

JOINT ADMINISTRATIVE ORDER NO. __
Series of 2021

SUBJECT: GUIDELINES FOR ONLINE BUSINESSES REITERATING THE LAWS AND REGULATIONS APPLICABLE TO ONLINE BUSINESSES AND CONSUMERS

WHEREAS, the COVID-19 pandemic has disrupted the traditional business models and rearranged economic structures forcing the accelerated growth of eCommerce, along with the drastic rise in consumer complaints and fraudulent online transactions;

WHEREAS, Republic Act (R.A.) No. 7394, otherwise known as the “Consumer Act of the Philippines” (Consumer Act), declares that it is the policy of the State to ensure the protection and interests of consumers, promote their general welfare, and establish standards of conduct for business and industry to implement measures that would safeguard against deceptive, unfair, and unconscionable sales acts and practices;

WHEREAS, R.A. No. 8792, otherwise known as the “E-Commerce Act”, paved the way for the greater recognition of electronic commerce (e-commerce) in the country as it provides the regulatory framework for legal recognition of electronic contracts under Philippine law, thereby establishing the groundwork for electronic transactions in the country. It also provides penalties for hacking/cracking, piracy and violations of the Consumer Act and relevant provisions of the E-Commerce Act;

WHEREAS, the Bureau of Philippine Standards (BPS) adopted Philippine National Standard (PNS) 2155:2020, also known as the “Technical Reference on Guidelines for Electronic Commerce Transactions”, to give guidance to online businesses implementing, maintaining, and improving their internal processes and policies related to consumer transactions;

WHEREAS, the Intellectual Property Office of the Philippines (IPOPHL) signed Memorandums of Understanding with e-commerce platforms Lazada and Shopee, in a joint endeavor to address the rise of online counterfeiting and piracy, both of which constitute forms of infringement under R.A. No. 8293, otherwise known as the Intellectual Property Code;

WHEREAS, the Philippines, through the National Privacy Commission (NPC), became an official participant in the APEC Cross-Border Privacy Rules (CBPR) system, committing itself to protect personal data through enforceable standards, accountability, risk-based protections, consumer-friendly complaints handling, consumer empowerment, consistent protection, and cross-border enforcement cooperation;

WHEREAS, R.A. No. 6969 or the Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990 mandates the Department of Environment and Natural Resources to monitor and regulate importation, manufacture, processing, handling, storage, transportation, sale, distribution, use and disposal of all unregulated chemical

substances and mixtures in the Philippines, including the entry even in transit, as well as the keeping or storage and disposal of hazardous and nuclear wastes into the country for whatever purposes;

WHEREAS, RA No. 9711, otherwise known as the Food and Drug Administration Act of 2009, mandates the Food and Drug Administration of the Department of Health to regulate the manufacture, importation, exportation, distribution, sale, offer for sale, transfer, promotion, advertisement, sponsorship of, and/or use and testing of health products;

WHEREAS, R.A. No. 7915, otherwise known as the Chain Saw Act of 2002, mandates the Department of Environment and Natural Resources to regulate the ownership, possession, sale, transfer, importation and/or use of chain saws to prevent them from being used in illegal logging or unauthorized clearing of forests;

WHEREAS, Presidential Decree (PD) 705 or otherwise known as the “Forestry Reform Code of the Philippines” mandates the Department of Environment and Natural Resources to be responsible for the regulation and supervision of the operation of licensees, lessees and permittees for the taking or use of forest products therefrom or the occupancy or use thereof;

WHEREAS, R.A. No. 8485, *Animal Welfare Act of 1998* as amended by R.A. No. 10631 provides the protection and promotion of the welfare of all terrestrial, aquatic and marine animals in the Philippines by supervising and regulating all animal facilities and all other form or structure for the confinement of animals where they are bred, treated, maintained, or kept either for sale or trade or for training purposes as well as the transport of such animals in any form of public or private transportation facility. No person, association, partnership, corporation, cooperative or any government agency or instrumentality shall establish, maintain and operate without first securing from the Bureau of Animal Industry a certificate of registration.

WHEREAS, the Department of Justice Office of Cybercrime released Advisory Opinion No. 02-2015, or the Advisory on Online Shopping Fraud, noting the proliferation of risks involved in online transactions, and prescribing applicable laws that would protect the interests of consumers and promote their general welfare;

WHEREAS, DTI-DOH-DA Joint Department Administrative Order No. 1, series of 2008 prescribed rules and regulations for consumer protection in e-commerce transactions covered by the Consumer Act in order to protect the interests of the consumer and establish standards of conduct for businesses engaged in eCommerce;

WHEREAS, Principle 8 of ASEAN’s High-Level Principles on Consumer Protection calls for ASEAN Member States to conduct regular reviews of existing consumer protection laws and practices to determine amendments or additional subsidiary legislations needed to be implemented to provide effective protection to consumers on e-commerce. Consumers should be informed about potential security and privacy challenges they may face in e-commerce and (mobile commerce) m-commerce, and the measures which can be used to limit the risks. Specialized dispute resolution mechanisms should be established, including on-line mechanisms, to handle cross-border transactions and provide the consumers with fair outcomes;

WHEREAS, the ASEAN Online Business Code of Conduct constitutes a joint endeavor of the ASEAN Committee on Consumer Protection (ACCP) and the ASEAN

Coordinating Committee on E-Commerce (ACCEC), written in plain language that consists of 15 core commitments towards consumers that can be easily applied and adapted in different country or company contexts;

WHEREAS, the DTI launched the e-commerce Philippines 2022 Roadmap which aims to pursue an e-commerce policy agenda to drive its objective of gaining the trust and confidence of the Filipinos in e-commerce to increase e-commerce transactions, and to help create a safer environment for online consumers and merchants facilitated by a strong digital consumer and merchant protection framework;

WHEREAS, to implement the above-cited laws and to address the need to improve the regulation of online selling activities, inform online sellers, merchants, or e-retailers about the equal treatment of the law of online and offline businesses, and ensure that they are reminded of the general laws and regulations that may apply to their online business, there is a need to issue a policy directive;

NOW, THEREFORE, pursuant to the above-mentioned, and subject to the limitations of their mandates conferred by law, the DTI, DA, DENR, DOH, IPOPHL, NPC, hereby promulgate the following guidelines through this Joint Administrative Order (JAO).

I. PRELIMINARY PROVISIONS

SECTION 1. OBJECTIVE.

