

MATRIX OF RELEVANT PROVISIONS OF THE SENATE AND HOUSE APPROVED BILLS SEEKING TO ENSURE ACCESS TO AFFORDABLE QUALITY MEDICINES

	SB 1658	HB 2844
Title	Quality Affordable Medicines Act of 2007	Cheaper Medicines Act of 2007
Proposed Amendments to RA 8293 (Intellectual Property Code)		
<p><u>Section 22</u> Non-Patentable Invention</p>		<p>The following shall be excluded from patent protection:</p> <p>22.1. Discoveries, scientific theories and mathematical methods[;], and in the case of drugs or medicines, the mere discovery of a new form of a known substance which does not result in the enhancement of the known efficacy, safety and purity of that substance, or the mere discovery of any new property or new use for a known substance, or the mere use of a known process, unless such known process results in a new product that employs at least one (1) new reactant.</p> <p>For the purpose of this clause, salts, esters, ethers, polymorphs, metabolites, pure form, particle size, isomers, mixtures of isomers, complexes, combinations, and other derivatives of a known substance shall be considered to be the same substance, unless they differ significantly in properties with regard to efficacy;</p>
<p><u>Section 26</u> Inventive Step</p>	<p>26.1. An invention involves an inventive step if, having regard to prior art, it is not obvious to a person skilled in the art at the time of the filing date or priority date of the application claiming the invention.</p> <p>26.2. In the case of drugs or medicines, there is no inventive step if the invention results from the mere discovery of a new form or new property of a known substance which does not result in the enhancement of the known efficacy of that substance, or, the mere discovery of any new use for a known substance or a known process unless such known process results in a new product that employs at least one new reactant.</p>	

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Proposed Amendments to RA 8293 (Intellectual Property Code)		
<u>Section 72</u> Limitation of Patent Rights	<p>The owner of a patent has no right to prevent third parties from performing, without his authorization, the acts referred to in Section 71 hereof in the following circumstances:</p> <p>72.1. Using a patented product which has been put on the market in the Philippines by the owner of the product, or with his express consent, insofar as such use is performed after that product has been so put on the said market: <i>Provided that, with regard to drugs or medicines, the limitation on patent rights to the use, sale, offering for sale or importation of the product shall apply after a drug or medicine has been introduced anywhere in the world by the patent owner, or by any party authorized to use the invention.</i></p>	<p>The owner of a patent has no right to prevent third parties from performing, without his authorization, the acts referred to in Section 71 hereof in the following circumstances:</p> <p>72.1. Using a patented product which has been put on the market in the Philippines by the owner of the product, or with his express consent, insofar as such use is performed after that product has been put on the said market[;]: <i>Provided, in the case of drugs or medicines, the limitation on patent rights shall apply after a drug or medicine has been introduced anywhere in the Philippines or anywhere else in the world by the patent owner or by any party authorized to use the invention: <i>Provided, further,</i> that the right to import the drugs or medicines contemplated in this Section shall be available to any government agency or any duly authorized private third party;</i></p>
	<p>72.3. Where the act consists of making or using exclusively for [the purpose of experiments that relate to the subject matter of the patented invention;] <i>experimental use of the invention for scientific purposes or educational purposes and such other activities directly related to such scientific or educational experimental use.</i></p>	

