

Department Administrative Order No. 18 - 05
Series of 2018

SUBJECT: AMENDING DAO 3S. 2002 AND DAO 3, S. 2003 TO TRANSFER THE IMPLEMENTATION OF THE DTI ACCREDITATION/ RECOGNITION PROGRAM OF MOTOR VEHICLE PRIVATE EMISSION TESTING CENTERS (PETCs) FROM THE BUREAU OF PHILIPPINE STANDARDS (BPS) TO THE FAIR TRADE ENFORCEMENT BUREAU (FTEB) AND THE MANAGEMENT THEREOF TO THE CONSUMER PROTECTION ADVOCACY BUREAU (CPAB)

WHEREAS, pursuant to Sec. 21(d) of Republic Act No. 8749, otherwise known as the Philippine Clean Air Act of 1999, the DTI is mandated to develop and implement standards and procedures on the licensing of qualified private service centers and their technicians as prerequisite for performing the testing, servicing, repair and the required adjustment to the vehicle emission system;

WHEREAS, under DTI Administrative Order 03, Series of 2002, the Bureau of Trade Regulation and Consumers Protection (now Consumer Protection Advocacy Bureau or "CPAB") was tasked to oversee the implementation of the accreditation program for Motor Vehicle Private Emission Testing Centers (PETCs) pursuant to its mandate under Executive Order No. 133, s. 1987 to formulate and monitor the implementation of programs for the effective enforcement of laws, monitor the licensing and accreditation of establishments and practitioners, and protect and safeguard the interest of consumers and the public, particularly the health and safety implications of intrinsic product features, product representation, and the like;

WHEREAS, DAO 3, Series of 2003, transferred the management of the accreditation program for Motor Vehicle PETCs to the Bureau of Philippine Standards (BPS) formerly known as the Bureau of Product Standards;

WHEREAS, pursuant to DAO 3, series of 2003, the BPS became the lead agency to handle/manage the DTI Accreditation of PETCs.

WHEREAS, pursuant to DAO 3, series of 2003, all responsibilities and decisions related to the management of the DTI Accreditation of PETCs were assumed by the BPS Director. The term "responsibilities" including the implementation of the accreditation program for PETC provided in Sub-clause 5.1, Section 5 of DAO 3, Series of 2002.

WHEREAS, the Regional Offices (ROs) and/or Provincial Offices (POs) are mandated under DAO 3, s. 2002 to implement the accreditation program for Motor Vehicle PETCs by processing and issuing Certificates of Accreditation within their respective jurisdictions;

WHEREAS, pursuant to the approved DTI Rationalization Plan (RATPLAN), there is a need to align certain functions and services within the Consumer Protection Group (CPG) of the Department composed of CPAB, BPS, and the Fair Trade Enforcement Bureau (FTEB) with respect to the implementation and management of PETCs;

WHEREAS, a review of the respective functions and mandates of CPAB, BPS, and FTEB reveals that the management of the accreditation program for Motor Vehicle PETCs falls squarely under the mandates of CPAB under EO 133, s. 1987, while the implementation thereof within the NCR is closely aligned with the functions of FTEB under the RATPLAN;

WHEREAS, there is a need to collaborate with the Philippine Accreditation Bureau of the Industry Development and Trade Policy Group of the Department in the monitoring of compliance of PETCs with the applicable Philippine National Standards, in view of its expertise and mandate under Executive Order No. 802, s. 2009 to serve as the central body to accredit inspection, testing and certifying bodies, and other bodies offering conformity assessment services.

NOW THEREFORE, this Order is hereby issued for the information, guidance and compliance of all concerned:

Section 1. The management of the DTI program on accreditation of Motor Vehicle PETCs shall be transferred from the BPS to the CPAB as the lead agency with the following duties and responsibilities:

- a. Formulate and prescribe policy guidelines for the transparent, efficient and effective implementation of the accreditation program for PETC;
- b. Enter into agreements with other government agencies and private sector;
- c. Represent DTI in various inter-agency activities geared towards the improvement of the accreditation program;
- d. Coordinate closely with DOTr and other DTI agencies concerned;
- e. Undertake such appropriate measure necessary to improve the program

Section 2. The implementation of the DTI program on accreditation of Motor Vehicle PETCs shall be transferred from the BPS to the Fair Trade Enforcement Bureau (FTEB) with the following duties and responsibilities:

- a. Accredit PETCs in the NCR;
- b. Designate an accreditation officer, administrative support staff, an assessment team and accreditation committee in accordance with Clauses 5.4, 5.5, and 5.7, respectively, of DAO 3, s. 2002;
- b. Exercise visitorial powers over applicants and accredited PETC's;
- c. Maintain registry of accredited PETC's;
- d. Develop and maintain an assessment procedure manual; and
- e. Maintain a registry of qualified assessors;

Section 3. The BPS shall continue to develop/ adopt/ promulgate standards relevant to PETCs.

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Section 4. The PAB shall perform the following:

- 4.1 Accredite calibration laboratories for PETC equipment in accordance with existing and applicable standards and implementing guidelines; and
- 4.2 Assist FTEB in monitoring the compliance of PETCs with PNS ISO/IEC 17025.

Section 5. ROs/POs shall continue the following duties and responsibilities under DAO 3, s.2002:

5.1. DTI Regional Office:

5.1.1 The Regional Director shall sign the Certificate of Accreditation of PETCs endorsed by the Provincial Director.

5.1.2 Exercises visitorial power over the facilities of applicants and accredited PETC for purposes of determining compliance with the conditions of accreditation and to ensure the quality and effectiveness of the tests conducted.

5.1.3 Regularly furnish CPAB of all information of every motor vehicle private emission testing centers accredited.

5.1.4 Ensures adequate and appropriate staff resources who shall implement the accreditation program.

5.2. DTI Provincial Office:

5.2.1 The Provincial Director shall endorse to the Regional Director the Certificate of Accreditation for his signature.

5.2.2 Accepts, reviews and processes applications for accreditation of applicants operating within their jurisdiction.

5.2.3 Grants and releases the Certificate of Accreditation to applicants that comply with all the requirements of the accreditation program.

5.2.4 Assists in the assessment of PETCs in the DTI RO or PO through its trained and qualified assessors.

5.2.5 Represents DTI and participates in meetings, conferences, seminars, training courses and other events related to the PETC accreditation in their area of jurisdiction.

5.2.6 Determines and informs potential investors of PETCs of the supply and demand situation in his area of jurisdiction. However, he

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shall not prohibit them from filing applications anytime if they are interested in the PETC accreditation.

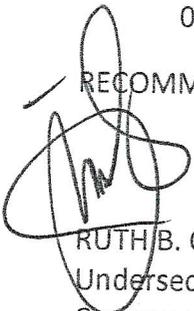
Section 6. The provisions of this Order are hereby declared separable. In the event that any part, section, or provision of this DAO is declared invalid, the other parts, sections, or provisions not affected thereby shall remain in full force and effect.

Section 7. All previous issuances or regulations inconsistent with the provisions of this Order are hereby revised or amended accordingly

Section 8. This Order shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

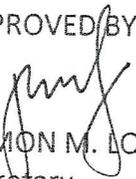
05 July 2018, Makati City.

RECOMMENDED BY:



RUTH B. CASTELO
Undersecretary
Consumer Protection Group

APPROVED BY:



RAMON M. LOPEZ
Secretary



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by/for
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