This JAO aims to increase consumer confidence in business-to-consumer (B2C) e-commerce transactions. It seeks to ensure that e-commerce platforms, electronic retailers (e-retailers), and online merchants are properly guided about the rules, regulations, and responsibilities in the conduct of their online business, considering the need to protect consumers against deceptive, unfair, and unconscionable sales acts and practices. Moreover, the purpose of this JAO is to ensure that online consumers are informed of their rights and the mechanisms for redress.

SEC. 2. SCOPE AND COVERAGE.

This JAO prescribes rules and regulations, and effectively reiterates existing policies, procedures and guidelines that should apply to online businesses. This JAO likewise integrates the procedures and remedies that online consumers are entitled to.

This JAO shall cover all online businesses, whether natural or juridical, registered or not, that are engaged in electronic transactions, particularly B2C transactions including, but not limited to the sale, procurement, or availment of consumer goods, digital content/product, digital financial services, online travel services, ride-hailing services and online courier, and education services. Further, online businesses shall include e-Commerce platforms, online sellers, merchants, e-marketplace or e-retailers as defined in Section 4 of this JAO.

SEC. 3. APPLICABILITY OF LAWS AND REGULATIONS.

The laws applicable to physical or offline businesses are equally applicable to online businesses.

Moreover, online businesses may be held liable and be subjected to penalties for any

violations under the laws governing to their respective industries and commercial activities they are engaged in, as well as under the rules and regulations prescribed by the DTI, IPOPHL, NPC, DOH, DA, DENR, and other relevant agencies.

Unless expressly specified, nothing in this JAO shall be construed as to diminish or deprive the regulatory jurisdiction conferred by law upon other government agencies.

SEC. 4. DEFINITION OF TERMS.

As used in this JAO, the following terms are defined to mean:

- 4.1 **Business to Consumer (B2C) transaction** – refers to the act or process of selling or providing goods or services by businesses to consumers whether for a profit or not;
- 4.2 **Consumer** – refers to a person who is a purchaser, lessee, recipient or prospective purchaser, lessor or recipient of consumer products, services, credit, technology, advertising or promotion, and other items in e-commerce;
- 4.3 **Digital financial services** - refer to services of a financial nature that are made available to the public through the internet, including banking services, insurance and insurance-related services, payment and money transmission services, remittance services, online lending services, online investment services, and other similar or related services;
- 4.4 **Digital content/product** - refers to data which is produced and supplied in electronic form;
- 4.5 **Education service** - refer to services designed to promote, impart, share, source, or review knowledge, and to those intended to assist, facilitate, or improve learning, through an online platform, application, website, webpage, social media account, or other similar platform operated by the provider for profit, regardless of whether the provider is authorized to engage in e-commerce in the Philippines. Moreover, it is commonly referring to four categories: Primary Education Services; Secondary Education Services; Higher (Tertiary) Education Services; and Adult Education;
- 4.6 **Electronic commerce** or **e-commerce** – refers to the production, distribution, marketing, sale, or delivery of goods and services by electronic means;
- 4.7 **Electronic data message** – refers to information generated, sent, received or stored by electronic, optical or similar means;
- 4.8 **Electronic transaction** – refers to the sale or purchase of goods or services, whether between businesses, households, individuals, governments, and other public or private organizations, conducted over computer-mediated networks. The goods and services are ordered over those networks, but the payment and the ultimate delivery of the goods or services may be conducted on or off-line.
- 4.9 **E-commerce platform** – refers to a natural or juridical person that solicits or facilitates the purchase, procurement, or use of goods or services including the viewing of digital content, using digital or online technologies, with or without the use of monetary transactions. These shall include websites or other electronic platforms that connect or facilitate communication between online sellers, merchants, retailers, content producers, and consumers or end-users as well as social media websites operating or being used as a business;
- 4.10 **E-marketplace** – refers to an online intermediary that allows participating merchants to exchange information about products or services to enter into an electronic commerce transaction, which may or may not provide

information/services about payments and logistics;

- 4.11 **E-retailer** - refers to a natural or juridical person, regardless of location, that habitually sells directly to the general public merchandise, commodities or goods for consumption, over the internet, through a website, an online marketplace, a social media website or application or through other similar means. These shall include retailers, whether registered or not, in social media websites and online marketplaces;
- 4.12 **Goods** – refers to physically or digitally produced items over which ownership rights may be established, and whose economic ownership may be passed from one to another by engaging in transactions; For purposes of this JAO, goods shall include live animals.
- 4.13 **Online business** – refers to any commercial activity over the internet, whether buying or selling goods and/or services directly to consumers or through a platform, or any business that facilitates commercial transactions over the internet between businesses and consumers. Online businesses shall include e-Commerce platforms, e-marketplace, online sellers/merchants and e-retailers(e-tailers) as defined in this section.
- 4.14 **Online travel services** - refers to services that facilitate the reservation, purchase or discounting of flights, hotel accommodations, and vacation rental spaces, through an online platform, application, website, webpage, social media account, or other similar platform operated by the provider, regardless of whether the provider is authorized to engage in e-commerce in the Philippines;
- 4.15 **Online seller or merchant** – refers to a natural or juridical person, regardless of location, that directly sells or manufactures goods, or offers for sale, any good or service over the internet in the ordinary course of business, either individually or through an electronic platform, website, online marketplace, social media website or application, or other similar means. These shall include sellers and resellers, whether registered or not, in social media websites and online marketplaces; and
- 4.16 **Ride hailing service** - refers to the delivery of food, goods or other merchandise, or of personal transport services and other courier services, contracted through an online platform, application, website, webpage, social media account, or other similar platform operated by the provider, regardless of whether the provider is authorized to engage in e-commerce in the Philippines.

II. RESPONSIBILITIES OF ONLINE BUSINESSES AND PROTECTION OF CONSUMERS

SEC. 5. RESPONSIBILITIES OF ONLINE BUSINESSES.

To build trust in e-commerce and to protect and uphold the interest of consumers at all times, all online businesses are enjoined to abide by the following rules, as reflected in the ASEAN Online Business Code of Conduct:

- 5.1 **Fair Treatment of Consumers.** Online businesses shall refrain from illegal, fraudulent, unethical or unfair business practices that may harm consumers.
- 5.2 **Upholding Responsibilities.** Online businesses shall value consumer rights to the same extent as traditional brick-and-mortar businesses.
- 5.3 **Compliance with Laws and Regulations.** Online businesses shall respect the

policies, laws and regulations in the countries where their goods and services are marketed.