<p><u>Section 72</u> Limitation of Patent Rights</p>	<p>72.4. Where the act includes testing, using, making or selling the invention including any data related thereto, solely for purposes reasonably related to the development and submission of information and issuance of approvals by government regulatory agencies required under any law of the Philippines that regulates the manufacture, construction, use or sale of any product: <i>Provided</i>, that in order to protect the data submitted by the original patent holder from unfair commercial use provided in Article 39.3 of the TRIPS Agreement, the Intellectual Property Office (IPO), in consultation with the appropriate government agencies, shall issue the appropriate rules and regulations necessary therein not later than one hundred twenty (120) days after enactment of this law.</p>	<p>72.4. In the case of drugs or medicines, where the act includes testing, using, making or selling the invention including any data related thereto, solely for purposes reasonably related to the development and submission of information and issuance of approvals by government regulatory agencies required under any law of the Philippines or of another country that regulates the manufacture, construction, use or sale of any product: <i>Provided</i>, that, in order to protect the data submitted by the original patent holder from unfair commercial use provided in Article 39.3 of the Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPS Agreement), the Intellectual Property Office, in consultation with the appropriate government agencies, shall issue the appropriate rules and regulations necessary therein not later than one hundred twenty (120) days after the enactment of this law;</p>
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Proposed Amendments to RA 8293 (Intellectual Property Code)		
<u>Section 74</u> Use of Invention by Government	74.1. A Government agency or third person authorized by the Government may exploit the invention even without agreement of the patent owner where: <p>(a) The public interest, in particular, national security, nutrition, health or the development of other sectors, as determined by the appropriate agency of the Government, so requires; or</p> <p>(b) A judicial or administrative body has determined that the manner of exploitation, by the owner of the patent or his license, is anti-competitive; OR</p> <p>(c) There is public non-commercial use of the patent by the patentee, without satisfactory reason.</p>	74.1. A Government agency or third person authorized by the Government may exploit the invention even without agreement of the patent owner where: <p>(a) [t]The public interest, in particular, national security, nutrition, health or the development of other sectors, as determined by the appropriate agency of the Government, so requires; or</p> <p>(b) a judicial or administrative body has determined that the manner of exploitation, by the owner of the patent or his licensee, is anti-competitive[.]; or</p> <p>(c) There is a national emergency or other circumstance of extreme urgency requiring the use of the invention; or</p> <p>(d) There is public non-commercial use of the patent by the patentee, without satisfactory reason; or</p> <p>(e) In the case of drugs or medicines, the demand for the patented article in the Philippines is not being met to an adequate extent and on reasonable terms, as determined by the Department of Health.</p>

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<p><u>Section 74</u> Use of Invention by Government</p>	<p>74.2. Unless otherwise provided herein, [T]the use by the Government, or third person authorized by the Government shall be subject, [<i>mutatis mutandis</i>, to the conditions set forth in sections 95 to 97 and 100 to 102. (Sec. 41, R.A. No. 165a)] to the following provisions:</p> <p style="padding-left: 40px;">(a) in situations of national emergency or other circumstances of extreme urgency, the right holder shall be notified as soon as reasonably practicable;</p> <p style="padding-left: 40px;">(b) in the case of public non-commercial use, where the government or contractor, without making a patent search, knows or has demonstrable grounds to know that a valid patent is or will be used by or for the government, the right holder shall be informed promptly;</p> <p style="padding-left: 40px;">(c) the scope and duration of such use shall be limited to the purpose for which it was authorized, and in the case of semi-conductor technology, shall only be for public noncommercial use or to remedy a practice determined after judicial or administrative process to be anti-competitive;</p> <p style="padding-left: 40px;">(d) such use shall be non-exclusive;</p> <p style="padding-left: 40px;">(e) the right holder shall be paid adequate remuneration in the circumstances of each case, taking into account the economic value of the authorization;</p> <p style="padding-left: 40px;">(f) the legal validity of any decision relating to the authorization of such use shall be subject to judicial review; and</p>	<p>74.2. Unless otherwise provided herein, [T]the use by the Government, or third person authorized by the Government shall be subject[, <i>mutatis mutandis</i>, to the conditions set forth in Sections 95 to 97 and 100 to 102. (Sec. 41, R.A. No. 165a)] to the following conditions:</p> <p style="padding-left: 40px;">(a) In situations of national emergency or other circumstances of extreme urgency as provided under Section 74.1 (c), the right holder shall be notified as soon as reasonably practicable;</p> <p style="padding-left: 40px;">(b) In the case of public non-commercial use of the patent by the patentee, without satisfactory reason, as provided under Section 74.1 (d), the right holder shall be informed promptly: <i>Provided</i>, the Government or third person authorized by the Government, without making a patent search, knows or has demonstrable grounds to know that a valid patent is or will be used by or for the Government;</p> <p style="padding-left: 40px;">(c) If the demand for the patented article in the Philippines is not being met to an adequate extent and on reasonable terms as provided under Section 74.1 (e), the right holder shall be informed promptly;</p> <p style="padding-left: 40px;">(d) the scope and duration of such use shall be limited to the purpose for which it was authorized;</p> <p style="padding-left: 40px;">(e) such use shall be non-exclusive;</p> <p style="padding-left: 40px;">(f) the right holder shall be paid adequate remuneration in the circumstances of each case, taking into account the economic value of the authorization; and</p>

