

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session



HOUSE BILL No. 8556

Introduced by
ACT Teachers Party-List Rep. FRANCE L. CASTRO,
GABRIELA Women's Party Rep. ARLENE D. BROSAS,
and **KABATAAN Party-List Rep. RAOUL DANNIEL A. MANUEL**

AN ACT
PROVIDING FOR A UNIFORM SCHEME FOR REFUND AND REBOOKING OF
AIRLINE TICKETS IN FLIGHTS AFFECTED BY PROLONGED NATURAL
DISASTERS OR PANDEMICS

EXPLANATORY NOTE

Freedom of movement or right to travel is one of the most affected activities and rights of people during the COVID-19 pandemic as restrictive measures are imposed to help prevent its further spread.

As a result, in the airline industry, for instance, many passengers who have booked their trips in advance could no longer use their tickets as flights were canceled or transferred to a later date. This situation was compounded by the fact that many have lost their jobs and sources of income and may have to look for other sources of funds.

While travel is put on halt, one of the issues that will arise is the procedure of refunding or rebooking tickets, as there is no uniform policy as set by law to give guidance to airlines, especially with the situation that would entail massive flight cancellations such as the one brought by this pandemic.

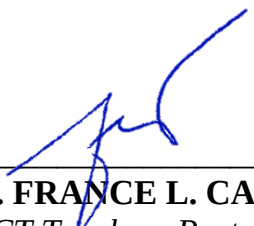
Current rules and regulations on rebooking and/or travel refund relies only on the unilateral guidelines set by the airlines themselves. Regulators and authorities have not anticipated the massive effect of the pandemic to the airlines and its passengers. The current Air Passenger Bill of Rights did not anticipate this pandemic, and as legislators, we shall institutionalize measures that the situation may see fit.

This Bill aims to provide a uniform procedure to the passengers whose flights are affected by the pandemic.

It needs to be given further stress that the pandemic and the resulting travel restrictions should not and cannot mean the unwarranted suspension of the rights of consumers and airline passengers. Those rights should at all times be protected, more especially during times of crises or pandemic.

This Bill was first filed as HB 9516 in the 18th Congress by Bayan Muna Party-List Reps. Carlos Zarate, Ferdinand Gaite and Eufemia Cullamat, ACT Teachers Party-List Rep. France Castro, Gabriela Women's Party Rep. Arlene Brosas, and Kabataan Party-List Rep. Sarah Elago.

To provide assurance and temporary relief to airline customers that their unused fares can be immediately refunded or to be reused eventually, the immediate enactment of this Bill is earnestly sought.



Rep. FRANCE L. CASTRO
ACT Teachers Party-List



Rep. ARLENE D. BROSAS
GABRIELA Women's Party



Rep. RAOUL DANNIEL A. MANUEL
KABATAAN Party-List

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

SECTION 1. *Title.* — This Act shall be known as the “An Act Providing for a Uniform Scheme for Refund and Rebooking of Airline Tickets in Flights Affected by Prolonged Natural Disasters or Pandemics” or simply the “Pandemic Airfare Relief Act”.

SECTION 2. *Declaration of Policy.* — To ensure public safety, the State shall introduce measures to regulate human activity. One of the current restrictions imposed during pandemics is travel, and any further restrictions may affect the flight tickets of those who booked it in advance. The law aims to give a uniform procedure to be followed by all airlines.

SECTION 3. *Uniform Procedure.* — Upon declaration of a travel ban, health emergency or a prolonged natural calamity in a local destination as determined by competent government agencies. Passengers who are affected by such ban may choose to avail an outright refund, free rebooking, or deposit to a travel fund.

Refund

- a. The passengers can avail of the refund through payment reversal, no fees shall be imposed by the airline or the payment processor.
- b. The refund can be initiated up to one year after the ban is in place.

Rebooking

- a. The passengers can rebook their tickets for other destinations at any time, no additional fees shall be charged, except for the fare difference, if there's any.
- b. The rebooking can be initiated at any time

Travel Fund

- a. Passengers may opt to have their ticket value converted into a travel fund which can be used to book another flight, or to avail of any allied services provided for by the airline in their respective booking portals
- b. The travel fund shall not expire, and must be enabled for an actual cash refund by the passenger, if they see it fit.

SECTION 4. *Helpdesk.* —

- a. Airlines are encouraged to resolve concerns regarding refund and rebooking through their internal systems. For unresolvable disputes, an inter-agency helpdesk shall be established to resolve such disputes.
- b. This agency shall be under the Civil Aviation Authority of the Philippines (CAAP) with technical guidance with the Department of Trade and Industry (DTI).

SECTION 5. *Implementing Rules and Regulations.* — The Department of Transportation (DOTr), Civil Aviation Authority of the Philippines (CAAP) and the Department of Trade and Industry (DTI) shall craft the IRR of this law, within 60 days upon its effectivity

SECTION 6. *Repealing Clause.* — All laws, decrees, executive orders, resolutions, revenue regulations, ordinances or circulars inconsistent with the provisions of this Act are hereby repealed or modified accordingly or declared null and void and inoperative.

SECTION 7. *Effectivity.* — This Act shall take effect after fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.

Approved,