- 5.4 **Conformance to Local Standards.** Online businesses shall apply the necessary standards and provide accurate information in the local language of the countries where their goods and services are marketed.
- 5.5 **Ensured Quality and Safety.** Online businesses shall ensure shared responsibility along the entire supply chain. They shall not compromise product and food safety, not offer products which have been recalled, banned or prohibited, and shall ensure that their services are of highest quality.
- 5.6 **Honest and Truthful Communication.** Online businesses shall provide easily accessible, complete, and correct information about their goods and services, and adhere to fair advertising and marketing practices.
- 5.7 **Price Transparency.** Online businesses shall ensure transparency and openness regarding their prices, including any additional costs, such as customs duties, currency conversion, shipping or delivery.
- 5.8 **Proper Recordkeeping.** Online businesses shall keep proper records of purchase, provide complete records of the goods purchased, and have them delivered in the promised time and described condition.
- 5.9 **Review and Cancellation Options.** Online businesses shall offer options to allow consumers to review their transactions prior to final purchase, and of cancellation and allow consumers to review their transaction before making the final purchase, and to withdraw from a confirmed transaction in appropriate circumstances.
- 5.10 **Responsive Consumer Complaint and Redress System.** Online businesses shall take consumer complaints seriously, establish a fair and transparent system to address complaints, and provide appropriate compensation, such as refund, repair, and/or replacement.
- 5.11 **Consumer Information Security.** Online businesses shall secure the personal information of consumers, actively protect their privacy, be transparent about processing personal data, and if appropriate under the circumstances, ask for permission prior to any personal data processing activity.
- 5.12 **Online Payment Security.** Online businesses shall ensure that online payments used are safe and secure. They shall safeguard sensitive data by choosing digital payment platforms with the appropriate secure technology and protocols, such as encryption or SSL, and display trust certificates to prove it.
- 5.13 **Desistance from Online Spamming.** Online businesses shall avoid online spamming. They shall allow consumers to choose whether they wish to receive commercial messages by e-mail or other electronic means, and provide adequate mechanisms for them to opt-out from the same.
- 5.14 **Non-proliferation of Fake Online Reviews.** Online businesses shall not restrict the ability of consumers to make critical or negative reviews of goods or services, or spread wrong information about competitors.
- 5.15 **Consumer Education on Online Risks.** Online businesses shall educate consumers about (online) risks. They shall help consumers in understanding the risks of online transactions, and provide competent guidance if needed.
- 5.16 **Disclosure of Information.** Online businesses shall disclose information on banned items and regulated or severely restricted items to the concerned regulator to verify and validate permits, clearances and/or compliance to the

policy.

SEC. 6. PROTECTION OF ONLINE CONSUMERS AGAINST HAZARDS TO HEALTH AND SAFETY.

- 6.1 R.A. No. 4109 otherwise known as the “Standards Law” shall apply to all online businesses. This includes compliance to all Department Administrative Orders issued by DTI particularly the Technical Regulations issued to ensure and certify product quality and safety.
- 6.2 All online businesses must comply with DTI Memorandum Circular No. 21-05, series of 2021 which enumerates the eighty-seven (87) products and systems covered under the BPS Mandatory Product Certification Schemes, and classified into three (3) product groups – Electrical and Electronic Products, Mechanical/Building and Construction Materials, and Chemical and Other Consumer Products and Systems. The complete list of products is attached as **Annex A**.
- 6.3 **REQUIREMENT FOR PRODUCTS COVERED UNDER THE DTI-BPS MANDATORY CERTIFICATION SCHEMES**
- 6.3.1 Online platforms, including its sellers, merchants, or e-retailers engaged in the sale of products covered under the DTI Bureau of Philippine Standards (DTI-BPS) Mandatory Product Certification Schemes shall ensure that such products sold in online platforms bear a valid Philippine Standard (PS) Quality and/or Safety Certification Mark, Import Commodity Clearance (ICC) sticker, or any certification mark approved and issued by the DTI-BPS.
- 6.3.2 Manufacturers and importers of the products covered under the BPS Mandatory Certification Schemes shall secure the PS Mark or ICC stickers from the BPS. Only the manufacturer or importer to whom the PS License or ICC certificate is granted shall be allowed to affix the PS Mark or ICC sticker, respectively, on their products consistent with the requirements of the DTI Department Administrative Order (DAO) No. 4, Series of 2008, DAO No. 5, Series of 2008, their respective Implementing Rules and Regulations and other applicable DTI technical regulations related to the BPS Mandatory Product Certification Schemes. The matrix of requirements and procedure to apply for a PS Mark License, ICC certificate and stickers, is attached as **Annex B**.
- 6.3.3 Any person or entity, such as but not limited to merchants, sellers, e-retailers, platforms or e-commerce applications shall be held liable for the facilitation of the discharge, distribution and/or sale for domestic consumption of any product covered by the DTI-Bureau of Philippine Standards’ Mandatory Product Certification in violation of the applicable laws, rules and regulations.
- 6.4 Article 18, Section A of R.A. No. 7394, otherwise known as the Consumer Act of the Philippines, states that it shall be unlawful for any person to manufacture for sale, offer for sale, distribute in commerce, or import into the Philippines any consumer product which is not in conformity with an applicable consumer product quality or safety standard is unlawful. This also applies to electronic transactions.
- 6.5 The manufacture, importation, exportation, sale, offering for sale, distribution, transfer, non-consumer use, promotion, advertising, or sponsorship of any health product that is adulterated, unregistered or misbranded, beyond its expiration,

and/or unregistered although requiring registration are prohibited, following Section 10 of RA 9711, otherwise known as the Food and Drug Administration Act of 2009.

SEC. 7. PROTECTION OF ONLINE CONSUMERS AGAINST DECEPTIVE, UNFAIR AND UNCONSCIONABLE SALES AND PRACTICES.

