

SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Second Regular Session )



'14 JUN 30 P4 34

SENATE  
S. No. 2293

RECEIVED BY: *[Signature]*

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Introduced by Senator Miriam Defensor Santiago

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AN ACT  
ESTABLISHING AN ADVISORY OFFICE WITHIN THE DEPARTMENT OF  
TRADE AND INDUSTRY TO PREVENT FRAUD TARGETING SENIORS

EXPLANATORY NOTE

The Constitution, Article 15, Section 4, provides: "The family has the duty to care for its elderly members but the State may also do so through just programs of social security."

The seniors have the right to be free from abuse or exploitation of any kind. This bill directs the Department of Trade and Industry (DTI) to establish an advisory office within the Bureau of Trade Regulation and Consumer Protection to help the department in the prevention of fraud or scams specifically designed to rip off vulnerable seniors' life savings and pensions, and to assist the department in monitoring the market for mail, television, Internet, and telemarketing fraud including recorded message telephone calls or "robocalls" targeting seniors.

The advisory office will help the DTI in alerting consumers about new scams targeting senior citizens. Under the bill, the DTI is also required to establish an effective complaint system to ensure that reports of fraud are immediately referred to the appropriate law enforcement agency.<sup>1</sup>

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

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<sup>1</sup> This bill was originally filed by Senators Amy Klobuchar and Susan Collins in the U.S. Senate (S. 1358; 113<sup>th</sup> Congress, 1<sup>st</sup> Session).

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

1 AN ACT

2 ESTABLISHING AN ADVISORY OFFICE WITHIN THE DEPARTMENT OF  
3 TRADE AND INDUSTRY TO PREVENT FRAUD TARGETING SENIORS

4 SECTION 1. *Short Title.* – This Act shall be known as the “Seniors Fraud  
5 Prevention Act”;

6 SECTION 2. *Office for the Prevention of Fraud Targeting Seniors.* –

7 (a) *Establishment of Advisory Office.* – The Department of Trade and Industry  
8 (here referred to as the “DTI”) shall establish an office within the Bureau of Trade  
9 Regulation and Consumer Protection for the purpose of advising the DTI on the  
10 prevention of fraud targeting seniors and to assist the DTI with the following:

11 (1) *Oversight.* – The advisory office shall monitor the market for mail,  
12 television, Internet, and telemarketing fraud including recorded message telephone  
13 calls (here referred to as “robocalls”) targeting seniors and shall coordinate with  
14 other relevant agencies regarding the requirements of this Act.

15 (2) *Consumer Education.* – The DTI through the advisory office shall, after  
16 consultation with the Secretary of Justice, the Secretary of Health, the Postmaster  
17 General, and other relevant agencies –

18 (A) disseminate to seniors and families and caregivers of seniors  
19 general information on mail, television, Internet, telemarketing, and

1 robocall fraud targeting seniors, including descriptions of the most common  
2 fraud schemes;

3 (B) disseminate to seniors and families and caregivers of seniors  
4 information on reported complaints of fraud targeting seniors either through  
5 a telephone number or website established by the DTI for reporting such  
6 complaints, where such complaints will become immediately available to  
7 appropriate law enforcement agencies, including the National Bureau of  
8 Investigation;

9 (C) in response to a specific request about a particular entity or  
10 individual, provide publically available information of enforcement action  
11 taken by the DTI for mail, television, Internet, telemarketing, and robocall  
12 fraud against such entity; and

13 (D) maintain a website to serve as a resource for information for  
14 seniors and families and caregivers of seniors regarding mail, television,  
15 Internet, telemarketing, robocall, and other identified fraud targeting  
16 seniors.

17 (3) *Complaints.* – The DTI through the advisory office shall, after  
18 consultation with the Secretary of Justice, establish procedures to:

19 (A) log and acknowledge the receipt of complaints by individuals  
20 who believe they have been a victim of mail, television, Internet,  
21 telemarketing, and robocall fraud and must make those complaints  
22 immediately available to local law enforcement authorities;

23 (B) provide to individuals described in subparagraph (A), and to any  
24 other persons, specific and general information on mail, television,  
25 telemarketing and robocall fraud, including descriptions of the most  
26 common schemes using such methods of communication.

1 (b) *Commencement.* – The DTI shall commence carrying out the requirements of  
2 this Act not later than one year after the date of its effectivity.

3 SECTION 3. *Separability Clause.* – If any provision or part hereof, is held invalid  
4 or unconstitutional, the remainder of the law or the provision not otherwise affected shall  
5 remain valid and subsisting.

6 SECTION 4. *Repealing Clause.* – Any law, presidential decree or issuance,  
7 executive order, letter of instruction, administrative order, rule or regulation contrary to  
8 or is inconsistent with the provision of this Act is hereby repealed, modified, or amended  
9 accordingly.

10 SECTION 5. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after  
11 its publication in at least two (2) newspapers of general circulation.

Approved,

/fldp23june2014