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Section 74 Use of Invention by Government	<p>(g) The use or other exploitation by the Government or third person authorized by the Government of drugs or medicines under this Section shall be subject to the exclusive determination of the President of the Republic of the Philippines and shall be immediately executory. Provided, that no court, except the Supreme Court of the Philippines, shall issue any temporary restraining order or preliminary injunction or preliminary mandatory injunction that will prevent its immediate execution. The Office of the President, in consultation with the appropriate government agencies, shall issue the appropriate implementing rules and regulations for the exercise of this authority within one hundred twenty (120) days after enactment of this law. All cases arising from the implementation of this provision shall be cognizable by courts with appropriate jurisdiction provided by law.</p>	<p>(g) The existence of a national emergency or other circumstances of extreme urgency, referred to under Section 74.1 (c), shall be subject to the determination of the President of the Philippines for the purpose of determining the need for such use or other exploitation, which shall be immediately executory.</p> <p>No court, except the Supreme Court of the Philippines or the Court of Appeals, shall issue any temporary restraining order or preliminary injunction or such other provisional remedies that will prevent its immediate execution.</p> <p>The Office of the President, in consultation with the appropriate government agencies, shall issue the appropriate implementing rules and regulations for the use or exploitation of patented inventions as contemplated in this section within one hundred twenty (120) days after the effectivity of this law.</p> <p>All cases arising from the implementation of this provision shall be cognizable by courts with appropriate jurisdiction provided by law.</p>

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Proposed Amendments to RA 8293 (Intellectual Property Code)		
Section 76 Civil Action for Infringement		76.1. The making, using, offering for sale, selling, or importing a patented product or a product obtained directly or indirectly from a patented process, or the use of a patented process without the authorization of the patentee constitutes patent infringement[.]: Provided, that, this shall not apply to instances covered by Section 72.1, 72.4 (Limitations on Patent Rights); subsections c, d, and e of Section 74 (Use of Invention by Government); Section 93.6 (Compulsory Licensing); and Section 93-A (Implementation of Paragraph 6 of the Doha Declaration) of this Code.
Section 93 Grounds for Compulsory Licensing		<p>The [Director of Legal Affairs] Director General of the Intellectual Property Office may grant a license to exploit a patented invention, even without the agreement of the patent owner, in favor of any person who has shown his capability to exploit the invention, under any of the following circumstances:</p> <p>93.6. Where the demand for patented drugs or medicines is not being met to an adequate extent and on reasonable terms, as determined by the Department of Health.</p>