7.1 Prohibition Against Deceptive Online Sales Acts or Practices – Online businesses are covered by Article 50 of R.A. No. 7394 and Sections 155.1, 155.2, and 165.2(b) of R.A. No. 8293 or otherwise known as the Intellectual Property Code of the Philippines, which declare deceptive acts or practices by a seller or supplier in connection with a consumer transaction as a violation. This shall occur before, during or after the transaction, in cases where:

- 7.1.1. A consumer product or service has the sponsorship, approval, performance, characteristics, ingredients, accessories, uses, or benefits it does not have;
- 7.1.2 A consumer product or service is of a particular standard, quality, grade, style, or model when in fact it is not;
- 7.1.3 A consumer product is new, original or unused, when in fact, it is in a deteriorated, altered, reconditioned, reclaimed or second-hand state;
- 7.1.4 A consumer product or service is available to the consumer for a reason that is different from the fact;
- 7.1.5 A consumer product or service has been supplied in accordance with the previous representation when in fact it is not;
- 7.1.6 A consumer product or service can be supplied in a quantity greater than the supplier intends;
- 7.1.7 A service, or repair of a consumer product is needed when in fact it is not;
- 7.1.8 A specific price advantage of a consumer product exists when in fact it does not;
- 7.1.9 The sales act or practice involves or does not involve a warranty, a disclaimer of warranties, particular warranty terms or other rights, remedies or obligations if the indication is false;
- 7.1.10 The seller or supplier has a sponsorship, approval, or affiliation he does not have; and
- 7.1.11 The seller or supplier of a product or service has used a trademark, trade name, or other identifying mark, imprint, or device, or any likeness thereof, without the authorization of the owner.

7.2 Unfair or Unconscionable Sales Act or Practice – Online businesses are also covered by Article 52 of R.A. No. 7394 and Sections 155.1, 155.2, and 165.2(b) of R.A. No. 8293 when the seller induces the consumer to enter into a sales or lease transaction grossly inimical to the interests of the consumer or grossly one-sided in favor of the online seller, merchant, or E-retailer by taking advantage of the consumer's physical or mental infirmity, ignorance, illiteracy, lack of time or the general conditions of the environment or surroundings. In determining whether an act or practice is unfair and unconscionable, the following circumstances shall be considered:

- 7.2.1 That the producer, manufacturer, distributor, supplier or seller took advantage of the inability of the consumer to reasonably protect his

interest because of his inability to understand the language of an agreement, or similar factors;

- 7.2.2 That when the electronic transaction was entered into, the price grossly exceeded the price at which similar products or services were readily obtainable in similar transaction by like consumers;
- 7.2.3 That when the electronic transaction was entered into, the consumer was unable to receive a substantial benefit from the subject of the transaction;
- 7.2.4 That the transaction that the seller or supplier induced the consumer to enter into was excessively one-sided in favor of the seller or supplier; and
- 7.2.5 That the consumer was misled into purchasing a product or availing of a service by reason of the unauthorized use by the supplier or seller of a trademark, trade name, or other identifying mark, imprint, or device, or any likeness thereof, and which thereby falsely purports or is represented to be the product or service of another.

SEC. 8. RESPONSIBILITIES OF ONLINE BUSINESSES ON CONSUMER PRODUCT AND SERVICE WARRANTIES, PRICE TAG PLACEMENT, AND LABELING

- 8.1. **Consumer Product and Service Warranty** – Online businesses shall comply with the pertinent rules on provision of warranty under the Civil Code and under Title III of R.A. No. 7394.
- 8.2. **Labeling Requirements** - online businesses shall comply with the following labeling requirements under R.A. No. 7394 and R.A. 9711:
 - 8.2.1 The minimum labelling requirements for consumer products whether manufactured locally or imported under Article 77;
 - 8.2.2 Additional labeling and packaging requirements necessary to prevent the deception of the consumer or to facilitate value comparisons as to any consumer product under Article 79;
 - 8.2.3 Additional labelling requirements for food under Article 84;
 - 8.2.4 Labeling of drugs under Article 86 and Section 6 of RA 6675, as amended by RA 9502 otherwise known as the “Universally Accessible Cheaper and Quality Medicines Act of 2008”; and
 - 8.2.5 Additional labeling requirements for cosmetics under Article 87.
 - 8.2.6 Breastmilk substitutes and breastmilk supplements shall follow the guidelines set in the Milk Code, in terms of labelling (Section 10 of EO 51).
 - 8.2.7 Toys shall comply with the appropriate provisions on safety labelling and manufacturer's markings found in the Philippine National Standards for the safety of toys (Section 4 of RA 10620 otherwise known as the “Toy and Game Safety Labeling Act of 2013”).
 - 8.2.8 Household urban hazardous substances must bear warning labels particular to the hazards they present (Chapter IV/Article 91 of RA 7394, Section 1.n. of Presidential Decree (PD) No. 881).
 - 8.2.9 Vaping products and heated tobacco products must bear Graphic Health Warnings (Sec. 1 of RA 11346)

8.3. **Price Tag Placement** – Pursuant to Articles 81 and 83 of R.A. No. 7394, the following rules and regulations shall apply to online businesses as regards the price of the product or service offered online:

8.3.1 Product listings by e-retailers or merchants on marketplace/platforms must contain the price(s) of the product/service in Philippine pesos and must display payment policies, delivery options, returns, refunds and exchange policy, and other charges if applicable;

8.3.2 Total price must be displayed. It must be clear, updated and accurate to avoid misleading online consumers;

8.3.3 Indicate the price in high visibility areas preferably near the product title, or the add-to-cart button and ensure the text used for the price is readable and accessible; and

8.3.4 The practice of providing prices through private (or direct) messages to consumers/buyers is considered a violation of the Price Tag Law.

SEC. 9. PROHIBITED OR RESTRICTED ITEMS.

Online businesses shall not produce, import, distribute, market, sell or transport prohibited or restricted items, such as but not limited to the following, without a license or permit from the regulatory agency concerned:

- i. Animals and human parts, such as:
 - a. Animal and wildlife products (including, without limitation, wild animals);
 - b. Human parts or remains;
- ii. Fertilizers;
- iii. Pesticides;
- iv. Hazardous chemicals and Wastes;
- v. Imported, Second-Hand or Used Electrical and Electronic Equipment (EEE);
- vi. Health products, including food, drugs, cosmetics, devices, biologicals, vaccines, in-vitro diagnostic reagents, household/urban hazardous substances, household/urban pesticides, toys and childcare articles, heated tobacco products, and vaping products; Unless, duly licensed or permitted under the Food and Drug Administration (FDA) and compliant to the rules and regulations providing for its regulated or controlled entry in electronic commerce;
- vii. Prohibited Food:
 - a. Listings containing medicinal claims - that is, a claim that the item is intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans and/or animals, contraception, inducing anesthesia or otherwise preventing or interfering with the normal operation of a physiological function, whether permanently or temporarily, and whether by way of terminating, reducing or postponing, or increasing or accelerating, the operation of that function or in any other way (for example, pharmaceutical drugs, contact lenses, misbranded dietary supplements);
 - b. Noxious food items - Food which contains any prohibited substances or substances in excess of permitted proportions, adulterated food without fully informing buyer at the time of sale of the nature of the transaction;
 - c. Non-pasteurized dairy products;
 - d. Wild mushrooms; and

