

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasang Pambansa, Quezon City



FIFTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 6467

INTRODUCED BY REP. JOSEPH VICTOR G. EJERCITO

EXPLANATORY NOTE

As stipulated in the 1987 Philippine Constitution, Article II, Section 24, clearly provides:

"The State recognizes the vital role of communication and information in nation building"

With the advent of mobile and cellular phones in the early 1980s, people made and received telephone calls without being tied to a specific location. This technological innovation made all transactions easy, faster and affordable.

Mobile and cellular phone have become an essential part of many Filipinos lives with the number of mobile phone users increasing daily. However, cellular phone companies have failed to cope with the increasing demand for cellular phone services and the National Telecommunications Commission (NTC) has received numerous complaints on poor and sometimes "fraudulent" services of these companies.

This bill seeks to establish minimum standards regarding the quality of wireless telephone service and to monitor complaints regarding such service.

A handwritten signature in black ink, appearing to be "J. Ejercito".

REP. JOSEPH VICTOR G. EJERCITO

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**AN ACT TO ESTABLISH MINIMUM STANDARDS REGARDING THE
QUALITY OF WIRELESS TELEPHONE SERVICE AND TO MONITOR
COMPLAINTS REGARDING SUCH SERVICE**

*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 “Cell Phone
Subscriber Protection Act of 2012”.

SECTION 2. *Declaration of Policy.* – It is the policy of the State to
recognize the vital role of communication and information in nation-
building.

SECTION 3. *Definition.* – As used in this Act, the term:

- (A) “*Public Telecommunication Entity*” or “*PTE*” means any person,
firm, partnership or corporation, government or private, engaged
in the provision of telecommunications services to the public for
compensation; and
- (B) “*Commission*” means the National Telecommunications
Commission.

SECTION 4. *Establishment of Standards Regarding Quality of
Commercial Mobile Service and Monitoring of Complaints Regarding Such
Service.* –

- (A) *In General.* – The Commission shall, by regulation, establish such
requirements as the Commission considers appropriate to ensure
that Public Telecommunications Entities meet minimum
standards regarding the quality and performance of such service,

which shall include standards regarding connection, reception and billing practices.

(B) *Complaint System.* –

- (1) *Establishment.* – The Commission shall establish and administer a system that makes available a procedure for any subscriber of a commercial mobile service to register a complaint regarding the quality or performance of the service.
- (2) *Toll Free Number.* – Such system shall include establishment of a toll-free number applicable to commercial mobile services for reporting a complaint.
- (3) *Records.* – The Commission shall maintain a record of each complaint made under the system established pursuant to this Act.
- (4) *Notice.* – The Commission shall require each Public Telecommunications Entity of commercial mobile service to include, in each subscriber's bill for such service, a statement informing the subscriber that a complaint regarding the quality or performance of the service may be registered with the Commission and providing the toll-free number under subparagraph (2) and an address for mailing a complaint. The Commission shall take such other actions as may be appropriate to publicize the availability of the complaint system to subscribers of commercial mobile services.

(C) *Reporting of Complaints to Congress.* – Every six (6) months, the Commission shall submit a report to the Congress regarding complaints received under the complaint system required under paragraph (B), which shall –

- (1) Indicate the number of complaints received, during the period for which the report is made, regarding the service of the Public Telecommunications Entity for which a complaint is made; and
- (2) Indicate the types of complaints received during such period, including complaints regarding dead spots, dropped calls, network busy signals, and improper billing practices, and the number of each type of complaint received during such period.

Upon submission to the Congress of each report under this subparagraph, the Commission shall make such report publicly through publication in at least two (2) newspapers of general circulation.

- (D) *Effect on Consumer Protection Laws.* – This paragraph may not be construed as relieving any Public Telecommunications Entities from the obligation to comply with any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation relating to consumer protection or unfair trade.
- (E) *Rules and Regulations.* – The Commission shall prescribe such regulations as may be necessary to carry out the provisions of this Act.

SECTION 5. *Separability Clause.* – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law of the provision not otherwise affected shall remain valid and subsisting.

SECTION 6. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 7. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,