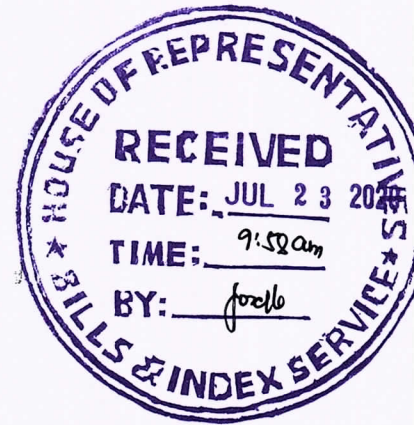




Republic of the Philippines
House of Representatives
Quezon City



EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 7162

Introduced by REPRESENTATIVE ERIC L. OLIVAREZ

EXPLANATORY NOTE

It is apparent that food and grocery delivery services have made ordering easier for its users. The convenience brought about by these service providers have been especially invaluable during this time when restaurants and supermarkets have become very much less accessible to the public. Most of these delivery services utilize delivery riders who pay the orders using their own money and later on be reimbursed upon delivery to the customers. Considering the convenience that these services provide to the public, it is no surprise that their services have been utilized by a lot of people.

However, it has come to the attention of many that some people have been unscrupulously availing of the services of these providers only to cancel their orders and leaving the delivery riders in a problematic situation where they have shelled out their own money and cannot be reimbursed anymore. Many incidents of this kind have been circulating in social media and it is clear that the interest of these delivery riders and the food and grocery delivery services have to be protected.

This Bill is aimed to provide protection to individuals engaged in food and delivery services by penalizing certain acts that prove to be unwarranted for these individuals.

In view of the foregoing, the passage of this Bill is earnestly sought.

Eric L. Olivarez
ERIC OLIVAREZ



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House Bill No. 7162

Introduced by **REPRESENTATIVE ERIC L. OLIVAREZ**

1
2 **“AN ACT PROVIDING PROTECTION TO INDIVIDUALS ENGAGED IN**
3 **THE FOOD AND GROCERY DELIVERY SERVICES”**

4 *Be it enacted in the Senate and the House of Representatives of the Republic of the*
5 *Philippines in Congress assembled:*

6 **SECTION 1. Short Title** - This Act shall be known as the "The Food and Delivery
7 Services Protection Act."

8 **SECTION 2. Definition of Terms. –**

- 9 a. **Confirmed Order** refers to an order of food and/or grocery item by a customer
10 who has sent his/her confirmation to the delivery rider.
- 11 b. **Customer** refers to any person, individual, group of individuals, business
12 establishment, partnership, association, and corporation availing the services of
13 food and grocery delivery services under their name or through another person for
14 their benefit;
- 15 c. **Delayed delivery** refers to a delay of ordered food or grocery items for at least
16 one (1) hour from the expected time of arrival given by the delivery rider upon
17 confirmation of order
- 18 d. **“Delivery Riders”** refer to persons who directly advance and deliver food and/or
19 grocery items on behalf of the food and grocery delivery service providers and in
20 favor of customers;

1 e. **Food and Grocery Delivery Services** refer to services where the service provider
2 buys food and grocery items from a third-party seller and provides an advanced
3 payment for said purchase for a fee; and

4 f. **Food and Grocery Delivery Service Providers** refer to persons or entities who
5 are engaged in the business of food and grocery services by way of mobile and
6 internet software applications, internet, or other similar platforms. Online
7 marketplaces are excluded from the foregoing definition.

8 **SECTION 3. Prohibited Acts.** – It shall be unlawful for any person to engage
9 in the following acts:

10 a. Unless otherwise provided in this Act, it shall be unlawful for any customer to
11 cancel confirmed orders for the delivery of food and/or grocery items when the
12 said items have already been paid for by the delivery rider or is already in the
13 possession of the delivery rider or otherwise in transit to the customer. This
14 also covers instances wherein customers order food and/or grocery items for
15 the purpose of pranking or those who have no genuine intention of availing
16 services which may cause any undue stress and damage to the delivery riders
17 and their corresponding service providers;

18 b. It shall be unlawful for any customer to shame, demean, embarrass, or
19 humiliate delivery riders across any platform.

20 **SECTION 4. Exceptions.** – The following shall be considered as the exceptions
21 from the prohibited cancellation of confirmed orders mentioned in Section 3, paragraph
22 (a):

23 a. When the customer uses credit card services as a mode of reimbursement and
24 payment, such reimbursement and payment will still be credited to the food and
25 grocery delivery service provider notwithstanding any cancellation; Provided
26 that, the customer remits to the food and delivery service provider any such
27 reimbursement and payment as a pre-condition for the cancellation of order;
28 and

29 b. When the customer is notified by the delivery rider or the service provider of the
30 impending delay and such delay was not caused by the fault or negligence of
31 the delivery rider.

32 **SECTION 5. Penalties.** - Violation of the prohibited acts under Section 3 shall
33 be accorded the following penalties:

34 a. Violation of Section 3 (a) shall be punishable by imprisonment of not less than
35 one (1) month but not more than six (6) months or a fine of not less than FIVE
36 THOUSAND PESOS (Php5,000.00) but not more than FIFTY THOUSAND
37 PESOS (Php50,000.00) or both at the discretion of the court;

1 b. Violation of Section 3 (b) shall be punishable by imprisonment of not less than
2 one (1) month but not more than six (6) months or a fine of not less than ONE
3 THOUSAND PESOS (Php1,000.00) but not more than FORTY THOUSAND
4 PESOS (Php40,000.00) or both at the discretion of the court;

5 **SECTION 6. Role of Food and Grocery Delivery Service Providers.** – In case
6 of violation of this Act, the service provider shall reimburse the delivery riders for all
7 amounts of money advanced by the delivery riders resulting from the cancelled order
8 within twenty (24) hours from the unlawful cancellation.

9 **SECTION 7. Mandatory requirement for proof of identity and residential**
10 **address.** - The food and delivery service provider shall require its customers to
11 submit a valid proof of identity and residential address before proceeding with the
12 confirmation of any order. Said food and delivery service provider shall likewise be
13 required to comply with the pertinent provisions of the Data Privacy Act of 2012 before
14 processing the personal information of the customers for their database.

15 **SECTION 8. Separability Clause.** - If any provision of this Act is declared
16 unconstitutional or otherwise invalid, the validity of the other provisions shall not be
17 affected thereby.

18 **SECTION 9. Repealing Clause.** - All laws, decrees, orders, rules and
19 regulations or parts thereof inconsistent with this Act are hereby repealed or modified
20 accordingly.

21 **SECTION. 10. Effectivity.** - This Act shall take effect fifteen (15) days after its
22 publication in the Official Gazette or in a newspaper of general circulation.

23 **Approved.**