

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

House Bill No. 10706



Introduced by **MAGDALO Party-List Representative**
HON. MANUEL DG. CABOCHAN III

EXPLANATORY NOTE

Prank calling is the malicious act of making a fake call to emergency hotline services with the intention to abuse, confuse, threaten, or cause mischief to the recipient or receiver of the call. It usually congests the lines and prevents people with genuine emergencies from reaching emergency hotlines immediately.

Since the government launched its Emergency Hotline 911, it had received a total of 2.54 million calls in 2019 which turned out as fraudulent, or prank calls. Of the 18.4 million calls made that year, only 37,440 were legitimate calls while 16,763 were non-emergency in nature.¹ The severity of prank calls made to emergency hotline services must be addressed.

This measure seeks to penalize prank calling in all national emergency hotlines intended to respond to real emergencies. These national emergency hotlines shall include those that require police assistance, fire reports, medical assistance, search, and rescue, and even chemical, biological, radiological, nuclear, and explosive (CBRNE) materials. This measure intends to strongly foster discipline, empathy, and social

¹ Inquirer. DILG: Gov't's 911 hotline gets 2.54 million prank calls in 2019. Information retrieved from <https://newsinfo.inquirer.net/1236748/dilg-govts-911-hotline-gets-2-54-million-prank-calls-in-2019>. Dated March 4, 2020

responsibility to the public, most especially against habitual prank callers. It should be recognized that lives could be in serious or imminent danger and may be prevented from being safely rescued due to other people's mischievous actions.

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



MANUEL DG. CABOCHAN III

Representative

Magdalo Para sa Pilipino Party-List

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AN ACT

PENALIZING PRANK CALLERS TO EMERGENCY HOTLINES

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

1 SECTION 1. *Short Title.*— This Act shall be known as the “Anti-Prank Caller Act”.

2
3 SEC. 2. *Declaration of Policy.*— It is hereby declared the policy of the State to
4 assert the maintenance of peace and order, the protection of life, liberty, and property,
5 and the promotion of the general welfare as essential precursors for the enjoyment
6 by all the people of the blessings of democracy. It shall take into serious consideration
7 the integrity of emergency situations and immediately act upon it to protect and
8 ensure the wellbeing of the public. Towards this end, it shall penalize individuals or
9 groups who commit prank calling to national emergency hotlines, with malicious
10 intention/s to abuse, threaten, confuse, harass and/or cause intended misinformation
11 to the recipient.

12
13 SEC. 3. *Definition of Terms.*— For the purpose of this Act, the following terms
14 shall mean:

1 (a) Prank Call refers to the act of any intended mobile or telephone call made
2 by a caller with an intention to abuse, threaten, confuse, harass and/or
3 cause intended misinformation and/or mischief on the recipient or person
4 answering the call;

5 (b) Emergency refers to an urgent, sudden, and serious event or an unforeseen
6 change in circumstances that necessitates immediate action to remedy
7 harm or avert imminent danger to life, health, or property; and

8 (c) Hotline refers to the telephonic service operated by or for the city, but not
9 limited to the functions of the national government, for the purpose of
10 receiving complaints and/or request for assistance to facilitate immediate
11 communication and action from competent authorities.

12
13 SEC. 4. *Coverage*.— This Act shall apply to all national emergency hotlines as
14 provided by existing laws. It shall include, but not limited, to police assistance, fire
15 reports, medical assistance, search, and rescue and chemical, biological, radiological,
16 nuclear, and explosive (CBRNE) incidents.

17
18 SEC. 5. *Prank Calling*.— Such emergency hotlines establish for the purpose of
19 responding to emergency situations, shall at all times, be free from receiving malicious,
20 fraudulent and/or deceitful calls. It shall be prohibited for any individual and/or
21 group/s to make prank calls to these hotlines at any time.

22
23 SEC. 6. *Penalties*.— Any person who violates this Act shall be penalized accordingly:

24 (a) *Arresto menor* and a fine of Five Thousand Pesos (P5,000.00) for the first
25 offense;

26 (b) *Arresto mayor* and a fine of Fifteen Thousand Pesos (P15,000.00) for the
27 second offense;

28 (c) *Prision correccional* and a fine of Thirty Thousand Pesos (P30,000.00) for
29 the third offense; and

30 (d) *Prision mayor* and a fine of Fifty Thousand Pesos (P50,000.00) for the fourth
31 and subsequent offenses.

1 *Provided,* That the foregoing penalties shall be imposed without prejudice to
2 other liabilities under the Revised Penal Code or any special law arising out of
3 prohibited act herein.

4
5 SEC. 7. *Separability Clause.*— If any portion or provision of this Act is declared
6 unconstitutional, the remainder of this Act or any provisions not affected thereby shall
7 remain in force and effect.

8
9 SEC. 8. *Repealing Clause.*— Any law, presidential decree or issuance, executive
10 orders, letter of instruction, rule or regulation inconsistent with the provisions of this
11 Act is hereby repealed or modified accordingly.

12
13 SEC. 9. *Effectivity.*— This Act shall take effect fifteen (15) days following its
14 complete publication in the Official Gazette or a newspaper of general circulation.

Approved,