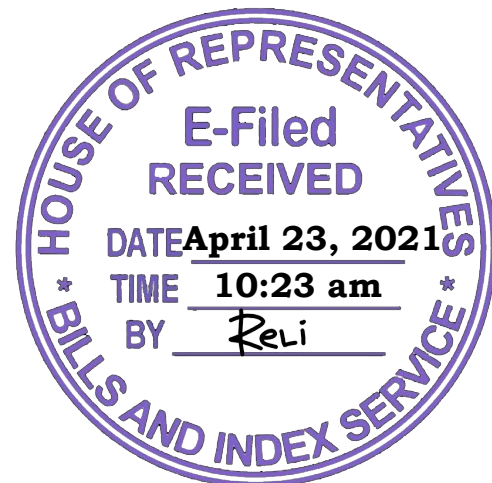


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9245



INTRODUCED BY HON. JESUS "BONG" C. SUNTAY

EXPLANATORY NOTE

The trade and industry sector adapts with the modernization of society. As social networking sites and other online media platform have become part of the people's day-to-day lives, the trade and industry sector has also began to develop processes and systems that will allow businesses to sell goods and services via digital platforms.

Contactless payments are already a widely used payment method even before the COVID-19 pandemic. Over the past few years, there has been a significant decrease in cash usage as the economy modernizes. Businesses and consumers switch sides because it offers safer transactions, ease of use, flexibility of payment devices, and loyalty benefits.

As the coronavirus pandemic inflicted a massive health and economic catastrophe, we have to adapt to the new normal. Contactless payments are highly encouraged and preferred by many. It has allowed continuity to businesses, without risking the safety of both their employees and consumers especially those that are high-risk such as Senior Citizens and Persons with Disabilities.

However, with the introduction of a new mode of payment and transaction, the proliferation of online applications and websites along with

door-to-door deliveries, the privileges and benefits granted to vulnerable sectors such as Senior Citizens and PWDs have been overlooked and in most cases not being applied. Very few of these businesses grant the discounts required by law on their digital platforms.

In this time of the pandemic where outdoor activities are highly discouraged especially to high-risk individuals, our Senior Citizens and PWDs are deprived of the benefits and privileges granted to them by existing legislations. It is therefore imperative for the government to provide a mechanism to enable these sectors to avail of the discounts and privileges granted to them by the law when they opt to procure necessities through digital platforms.

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



ATTY. JESUS "BONG" SUNTAY

Republic of the Philippines
HOUSE OF REPRESENTATIVES

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 9245

Introduced by HON. JESUS “BONG” C. SUNTAY

AN ACT
STRENGTHENING THE DISCOUNT AND PRIVILEGES OF SENIOR CITIZENS,
PERSONS WITH DISABILITIES, AND STUDENTS IN DIGITAL TRANSACTIONS,
INSTITUTIONALIZING MECHANISM THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. **Short Title.** – This act shall be known as the “*Digital Transactions Discount Act*”

SEC. 2. **Declaration of Policy.** – It is hereby declared the policy of the State to promote social justice in all phases of national development. The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health, and other social services available to all the people at affordable cost. Priority shall be given to the needs of the underprivileged sick, elderly, disabled women, and children.

The Constitution of the Republic of the Philippines, through Article XIII, Section 11, mandates Congress to legislate measure that protects and enhances the right of all the people to human dignity, reduce social, economic and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power for the common good.

SEC. 3. **Coverage of this Act.** – This Act shall cover all Senior Citizens, Persons with Disabilities (PWDs), and Students, as provided by their specific legislations. Privileges and discounts granted to them shall be honored in all digital transactions, as applicable.

