

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila
TWENTIETH CONGRESS
First Regular Session
House Bill No. 3720



Introduced by Representative

BRIAN DANIEL POE LLAMANZARES, PhD, MNSA

**AN ACT PROVIDING MEASURES TO PROTECT INDIVIDUALS ENGAGED IN
FOOD, GROCERY AND PHARMACY DELIVERY SERVICES**

EXPLANATORY NOTE

The COVID-19 pandemic accelerated the growth of the on-demand economy, particularly in the food, grocery, and pharmacy delivery sector. Delivery riders and drivers became indispensable frontliners, ensuring that households received essential goods while minimizing exposure to health risks. Despite their vital role, many delivery workers continue to face unfair and exploitative practices.

One of the most common challenges faced by riders is the burden of advancing payment for customers' orders, only to suffer financial losses when these orders are later cancelled or left unclaimed. Such incidents not only deprive riders of their rightful earnings but also impose unnecessary financial risk on individuals who are already working in precarious employment arrangements.

Equally alarming is the rise in fraudulent activities such as hoax orders, identity theft, and the malicious use of personal information to avoid accountability. These actions waste valuable time and resources, erode trust in the delivery industry, and jeopardize the livelihood of thousands of riders.

This proposed measure seeks to address these concerns by:

- Prohibiting service providers from requiring riders to advance payment for confirmed orders;
- Ensuring that riders are compensated for cancelled confirmed orders;
- Mandating delivery platforms to implement Know-Your-Customer (KYC) procedures in compliance with the Data Privacy Act of 2012; and
- Penalizing fraudulent acts such as hoax orders, identity theft, and unjustified refusal to accept orders.

By instituting these safeguards, the bill aims to create a fairer and safer working environment for delivery workers while protecting consumers and maintaining trust in the industry. This is a step toward recognizing the indispensable contribution of delivery riders to the country's economy and to the daily lives of millions of Filipinos.

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


HON. BRIAN DANIEL POE LLAMANZARES, PhD, MNSA
Representative
FPJ Panday Bayanihan Party-List

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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 "Food, Grocery and Pharmacy Delivery Services Protection Act."

SECTION 2. *Definition of Terms.* — For purposes of this Act, these terms are defined as follows:

- (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 service 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 provider who shall be found 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; and
- (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 (P100,000.00) without prejudice to any other available remedies under existing laws.

SECTION 6. *Separability Clause.* — If, for any reason, any section, subsection, clause or term of this Act is held invalid or unconstitutional, such parts not affected by such declaration shall remain in full force and effect.

SECTION 7. *Repealing Clause.* — All existing laws, orders, decrees, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby amended, modified, or repealed accordingly.

SECTION 8. *Effectivity.* — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,

A handwritten signature in black ink, reading "Brian Poe". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

HON. BRIAN DANIEL POE LLAMANZARES, PhD, MNSA

Representative

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