



Senate
Office of the Secretary

TWENTIETH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

]]]

25 AUG -7 P1:34

SENATE

S.B. No. 1099

RECEIVED BY:

Introduced by SEN. WIN GATCHALIAN

**AN ACT
PROVIDING FOR THE RIGHTS OF
INFORMAL AMBULANT VENDORS**

EXPLANATORY NOTE

Informal ambulant vendors are individuals who sell goods or offer non-professional services without a fixed business location, moving from place to place, typically using portable means like carts and stands, and operate in public spaces, such as streets and parks. This vulnerable segment of workers within the informal economy are often overlooked by government, especially due to their low rate of registration and recognition by local government units having jurisdiction over their operations.

Recognizing the significant contribution of informal ambulant vendors (IAVs) to the economy, this bill seeks to institute measures to protect and promote their rights to self-organization, just and humane conditions of work, access to social protection programs and services, access to justice, and the right to security in the workplace.

The main thrust of this proposed legislation is to empower IAVs through registration and regulation by their respective local government units. The establishment of Local Anti-Agency Councils will coordinate efforts to ensure the

security and protection of IAVs using a whole-of-government approach. At the same time, consumer rights will be protected through the implementation of health and safety standards that must be met by IAVs in plying their goods and services. Thus, by formalizing the IAV sector through registration, their rights – as well as the rights of consumers who avail of their goods and services – will be protected and promoted through smart government interventions.

In light of the foregoing, support for the passage of this legislation is earnestly sought.



WIN GATCHALIAN



Senate
Office of the Secretary

TWENTIETH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

]]]

25 AUG -7 P1:34

SENATE

RECEIVED BY: _____

S. B. No. 1099

Introduced by SEN. WIN GATCHALIAN

1
2
3

**AN ACT
PROVIDING FOR THE RIGHTS OF
INFORMAL AMBULANT VENDORS**

*Be it enacted by the Senate and the House of Representatives of the Philippines
in Congress assembled:*

4
5
6

SECTION 1. *Short Title.* - This Act shall be known as the "Magna Carta
of Informal Ambulant Vendors".

7
8

SEC. 2. *Declaration of Policy.* - It is hereby declared the policy of the
State to:

9 (a) Recognize the significant contribution of informal ambulant vendors
10 to the economy, to protect and promote the rights of every worker including
11 the right to self-organization, just and humane conditions of work, access to
12 social protection programs and services, access to justice, and the right to
13 security in the workplace;

14 (b) Promote a just and dynamic social order that shall ensure the
15 prosperity and independence of the nation and free the people from poverty
16 through policies that provide adequate social services, promote decent and
17 environmentally sound and full employment, a rising standard of living, and an
18 improved quality of life for all; and

19 (c) Improve the quality of life of every Filipino as mandated by the

1 Constitution.

2 To this end, the State shall protect the informal ambulant vendors from
3 being deprived of their livelihood as well as the rights of consumers and the
4 general public from any negative effect that the vending industry may have on
5 the environment and on societal welfare and well-being.

6
7 SEC. 3. *Coverage.* – This Act shall cover informal ambulant vendors who
8 are registered pursuant to this Act and not registered under any other law.

9
10 SEC. 4. *Definition of Informal Ambulant Vendors.* – Informal ambulant
11 vendors refer to individuals who sell goods or offer non-professional services
12 without a fixed business location, moving from place to place, typically using
13 portable means like carts and stands, and operate in public spaces, such as
14 streets and parks: *Provided,* That an individual who lends money or extends
15 any means of financial services to any person, whether occasionally or
16 habitually, as a source of income or livelihood shall not be deemed an ambulant
17 vendor.

18
19 SEC. 5. *Registration of Informal Ambulant Vendors.* – All informal
20 ambulant vendors ("IAVs") shall register with the city, municipality, or barangay
21 where they are vending or intend to vend within the territorial jurisdiction of
22 such city, municipality, or barangay.

23 The registration of IAVs shall be simplified and shall not follow the
24 regular procedure in registering businesses and other commercial activities in
25 the LGU.

26 In the registration of IAVs, the following documents shall be required:

- 27 (a) Valid government issued identification card;
28 (b) Certification from the Punong Barangay attesting that the IAV is a
29 resident of the barangay, if applicable;
30 (c) A duly accomplished Registration Form indicating the vending site
31 where such IAV is vending or intends to vend; and
32 (d) Certificate of indigency.

1 Within seven (7) days after submission of documents, the certificate
2 shall be issued by the concerned LGU to the applicant IAV without charging
3 any licensing, processing, or similar fee. The certificate shall be displayed by
4 the IAV in a conspicuous position at their vending site.

