

Republic of the Philippines  
HOUSE OF THE REPRESENTATIVES  
Constitution Hills, Quezon City

NINETEENTH CONGRESS  
First Regular Session

HOUSE BILL NO. 1012



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Introduced by  
REPRESENTATIVE BERNADETTE HERRERA-DY

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AN ACT AMENDING THE REFUND PROVISIONS OF JOINT DOTC-DTI  
ADMINISTRATIVE ORDER NO. 01 SERIES OF 2012, PROVIDING FOR A  
BILL OF RIGHTS FOR AIR PASSENGERS AND CARRIER OBLIGATIONS,  
ALSO KNOWN AS THE "AIR PASSENGER BILL OF RIGHTS"

Explanatory Note

The Joint DOTC-DTI Administrative Order No. 01 Series of 2012 aimed to provide a fair and reasonable public policy for air passengers and air carriers. Although a fairly new resolution, it assured air passengers safe and considerate options for air flights while giving them necessary regulatory measures to ensure clear and distinct processes. Despite its valuable contributions, it is only necessary to review its provisions to keep public safety and access intact.

With fast rising technology, airplane ticket-booking is just a click away. However, the fast-paced method of accessing these services give no exception to human error. It is a normal occurrence for passengers to accidentally purchase added fees while booking. Refunding has been a bother for airline booking despite reasonable causes of doing so. While this is a common issue for most passengers, airlines usually have no option for refunding of these fees. For the best interest of the public, it is imperative for these problems to be considered and reflected to the new provisions of the law.

With these amendments in place, the law will give careful consideration to the public's needs in terms of air transport. For an effective public policy, its measures must be reviewed and adhere to all conditions, restrictions, and possible situations that may come. In this regard, it is the duty of the government to give credence to every possibility that may arise, and in turn take appropriate measures for the benefit of its citizens.

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

  
BERNADETTE HERRERA-DY

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BILL OF RIGHTS"

Section 1. Section 18 Joint DOTC-DTI Administrative Order No. 01 Series OF 2012 is hereby amended to read as follows:

"Section 18. Refund of Other Fees. Every air carrier must refund checked baggage fees and other optional service fees, including, but not limited to, travel insurance, donations 5 to charities, preferred meals, seat selection, excess baggage, etc. under the following 6 conditions:

a) If the passenger did not use his/her ticket provided, that the said ticket is refundable and that the passenger is not at fault. Provided, further, that refund of checked baggage fees will also apply, if the baggage was not delivered to the passenger within twenty-four (24) hours from the arrival of flight, on top of the compensation 11 fee as mentioned in Section 14.1

b) If the passenger purchased baggage and other optional service fees and opted to cancel and to refund said services within forty-eight (48) hours before the passenger's flight departure provided, further, that the services are not used prior to the flight and will not cause any damage or delay to the said flight.

Section 2. Separability Clause. If, for any reason or reasons, any part of the provision of this Act shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 3. Repealing Clause. All laws, decrees, orders, rules, and regulations, or parts hereof, inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

Section 4. Effectivity Clause. This Act shall take effect after fifteen (15) days following its publication in the Official Gazette and at least two (2) newspapers of general circulation.

Approved,