only those national in character, sponsored & promoted by manufacturing enterprises P2,000.00

B. Home Solicitation Sale

NCR only or in several regions including Metro Manila or nationwide 750.00

More than one region but excluding Metro Manila 750.00

Several provinces/cities/municipalities within a single region 500.00

Single province/city/municipality 250.00

SECTION 2. a) Sales promotions (other than Beauty Contest and Home Solicitation Sales) — the permit fees for the conduct of sales promotion schemes shall be as follows:

NCR only or in several regions including Metro Manila or nationwide P1,000.00

More than one region but excluding Metro Manila 750.00

Several provinces/cities/municipalities within a single region 500.00

Single province/city/municipality 250.00

b) Blanket approval for recurring sales promotions (covering a period of one [1] year as prescribed by the Consumer Act) shall be charged the same permit fees as the above schedule plus additional 50%.

c) Application for each variable (mechanics that is not fixed like duration, title, coverage, prizes, advertising material) covered under the blanket authority shall be charged as follows:

NCR only or in several regions including Metro Manila or nationwide 500.00

More than one region but excluding Metro Manila 500.00

Several provinces/cities/municipalities within a single region 500.00

Single province/city/municipality 100.00

The amount of fees for sales promotions (except for discount scheme type of promotion) which include variables covered by blanket approval shall be in accordance with the schedule enumerated hereunder or in accordance with geographical areas, whichever is higher:

AMOUNT OF PRIZES

Up to P50,000.00

P250.00

P50,001.00-P150,000.00

500.00

P150,001.00-P300,000.00

1,000.00

P300,001.00-P500,000.00

2, 000.00

P500,001.00-P1,000,000.00

3,000.00

Above P1,000,000.00

5,000.00

Minor charges such as a change in date or venue of draw shall be subject to P100.00 fee and P300.00 for extensions and other major changes requiring re-evaluation.

For applications covering more than one scheme, each scheme will be subject to a separate permit fee based on the above schedule of fees.

ARTICLE IV - Miscellaneous Provisions

SECTION 1. Crediting of Payments . — Payments made by mistake (e.g. excess payments) for any of the fees covered by this Order, shall be refunded to the payor, not directly but by way of crediting the mistake payments to future financial obligations of the payor to the concerned agency/office.

SECTION 2. Separability Clause. — In the event that any provision/s of these rules and regulations or the application of any such provision/s to any person or circumstances is declared invalid, all other provisions unaffected shall continue to remain in full force and effect.

SECTION 3. Repealing Clause. — All Orders, rules and regulations or parts thereof inconsistent herewith are hereby repealed or amended accordingly.

SECTION 4. Publication of Effectivity . — This Order shall be published in two (2) newspapers of general circulation in the Philippines and shall take effect fifteen (15) days after said publication.

Adopted: 20 July 2000

Approved by:

(SGD.) MANUEL A. ROXAS II

Secretary, Department of Trade & Industry

(SGD.) ALBERTO G. ROMUALDEZ, JR., MD

Secretary, Department of Health

Recommending Approval:

(SGD.) MARIA TERESA ARAO-MAHIWO

Director, BTRCP

(SGD.) WILLIAM D. TORRES, Ph.D.

Director, BFAD

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