

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2133



Introduced by Hons. Jurdin Jesus M. Romualdo and Alipio "Tikbong" V. Badelles

EXPLANATORY NOTE

Pilferage is defined as stealing in small quantities. However, an accumulation of small quantities would mean big quantities, and translate into big losses for the victim. Electricity and electric power transmission lines or materials pilferage is rampant in the country, particularly in the urban centers. Before the passage of Republic Act No. 7832, otherwise known as the "Anti-Electricity and Electric Power Transmission Lines/Materials Pilferage Act of 1994", data showed that system loss due to pilferage was estimated at 100 million kilowatt-hours. This translated to approximately P1.4 Billion, according to industry sources.

At present, system loss due to pilferage is not as significant as the figures gathered in 1993 (pre- RA 7832). However, the figures are still quite high to be ignored or classified as negligible.

It is on this premise that the undersigned have filed this measure seeking to increase the monetary reward given to any person who shall report to the proper authorities any act that would constitute electric power transmission lines/materials theft. The bill proposes an incentive ranging from Five Thousand Pesos (P5,000.00) to Fifty Thousand Pesos (P50,000.00). The bill also proposes to increase the penalty for violations of Section 3 of RA 7832 to an amount ranging from One Hundred Fifty Thousand Pesos (P150,000.00) to Five Hundred Thousand Pesos (P500,000.00).

Behavioral psychology has taught us that the grant of rewards and the imposition of punishment would result in desirable behavior. An increase in both incentive and penalty would translate into the stricter observance of RA 7832, and consequently, savings for the energy sector.

This bill was passed in the 12th Congress as House Bill No. 5949 and was transmitted to the Senate on December 01, 2003.

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

JURDIN JESUS M. ROMUALDO

ALIPIO "TIKBONG" V. BADELLES

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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:*

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

3 "SEC. 2. *Illegal Use of Electricity.* -

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

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

13 "SEC. 3. *Theft of Electric Power Transmission AND*
14 *DISTRIBUTION Lines and Materials.*

15 (a) It is hereby declared unlawful for any person to:

16 (1) Cut, saw, slice, separate, split, severe, smelt, or
17 remove any electric power transmission AND

1 DISTRIBUTION line/material or meter from a
2 tower, pole, any other installation or place of
3 installation, or any other place or site where it
4 may be rightfully or lawfully stored, deposited,
5 kept, stocked, inventoried, situated or located,
6 without the consent of the owner, whether or
7 not the act is done for profit or gain;

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

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

25 (4) Load, carry, ship or move from one place to
26 another, whether by land, air or sea, any
27 electrical power transmission AND
28 DISTRIBUTION line/material, whether or not
29 the act is done for profit or gain, without first
30 securing a clearance/permit for the said
31 purpose from its owner or the [National Power
32 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 creosoted and/or tannalized 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]verhead 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

1 AND DISTRIBUTION lines.

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

4 “SEC. 4. *Prima Facie Evidence.* -

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

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

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

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

29 “SEC. 7. *Penalties.* -

30 xxx (b) Violation of Section 3 – The penalty of *reclusion temporal*
31 or a fine ranging from [Fifty thousand pesos (P50,000.00) to One
32 hundred thousand pesos (P100,000.00)] ONE HUNDRED FIFTY

1 THOUSAND PESOS (P150,000.00) TO FIVE HUNDRED
2 THOUSAND PESOS (P500,000.00) or both, at the discretion of
3 the court, shall be imposed on any person found guilty of
4 violating Section 3 hereof. xxx”

5 SEC. 6. The Department of Energy and the [National Power
6 Corporation] NATIONAL TRANSMISSION CORPORATION shall formulate the
7 rules and regulations for the effective implementation of this Act.

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

10 Approved,