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Proposed Amendments to RA 8293 (Intellectual Property Code)		
<p><u>Section 93-A</u> (New Section) <i>Implementation of Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health which recognizes that World Trade Organization (WTO) members with insufficient or no manufacturing capacities in the pharmaceutical sector could face difficulties and making effective use of compulsory licensing under the trips agreement and the 30 August 2003 decision of the WTO General Council which implements Paragraph 6 of the Doha Declaration.</i></p>		<p>93-A.1. The Director General of the Intellectual Property Office, upon the written recommendation of the Secretary of Health, shall, upon filing of a petition, grant a compulsory license for the importation of patented drugs or medicines pursuant to the implementation of Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health and the 30 August 2003 decision of the World Trade Organization (WTO) General Council. The grant of a compulsory license shall be an exception to Sections 100.4 and 100.6 of Republic Act no. 8293 and shall be immediately executory.</p> <p>No court, except the Supreme Court of the Philippines or the Court of Appeals, shall issue any temporary restraining order or preliminary injunction or such other provisional remedies that will prevent the grant of the compulsory license.</p> <p>93-A.2. A compulsory license shall also be available for the manufacture and export of drugs or medicines to any country having insufficient or no manufacturing capacity in the pharmaceutical sector to address public health problems: <i>Provided</i>, that, compulsory license has been granted by such country or such country has, by notification or otherwise, allowed importation of the patented drugs or medicines from the Philippines.</p> <p>93-A.3. The Intellectual Property Office shall promulgate the rules and regulations for the effective implementation of this Section, taking into account the guidelines for the implementation of Paragraph 6 of the Doha Declaration on the Trips Agreement and Public Health and the 30 August 2003 decision of the TRIPS General Council.</p>

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Proposed Amendments to RA 8293 (Intellectual Property Code)		
<u>Section 94</u> Period for Filing a Petition for a Compulsory License		94.2. A compulsory license which is applied for on any of the grounds stated in Subsections 93.2, 93.3, [and] 93.4, and 93.6 and Section 97 may be applied for at any time after the grant of the patent. (Sec. 34(1), R.A. No. 165)
<u>Section 95</u> Requirement to Obtain a License on Reasonable Commercial Terms		95.2. The requirement under Subsection 95.1 shall not apply in the following cases: <ul style="list-style-type: none"> (a) where the petition for compulsory license seeks to remedy a practice determined after judicial or administrative process to be anti-competitive; (b) in situations of national emergency or other circumstances of extreme urgency; (c) in cases of public non-commercial use[.]; and <ul style="list-style-type: none"> (d) in cases where the demand for the patented drugs or medicines in the Philippines is not being met to an adequate extent and on reasonable terms, as determined by the Department of Health. 95.5. Where the demand for the patented drugs or medicines in the Philippines is not being met to an adequate extent and on reasonable terms, as determined by the Department of Health, the right holder shall be informed promptly.

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Proposed Amendments to RA 8293 (Intellectual Property Code)		
<u>Section 147</u> Rights Conferred		<p>147.1. Except in cases of importation of drugs or medicines allowed under Section 72.1 of this Act and of off-patent drugs or medicines, [T]the owner of a registered mark shall have the exclusive right to prevent all third parties not having the owner's consent from using in the course of trade identical or similar signs or containers for goods or services which are identical or similar to those in respect of which the trademark is registered where such use would result in a likelihood of confusion. in case of the use of an identical sign for identical goods or services, a likelihood of confusion shall be presumed.</p> <p>There shall be no infringement of trademarks or tradenames of imported or sold patented drugs or medicines allowed under Section 72.1 of this Act, or of off-patent drugs or medicines: provided, that, said drugs or medicines bear the registered marks that have not been tampered, modified, or infringed upon, under Section 155 of this Code.</p>
<u>Section 159</u> Limitations to Actions for Infringement	<p>159.4 There shall be no infringement of trademarks or tradenames of imported or sold drugs or medicines allowed under Section 72.1 of this Act, as well as, imported or sold off-patent drugs or medicines: Provided, that said drugs or medicines bear the registered marks that have not been tampered, unlawfully modified, or infringed upon as defined under Section 155 of this Code.</p>	

