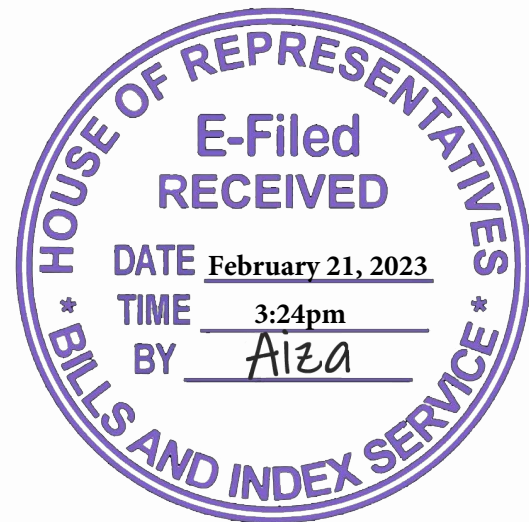


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 7274



Introduced by the **Honorable ANIELA BIANCA D. TOLENTINO**

EXPLANATORY NOTE

The COVID-19 pandemic expanded the logistics industry as people opted to avail of delivery service for ordering food, grocery, and pharmacy products. For more than (2) years, our citizens have grown accustomed to availing the services of couriers for their food, grocery, and pharmacy products. Though the said expanded industry has brought additional income for delivery service businesses, it also came with a lot of horror stories, as reports of hoax orders and other abuses flooded news. As such, this representation finds an urgent need to give ample protection for the budding industry of delivery service for food, grocery, and pharmacy products.

The bill herein has similar versions filed before the Senate of the Philippines. The filing of this bill in the House of Representatives seeks to hasten the process of having a specific and concrete law that will protect the delivery providers for food, grocery, and pharmacy products.

As our economy recovers from the COVID-19 pandemic, this representation sees the further growth of the delivery service industry for food, grocery, and pharmacy products. The proposed law herein when passed will also promote the growing industry.

For the Filipino people, approval of the bill herein is earnestly being sought.

A handwritten signature in black ink, appearing to be "Aniela", written in a cursive style.

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First Regular Session

HOUSE BILL NO. 7274

Introduced by the **Honorable ANIELA BIANCA D. TOLENTINO**

**AN ACT PROTECTING FOOD, GROCERY,
AND PHARMACY DELIVERY PROVIDERS**

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

SECTION 1. *Short Title.* – This Act shall be known as "*Delivery Providers Protection Act.*"

SECTION 2. *Definition of Terms.* – For purposes of this Act, the terms below shall have the following definition:

- (a) Food, Grocery, and Pharmacy Delivery Service - a form of courier or delivery service where a person through a mobile phone application, internet website or any other similar platform orders food, grocery or pharmaceutical items from a third-party seller and engages the service of a rider or driver for the delivery of said order for a fee.
- (b) Food, Grocery, and Pharmacy Delivery Service Providers or Service Providers - these are persons or entities who are engaged in the business of providing food, grocery and pharmacy delivery services by way of mobile phone applications, internet websites or other similar platforms.
- (c) Delivery Riders or Drivers - regardless of the existing contractual relationship with the service providers, these are persons who perform the delivery services by

picking up the ordered items from the third-party seller and delivering the items to the customers who avail of the service.

- (d) Confirmed Order - there shall be a confirmed order once the customer sends his confirmation to the delivery or driver with respect to the order for the purchase of food, grocery and/or pharmaceutical items.

SECTION 3. *Prohibition Against Advance Payment.* – It shall be prohibited for any food, grocery, and pharmacy delivery service provider to require delivery riders or drivers to advance any monetary amount for the fulfillment of orders.

In case of cancellation of confirmed orders, the food, grocery, and pharmacy delivery service provider shall still pay the delivery riders or drivers for the service fee due them as if the transaction was successful.

In turn, it shall be the duty of service providers to pursue claims for collection from its cancelling customers.

Any investigation or inquiry conducted by the service providers on the propriety or validity of the cancellation shall not affect the right of the riders/drivers to collect their respective service fee as provided under this section.

Any food, grocery, and pharmacy delivery service provider who shall be found to be in violation of the prohibition on requiring monetary advances from delivery riders or drivers shall, upon conviction, be subject to the penalty of *arresto mayor* and/or fine of an amount not exceeding One hundred thousand pesos (P100,000.00) and the licenses and permits of said violators shall be revoked. This is without prejudice to any other available remedies under existing laws.

If the violation is committed by a corporation, partnership, association, or any other kind of business entity that may be created by operation of law, the penalty provided in the next preceding paragraph shall be imposed upon its president, director, partner or any responsible officer that authorized monetary advances to be required

SECTION 4. *Know-Your-Customer Rules for Food, Grocery and Pharmacy Delivery Service.* – The service providers shall require its customers, prior to the registration with their mobile phone applications, internet websites or other similar platforms, to submit a valid proof of identity and residential address. Procedures for verification of identity shall likewise be implemented by the service providers. The

processing of personal information done in accordance with this section shall be fully compliant with the requirements of Republic Act No. 10173, or the "Data Privacy Act of 2012."

SECTION 5. *Prohibited Acts.* –

- (a) Using Another Person's Personal Information. - It shall be unlawful for any person to use the personal information of another such as, but not limited to, name, address, and contact number when registering for any food, grocery, and pharmacy delivery service.
- (b) Cancellation of Confirmed Orders. - It shall be unlawful for any person to cancel a confirmed order unless such option is specifically allowed by the food, grocery, and pharmacy service hired.
- (c) Placing of Hoax Order. - It shall be unlawful for any person to: (1) place an order under the name of another unless the latter consented to the same; (2) place an order using a fictitious name, address, or both.
- (d) Refusal to Receive Unpaid Order - It shall be unlawful for any person to unjustly refuse to receive an order when such order has been placed by him personally or if the order is placed by virtue of his authority. Any person who shall commit any of the prohibited acts as provided for in this section shall, upon conviction, be subject to the penalty of *arresto mayor* and/or fine of an amount not exceeding One hundred thousand pesos (Php100,000.00) without prejudice to any other available remedies under existing laws.

SECTION 6. *Repealing Clause.* – All laws, presidential decrees, executive orders, proclamations, rules and regulations, or any part thereof, which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 7. *Separability Clause.* – If any provision or part of this Act, or the application thereof to any person or circumstance, is held unconstitutional or invalid, the remained of this Act shall not be affected thereby.

SECTION 8. *Effectivity.* – This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,