- e. Any other food items hazardous to human health.
- viii. Drugs, prescription-only medicines, pharmacy-only medicines, drug-like substances and associated paraphernalia;
- ix. Alcohol;
- x. Tobacco or tobacco-related products, including heated tobacco products and vapor products;
- xi. Ionizing radiation sources and services/activities involving thereof, which include radiation devices and radioactive materials, and services/activities where such sources are used for medical and non-medical purposes; Unless, duly licensed or permitted under the FDA and/or the Philippine Nuclear Research Institute (PNRI) and compliant to the rules and regulations providing for its regulated or controlled entry in electronic commerce
- xii. Lottery tickets;
- xiii. Slot machines;
- xiv. Goods or items that are:
 - a. Embargoed;
 - b. Mislabeled;
 - c. Recalled;
 - d. Stolen;
 - e. Expired;
- xv. Used cosmetics;
- xvi. Counterfeit items, such as:
 - a. Counterfeit currency and stamps;
 - b. Counterfeit goods, pirated goods and/or content;
 - c. Potentially infringing items: Items including but not limited to replicas, counterfeit items, and unauthorized copies of a product or item which may be in violation of certain copyrights, trademarks, or other intellectual property rights of third parties;
- xvii. Currency, credits, and securities such as:
 - a. Currency or credits including, without limitation, digital currency or credits, and stored value cards;
 - b. Credit and debit cards;
 - c. Shares, stock, other securities and stamps;
- xviii. Precious metals such as but not limited to gold bar, silver bar, platinum bar, conflict minerals (natural sources extracted in a conflict zone and sold to perpetuate fighting), conflict diamond (diamond mined in a war zone and sold to finance an insurgency);
- xix. Artifacts and antiquities;
- xx. Weapons, such as:
 - a. Firearms, weapons such as pepper spray, replicas, and stun guns, etc.;
 - b. Lock-picking devices;
- xxi. Chainsaw;
- xxii. Equipment and devices critical to surveillance and information gathering, such as:
 - a. Telecommunication equipment that has not been registered with the National

- Telecommunications Commission of the Philippines, and electronic surveillance equipment and other similar electronic equipment such as cable TV, de-scramblers, radar scanners, traffic signal control devices, wiretapping devices and telephone bugging devices;
 - b. Circumvention devices used in modifying, decoding, recoding of vital information;
- xxiii. Government or Police related items such as badges, insignia or uniforms;
 - xxiv. Prohibited services: the provision of services that are sexual, or illegal in nature;
 - xxv. Obscene, seditious or treasonous materials;
 - xxvi. Publications, books, films, videos and/or video games that do not comply with applicable laws in the country of sale and/or delivery;
 - xxvii. Blasphemous materials showing disrespect, irreverence, discrimination to any religion;
 - xxviii. Products that:
 - a. Relate to campaigns, elections, political issues, or issues of public debate;
 - b. Advocate for or against, or attack a politician or political party; or
 - c. Promote or encourage any form of hate, crime, prejudice, rebellion or violence;
 - xxix. Any other items that are, or that contain components that are:
 - a. Illegal or restricted in the jurisdiction of the Buyer and/or the Seller or which otherwise encourage illegal or restricted activities, or
 - b. Determined by any governmental or regulatory authority to pose a potential health or safety risk.

Provided, however, that the preceding list of products is subject to amendment as items may be added or removed depending on the government agencies having jurisdiction over them.

Further, online businesses shall exhibit the corresponding license or permit number as regards the restricted items for sale.

SEC. 10. DATA PRIVACY.

This JAO defines the responsibilities of online sellers, merchants, or e-retailers under R.A. No. 10173, otherwise known as the Data Privacy Act, which seeks to ensure privacy protection to ensure transparency, legitimate purpose, and proportionality in data collection and processing. Through the NPC, the law regulates the collection, recording, organization, storage, updating or modification, retrieval, consultation, use, consolidation, blocking, erasure or destruction of personal data.

- 10.1 Online sellers, merchants, or e-retailers particularly those that sell through their own websites, or through social media marketplaces are expected to handle all personal data of their consumers with the utmost care and respect;
- 10.2 Personal information collected by the online sellers, merchants, or e-retailers shall be retained only for as long as necessary:
 - a. For the fulfillment of the declared, specified, and legitimate purpose, or when the processing relevant to the purpose has been terminated;
 - b. For the establishment, exercise or defense of legal claims;

- c. For legitimate business purposes, which must be consistent with standards followed by the applicable industry or approved by appropriate government agency; or
 - d. As provided by law;
- 10.3 Personal data shall be disposed of or discarded in a secure manner that would prevent further processing, unauthorized access, or disclosure to any other party or the public, or prejudice the interests of the data subjects. Security measures for the protection of personal data should be implemented;
- 10.4 Online sellers, merchants, or e-retailers shall publish/post in their websites or online platforms, or any other similar platform, a Privacy Notice which shall provide consumers with information regarding the purpose and extent of the processing of their personal data in relation to their transactions, including if applicable, any data sharing, profiling, direct marketing, or the existence of automated decision-making, as well as any other authorized further processing;
- 10.5 Online merchants that operate their own online application, or any other similar platform are prohibited from asking unnecessary permissions from the consumers, to use or collection their personal data;
- 10.6 Prior to the collection of personal data of the consumers, the online sellers, merchants, or e-retailers must determine the most appropriate lawful criteria for such processing, which in the case of sale-related processing need not necessarily be consent. In such a case, processing may still be lawful if based on a contract or legitimate interest of either or both the seller and the buyer;
- 10.7 All personal data supplied by consumers to online sellers, merchants, or e-retailers shall be secured through the implementation of reasonable and appropriate security measures intended for the protection of personal data and shall not be used for purposes not authorized by the consumers;
- 10.8 Upon collection and processing of the personal data, the online sellers shall inform the consumers of their data privacy rights under the Data Privacy Act, namely:
- a. Right to information
 - b. Right to object
 - c. Right to access
 - d. Right to correct
 - e. Right to erase
 - f. Right to damages
 - g. Right to data portability
 - h. Right to file a complaint

III. LIABILITIES OF ONLINE BUSINESSES

SEC. 11. LIABILITY FOR DEFECTIVE PRODUCT AND SERVICE.

Online businesses are covered by Title III, Chapter V of the R.A. No. 7394, particularly

Article 98 (in relation to Article 97) which provides for the liability of the manufacturer, producer, importer, or seller of defective products.