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Amendments to RA 6675 (Generics Act of 1988)		
<u>Section 5</u> Posting and Publication		The Department of Health shall publish annually in acceptable means of public dissemination in at least two (2) newspapers of general circulation in the Philippines the generic names, and the corresponding brand names under which they are marketed, of all drugs and medicines available in the Philippines.
<u>Section 6</u> Who Shall Use Generic Terminology		(b) All medical, dental and veterinary practitioners, including private practitioners, shall write prescriptions using the generic name of the drug or medicine only and its brand name shall not appear on any part of the prescription. [The brand name may be included if so desired.] (e) There shall appear prominently on the label of a generic drug the following statement: this product has the same therapeutic efficacy as any other generic product of the same name. Signed: BFAD.
<u>Section 8</u> Required Production		Subject to the rules and regulations promulgated by the Secretary of Health, every drug manufacturing company operating in the Philippines shall be required to produce, distribute and make widely available to the general public [the medicine it produces, in the form of generic drugs] an unbranded generic counterpart of their branded product.

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Amendments to RA 6675 (Generics Act of 1988)		
Section 12 Penalty		<p>(A) Any person who shall violate Section 6(a) or 6(b) of this act shall suffer the penalty graduated hereunder, viz:</p> <p>(b) for the second conviction, the penalty of fine in the amount of not less than [Two thousand pesos (P2,000.00)] Twenty-five thousand pesos (P25,000.00) [but not exceeding five thousand pesos (p5,000.00)] at the discretion of the court.</p> <p>(c) for the third conviction, the penalty of fine in the amount of not less than [Five thousand pesos (P5,000.00)] Twenty-thousand pesos (P25,000.00) but not exceeding [Ten thousand pesos (P10,000.00)] Fifty thousand pesos (P50,000.00) and suspension of his license to practice his profession for [thirty (30) days] sixty (60) days at the discretion of the court.</p> <p>(d) for the fourth and subsequent convictions, the penalty of fine of not less than [Ten thousand pesos (P10,000.00)] One hundred thousand pesos (P100,000.00) and suspension of his license to practice his profession for one (1) year or longer at the discretion of the court.</p> <p>The administrative sanctions that shall be imposed by the Secretary of Health shall be in a graduated manner in accordance with Section 12.A.</p> <p>An administrative case may be instituted independently from the criminal case: <i>Provided</i>, that, the dismissal of the criminal case or the withdrawal of the same shall in no instance be a ground for the dismissal of the administrative case.</p>

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Proposed Amendments to RA 5921 (Pharmacy Law)		
<u>Section 25</u> Sale of Medicines, Pharmaceuticals, Drugs and Devices		<p>No medicine, pharmaceutical, or drug, except for those which are non-prescription or over-the-counter, of whatever nature and kind or device shall be compounded, dispensed, sold or resold, or otherwise be made available to the consuming public except through a prescription drugstore or hospital pharmacy, duly established in accordance with the provisions of this Act. Non-prescription or over-the-counter drugs may be sold in their original packages, bottles, containers or in small quantities, not in their original containers to the consuming public through supermarkets, convenience stores and other retail establishments.</p> <p>Pharmaceutical, drug or biological manufacturing establishments, importers and wholesalers of drugs, medicines, or biological products [are authorized to sell their products only at wholesale to duly established retail drugstore or hospital pharmacies], shall not sell their products for re-sale except only to retail drugstore, hospital pharmacies or to other drug wholesalers under the supervision of registered pharmacist, and supermarkets, convenience stores, other retail establishments for over-the-counter drugs, duly licensed by the Bureau of Food and Drugs.</p>

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Strengthening of BFAD		
	<p>Section 9 calls for the strengthening of the Bureau of Food and Drugs in order to more effectively and expeditiously implement this Act. The Director or head of BFAD shall be authorized to retain all the fees, fines, royalties and other charges collected under this Act and other laws that it is mandated to administer for use in its operations, like upgrading of its facilities, equipment outlay, human resource development and expansion, and the acquisition of the appropriate office space, among others, to improve the delivery of its services to the public. This amount shall be in addition to BFAD's annual budget.</p>	

