

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



'16 JAN 11 P3:48

SENATE  
S. No. 3051

RECEIVED BY: *J.*

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Introduced by Senator Miriam Defensor Santiago

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AN ACT  
SUPPORTING AND REGULATING THE USE OF EMERGENCY TELEPHONE  
CALLS AND COMMUNICATIONS

EXPLANATORY NOTE

The Constitution, Article 13, Section 11, provides:

The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the under-privileged, sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers.

Part of the essential health and social services that the government implemented are hotlines such as Patrol 117 of the Department of Interior and Local Government. Their website defines an emergency call as a call that refers to an incident or a situation where a person's life or property is in danger or threatened. However, the nature of the calls that this hotline is receiving is far from that definition. DILG Baguio reported that 98.41 percent of the calls they received were prank calls made mostly by children requesting for food delivery. Other cities, such as Cagayan de Oro, filed ordinances to curb the increase of prank calls which results in the clogging of telephone lines, thereby depriving legitimate callers access to the hotline number. It is time that a national law be passed to address this abuse of an essential service.<sup>1</sup>

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
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<sup>1</sup> This bill was originally filed during the Fourteenth Congress, Second Regular Session.

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Senate  
Office of the Secretary

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AN ACT  
TO SUPPORTING AND REGULATING THE USE OF EMERGENCY TELEPHONE  
CALLS AND COMMUNICATIONS

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

1 SECTION 1. *Title.* – This Act shall be known as “Emergency Communications  
2 Act.”

3 SECTION 2. *Definitions of Terms.* – As used in this Act, the term –

4 (A) “Emergency Call” shall include:

5 (1) any call for emergency medical or ambulance service and;

6 (2) any call for assistance from a police or fire department or for other  
7 assistance needed in an emergency to avoid serious harm to person or property.

8 (B) “Call” includes the use of any of the following methods of communication:  
9 telephones, facsimiles, voice-over-internet protocols, e-mail messages, text messages and  
10 electronic transmissions of an image or video.

11 SECTION 3. *First Level Offenses.* – The following acts shall be punished with  
12 imprisonment of three months and a fine of P10,000.00:

13 (A) Refusing to immediately relinquish a telephone when informed that the line is  
14 needed to make an emergency call;

15 (B) Securing a relinquishment of a telephone by falsely stating that the line is  
16 needed for an emergency;

1 (C) Making a call for emergency medical or ambulance service, knowing that no  
2 medical emergency exists;

3 (D) Making or initiating an emergency call, knowing that no emergency exists,  
4 and with the intent to disrupt, interfere with, or reduce the provision of emergency  
5 services or the emergency call center's resources, remains silent, or makes abusive or  
6 harassing statements to the call center recipient.

7 SECTION 4. *Second Level Offenses.* – The following acts shall be punished with  
8 six months imprisonment and a fine of P20,000.00:

9 (A) Intentionally interrupts, disrupts, impedes, or interferes with an emergency  
10 call or who intentionally prevents or hinders another from placing an emergency call;

11 (B) Places an emergency call and reports a fictitious emergency with the intent of  
12 prompting an emergency response by law enforcement, fire, or emergency medical  
13 services personnel;

14 (C) Violates Section 2 of this Act after having been previously convicted or  
15 adjudicated delinquent for violating that clause.

16 SECTION 5. *Aggravating Circumstance under this Act.* – Whoever violates  
17 Section 3, paragraph B of this Act shall be sentenced to imprisonment of not less than 10  
18 years and a fine of P500,000.00 if the call triggers an emergency response and, as a result  
19 of the response, someone suffers great bodily harm or death.

20 SECTION 6. *Separability Clause.* – If any provision of this Act is held invalid or  
21 unconstitutional, the same shall not affect the validity and effectivity of the other  
22 provisions hereof.

1           SECTION 7. *Repealing Clause.* – All laws, decrees, orders, and issuances, or  
2 portions thereof, which are inconsistent with the provisions of this Act, are hereby  
3 repealed, amended or modified accordingly.

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

Approved,

/fmf26Nov2015