

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 8235



Introduced by Representative MICHAEL L. ROMERO

EXPLANATORY NOTE

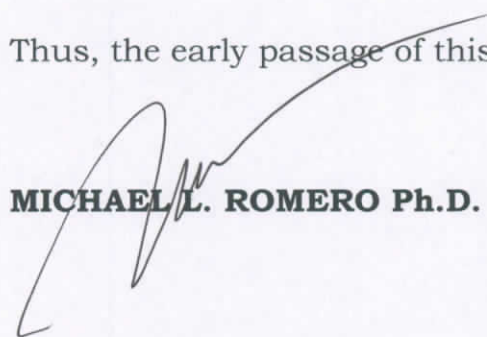
In the observance of fairness and equality, it is highly imperative that all telecommunications company or service providers act in accordance to the rights and welfare of its paying consumers-subscribers.

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

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 mechanisms 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

ALLOWING THE **TERMINATION** OF ANY POSTPAID
SUBSCRIPTION WHENEVER SERVICES HAVE BEEN
SUBSTANDARD OR DELINQUENT, TO FOSTER 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 a declared policy
of the state to:

- a. Foster the interests of the consumers-subscribers;
- b. Promote the general welfare and create justifiable standards of protocol
for all business and industries;
- c. Protect 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. Streamline the imposition of all existing policies and guidelines of the
RA7394 (**Consumer act of the Philippines**).

SECTION 2. ALLOWING THE TERMINATION OF POSTPAID SUBSCRIPTIONS WHENEVER SERVICES ARE SUBSTANDARD OR DELINQUENT:

- a. All telecommunications company / service provider shall facilitate and process the termination of any postpaid subscription whenever services have been substandard and delinquent;
- b. This termination shall apply to all postpaid subscriptions under a service contract, regardless of the duration of its contract;
- c. This termination shall apply regardless of the tenure of the contract consummated by the subscriber; and
- d. Termination shall be executed and effective immediately; upon the justification and validation.

SECTION 3. PENALTIES AND SANCTIONS:

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

The Telecommunications company/Service provider shall pay a fine of not less than Two hundred thousand pesos (**₱200,000.00**) for the first offense; a fine of not less than Five hundred thousand pesos (**₱500,000.00**) for the second offense.

In case of subsequent offenses;

The penalty shall be a fine of not less than One million pesos (**₱1,000,000.00**), 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,