

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

House Bill No. 6335



Introduced by Congressman Lord Allan Jay Q. Velasco

EXPLANATORY NOTE

The use of cellular and mobile telecommunications has become one of the major tools of the common person to connect and communicate. This reality not only ingrained in our present society the significance of these communication tools, but also created a multimillion dollar industry. Notwithstanding the advantages, there is an apparent disparity of power between the cellular service providers, represented by huge corporations, and the end-users as lowly consumers.

At the level of the consumers, the need for their protection is recognized particularly with respect to the transparency of the costs that they have incurred for the services rendered by the cellular service providers. It is common practice among such providers that a monthly statement is sent to the end-user, however such statement is limited only to post-paid subscribers and provide only for a general summary of the services rendered by the companies. This imbalance of information bestowed upon the individual consumer leaves room for the big firms to possibly carry out insidious machinations to beef up their profit or indirectly transfer to the consumers the dues that they themselves should be accountable.

This bill therefore, seeks to protect the welfare of each end-user as consumers and to shield them from deceptive, unfair and unconscionable acts and practices.

In view of the foregoing, passage of this bill is hereby being earnestly sought.


LORD ALLAN JAY Q. VELASCO

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AN ACT
IMPROVING THE CONSUMER RIGHTS OF THE END-USERS OF TELECOM
SERVICES AS PROVIDED IN REPUBLIC ACT 7925

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

Section 1. *Declaration of Policy* – The State recognizes the ubiquity of cellular communications use as well as its impact on the social, economic, and even political aspects of the nation. The state also recognizes the need to protect the welfare of each end-user as consumers; shield them from deceptive, unfair and unconscionable acts and practices; provide information and education to facilitate sound choice and the proper exercise of rights by the consumer.

Section 2. *The Right to Regular, Timely, and Accurate Billing* - It is hereby recognized the need for the end-users of cellular services to be regularly informed of their individual billing reports pursuant to the provisions of RA 7925, or the Public Telecommunications Policy Act of the Philippines. The said law maintains that the user of telecommunications service shall have the right to regular, timely and accurate billing.

Section 3. *Customer Billing Reports* – The cellular phone service providers shall provide the individual end-users, post-paid and prepaid, a customer billing report in a daily basis.

This report shall include but not limited to the following items:

- a. Number of Calls Made
- b. Number of Text Messages Made
- c. Average and Maximum Call Length
- d. Summary of cost of each calls or messages made
- e. Total cost payable for the day.

The report shall be delivered in "short-messaging service" (SMS) form to the individual end-users by their respective service providers.

Section 4. *Administration* – The Department of Transportation and Communications (DOTC) shall be the primary government agency charged with the implementation of this law. Authority is also vested upon the DOTC to formulate the Implementing Rules and Regulations for this legislation.

Section 5. *Penalties* – Every cellular service provider in violation of the provisions of this Act shall be liable for a fine of Five Hundred Thousand Pesos (P500,000.00) for its first offense; One Million Pesos (P1,000,000.00) for its second offense; and Five Million Pesos for its third offense (P5,000,000.00).

Section 6. *Effectivity* – This act shall take effect fifteen days (15) after publication in at least two (2) national newspapers of general circulation.

Approved,