

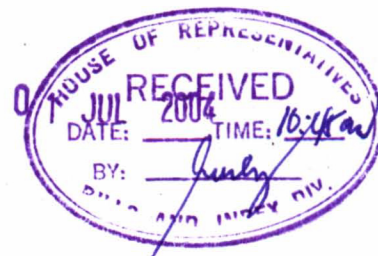
691

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 691



INTRODUCED BY REPRESENTATIVE JURDIN JESUS M. ROMUALDO

EXPLANATORY NOTE

Pilferage is simply defined as stealing in small quantities. In the energy sector, electric pilferage, as well as the pilferage of electric power transmission lines and materials, is rampant in the country. Before the passage of Republic Act 7832, the Anti-Electricity and Electric Power Transmission Lines and Materials Pilferage Act, system loss due to pilferage was estimated at 100 million kilowatt hours. This is pegged at roughly P 1.4 billion. However, even with the passage of the aforementioned law, system loss due to pilferage still averages between 14-20%, quite a significant figure.

If the illegal usage of electricity by some unscrupulous household consumers and industry users will be left unpunished by concerned government agencies, electric pilferage will continue to accumulate and eventually, translate to huge losses. Thus, adding burden to our legal paying consumers, as this expense is borne by them. Naturally, this will lead to a rise in the cost of electricity.

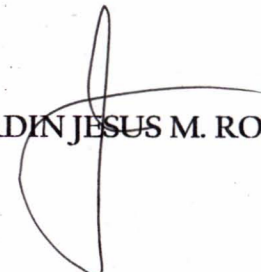
Also, the theft of electric power transmission and distribution lines as well as material inventory will result to economic disadvantage to the general public as it hampers the business operations and cause extraordinary delay in the completion of electric power projects. Furthermore, this aggravates the burden of our consumers as they borne the cost for system losses.

It is on this premise that the undersigned is proposing amendments to the existing law. The proposed measure offers to increase the monetary incentive for individuals who shall report to the proper authorities any act that would constitute theft of electricity and electric power transmission line/materials. The bill proposes rewards ranging from Five Thousand Pesos (P 5,000.00) to Fifty Thousand Pesos (P 50,000.00). It also proposes an increase in the penalties for violations with amounts ranging from One Hundred Fifty Thousand Pesos (P 150,000.00) to Five Hundred Thousand Pesos (P 500,000.00). The bill also proposes to update the provisions of RA 7832, to reflect the changes that have occurred in the industry.

Behavioral psychology has taught us that the grant of appropriate rewards and the imposition of punishment would result in the desired behavior. An increase in both incentives and penalties would therefore translate into the stricter observance of the Anti-Electricity and Electric Power Transmission Lines/Materials Pilferage Act, as well as savings for the energy sector as well as beneficial to the legal paying consumers.

With the foregoing, the immediate passage of this measure is hereby requested.

JURDIN JESUS M. ROMUALDO



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AN ACT

AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED SEVENTY-EIGHT THIRTY-TWO, AS AMENDED, OTHERWISE KNOWN AS THE "ANTI-ELECTRICITY AND ELECTRIC TRANSMISSION LINES/ MATERIALS PILFERAGE ACT OF 1994"

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 2(c) of Republic Act No. 7832, as amended, is hereby amended to read as follows:

"SEC. 2. *Illegal Use of Electricity.* – X X X

(c) Tamper, install or use a tampered electrical meter, jumper, current reversing transformer, shorting or shunting wire, loop connection or any device **OR METHOD, SUCH AS TILTING OF METER**, which interferes with the proper or accurate registry or metering of electric current or otherwise results in its diversion in a manner whereby electricity is stolen or wasted;"

SEC. 2. Section 3 of the same Act is hereby amended to read as follows:

"SEC. 3. *Theft of Electric Power Transmission AND DISTRIBUTION Lines and Materials.* – (a) It is hereby declared unlawful for any person to:

(1) Cut, saw, slice, separate, split, sever, smelt, or remove any electric power transmission **AND DISTRIBUTION** line/material or meter from a tower, pole, any other installation or place of installation, or any other place or site where it may be rightfully or lawfully stored, deposited, kept, stocked, inventoried, situated or located, without the consent of the owner, whether or not the act is done for profit or gain.