5
6 SEC. 6. *Rights of Informal Ambulant Vendors.* – IAVs shall have the
7 following rights:

8 a) Right to renewal of registration as IAVs for such designated vending
9 place, subject to said person's continuing qualification as an IAV;

10 b) Right to security of tenure in the designated vending place as
11 assigned by the concerned LGU;

12 c) Right to be recognized in other LGUs upon securing a prior certificate
13 from the other LGU; and

14 d) Right to social protection and safety nets, labor market programs,
15 and social welfare interventions such as social security, health care, and
16 insurance.

17
18 SEC. 7. *Local Inter-Agency Council on the Security and Protection of*
19 *Registered Informal Ambulant Vendors.* – The City or Municipal Mayor shall
20 establish a Local Inter-Agency Council through an appropriate local ordinance
21 within one (1) year from the effectivity of this Act. The council shall be
22 responsible for coordinating efforts to ensure the security and protection of
23 registered IAVs.

24
25 The Local Inter-Agency Council shall be headed by the City or Municipal
26 Administrator and shall be composed of the following as members:

27 a) Chairperson of the *Sanggunian* Committee on Market, Business, or
28 Trade;

29 b) City or Municipal Planning and Development Officer;

30 c) City or Municipal Market Administrator, or a person holding an
31 equivalent position;

32 d) Chief, City or Municipal Police;

- e) Municipal or City Health Officer;
- f) President, Association of Barangay Chairpersons;
- g) At least two (2) representatives from the City or Municipal Vendors Association; and
- h) In the case of Metropolitan Manila, a representative from the Metropolitan Manila Development Authority.

SEC. 8. *Powers and Functions.* – The Local Inter-Agency Council shall perform the following functions:

- a) Formulate plans, programs, projects or activities that shall ensure the security of registered informal ambulant vendors in the workplace for the approval of the *Sanggunian*;
- b) Recommend appropriate measures to the City or Municipal Mayor and the *Sanggunian* to enhance the participation of registered informal ambulant vendors in local socio-economic development efforts;
- c) Assist in conducting surveys on vacant areas for vending sites; and
- d) Conduct regular inspections and monitor the compliance of registered informal ambulant vendors to health and safety standards

SEC. 9. *Authority to Designate a Vending Site.* – Pursuant to the recommendation of the Local Inter-Agency Council, the concerned *Sanggunian* shall designate a vending site through an ordinance. The use of a public park, city or municipal street, or sidewalk for vending purposes shall be subject to the provisions of Sections 16 to 21 of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", and Republic Act No. 4136, otherwise known as the "Land Transportation and Traffic Code."

SEC. 10. *Prior Consultation Required.* – No vending site shall be designated unless prior consultation with IAVs, the local police, and the affected inhabitants is undertaken.

SEC. 11. *Policy on Relocation of Vending Sites.* – Registered IAVs shall

1 not be arbitrarily deprived of their vending sites nor their stalls demolished
2 without due process of law.

3 Pending the designation of a viable vending site, vendors occupying a
4 public place not previously designated as a vending site shall be provided with
5 a viable temporary vending site by the city or municipal government.

6
7 SEC. 12. *Health and Safety Standards.* – All registered IAVs shall comply
8 with basic health and safety standards to be established by the concerned LGU
9 in coordination with the Local Inter-Agency Council in accordance with RA
10 11058, entitled "An Act Strengthening Compliance with Occupational Safety
11 and Health Standards and Providing Penalties for Violations Thereof."

12
13 SEC. 13. *Revocation of Certificate.* – Certificates issued to IAVs shall be
14 revoked by the appropriate LGU in case of material misdeclaration or
15 misrepresentation in their documentary requirements: *Provided,* That the
16 concerned IAV shall be accorded due process.

17
18 SEC. 14. *Implementing Rules and Regulations.* – Within ninety (90) days
19 from the effectivity of this Act, the Secretary of the Department of the Interior
20 and Local Government shall promulgate the necessary implementing rules and
21 regulations for the effective implementation of this Act.

22
23 SEC. 16. *Separability Clause.* - If any portion or provision of this Act is
24 declared invalid or unconstitutional, other provisions hereof shall remain in full
25 force and effect.

26
27 SEC. 17. *Repealing Clause.* – All laws, decrees, executive orders, rules,
28 and regulations which are inconsistent with this Act are hereby repealed or
29 modified accordingly.

30

1 SEC. 18. *Effectivity.* - This Act shall take effect after fifteen (15) days
2 from its publication in the Official Gazette or in a national newspaper of general
3 circulation.

4 *Approved,*