- 11.1 Online merchants or sellers are liable when it is not possible to identify the manufacturer, builder, producer or importer of a defective product;
- 11.2 Online merchants or sellers shall be held liable when the product is supplied, without clear identification of the manufacturer, producer, builder or importer; and
- 11.3 Online merchants or sellers shall be held liable when the perishable goods were not adequately preserved.

SEC. 12. LIABILITY FOR THE SALE OF COUNTERFEIT AND PIRATED GOODS.

The online sale of fake and/or pirated goods is a violation of R.A. No. 8293 and R.A. No. 8203, otherwise known as the “Special Law on Counterfeit Drugs.”

- 12.1 Should any person holding Intellectual Property (IP) protection, whether or not engaged in selling, find that their creations, designs, trademarks, patented inventions, or other IP protected products are being infringed by unauthorized sellers or merchants online, they may request the online e-commerce platforms being used by the infringer to take down the infringing products.
- 12.2 Online e-commerce platforms have the authority to enforce the rights of the IP holder, in accordance with their internal guidelines. The usual modes of enforcement by platforms include temporary or permanent suspension or restriction of the infringing seller’s accounts.
- 12.3 Reports or complaints of possible infringement shall be transmitted by the DTI to the brand owners so that they may check and report the same to the IPOPHL for action.
- 12.4 In addition to the IPOPHL, complaints regarding counterfeit and pirated goods may also be brought before other regulatory agencies having jurisdiction over the same such as, but not limited to, the Optical Media Board and the Food and Drug Administration.
- 12.5 The following persons shall be liable for violations of R.A. No. 8203:
 - 12.5.1 The manufacturer, exporter or importer of the counterfeit drugs and their agents: Provided, That the agents shall be liable only upon proof of actual or constructive knowledge that the drugs are counterfeit;
 - 12.5.2 The seller, distributor, trafficker, broker or donor and their agents, upon proof of actual or constructive knowledge that the drugs sold, distributed, offered or donated are counterfeit drugs;
 - 12.5.3 The possessor of counterfeit drugs as provided in Section 4 (b) of R.A. No. 8203;
 - 12.5.4 The manager, operator or lessee of the laboratory or laboratory facilities used in the manufacture of counterfeit drugs;
 - 12.5.5 The owner, proprietor, administrator or manager of the drugstore, hospital pharmacy or dispensary, laboratory or other outlets or premises where the counterfeit drug is found who induces, causes or allows the commission of any act herein prohibited;
 - 12.5.6 The registered pharmacist of the outlet where the counterfeit drug is sold or found, who sells or dispenses such drug to a third party and who has actual or constructive knowledge that said drug is counterfeit; and

- 12.5.7 Should the offense be committed by a juridical person the president, general manager, the managing partner, chief operating officer or the person who directly induces, causes or knowingly allows the commission of the offense shall be penalized.

SEC. 13. LIABILITY OF E-COMMERCE PLATFORMS AND E-MARKETPLACES

- 13.1 Pursuant to Art. 4 (bn) of the R.A. No. 7394, e-commerce platforms and e-marketplaces shall be considered, and shall be held liable in the same manner as, online sellers, merchants, and e-retailers, when they exercise direction or control over the selling practices of the actual online seller, merchant, and e-retailer, when the latter commits any violation of these rules;

However, considering that e-commerce platforms and e-marketplaces may lack the time to prevent the actual online seller, merchant, and e-retailer from committing a violation of these rules, e-commerce platforms and e-marketplaces shall be given a period of 10 calendar days from written notice to take down the post of the online seller, merchant, and e-retailer. After which period and notice, and should the e-commerce platform and e-marketplace refuse or neglect to take down the post of the online seller, merchant, and e-retailer, the applicable department or agency under this JAO may now proceed against the e-commerce platform and e-marketplace as a principal violator of the rules and the laws herein referred;

- 13.2 Pursuant to Article 110 of R.A. No. 7394, it shall be unlawful for e-commerce platforms and e-marketplaces to disseminate or to cause the dissemination of any false, deceptive or misleading advertisement by mail or in commerce by print, radio, television, outdoor advertisement, or any other medium, for the purpose of inducing or which is likely to induce directly or indirectly the purchase of products or services;
- 13.3 Pursuant to Article 112(b) of R.A. No. 7394, e-commerce platforms and e-marketplaces shall not advertise any food, drug, cosmetic, device, or hazardous substance in a manner that is false, misleading or deceptive, or is likely to create an erroneous impression regarding its character, value, quantity, composition, merit, or safety;
- 13.4 Pursuant to Article 112(f) of R.A. No. 7394, e-commerce platforms and e-marketplaces shall not advertise any food, drug, cosmetic, device, or hazardous substance, unless such product is duly registered and approved by the concerned department for use in any advertisement;
- 13.5 The term “use in commerce” under Section 155.1 of R.A. No. 8293 shall include the act of sending marketing emails, publishing advertisements online or through traditional media, and similar acts designed to solicit business. The use of registered marks as well as copies or reproductions thereof in marketing emails and advertisements, without the authority of the trademark owner, shall be deemed an act of infringement under Section 155.1 of R.A. No. 8293;
- 13.6 Pursuant to Section 216(b) of R.A. No. 8293, e-commerce platforms and e-marketplaces shall be liable for copyright infringement when, having been notified of an infringing activity and having the right and ability to control the same, benefits from the said infringing activity; and
- 13.7 Pursuant to Section 216(c) of R.A. No. 8293, e-commerce platforms and e-marketplaces shall be liable for copyright infringement when, with knowledge of an infringing activity, the e-commerce platforms or e-marketplaces induces,

causes, or materially contributes to the infringing conduct.

IV. RESPONSIBILITIES OF GOVERNMENT AGENCIES

SEC. 14. RESPONSIBILITIES OF CONCERNED GOVERNMENT AGENCIES.

