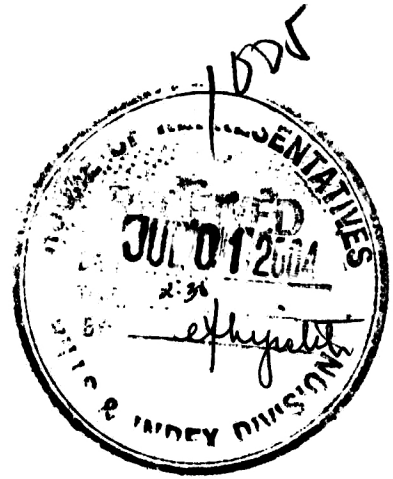


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1005



Introduced by **JUAN MIGUEL F. ZUBIRI**

EXPLANATORY NOTE

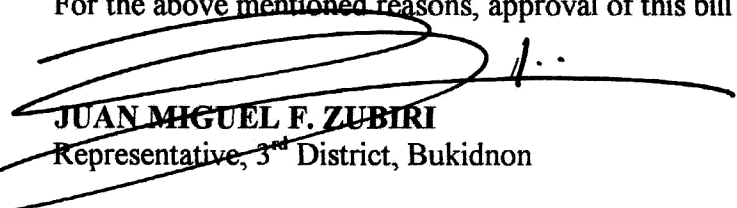
The fast development of technology, specially in the field of communications, has revolutionized the way people and organizations interact. It has in fact connected each and every individual in every practical way imaginable.

With the kind of technology we have today, it will be best if every variation of it is applied in our daily lives. Not only will it enhance delivery of basic needs and lower response time in attending to emergencies but it will also help in preserving or promoting peace and order. Such is the duty of the State as well as ensuring communications that will make delivery of basic services accessible at all times.

Answering to this duty, the government and other organizations has initiated various Hotline programs a few years back. However, research has shown that instead of meeting the best purpose of these programs, its use and primary function was hindered by a plague of crank calls for the whimsical amusement of some irresponsible callers.

With this, the State has adopted the stand of declaring crank calls made to it contrary to law in order to protect the public who will be in dire need of services that may be channeled and made available through the networks of these hotlines. Such is deemed necessary to lower response time for the public in need of various services pertinent to respective situations that may come their way.

For the above mentioned reasons, approval of this bill is earnestly sought.


JUAN MIGUEL F. ZUBIRI

Representative, 3rd District, Bukidnon

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HOUSE OF REPRESENTATIVES
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THIRTEENTH CONGRESS
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HOUSE BILL NO. 1005

Introduced by **JUAN MIGUEL F. ZUBIRI**

AN ACT
TO PROMOTE AND ENHANCE PUBLIC SAFETY BY PROHIBITING CRANK
CALLS TO ALL EMERGENCY HOTLINES AND PROVIDING PENALTY
THEREFOR AND FOR OTHER PURPOSES

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

Section 1. Short Title: This Act shall be known as the “Anti-Crank Calls Act.”

Section 2. Declaration of State Policy: The State shall provide all means necessary for the public to gain access in various services in times of emergency which may be facilitated by existing and future emergency hotlines. As such, said hotlines are declared to be vested with public interest and should be protected against unnecessary callers which may take away the time of persons who are in actual danger. Through the State’s police power crank calls are hereby declared a prohibited act with its corresponding penalty.

Section 3. Callers/Carrier Clientele - Callers or subscribers are liable for any crank calls, prank calls, sex calls, unnecessary calls and other illegitimate calls to all emergency hotlines.

Section 4. Telephone Carrier - It is the responsibility of the carriers company concerned to cut off the telephone line of crank callers when ordered by proper authority.

Section 5. Authority To Use Wireless Location Information - Without the express prior authorization of the customer/subscriber, a customer/subscriber, shall be considered to have approved the use of or discharge of, or access to call location information concerning the user of a commercial mobile service for the purpose of determining the identity of a prank caller who has used such mobile service.

Section 6. Treatment of Crank Calls.

- a. **Illegitimate Calls** - the protection of existing emergency hotlines against any form of illegitimate calls shall be instituted. Hence, all crank calls, prank calls, sex calls, unnecessary calls and other forms of illegitimate calls shall be punished for an imprisonment of 6 months, a fine of Five Thousand Pesos (P5,000.00) *and a severance of the caller's telephone line and/or blockage of his mobile line. In case the crank caller used the pay phone lines, his punishment shall be one (1) year imprisonment.*
- b. **Response made by Service Responders** in view of the prank calls - aside from the fine imposed in the preceding paragraph, prank callers shall be made to pay the cost of responding to such crazy alarm or false response.
- c. **Sanctions** - The National Telecommunications Office shall impose the accorded penalty against crank callers and prank callers through the information that a carrier company may disclose upon investigation of a prank call's source.
- d. **Responsibility** - It is the responsibility of the customer or subscriber to prohibit the use of his telephone from any illegitimate calls.

Section 7. Separability Clause. If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

Section 8. Repealing Clause. All laws, decrees, executive orders and issuances or any part thereof which are inconsistent herewith are hereby repealed or amended accordingly.

Section 9. Effective Clause. This Act shall take effect 15 days after its publication in the Official Gazette and in at least 3 newspaper of general circulation upon its approval.

Approved.