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Drug Price Regulation		
	<p>Section 10 bestows on the President of the Philippines the power to impose price ceilings over any or all drugs or medicines, upon joint recommendation of the Secretaries of the Department of Health and Trade and Industry, under any of the following conditions:</p> <p>(1) The impendency, existence, or effects of a calamity that affects public health;</p> <p>(2) The threat, existence, or effect of a public health emergency officially recognized by the Department of Health or by official Department of Health recognized non-governmental organizations;</p> <p>(3) The prevalence of widespread acts of illegal price manipulation of any drug or medicine;</p> <p>(4) The impendency, existence, or effect of any event that causes artificial and unreasonable increase in the prices of any drug or medicine.</p> <p>(5) Whenever the prevailing price of any drug or medicine has risen to unreasonable levels.</p> <p>Only the Supreme Court of the Philippines shall issue any temporary restraining order or preliminary injunction or preliminary mandatory injunction that will prevent the immediate execution of the exercise of this power of the President of the Republic of the Philippines.</p>	<p>Chapter 3 deals with the creation and composition of the Drug Price Regulation Board, which is attached to the Department of Health.</p> <p>Section 14 provides for a seven (7)-member Board to be constituted within 30 days after the effectivity of this Act. It shall be composed of the Secretary of Health or his duly designated representative who shall have the rank of an undersecretary as chairperson; Secretary of Trade and Industry or his duly designated undersecretary as vice-chairperson; and the following members: Director of the Bureau of Food and Drugs; President of the Philippine Health Insurance Corporation; one (1) faculty from the health sciences school; and two (2) representatives from the consumers sector.</p> <p>The members of the Board representing the academe and the consumers sector shall be appointed by the President of the Philippines upon the recommendation of the Secretary of Health and shall serve for a term of two (2) years, with the representatives from the consumers sector serving for more than two (2) terms.</p> <p>The Board shall be assisted by a secretariat from the existing organizational structure of the Department of Health (DOH). The secretariat shall be headed by an executive director from among the undersecretaries or assistant secretaries of the DOH serving in an <i>ex officio</i> capacity.</p>

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Drug Price Regulation		
	<p>Any person in violation of the President’s order will be penalized an administrative fine of not less than One Hundred Thousand Pesos (Php100,000.00) but not more than Five Hundred Thousand Pesos (Php500,000.00) at the discretion of the Secretary of the Department of Health for the first offense. For each of the succeeding offenses, the administrative fine shall not be less than Five Hundred Thousand Pesos (Php500,000.00) but not more than One Million Pesos (Php1,000,000.00) at the discretion of the Secretary of the Department of Health plus the cancellation of the license to operate by the Bureau of Food and Drugs and/or such other appropriate government authorities.</p>	<p>Section 15 defines the powers of the Drug Price Regulation Board as follows:</p> <ul style="list-style-type: none"> (a) Determine the maximum retail price of drugs or medicines subject to price regulation; (b) Include other drugs or medicines in the list subject to price regulation (c) Implement cost-containment and other measures to effectively reduce the cost of drugs or medicines; (d) Impose administrative fines and penalties against any person, manufacturer, importer, trader, distributor, wholesaler, retailer or any other entity for violations of the maximum retail price fixed pursuant to this Section; (e) Deputize government entities for any assistance that it may deem necessary to carry out the purposes of this Act; (f) Exercise other powers necessary to implement provisions of this Act.

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Drug Price Regulation		
		<p>Section 19 lists the drugs or medicines that are subject to price regulation, which are as follows:</p> <p>(a) All drugs or medicines indicated for treatment of chronic illnesses and life threatening conditions, such as, but not limited to, endocrine disorders, e.g., diabetes mellitus; gastrointestinal disorders, e.g., peptic ulcer; urologic disorders, e.g., benign prostatic hyperplasia (BPH); cardiovascular diseases, e.g., hypertension; pulmonary diseases, e.g., pulmonary tuberculosis (PTB), asthma; auto-immune diseases, e.g., systemic lupus erythematosus (SLE); skin diseases, e.g., psoriasis; neuro-psychiatric disorders; other infectious diseases, e.g., human immunodeficiency virus-acquired immune deficiency syndrome (HIV-AIDS); and other conditions such as organ transplants and neoplasm;</p> <p>(b) Drugs or medicines indicated for prevention of diseases, e.g., vaccines, immunoglobulin, anti-sera;</p> <p>(c) Drugs or medicines indicated for prevention of pregnancy, e.g., oral contraceptives;</p> <p>(d) Anesthetic agents;</p> <p>(e) Intravenous fluids;</p> <p>(f) Drugs or medicines that are included in the Philippine National Drug Formulary (PNDF) Essential Drug List; and</p> <p>(g) All other drugs or medicines which, from time to time, the Board determines to be in need of price regulation.</p>

