

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

5195
House Bill No. _____



Introduced by Representative Lord Allan Jay Q. Velasco

EXPLANATORY NOTE

AN ACT ESTABLISHING NUMBER PORTABILITY FOR MOBILE TELEPHONE SERVICE

This bill seeks to provide "portability" in telecommunications wherein mobile telephone service providers would offer the option to their mobile telephone subscribers to retain their numbers even if they switch to another service provider or even if they switch from mobile postpaid account to a mobile prepaid account and vice versa.

Mobile telephone number portability is already available in some parts of Africa, Australia, in most European countries and in some parts of Asia.

The Philippines has yet to adopt a similar option for mobile telephone subscribers which will greatly ensure convenience, efficiency and quality telecommunications service.

The immediate passage of this bill is earnestly sought.


LORD ALLAN JAY Q. VELASCO

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AN ACT ESTABLISHING NUMBER PORTABILITY FOR MOBILE TELEPHONE SERVICE

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

SECTION 1. Short Title. - This Act shall be known as the "Mobile Telephone Number Portability Act of 2017".

SEC. 2. Declaration of Policy. - It is the policy of the State to ensure and promote public interest and convenience in the country. The remarkable growth of mobile telephone subscribers connotes telecommunications as an inevitable public service needing reasonable regulation to promote the interest of the continuously growing consumers or mobile telephone subscribers. In view of this, the State shall promote consumers' choice in telecommunications service to avail of superior services suitable to their needs thereby giving value to the cost of the telephone service.

SEC. 3. Definition of Terms. - For purposes of this Act, the following terms shall mean:

(a) Certificate of Public Convenience and Necessity - refers to an authority issued by the Commission to operate a public telecommunications service based on the premise that the provision of said service and the authorization to do business will promote public interest in a proper and suitable manner;

(b) Commission - refers to the National Telecommunications Commission (NTC);

(c) Franchise - refers to the privilege conferred upon a telecommunications entity by Congress authorizing the said entity to engage in a certain type of telecommunications service;

(d) Mobile Telephone Number Portability - refers to the ability to transfer an existing mobile telephone number assigned by a telephone service provider to another service provider;

(e) Postpaid Mobile Account -- refers to a model of mobile telephone service whereby the customers or subscribers are charged for usage in the prior month. It is an account for which customers or subscribers are billed for their use of a service provider services on a monthly basis, based on either the terms of a contract or on amount of services they have used;

(f) Prepaid Mobile account - refers to a model of mobile telephone service whereby customers or subscribers are required to add a certain amount to their accounts prior to usage and their maximum usage is limited to the amount that is added to the account. It is an account for which credit is purchased in advance of service use;

(g) Provisional Authority - refers to a temporary authority issued by the Commission to operate a public telecommunications service;

SEC. 4. Mobile Telephone Number Portability. - The Commission shall require all mobile telephone service providers to provide consumers or mobile telephone subscribers the option to retain their numbers in the following events:

(a) Switching from one service provider to another; Provided, That the subscriber has duly registered his name and mobile telephone number with the originating service provider; Provided further, That the subscriber opting to switch to another mobile service provider has no existing liability or outstanding obligations with the originating service provider;

(b) Switching from a mobile postpaid account to a mobile prepaid account and vice versa; Provided, That the subscriber has duly registered his name and mobile telephone number with the service provider; Provided further, That the subscriber opting to switch from a mobile prepaid account and vice versa has no existing liability or outstanding obligations with the service provider.

SEC. 5. Funding Provisions. - The Commission shall immediately hereinafter include in the Commission's programs the prompt implementation of this Act, funding of which shall be provided for in the Annual General Appropriations Act.

SEC. 6. Separability Clause. - If any provision of this Act shall at any time be found to be unconstitutional or invalid, the remainder thereof not affected by such declaration shall remain in full force and effect.

SEC. 7. Repealing Clause. - All laws, decrees, rules or regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

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

Approved,