

BATAS PAMBANSA BLG. 33

AN ACT DEFINING AND PENALIZING CERTAIN PROHIBITING ACTS INIMICAL TO THE PUBLIC INTEREST AND NATIONAL SECURITY INVOLVING PETROLEUM AND/OR PETROLEUM PRODUCTS, PRESCRIBING PENALTIES THEREFOR AND FOR OTHER PURPOSES.

Be it enacted by the Batasang Pambansa in session assembled:

Section 1. *Declaration of Policy*.- It is the declared policy of the State to institutionalize as a national way of life energy conservation geared towards the judicious and efficient use of energy in order to enhance availability of energy supplies required to support economic, social and development goals. In view of the continuing uncertainty of the international oil supply, it is imperative that measures to conserve energy be strengthened and that acts involving petroleum and/or petroleum products contrary to the intent and spirit of judicious usage and conservation of energy, which are inimical to the public interest and national security, be prohibited and appropriate sanction therefor be imposed.

SEC. 2. *Prohibited Acts*. - The following acts are prohibited and penalized:

- (a) Illegal trading in petroleum and/or petroleum products;
- (b) Hoarding of petroleum and/or petroleum products;
- (c) Overpricing in the sale of petroleum and/or petroleum products;
- (d) Misuse of petroleum allocations;
- (e) Speed contests and rallies involving mainly the use of motor vehicles, motor-driven watercraft or aircraft utilizing petroleum-derived fuels, including car and motorcycle rallies and drag racing; and
- (f) Sky-diving and water skiing.

SEC. 3. *Definition of Terms*. - For the purposes of this Act, the following terms shall be understood to mean:

“Illegal trading in petroleum and/or petroleum products” - the sale or distribution of petroleum and/or petroleum products for profit without license or authority from the Government; non-issuance of receipts by licensed traders; misrepresentation as to quality and/or quantity; and sale by oil companies, distributors and/or dealers violative of government rules and regulations.

“Hoarding” - the undue accumulation by a trader of petroleum and/or petroleum products beyond his or its normal inventory levels and/or the unjustified refusal to dispose of, sell or distribute the same to consumers; or the unreasonable accumulation by a person other than a trader of petroleum and/or petroleum products.

“Overpricing” - the sale of petroleum and/or petroleum products at prices in excess of those duly authorized by the Government.

“Misuse of allocation” - the sale, transfer or diversion of mandated petroleum fuel allocations by oil companies, distributors, dealers of consumers contrary to the declared intent of the government in making such allocation.

SEC. 4. **Penalties** - Any person who commits any act herein prohibited shall, upon conviction, be punished with a fine of not less Two Thousand Pesos (P2,000) but not more than Ten Thousand Pesos (P10,000), or imprisonment of at least two (2) months but not more than one (1) year, or both , in the discretion of the court. Furthermore, the petroleum and/or petroleum products, subject matter of the illegal trading, hoarding, overpricing and misuse, shall be forfeited in favor of the Government: Provided, That if the petroleum and/or petroleum products have already been delivered and paid, the payment made shall be the subject of the forfeiture, and if the seller who has not yet delivered has been paid, the price received shall be returned to the buyer; and in addition, if the offender is a trader, the cancellation of his license.

Trials of cases arising under this Act shall be terminated within thirty (30) days after arraignment.

When the offender is a corporation, partnership, or other juridical person, the president, general manager, managing partner, or such other officer charged with the management of the business affairs thereof shall be criminally liable.

If the offender is a government official or employee, he shall perpetually be disqualified from office.

SEC. 5. **Repealing Clause**. - All laws, decrees, orders, instructions, rules and regulations which are inconsistent with, or contrary to, the provisions of this Act are hereby repealed or modified accordingly.

SEC. 6. **Effectivity** - Upon its approval, this Act shall take effect after five days from its publication in at least two newspapers of general circulation.

Approved, June 6, 1979.