

SENATE  
S. No. 2969

DEC 15 11:18

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Introduced by Senator Miriam Defensor Santiago

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EXPLANATORY NOTE

According to Article XIII Section 11 of the 1987 Constitution:

“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 underprivileged, 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.

*as*  
*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

SENATE  
S. No. 2969

REC-161101 

Introduced by Senator Miriam Defensor Santiago

1 AN ACT  
2 TO SUPPORT AND REGULATE THE USE OF EMERGENCY TELEPHONE CALLS AND  
3 COMMUNICATIONS  
4

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

7 SECTION 1. *Definition.*

8 a.) "Emergency Call" shall include:

- 9 i) any call for emergency medical or ambulance service;
- 10 ii) any call for assistance from a police or fire department or for other assistance  
11 needed in an emergency to avoid serious harm to person or property.

12 b.) "Call" includes the use of any of the following methods of communication:  
13 telephones, facsimiles, voice-over-internet protocols, e-mail messages, text messages  
14 and electronic transmissions of an image or video.

15 SECTION 2. *First Level Offenses.* The following acts shall be punished with  
16 imprisonment of 3 months and a fine of P10, 000.00:

- 17 a.) Refusing to immediately relinquish a telephone when informed that the line is needed  
18 to make an emergency call;
- 19 b.) Secures a relinquishment of a telephone by falsely stating that the line is needed for  
20 an emergency;
- 21 c.) Makes a call for emergency medical or ambulance service, knowing that no medical  
22 emergency exists;
- 23 d.) Makes or initiates an emergency call, knowing that no emergency exists, and with the  
24 intent to disrupt, interfere with, or reduce the provision of emergency services or the

1 emergency call center's resources, remains silent, or makes abusive or harassing  
2 statements to the call center recipient.

3 SECTION 3. *Second Level Offenses.* The following acts shall be punished with 6 months  
4 imprisonment and a fine of P20, 000.00:

5 a.) Intentionally interrupts, disrupts, impedes, or interferes with an emergency call or who  
6 intentionally prevents or hinders another from placing an emergency call.

7 b.) Places an emergency call and reports a fictitious emergency with the intent of  
8 prompting an emergency response by law enforcement, fire, or emergency medical  
9 services personnel

10 c) Violates section 2 of this Act after having been previously convicted or adjudicated  
11 delinquent for violating that clause.

12 SECTION 4. *Aggravating Circumstance under this Act.* Whoever violates Section 3  
13 paragraph b of this Act shall be sentenced to imprisonment of not less than 10 years and a fine of  
14 P500, 000.00 if the call triggers an emergency response and, as a result of the response, someone  
15 suffers great bodily harm or death.

16 SECTION 5. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts  
17 thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified  
18 accordingly.

19 SECTION 6. *Separability Clause.* – If, for any reason, any provision of this Act is  
20 declared to be unconstitutional or invalid, the other sections or provisions hereof which are not  
21 affected thereby shall continue to be in full force and effect.

22 SECTION 7. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days  
23 following its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

24 Approved,