The provisions of this JAO shall be implemented in full effect by the concerned government agencies, in order to establish a trustworthy and conducive e-commerce environment:

- 14.1 The ***Department of Trade and Industry (DTI)***, with respect to registration and monitoring of online sellers, merchants, or E-retailers including handling of consumer complaints.
- 14.2 The ***Department of Agriculture (DA)***, with respect to the monitoring and regulation of the manufacture and marketing of agricultural products for the protection of the public from the inherent risk of these products; and in the promotion and protection of animal health and welfare.
- 14.3 The ***Department of Environment and National Resources (DENR)***, with respect to the monitoring and regulation of the importation, manufacture, processing, handling, storage, transport, sale, distribution, use and disposal of chemical substances, mixtures, plants and wildlife, and chain saws that present unreasonable risk or injury to health or to the environment in accordance with national policies and international commitments.
- 14.4 The ***Department of Health (DOH)***, through the ***Food and Drug Administration (FDA)***, with respect to the regulation of the manufacture, importation, exportation, distribution, sale, offer for sale, transfer, promotion, advertisement, sponsorship of, and/or use and testing of health products, including food, drugs, cosmetics, devices, biologicals, vaccines, in-vitro diagnostic reagents, household/urban hazardous substances, household/urban pesticides, toys and childcare articles, heated tobacco products, and vaping products, to protect the health of the consumer.
- 14.5 The ***Intellectual Property Office of the Philippines (IPOPHL)***, with respect to the protection of intellectual property rights in the conduct of e-commerce and its coordination with online e-commerce platforms in the implementation of its Memorandum of Understanding regarding counterfeit and pirated goods online.
- 14.6 The ***National Privacy Commission (NPC)***, with respect to the protection of data privacy rights and regulation of the processing of personal data in the conduct of e-commerce transactions.

SEC. 15. JOINT UNDERTAKING OF GOVERNMENT AGENCIES.

The above-mentioned government agencies shall undertake the following:

- 15.1 Work with e-commerce platforms to establish a mechanism to prevent or remove or take down, within a reasonable period, listings on online platforms of regulated products;
- 15.2 Implement advocacy campaigns for consumers and businesses on government regulations relative to the marketing, distribution and sale of regulated products;

- 15.3 Explore the possibility of jointly developing a system with e-commerce platforms, including the use of an Application Programming Interface (API), that will link each Party's respective systems to facilitate the transfer of information regarding listing of keywords, images, and other information on regulated products for regular sweeping by the online platforms; and
- 15.4 Develop a system to exchange intelligence/information on prohibited items monitored online, including automatic sharing of information with the appropriate regulatory agency, on possible violations detected/discovered.

This JAO shall enjoin all government agencies concerned to coordinate and assist in the enforcement of this JAO, in respect to the matters falling under their respective jurisdictions.

SEC. 16. REGISTRY OF ONLINE BUSINESS.

The E-Commerce Office of the DTI shall create and maintain a Registry of Online Business (ROB) in a DTI-hosted site where important business information should be uploaded to safeguard against fly-by-night and unscrupulous online business.

V. REMEDIES OF CONSUMERS

SEC. 17. PROVISION OF ADEQUATE RIGHTS AND MEANS OF REDRESS.

- 17.1 **NO WRONG-DOOR POLICY** – In accordance with Department Administrative Order No. 20-02, series of 2020, any consumer complaint filed with the DTI, whether or not the subject matter falls under its jurisdiction, shall be accepted for appropriate assistance, subject to the limitations imposed by law. The Department shall assist the consumer by guiding them to and forwarding their complaint to the appropriate agency having proper jurisdiction over the subject matter.
- 17.2 **CONSUMER COMPLAINTS MECHANISM** – The handling of consumer complaints shall be done in accordance with the rules of the government agency having jurisdiction over the product or service complained of. Where the DTI is concerned, complaints against online businesses shall be made and handled in accordance with DTI Department Administrative Order 20-02, series of 2020. The established procedure for all types of consumer complaints brought before the DTI, whether against offline (brick and mortar) or online businesses shall apply to online consumers:
 - 17.2.1 Online consumers may file complaints with the DTI regarding their concerns via the following modes:
 - a. Walk-in at its national or provincial offices
 - b. Consumer care hotline at 1-384
 - c. SMS at 09178343330
 - d. Written complaints delivered through postal or messengerial service

17.2.2 Complaints can also be filed electronically through any of the following:

- a. DTI website. Consumers must accomplish Complaint Form
- b. DTI Consumer Care Facebook page
- c. Email to consumercare@dti.gov.ph or ftfb@dti.gov.ph addressed to the Director of the Fair Trade Enforcement Bureau (FTEB) or the appropriate official of any of the DTI's provincial offices, with the following details:
 - i. Complete name, address, email and contact number of complainant with attached government-issued ID
 - ii. Narration of facts
 - iii. Email thread, screen shots, or scanned proof of transaction

17.2.3 Complaint Handling Process

- a. When DTI receives a consumer complaint, the subject matter of which is within the ambit of its primary jurisdiction, it shall schedule the parties to the complaint for appropriate Mediation within seven (7) days of receipt.
- b. Upon agreement of both parties, Mediation may be extended for no longer than ten (10) working days.
- c. If the controversy has not been resolved through Mediation, the matter shall be scheduled for Adjudication, and a decision shall be rendered within fifteen (15) working days from submission for decision.
- d. The decision of the Consumer Arbitration Officer shall become final within fifteen (15) days from receipt thereof, unless appealed to the Secretary of Trade and Industry. The Secretary shall render a decision on appeal within thirty (30) working days from the submission of appeal.
- e. The decision of the Secretary of Trade shall become final and executory after fifteen (15) days from receipt thereof, unless a petition for certiorari is filed with the proper court, in accordance with Article 166 of the Consumer Act.
- f. The Consumer complaints handling process flow chart is hereby attached as **Annex C**.

17.3 Online sellers, merchants, or E-retailers and consumers are advised that their communications, whether done via social media, built-in communication services on e-commerce platforms, or any other form of electronic communication using an electronic device, may constitute an electronic data message. Screenshots of such electronic communications may be used as evidence to prove a fact or establish a right in administrative or judicial proceedings, subject to the relevant rules issued by the Supreme Court.

A.M. No. 01-7-01-SC provides for the Rules on Electronic Evidence, to implement the legal recognition, admissibility, and enforcement of electronic documents and signatures in court.

VI. PENALTIES

SEC.18. PENALTIES.

Online business may be penalized in cases of violations of certain laws, rules and regulations governing their industries and their commercial activities or transactions.

These include laws and issuances regarding data privacy, intellectual property, pricing, labelling, product standards, prohibited or controlled products, health products, licensing requirements, local government ordinances, and environmental compliance, among others.

18.1 Penalties under the Standards Law

Department Administrative Order No. 02, series of 2007, in relation to Republic Act No. 4109, prohibits the importation, manufacture, distribution, sale, or offer for sale of any of the products covered by the BPS Mandatory Product Certification Schemes, without the required approval, accreditation, license, permit, marks, or stickers from the BPS. The only exception shall be when the products are not for sale or distribution in the Philippine market, but purely for private use or consumption only.

