

AN ORDINANCE REGULATING THE ACT OF BUYING AND/OR SELLING SECOND HAND OR USED CELLULAR PHONES WITHOUT THE ACCOMPANYING ORIGINAL RECEIPT OF THE ORIGINAL PURCHASE.

Be it ordained by the City Council of Manila, THAT:

SECTION 1. It is hereby unlawful for any person to purchase and/or sell any second hand or used cellular phones without the accompanying original receipt of the original purchase.

SEC. 2. Definition of Terms: -

- 1. Purchasing/Buying—act of transmitting property from one person to another by voluntary act and agreement, founded on a valuable consideration. It includes taking by sale, discount, negotiation, mortgage, pledge, line issue or re-issue or any other voluntary transaction creating an interest in property.
- 2. Selling—the act of disposing of by sale or transfer title or possession of property to another in exchange for valuable consideration and shall, under this Ordinance, include:
 - a. The display of cellular phones "For Sale".
 - b. The sale without corresponding original receipt.
 - c. Possession by the owner of the business establishment where these items are intended to be sold and shall include selling on consignment basis.

In the absence of an original receipt, a certificate of warranty, manual of usage that bears the same serial number of the cellular phone and/or other certificate of original purchase from the manufacturer may substitute the original receipt required hereof in the absence thereof. PROVIDED, That, in the absence of the foregoing requirements, the seller shall be required to produce an Affidavit of Loss that shall state, inter alia, the name of the seller or distributor of the company and serial number of the cellular phone and shall submit the same to the subsequent buyer.

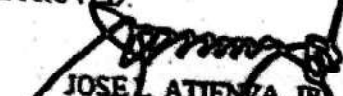
SEC. 3. Any person found guilty of violating or infringing Section 1 hereof, shall after conviction, be imprisoned for one (1) day to thirty (30) days or a fine of Two Thousand Pesos (Php 2,000.00), or both such fine and imprisonment at the discretion of the Court. PROVIDED, That if the violator or offender is a firm, company, association, corporation, or partnership, its manager, president or chairman of its board of directors, or managing partner shall suffer the penalty or penalties provided for herein as the case may be and the business or firm shall be summarily closed.

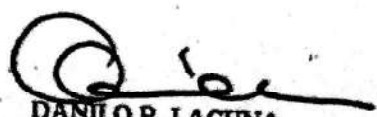
SEC. 4. This Ordinance shall take effect upon its approval.

Enacted by the City Council of Manila at its regular session today, July 12, 2005.


Approved by His Honor, the Mayor, on August 26, 2005

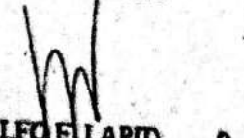
APPROVED:


JOSE L. ATIENZA, JR.
Mayor
City of Manila


DANILO B. LACUNA
Vice-Mayor and Presiding Officer
City Council Manila

ATTESTED:


EMMANUEL R. SISON
Secretary to the Mayor


RODOLFO F. LAPID
Secretary to the City Council

Cont. of Cellular Phone.....

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