JUL 26 2004
4:00 PM
BILLS & INDEX DIVISION

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1644

Introduced by **HON. JUAN MIGUEL F. ZUBIRI**

EXPLANATORY NOTE

Airplane accidents have been a common scenario in our country. Though airplane companies have always made sure to keep track of the airplanes' condition, the number of accident seems to pose to be a hard task to control. Aside from communication problems, inherent electronic as well as program errors, and those that are separate and distinct from the latter, form part of the reasons for the malfunctions of airplane.

The use of cellular phones while on board airplanes is dangerous. Cellular phones emit electro-magnetic frequencies which interfere, alter or jam computer programmed precision instruments. They also are known to jam communication instruments.

In fact, the manufacturers of cellular phones themselves have indicated in the manual that comes with every purchase of a cellular phone that such device is not to be used in certain conditions because of the inherent dangers it poses. However, not all consumers of this product read and follow such safety tips included in the manual which leads to accidents or disasters.

Having seen too many fatal plane accidents that had caused the untimely death of many of our fellowmen, this Act pushes for the banning of the use of cellular phones in airplanes.

In line with the foregoing reasons, approval of this bill is earnestly requested.

JUAN MIGUEL F. ZUBIRI
Third District, Bukidnon

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1644

Introduced by **HON. JUAN MIGUEL F. ZUBIRI**

AN ACT BANNING THE USE OF CELLULAR PHONES IN AIRPLANES

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

SECTION 1. **TITLE.** This Act shall be known as the "The Cellular Phone Ban in Airplanes Act of 2004."

SECTION 2. **DECLARATION OF POLICY.** It is hereby declared the policy of the State to protect the welfare of its people and promote their safety in all aspects of their lives. Towards this end, the State shall regulate the use of modern telecommunications and other electronic devices.

SECTION 3. **GENERAL PROVISIONS.**

1. It shall be unlawful for any person to use cellular phones upon boarding an airplane, in all airplanes within Philippine territory, and during flight of the airplane.

2. All persons are hereby required to temporarily surrender their cellular phones to the flight attendants or officer in-charge of the plane upon boarding of the airplane and for the whole duration of the trip.

3. The flight attendants or officers in-charge of the passengers' cellular phones must see to it that the surrendered cellular phones are switched off, properly labeled and placed in a safe deposit box or storage room in the airplane.

4. In cases of stop-overs, the cellular phones can be returned to their respective owners provided that such stop-overs are more than one hour and such passengers will board the same plane;

5. Only airplane crews are allowed to communicate and/or transact with the air plane controllers and/or the airlines on matters concerning the flight and other functions that they may deem necessary or effectuate or ensure the flight's safety;

6. In line with paragraph 2 and 3 of the general provisions of this Act, said flight attendants or officers taking charge of the temporarily surrendered cellular phones are hereby required to return the cellular phones to their respective owners upon touch down of the plane.

7. The approved Act must be posted in all areas in the airplane that can easily be seen and read by the passengers.

SECTION 4. **APPLICATION ON PERSONS BOARDING PHILIPPINE AIRPLANES.** - The provisions of this Act shall apply for the whole duration of the flight for all persons boarding Philippine Airplanes.

SECTION 5. **APPLICATION ON PERSONS BOARDING OR ON BOARD INTERNATIONAL AIRPLANES.** - For incoming international airplanes, the provisions of this Act applies the moment said airplane enters Philippine territory as well as for the whole duration of the airplane's stay within Philippine territory. Likewise, airplanes already within Philippine territory upon effectivity of this Act, shall be automatically be subjected to the provisions of this Act.

SECTION 6. **PENALTIES.**

(a) Any person who did not temporarily surrender his or her cellular phone/s will be charged a fine of not less than P1,000.00.

(b) Any person caught using a cellular phone shall be charged a fine of not less than P1,000.00 and an additional P4,000.00 or imprisonment of not more than 15 days.

(c) If a minor is caught violating the provisions of this Act he or she shall not be liable. However, his or her parents, guardians, surviving parent or person having legal of charge of them, or any person closest to his kin, in this order, shall be liable for the violation committed by the minor.

SECTION 7. **INFORMATION DRIVE.** The Department of Transportation and Communication, in cooperation with different airlines, are hereby mandated to conduct a continuing drive about the provisions of this Act.

SECTION 8. **REPEALING CLAUSE.** Any law, executive order, letter of instructions, rules and regulations, circulars, issuances or any part thereof inconsistent with any of the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 9. **EFFECTIVITY.** This Act shall take effect fifteen (15) days from the date of its publication in the Official Gazette and in at least two (2) national newspapers of general circulation.

Approved,