

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

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 8481



Introduced by Representative EVELINA G. ESCUDERO

EXPLANATORY NOTE

The integrity of the country's public utility infrastructure is a matter of public interest that cannot be understated.

Indisputably, this infrastructure is meant to deliver essential services such as electric, internet, cable and telephone services, not to mention water and other essential goods. As such, a stringent policy must be set to safeguard this public interest in order to ensure convenience and the continuous and unhampered delivery of such services.

Every now and then, despite regulations on poster areas promulgated by the Commission on Elections pursuant to the Omnibus Election Code and Republic Act (RA) No. 9006, candidates for elective positions still make use of electric wires and cables as common poster areas. Perhaps, it is the absence of a penal law, except in the case of posting on trees which may already be covered by RA No. 3571, that allows this practice. Not to mention the fact that even the posting of advertisements for some commodity products is made on electric poles and other public utility infrastructure. This has to be abated not only for the sake of public interest but also on environmental and safety grounds. Needless to state, the use of electric wires as a poster area increases electricity losses in the process aside from the danger it poses to the community.

This proposal is not intended to proscribe reasonable means in the utilization of public utility infrastructure, especially if it serves the public better. Rather, it seeks to address the nuisance being practiced in the use of poles, cables, wires and other public utility infrastructure to the detriment of delivering essential goods to the consuming public.

Respectfully submitted.

EVELINA ESCUDERO

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AN ACT
PENALIZING THE POSTING OF ADVERTISEMENT AND
CAMPAIGN MATERIALS ON PUBLIC UTILITY POLES, WIRES
AND CABLES

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 as a policy of the State, consistent with the constitutional prescriptions on public interest, service and convenience, to ensure the integrity, safety and appropriate use of its public utility infrastructure regardless of ownership.

Consequently, a regulatory framework imposing sanctions is hereby adopted to address the inappropriate use of public utility infrastructure to the detriment of the consuming public and even the environment.

Sec. 2. Coverage. – This Act shall include any and all public utility poles, wires and cables or other similar public utility infrastructure meant to provide, facilitate or assist the delivery of public utility services such as electric, cable, internet and telephone services in the country.

Sec. 3. Prohibited Act and Penalty. – It shall be unlawful for any person to post, by any means or manner, advertisement or campaign materials, of any kind and for any purpose, on public utility infrastructure such as poles, wires and cables.

Any person who shall violate such prohibited act shall suffer the penalty of one (1) year to two (2) years imprisonment and a fine of at least One Hundred Thousand Pesos (Php100,000.00).

If the person found guilty of violating this provision is a candidate for any election or an incumbent government official, he or she shall likewise suffer the penalty of perpetual absolute disqualification to hold office.

On the other hand, in cases where the person is a juridical person, the officer, employee or director responsible for the commission shall be made to suffer the applicable penalty provided in this provision.

Sec. 4. *Implementing Regulations.* – For the effective implementation of this Act, the Department of Justice shall within ninety (90) days from the *effectivity* of this Act shall promulgate the detailed regulations consistent with the provisions of this Act.

Sec. 5. *Repealing Clause.* – All laws, decrees, and rules and regulations inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Sec. 6. *Separability Clause.* – If any provision or part of this Act is held invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

Sect. 7. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation or in the *Official Gazette*.

Approved,