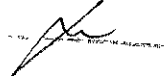


FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

8 OCT -6 2015

SENATE

RECEIVED BY: 

S. No. 2655

Introduced by **Senator FRANCIS G. ESCUDERO**

EXPLANATORY NOTE

This bill seeks to give protection to legitimate operators of cable television (CATV) systems and/or networks, and cable internet services by ensuring that access to such systems, networks and services will be limited only to their duly authorized or registered subscribers. It is meant to address the growing problem of signal or service theft of cable television and cable internet providers, which has greatly prejudiced the development and improvement of their business.

It is the intention of this bill to safeguard the general public as well by improving and maintaining quality and secured service and signal as authorized or registered users. And concomitantly to discourage, if not eliminate, pilferage of such service and signal through the use of penal sanctions as provided for in this legislative proposal.

In view of the foregoing, immediate passage of this proposed measure is sought.



FRANCIS G. ESCUDERO

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

8 OCT -6 2008

SENATE

RECEIVED BY: 

S. No. 2655

Introduced by Senator FRANCIS G. ESCUDERO

AN ACT

PROHIBITING AND PENALIZING THE PILFERAGE AND THEFT, UNAUTHORIZED USE, INTERCONNECTION OR RECEPTION OF ANY SIGNAL OR SERVICE OFFERED OVER A CABLE TELEVISION (CATV) OR CABLE INTERNET SYSTEM AND/OR NETWORK OR THROUGH ANY UNAUTHORIZED INSTALLATION, ACCESS OR CONNECTION THERETO THROUGH THE USE OF CABLE OR OTHER EQUIPMENT AND PRESCRIBING PENALTIES THEREFOR

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

1 **SECTION 1.** *Short Title.* - This Act shall be referred to as "The Anti
2 Cable Television and Cable Internet Pilferage Act of 2008".

3 **SEC. 2.** *Declaration of Policy.* - It shall be the policy of the State to
4 protect the general public and legitimate operators of (a) cable television
5 (CATV) systems and/or networks that secure programming through the
6 reception of local and foreign satellite, as well as other electromagnetic
7 signals, and (b) cable internet services that provide access to the worldwide
8 web through the CATV system/network, from unauthorized connection or
9 tapping to existing facilities through wired, wireless or electromagnetic
10 means. Only subscribers duly authorized and/or registered with the CATV
11 and/or cable internet service operator shall be allowed to receive any service
12 or benefit offered and/or operated over a CATV or internet system/network.

1 **SEC. 3. Definition of Terms.** – As used in this Act:

2 (a) “Cable television (CATV) system/network” refers to
3 processes and facilities associated with the delivery of signals and
4 programs provided for by broadcast television stations, local and
5 foreign satellite program providers or CATV service operators,
6 through origination, relay and reception of electronic or control signals
7 of any design by wired, wireless, optical or other technological means
8 for the purpose of providing multiple-channel CATV service to
9 multiple subscribers within defined service areas.

10 The term shall also include electronic equipment such as digital
11 or analog receiver-decoder boxes, set-top and converter boxes as well
12 as, but not limited to, master antennae television, satellite master
13 antennae television, direct broadcast satellite, multi-point distribution
14 service, a television receive only satellite program distributor and other
15 providers of video and audio programming, whatever the technology.

16 (b) “Cable internet system/network” refers to processes,
17 including electronic equipment such as modems, associated for the
18 access of the worldwide web through the facilities of the CATV
19 system/network.

20 (c) “Cable television (CATV) service operator” refers to any
21 person, natural or juridical, public or private, granted a Certificate of
22 Authority/Provisional Authority as provided under existing laws,
23 rules and regulations, to install, operate and maintain a CATV
24 system/network and service and is actually providing such service to
25 its subscribers.

26 (d) “Cable internet service operator” refers to any person,
27 natural or juridical, public or private, which was issued a registration

1 certificate as provider under existing laws, rules and regulations, to
2 provide and facilitate access to the worldwide web through a CATV
3 system/network and is actually providing such service to its
4 subscribers.

