



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SIXTEENTH CONGRESS
Second Regular Session

House Bill No. 5027

Introduced by Hon. Francis Gerald Aquinaldo Abaya

EXPLANATORY NOTE

The practice by mobile phone and data service providers in locking devices as part of a wireless contract is one of the most significant sources of consumer frustration with wireless services.

Although there exist independent devices or services from third parties that unlock the mobile device, this process would normally void the warranty of the mobile device. Device locking makes it difficult for consumers to take advantage of the competitive offers available in the market. Furthermore, it limits the ability of the consumers to avoid roaming charges while travelling abroad, because it prevents them from using another service provider's services.

This bill proposes to allow consumers to request for the unlocking of their devices, for free , or for a reasonable fee. In the end, it seeks to contribute to a more dynamic marketplace by promoting consumer choice and wireless competition.

In view of the above, the immediate passage of this bill is sought.


FRANCIS GERALD AGUINALDO ABAYA

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14 **AN ACT**
15 **TO PROMOTE CONSUMER CHOICE AND WIRELESS COMPETITION BY**
16 **ALLOWING CONSUMERS TO UNLOCK MOBILE WIRELESS DEVICES, AND**
17 **FOR OTHER PURPOSES**
18

19 *Be it enacted by the Senate and the House of Representatives of the*
20 *Philippines in Congress assembled:*
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22 **Section 1. *Unlocking of Mobile Device Issues*** – A mobile phone and data
23 network service provider that provides a locked device to the customer, as part a
24 subscription contract, shall:
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27 A. For subsidized devices: unlock the device, or give customer the means to
28 unlock the device, at the rate provided by the service provider, upon
29 request prior to the expiration of the lock-in period of the device. After the
30 lock-in period, unlocking of the device shall be free.
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32 B. For unsubsidized devices: unlock the device upon purchase.
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35 **Section 2. *Implementing rules and regulations*** - This Act, including its
36 implementing rules and regulations, shall be implemented by the National
37 Telecommunications Commission, and other concerned agencies.
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