

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. **7524**



Introduced by Representative MICHAEL L. ROMERO

EXPLANATORY NOTE

In the Republic of the Philippines, it is imperative that all telecommunications company or service providers adhere and comply to the rights and welfare of its consumers/subscribers.

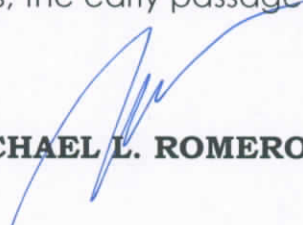
This includes and is not in any way limited to: quality services, resources management, service regulation, **penalties-sanctions and dispute resolution**.

This shall cover all **electronic communications and transactions**.

This House Bill seeks to promote the rights and interests of the consumer/subscriber, to foster the general welfare and to establish the correct standards of conduct for all business and industry.

Towards this end, the State shall implement measures to achieve these noble objectives.

Thus, the early passage of this bill is earnestly requested.


MICHAEL L. ROMERO Ph.D.

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AN ACT

MANDATING ALL TELECOMMUNICATIONS COMPANY (**SERVICE PROVIDER**) TO PROVIDE ALL SUBSCRIBERS A COPY OF THE SANCTIONS MADE TO THEIR AGENTS/PERSONNEL WHO WHERE INVOLVED IN ACTS OF **TAMPERING, SABOTAGE AND ALL OTHER FRAUDULENT SCHEMES**, TO UPHOLD CONSUMER PROTECTION, PROVIDING PENALTIES AND SANCTIONS, AND FOR OTHER PURPOSES

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

SECTION 1. DECLARATION OF POLICY – it is hereby declared a policy of the state to:

- a. Promote the interests of the consumers/subscribers ;
- b. Foster the general welfare and create acceptable standards of protocol for all business and industries ;
- c. Defend against all forms of deception, unfair and unethical practices and schemes ;
- d. Facilitate the proper implementation of the rights of the consumer/subscriber ; and

- e. Hasten the imposition of all existing policies and guidelines of the RA7394 (**Consumer act of the Philippines**).

SECTION 2. PROVIDING ALL SUBSCRIBERS A COPY OF THE SANCTIONS MADE TO THEIR AGENTS/PERSONNEL:

- a. All telecommunications company / service provider shall be mandated to provide all subscribers a copy of the sanctions made to their agents/personnel who were involved in acts of tampering, sabotage and all other fraudulent schemes;
- b. This prohibition shall apply to all postpaid subscriptions under a service contract, regardless of the duration of its contract;
- c. This prohibition shall apply regardless of the tenure of the contract consummated by the subscriber; and
- d. Sanctions shall be executed and delivered immediately; upon the justification and acknowledgement of the tampering, sabotage and all other fraudulent schemes.

SECTION 3. PENALTIES AND SANCTIONS:

For every violation of this act; or for very failure to comply with;

The Telecommunications company/Service provider shall pay a fine of not less than Two hundred thousand pesos (**P200,000.00**) for the first offense; a fine of not less than Five hundred thousand pesos (**P500,000.00**) for the second offense.

In case of subsequent offenses;

The penalty shall be a fine of not less than One million pesos (**P1,000,000.00**), and revocation of the franchise to operate.

SECTION 4. TRANSITORY PROVISION – Existing industries, businesses and offices affected by the implementation of this Act shall be given

six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 5. IMPLEMENTING RULES AND REGULATIONS – The departments and agencies charged, to be led by the Bureau of Communication Services **(BCS)** of the PCOO, Department of Trade and Industry **(DTI)**, Department of Information and Communications Technology **(DICT)** and the National Telecommunication Commission **(NTC)** with carrying out the provisions of this Act, shall within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 6. REPEALING CLAUSE – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 7. SEPARABILITY CLAUSE – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 8. EFFECTIVITY CLAUSE – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,