

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

'04 JUN 30 P5:19

SENATE

S. No. 417

RECEIVED BY: *Osmeña*

Introduced by Senator S. R. Osmeña III

EXPLANATORY NOTE

The Philippines total electric energy consumption in 1994 was estimated at 30.459 Billion kilowatt hours. In 2001, this figure has increased to 47.049 Billion, an increase of 54% since 1994. However, power losses in 1994 were recorded at 15.5% and for 2001, 12.5% of the total electric energy consumed, a decrease of only 3% despite a 54% increase in energy consumption. These facts are contributing factors to the Philippines having one of the highest power rates in Asia, which has a direct effect on this country's competitiveness.

With the view of making the production and distribution of electric energy more efficient, this bill seeks to amend certain provisions in Republic Act 7832, otherwise known as the Anti-Electricity and Electric Transmission Lines/Materials Pilferage Act of 1994.

The proposed amendment expands the coverage of the law to include not only electric power transmission lines and materials but also distribution lines and materials. This bill likewise increases the kind of offenses as well as the penalties to be levied against the offenders.

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

S. Osmeña III

SERGIO OSMEÑA III
Senator

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AN ACT
AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED SEVENTY-
EIGHT THIRTY-TWO, AS AMENDED, OTHERWISE KNOWN AS THE "ANTI-
ELECTRICITY AND ELECTRIC TRANSMISSION LINES/MATERIALS PILFERAGE
ACT OF 1994"

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

1 SECTION 1. Section 2 (c) of Republic Act No. 7832, as amended, is
2 hereby further amended to read as follows:

3 "SECTION 2. Illegal Use of Electricity. — x x x

4
5 (c) Tamper, install or use a tampered electrical meter, jumper, current
6 reversing transformer, shorting or shunting wire, loop connection or any
7 other device OR METHOD, SUCH AS TILTING OF METER, which
8 interferes with the proper or accurate registry or metering of electric
9 current or otherwise results in its diversion in a manner whereby
10 electricity is stolen or wasted;"

11 SEC. 2. Section 3 of the same Act is hereby amended to read as
12 follows:

13 "SECTION 3. Theft of Electric Power Transmission AND DISTRIBUTION
14 Lines and Materials. — (a) It is hereby declared unlawful for any person
15 to:

16 (1) Cut, saw, slice, separate, split, severe, smelt, or remove any
17 electric power transmission AND DISTRIBUTION line/material or meter
18 from a tower, pole, or any other installation or place of installation or any

1 other place or site where it may be rightfully or lawfully stored, deposited,
2 kept, stocked, inventoried, situated or located, without the consent of the
3 owner, whether or not the act is done for profit or gain;

4 (2) Take, carry away or remove or transfer, with or without the use of
5 a motor vehicle or other means of conveyance, any electric power
6 transmission AND DISTRIBUTION line/material or meter from a tower,
7 pole, any other installation or place of installation, or any place or site
8 where it may be rightfully or lawfully stored, deposited, kept, stocked,
9 inventoried, situated or located without the consent of the owner, whether
10 or not the act is done for profit or gain;

11 (3) Store, possess or otherwise keep in his premises, custody or
12 control, any electric power transmission line/material or meter without the
13 consent of the owner, whether or not the act is done for profit or gain; and

14 (4) Load, carry, ship or move from one place to another, whether by
15 land, air or sea, any electrical power transmission AND DISTRIBUTION
16 line/material, whether or not the act is done for profit or gain, without first
17 securing a clearance/permit for the said purpose from its owner or the
18 [National Power Corporation (NPC)] NATIONAL TRANSMISSION
19 CORPORATION (TRANSCO) or its regional office concerned, as the
20 case may be.

21 (b) For purposes of this section, "electrical power transmission AND
22 DISTRIBUTION line/material" refers to electric power transmission steel
23 towers, woodpoles, cables, wires, insulators, line hardwares, electrical
24 conductors and other related items [with a minimum voltage of sixty-nine
25 kilovolts (69 kV)], such as the following:

26 (1) Steel transmission line towers made of galvanized steel angular
27 members and plates or creosoted and/or lannelized woodpoles/ concrete
28 poles and designed to carry and support the conductors;

1 (2) [Aluminum conductor steel reinforced (ACSR) in excess of one
2 hundred (100) MCM;] ALL TYPES OF WIRES AND CABLES USED TO
3 TRANSMIT AND DISTRIBUTE ELECTRICITY;

4 (3) ALL [O]verhead ground wires made [of 7 strands] of galvanized
5 steel wires, [3.08 millimeters in diameter and] designed to protect the
6 electrical conductors from lightning strikes;

7 (4) Insulators made of porcelain or glass shell and designed to
8 insulate the electrical conductors from steel towers or woodpoles; and

9 (5) Various transmission AND DISTRIBUTION line hardware and
10 materials made of aluminum alloy or malleable steel and designed to
11 interconnect the towers, conductors, ground wires, and insulators
12 mentioned in subparagraphs (1), (2), (3), and (4) above for the safe and
13 reliable operation of the transmission AND DISTRIBUTION lines.”

14 SEC. 3. Section 4(b) of the same Act is hereby amended to read as
15 follows:

16 “SEC. 4. Prima Facie Evidence. x x x

17 (b) The possession or custody of electric power transmission AND
18 DISTRIBUTION line/material by any person, natural or juridical, not
19 engaged in the transformation, transmission or distribution of electric
20 power, or in the manufacture of such electric power transmission AND
21 DISTRIBUTION line/material shall be prima facie evidence that such
22 line/material is the fruit of the offense defined in Section 3 hereof and
23 therefore such line/material may be confiscated from the person in
24 possession, control or custody thereof.”

25 SEC. 4. Section 5 of the same Act is hereby amended to read as
26 follows:

27 “SEC. 5. Incentives. — An incentive scheme by way of a monetary
28 reward in the [minimum] amount of [Five thousand pesos (P5,000)]
29 NOT LESS THAN FIVE THOUSAND PESOS (5,000.00) BUT NOT

1 MORE THAN FIFTY THOUSAND PESOS (50,000.00) shall be given to
2 any person who shall report to the [NPC] TRANSCO or police
3 authorities any act which may constitute a violation of Section 3 hereof.
4 The Department of Energy (DOE), in consultation with the [NPC]
5 **TRANSCO**, shall issue the necessary guidelines for the proper
6 implementation of this incentive scheme within thirty (30) days from the
7 effectivity of this Act.”

8 SEC.5. Section 7 (b) of the same Act is hereby amended to read as
9 follows:

10 “SEC. 7. Penalties. x x x

11 (b) Violation of Section 3. — The penalty of reclusion temporal or a
12 fine ranging from [Fifty thousand pesos (P50,000) to One hundred
13 thousand pesos (P100,000)] **ONE HUNDRED FIFTY THOUSAND**
14 **PESOS (P150,000.00) TO FIVE HUNDRED THOUSAND PESOS**
15 **(P500,000)** or both at the discretion of the court, shall be imposed on any
16 person found guilty of violating Section 3 hereof.”

17 SEC. 6. The DOE and the TRANSCO shall formulate the rules and
18 regulations for the effective implementation of this Act.

19 SEC. 7. All laws, decrees, executive orders, rules and regulations, or
20 parts hereof inconsistent with the provision of this Act are hereby repealed,
21 amended or modified accordingly.

22 SEC. 8. This Act shall take effect fifteen (15) days after its publication in
23 the Official Gazette or in at least two (2) newspapers of general circulation
24 whichever comes earlier.

25 Approved,