5 **SEC. 4. *Prohibited Acts.*** – It is hereby declared unlawful for any person,
6 whether natural or juridical, public or private, to:

7 (a) Intercept or receive, or assist in intercepting or receiving, any
8 signal or service offered over CATV and cable internet
9 system/network by tapping, making or causing to be made any
10 unauthorized connection to existing wired or wireless facilities with
11 drop, feeder and/or trunk lines, or through the use of electronic
12 equipment such as digital or analog receiver-decoder boxes, set-top or
13 converter boxes, modems or any equivalent circumvention devices or
14 methods that allow for unauthorized access or decoding of
15 unencrypted or encrypted satellite program signals or other
16 electromagnetic signals, or unauthorized access into the
17 system/network of the cable internet service operator, or by the
18 recording, manufacture, distribution, importation or sale, of
19 intercepted or received CATV signals and cable internet service;

20 (b) Engage in the unauthorized importation, sale, lease,
21 distribution or possession of electronic equipment such as digital or
22 analog receiver-decoder boxes, set-top and converter boxes, modem or
23 any equivalent circumvention devices or methods that allow for
24 unauthorized access or decoding of unencrypted or encrypted satellite
25 program signals or other electromagnetic signals, whether local or
26 foreign, or unauthorized access into the system/network of the cable
27 internet service operator;

1 (c) Knowingly use or receive any direct or indirect benefit from
2 CATV and cable internet service through the commission of any of the
3 preceding prohibited acts; and

4 (d) Wantonly, maliciously or willfully damage, destroy or
5 remove CATV and/or cable internet facilities and accessories of
6 authorized CATV and cable internet service operators resulting into
7 system disruption or network degradation.

8 **SEC. 5. *Prima Facie Evidence.*** – The presence of any of the following
9 circumstances shall constitute *prima facie* evidence of the illegal tapping,
10 interconnection or reception into the CATV or cable internet system/network,
11 by the person benefited thereby, and shall be the basis for (a) the immediate
12 disconnection by the CATV or cable internet service operator to such person
13 after due notice, (b) the holding of a preliminary investigation by the public
14 prosecutor and the subsequent filing in court of the pertinent information,
15 and (c) the lifting of any temporary restraining order or injunction which may
16 have been issued against a CATV or cable internet service operator:

17 (1) The presence of drop cable, feeder and/or trunk lines from
18 the CATV or cable internet system/network to the structures and
19 facilities of the unauthorized person which has been confirmed by the
20 CATV or cable internet service operator as not being a duly registered
21 subscriber;

22 (2) The unauthorized tapping of the drop cable, feeder and/or
23 trunk lines into the CATV or cable internet system/network, and/or
24 the unauthorized installation of electronic equipment such as digital or
25 analogue receiver-decoder boxes, set-top and converter boxes, or
26 modems, by persons not duly authorized by the CATV or cable
27 internet service provider;

1 (3) The unauthorized possession and use of electronic
2 equipment such as digital or analogue receiver-decoder boxes, set-top
3 and converter boxes, or modem used to intercept CATV signals or
4 access the cable internet system/network and which equipment have
5 not been duly registered with the CATV or cable internet service
6 operator or have not been covered by the appropriate licenses and
7 permits from the proper government regulatory agency or agencies in
8 accordance with existing laws, rules and regulations.

9 **SEC. 6. Penalties.** – Any person who willfully violates any provision of
10 this Act or commits any of the prohibited acts in Section 4 hereof shall be
11 punished by an imprisonment of not less than two (2) years but not more than
12 five (5) years, or a fine ranging from Fifty thousand pesos (P50,000.00) to One
13 hundred thousand pesos (P100,000.00), or both, at the discretion of the court.

14 **SEC. 7. Information Dissemination.** – The National Telecommunications
15 Commission and the various cable television associations in the Philippines
16 shall, in a collective effort, undertake a vigorous campaign to inform the
17 consuming public of the existence of this Act within sixty (60) days from its
18 effectivity and at least once a year thereafter.

19 **SEC. 8. Rules and Regulations.** – The National Telecommunications
20 Commission, in consultation with various cable television associations of the
21 Philippines and other affected parties, shall, within sixty (60) days from the
22 effectivity of this Act, issue the necessary implementing rules and regulations.

23 **SEC. 9. Recovery of Pilferage Losses.** – Any duly authorized CATV or
24 cable internet service operator may recover pilferage losses equivalent to at
25 least one (1) year basic subscription fees presently charged to registered
26 subscribers from such unauthorized persons found to have committed any of
27 the herein prohibited acts.

1 **SEC. 10. *Repealing Clause.*** - All other laws, decrees, ordinances, rules,
2 regulations and other issuances or parts thereof which are inconsistent with
3 this Act are hereby repealed or modified accordingly.

4 **SEC. 11. *Effectivity.*** - This Act shall take effect fifteen (15) days after the
5 completion of its publication in the *Official Gazette* or in any two (2) national
6 newspapers of general circulation.

7 Approved,