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Non-Discriminatory Clause		
		<p>Chapter 4 deals with Non-Discriminatory Clause. Section 28 makes it unlawful for any retail drug outlet to refuse to carry either by sale or by consignment, or offer for sale drugs or medicines brought into the country through parallel importation by the government or third party authorized by the government and which have been previously approved for distribution or sale by the Bureau of Food and Drugs.</p> <p>Section 29 prohibits manufacturers, importers, traders, distributors, wholesalers from withholding from sale or refusing to sell to a wholesaler or retailer any drug or medicine without good and sufficient reasons.</p> <p>Section 30 provides penalties to any person or entity who shall refuse to carry or sell drugs or medicines pursuant to the provisions of this Chapter, which are as follows:</p> <ul style="list-style-type: none"> - a fine of not less than One Hundred Thousand Pesos (P100,000.00) but not more than Five Hundred Thousand Pesos (P500,000.00) at the discretion of the court; - for succeeding offenses, a fine of not less than Five Hundred Thousand Pesos (P500,000.00) but not more than One Million Pesos (P1,000,000.00) at the discretion of the court, and suspension or revocation of its license to operate (LTO), business or professional license.

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Congressional Oversight Committee		
	<p>Section 11 provides for the creation of a Congressional Oversight Committee, to be referred to as the Quality Affordable Medicines Oversight Committee, to oversee the full implementation of this Act.</p> <p>It shall be to be composed of five (5) members from the Senate, which shall include the Chairpersons of the Senate Committees on Trade and Commerce and Health and Demography, and, five (5) members from the House of Representatives, which shall include the Chairpersons of the House of Representatives Committees on Trade and Commerce and Health and Demography.</p> <p>The Chair of the Quality Affordable Medicines Oversight Committee shall be the Chairperson of the Senate Committee on Trade and Commerce, and, the Vice-Chair of the oversight committee shall be the Chairperson of the House of Representatives Committee on Health and Demography.</p>	<p>Section 41 provides for the creation of a Congressional Oversight Committee (COC) to oversee the implementation of this Act.</p> <p>It shall be composed of the chairs of the Senate Committees on Trade and Commerce, Health and Demography, and Finance, and the House of Representatives Committees on Trade and Industry, Health, and Appropriations, and two (2) members each from the Senate and House of Representatives who shall be designated by the Senate President and the Speaker of the House of Representatives: Provided, That one (1) of the two (2) Senators and one (1) of the two (2) House Members shall be nominated by the respective minority leaders of the Senate and the House of Representatives.</p> <p>The Secretariat of the COC shall be drawn from the existing Secretariat personnel of the Senate and the House of Representatives committees comprising the COC.</p>
Appropriations		
	<p>Section 12 provides the amount of Twenty Five Million Pesos (Php25,000,000.00) in the current General Appropriations Act as addition to the annual budget of the Department of Health for the initial implementation of this Act. Thereafter, such sum as may be necessary for its continued implementation shall be included in the annual General Appropriations Act.</p>	<p>Section 42 provides appropriations for the Drug Price Regulation Board. The amount necessary for the initial implementation of Chapter 3 of this Act shall be charged against the current year's appropriations of the DOH and the DTI. Thereafter, such amounts as may be necessary for its continued implementation shall be included in the annual General Appropriations Act.</p>