SEC. 4. **Definition of Terms.** – For the purposes of this Act, the following terms are defined, as follows:

- a. *Claimant* refers to Senior Citizens, Persons with Disabilities, Students, or any individual entitled to discounts and privileges on goods and services, as identified through existing laws.
- b. *Companies* refer to business entities engaged with the sales of goods and services through digital platforms such as online and telecommunication channels.
- c. *Digital Platform* refers to all online and telecommunication channels of companies that facilitate transactions and exchanges of goods and services.
- d. *Digital Transaction* refers to the actual exchange of money, including e-money, for goods and services processed via digital platforms such as online and telecommunication channels.
- e. *Person with Disabilities*, as defined by RA 10754, refers to any person with long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.
- f. *Physical Transaction* refers to the exchange of money for goods and services via physical stores and outlets.
- g. *Senior Citizen*, RA 7432, refers to any resident citizen of the Philippines at least sixty (60) years old, including those who have retired from both government offices and private enterprises.
- h. *Student*, as defined by RA 11314, refers to any Filipino citizen currently enrolled in a duly authorized elementary, secondary, technical-vocational, or higher education institution. This does not include those enrolled in post-graduate degree courses and informal short-term courses.

SEC. 5. ***Provision of Discount for Digital Transactions.*** All privileges and discounts provided for by existing laws, such as but not limited to, Senior Citizens, Persons with Disabilities (PWDs), and students, shall be duly recognized and applied in all digital transactions. *Provided*, companies through their digital platforms, shall include a feature that allows claimants and/or his/her authorized representative to register their accounts for the availment of such discounts. *Provided, further*, That necessary identification cards, as well as other applicable documents, are complete and duly presented by the claimant.

SEC. 6. ***Digital Transaction Discount Mechanism.*** All companies involved in the sales of goods and services via digital platforms shall include a feature on their websites, mobile applications, and digital sale process that will enable claimants and/or their authorized representatives to register their accounts that will enable them to avail such discounts. Accounts of claimants and/or their authorized representatives must undergo assessment from companies using the personal data and identification cards submitted by the claimants and their authorized representatives through digital platforms. *Provided*, That, the discounts and privileges to be availed are based on existing laws. *Provided, further* That, companies may provide additional discounts, aside from what is provided by existing laws, for claimants and their authorized representatives.

SEC. 7. ***Implementation.*** Within ninety (90) days from the effectivity of this Act, the Department of Social Welfare and Development, in consultation with the Department of Trade and Industry, Department of Information and Communications Technology, Department of Health, Department of Interior and Local Government, and Department of Finance, shall promulgate the rules and regulations necessary to effectively implement the provisions of this Act.

SEC. 8. ***Penalties.*** Any person who refuses to honor the discount and privileges as provided for by this Act and other existing laws, or violates any provision of this Act, shall suffer the following penalties:

- a. For the first violation, imprisonment of not less than one (1) but not more than six (6) months and a fine of not less than Ten thousand pesos (Php10,000.00) but not exceeding Fifty thousand pesos (Php50,000.00);

- b. For any subsequent violation, imprisonment of not less than six (6) months but not more than one (1) year and a fine of not less than Fifty thousand pesos (Php50,000.00) but not exceeding One hundred thousand pesos (Php100,000.00); and
- c. Any person who abuses the privileges granted herein shall be punished with imprisonment of not less than six (6) months and a fine of not less than Fifty thousand pesos (Php50,000.00) but not more than One hundred thousand pesos (Php100,000.00).

If the offender is a corporation, partnership, organization or any similar entity, the officials thereof directly involved such as the president, general manager, managing partner, or such other officer charged with the management of the business affairs shall be liable therefor.

If the offender is an alien or a foreigner, he/she shall be deported immediately after service of sentence.

Upon filing of an appropriate complaint, and after due notice and hearing, the proper authorities may also cause the cancellation or revocation of the business permit, permit to operate, franchise and other similar privileges granted to any person, establishment or business entity that fails to abide by the provisions of this Act.

SEC. 9. ***Separability Clause.*** – If any provision or part of this Act is held invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 10. ***Repealing Clause.*** – All laws, executive orders, presidential decrees or issuances, letter of instruction, administrative orders, rules, and regulations as well as local ordinances contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 11. ***Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,