

JUL 22 1941

SENATE  
S. No. **1940**

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Introduced by Senator Miriam Defensor Santiago

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EXPLANATORY NOTE

The Constitution, Article 2, Section 5 provides that:

Section 5. The maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.

In another section, the Constitution, in Article 2, Section 20, provides that:

“Section 20. The State recognizes the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments.”

It is in line with these two policies that the legislature has crafted laws to protect the rights of investors and consumers of water and electricity services against unauthorized “tapping” or pilferage. For instance, there is Presidential Decree no. 401 penalizing the unauthorized installation of water, electrical or telephone connections, the use of tampered water or electrical meters, and other acts. Another example is Republic Act No. 7832 or the “Anti Electricity and Electric Transmission Lines/Materials Pilferage Act of 1994.” A year after, Republic Act No. 8041, also known as the “National Water Crisis Act of 1995” was also enacted to penalize “tapping” of water services,

However, a third commodity more popularly known as cable television services is also in dire need of protection. Cable television providers and consumers are complaining about other unauthorized users who illegally tap cable services. Not only do these unauthorized users cause bad cable signals and other technical problems, they also deprive cable television providers of income. This bill aims to penalize said act of “cable-tapping” in order to protect the rights of consumers and cable service providers.<sup>1</sup>

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

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<sup>1</sup> This bill was originally filed in the Thirteenth Congress, Third Regular Session.



1 more than ten thousand (P10,000.00) pesos or both, at the discretion of the court. If the offender  
2 is a corporation or association, the president, manager, managing partner or any officer of the  
3 corporation or partnership who directly participated in the violation of this Act shall be held  
4 liable.

5 SECTION 6. *Separability Clause.* - If any provision or part thereof, is held invalid or  
6 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain  
7 valid and subsisting.

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

11 SECTION 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its  
12 publication in at least two (2) newspapers of general circulation

13 Approved,

/ptmt01july2010