Any violation of this prohibition may result in the possible penalties such as the seizure, forfeiture, or condemnation of the products, the cancellation or revocation of any permit, license, authority, or registration granted by DTI, and the imposition of fines, imprisonment or both.

18.2 Penalties under R.A. 7394 or the Consumer Act of the Philippines

Online sellers, merchants, or e-retailers found liable for any acts or practices in violation of the Consumer Act may be sanctioned through the imposition of administrative fines. Furthermore, if taken to court, the online seller, merchant, or e-retailer may, if found guilty, face further penalties in the form of fines, imprisonment, or both, at the discretion of the court.

The Consumer Act likewise provides penalties for other violations of its provisions, including, but not limited to, the failure to adequately or truthfully disclose to the public the product price and other essential information as required by law and other administrative regulations.

18.3 Penalties under the Intellectual Property Code of the Philippines

Online sellers, merchants, or e-retailers may be held liable if their business infringes protected intellectual property rights.

18.3.1 **Patent Infringement** – Section 76 of the Intellectual Property Code provides that the registered patent holder may bring a civil action against

the infringing party, and if found liable, the online seller, merchant, or e-retailer may be liable for damages. After an unfavorable final judgment in the civil case, should the online seller, merchant, or e-retailer alone or in connivance with others, repeat the infringement during the term of the patent, they may be held criminally liable under Section 84 thereof. In such case, the online seller, merchant, or E-retailer, if found guilty, may be ordered to pay a fine, or suffer imprisonment, or both, at the discretion of the court.

18.3.2 Trademark Infringement – Section 156 of the Intellectual Property Code provides that an online seller, merchant, or e-retailer found liable for infringement may be subject to:

- a. Damages, based on reasonable profit that the holder of the IP rights was deprived of due to such infringement, or on the profit actually made by the seller out of the infringement
- b. Impounding of sales invoices and other documents evidencing sales
- c. Injunction
- d. Destruction without compensation of the infringing material

18.3.3 Copyright Infringement – Section 216 of the Intellectual Property Code provides that if found liable by a court, the online seller, merchant, or e-retailer may be subject to:

- a. Injunction
- b. Actual damages, which includes legal costs and the surrender of profits received as a result of the infringement
- c. Impounding of sales invoices and other documents evidencing sales, as well as articles and packaging alleged to have been used in the infringement
- d. Destruction without compensation of infringing copies or devices, including plates, molds, or other means used in the infringement
- e. Moral and exemplary damages

18.4 Penalties under the Data Privacy Act of 2012

Online sellers, merchants, e-retailers and consumers may be held liable if their acts in relation to online selling and buying infringes upon protected data privacy rights of individuals under Sections 25 to 37 of the DPA which include:

- 18.4.1 Unauthorized Processing of Personal Information and Sensitive Personal Information
- 18.4.2 Accessing Personal Information and Sensitive Personal Information Due to Negligence
- 18.4.3 Improper Disposal of Personal Information and Sensitive Personal Information
- 18.4.4 Processing of Personal Information and Sensitive Personal Information for Unauthorized Purposes
- 18.4.5 Unauthorized Access or Intentional Breach
- 18.4.6 Concealment of Security Breaches Involving Sensitive Personal

Information

18.4.7 Malicious Disclosure

18.4.8 Unauthorized Disclosure

18.5 Penalties under R.A. 10175 or the Cybercrime Prevention Act of 2012

All crimes defined and penalized by the Revised Penal Code, as amended, and special laws, if committed by, through and with the use of information and communications technologies shall be covered by the relevant provisions of this Act: Provided, That the penalty to be imposed shall be one (1) degree higher than that provided for by the Revised Penal Code, as amended, and special laws, as the case may be.

18.5.1 Any person found guilty of any of the punishable acts enumerated in Sections 4(a) and 4(b) of this Act shall be punished with imprisonment of *prision mayor* or a fine of at least Two hundred thousand pesos (PhP200,000.00) up to a maximum amount commensurate to the damage incurred or both.

18.5.2 Any person found guilty of the punishable act under Section 4(a)(5) shall be punished with imprisonment of *prision mayor* or a fine of not more than Five hundred thousand pesos (PhP500,000.00) or both.

18.5.3 If punishable acts in Section 4(a) are committed against critical infrastructure, the penalty of *reclusion temporal* or a fine of at least Five hundred thousand pesos (PhP500,000.00) up to maximum amount commensurate to the damage incurred or both, shall be imposed.

18.5.4 Any person found guilty of any of the punishable acts enumerated in Section 4(c)(2) of this Act shall be punished with the penalties as enumerated in Republic Act No. 9775 or the "Anti-Child Pornography Act of 2009": Provided, That the penalty to be imposed shall be one (1) degree higher than that provided for in Republic Act No. 9775, if committed through a computer system.

18.5.5 Any person found guilty of any of the punishable acts enumerated in Section 4(c)(3) shall be punished with imprisonment of *arresto mayor* or a fine of at least Fifty thousand pesos (PhP50,000.00) but not exceeding Two hundred fifty thousand pesos (PhP250,000.00) or both.

18.5.6 Any person found guilty of any of the punishable acts enumerated in Section 5 shall be punished with imprisonment one (1) degree lower than that of the prescribed penalty for the offense or a fine of at least One hundred thousand pesos (PhP100,000.00) but not exceeding Five hundred thousand pesos (PhP500,000.00) or both.

VII. FINAL PROVISIONS

SEC. 19. SEPARABILITY CLAUSE.

Should any provision of this Order or any part thereof be declared unconstitutional or otherwise invalid, the validity of other provisions not so declared shall not be affected by such declaration.

SEC. 20. REPEALING CLAUSE.

All previous Orders and Issuances which are inconsistent with this Order are hereby repealed or amended accordingly.

SEC. 21. PUBLICATION AND EFFECTIVITY.

This Order shall take effect fifteen (15) days from its complete publication in the Official Gazette or a newspaper of general circulation, and the submission of a copy hereof to the Office of the National Administrative Register (ONAR) of the University of the Philippines.

Issued this ____ day of ____ 2021.

RAMON M. LOPEZ
Secretary of Trade and Industry

WILLIAM D. DAR, PH.D.
Secretary of Agriculture

DR. FRANCISCO T. DUQUE III
Secretary of Health

ROY A. CIMATU
Secretary of Environment
and Natural Resources

ATTY. ROWEL S. BARBA
IPOPHL Director General

RAYMUND E. LIBORO
NPC Commissioner

DRAFT