(2) Take, carry away or remove or transfer, with or without the use of a motor vehicle or other means of conveyance, any electric power transmission **AND DISTRIBUTION** line/material or meter from a tower, pole, any other installation or place of installation, or any place or site where it may be rightfully or lawfully stored, deposited, kept, stocked, inventoried, situated or located, without the consent of the owner, whether or not the act is done for profit or gain.

(3) Store, possess or otherwise keep in his premises, custody or control, any electric power transmission **AND DISTRIBUTION** line/ material or meter without the consent of the owner, whether or not the act is done for profit or gain; and

(4) Load, carry, ship or move from one place to another, whether by land, air or sea, any electrical power transmission **AND DISTRIBUTION** line/material, whether or not the act is done for profit or gain, without first securing a clearance/permit for the said purpose from its owner or the [National Power Corporation (NPC)] **NATIONAL TRANSMISSION CORPORATION (TRANSCO)** or its regional office concerned, as the case may be.

(b) For purposes of this section, "electrical power transmission **AND DISTRIBUTION** line/material" refers to electric power transmission steel towers, woodpoles, cables, wires, insulators, line hardware, electrical conductors and other related items[with a minimum

voltage of sixty-nine kilovolts (69 kv)], such as the following:

(1) Steel transmission line towers made of galvanized steel angular members and plates or creosted and/or tannelized woodpoles/concrete poles and designed to carry and support the conductors

(2) [Aluminum conductor steel reinforced (ACSR) in excess of one hundred (100) MCM;] **ALL TYPES OF WIRES AND CABLES USED TO TRANSMIT AND DISTRIBUTE ELECTRICITY;**

(3) **ALL [O] Overhead ground wires made [of 7 strands] of galvanized steel wires, [3.08 millimeters in diameter and] designed to protect the electrical conductors from lightning strikes;**

(4) Insulators made of porcelain or glass shell and designed to insulate the electrical conductors from steel towers or woodpoles; and

(5) Various transmission **AND DISTRIBUTION** line hardware and materials made of aluminum alloy or malleable steel and designed to interconnect the towers, conductors, ground wires, and insulators mentioned in subparagraphs (1), (2), (3), and (4) above for the safe and reliable operation of the transmission **AND DISTRIBUTION** lines."

SEC. 3. Section 4(b) of the same Act is hereby amended to read as follows:

"SEC. 4. *Prima Facie Evidence.* - X X X

(b) The possession, control or custody of electric power transmission **AND DISTRIBUTION** line/ material by any person, natural or juridical, not engaged in the transformation, transmission or distribution of electric power, or in the manufacture of such electric power transmission **AND DISTRIBUTION** line/ material shall be *prima facie* evidence that such line/ material is the fruit of the offense defined in Section 3 hereof and therefore such line/ material may be confiscated from the person in possession, control or custody thereof."

SEC. 4. Section 5 of the same Act is hereby amended to read as follows:

"SEC. 5. *Incentives.* - An incentive scheme by way of a monetary reward in the [minimum] amount of [Five thousand pesos (P5,000.00)] **NOT LESS THAN FIVE THOUSAND PESOS (P 5,000.00) BUT NOT MORE THAN FIFTY THOUSAND PESOS (P50,000.00)** shall be given to any person who shall report to the [NPC] TRANSCO or police authorities any act which may constitute a violation of Section 3 hereof. The Department of Energy (DOE), in consultation with the [NPC] TRANSCO, shall issue the necessary guidelines for the proper implementation of this incentive scheme within thirty (30) days from the effectivity of this Act."

SEC. 5. Section 7(b) of the same Act is hereby amended to read as follows:

"SEC. 7. *Penalties.* - X X X

(b) Violation of Section 3 - The penalty of *reclusion temporal* or a fine ranging from [Fifty thousand pesos (P 50,000.00) to One hundred thousand pesos (P 100,000.00)] **ONE HUNDRED FIFTY THOUSAND PESOS (P 150,000.00) TO FIVE HUNDRED THOUSAND PESOS (P 500,000.00)** or both, at the discretion of the court, shall be imposed on any person found guilty of violating Section 3 hereof."

SEC. 6. The DOE and the TRANSCO shall formulate the rules and regulations for the effective implementation of this Act.

SEC. 7. This Act shall take effect fifteen (15) days after its complete publication in two (2) newspapers of general circulation.

Approved,