

FIFTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
FIRST REGULAR SESSION)

HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.

House Bill No. 2799

EXPLANATORY NOTE

There has been an increasing number of text message being received by different people telling them that they won in a raffle or text message seeking air-time load, money or personal information.

While majority ignore these messages, there are still those unsuspecting victims who believe these messages and fall prey to these unscrupulous people.

It is about time that these people sending hoax text messages be penalized for taking advantage of people who are too trusting, or at the very least for being an inconvenience to others.

While it may be difficult to trace these numbers as most numbers used are pre-paid accounts which are not registered, this is not an excuse from not prosecuting. Once the sender of the hoax text messages and unsolicited text offers and advertisements are identified, they have to be penalized and the only way to do that is by enacting a law criminalizing their acts.

In view of the foregoing, immediate passage of this bill is earnestly requested.

RUFUS B. RODRIGUEZ



MAXIMO B. RODRIGUEZ, JR.

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AN ACT
PROHIBITING THE SENDING OF HOAX, JUNK AND SCAM TEXT
MESSAGES, PENALIZING THE SENDERS AND FOR OTHER PURPOSES.

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

SECTION 1. It is hereby prohibited for anyone to send hoax, junk and scam text messages. These messages include, but are not limited to the following:

- a. Messages congratulating the recipient for winning cash or a car in a promo;
- b. Messages supposedly coming from family member abroad asking the recipient to reload their "new" roaming number;
- c. Messages requiring the recipient to register by texting his or her name and other personal details to a phone number; or
- d. any other similar text message.

SEC. 2. Anyone found to have violated this Act shall be punished with a fine of twenty thousand pesos (P20,000.00) per violation: *Provided*, That each message sent is considered an individual violation of this Act.

SEC. 3. *Implementing Rules.* The National Telecommunications Commission shall issue such orders, rules and regulations and other issuances as may be necessary to ensure the effective implementation of this Act.

SEC. 4. *Separability Clause.* If for any reason, any part of or provision of this Act is declared unconstitutional or invalid, such parts not affected thereby shall remain in full force and effect.

SEC. 5. *Repealing Clause.* Any law, executive order, letter of instruction, 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.

SEC. 6. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,