

SENATE

S. No. 3345

(In substitution of Senate Bill Nos. 1227, 2100, 2256, and 2345)

Prepared by the Committees on Public Information and Mass Media, and Justice and Human Rights, with Senators Villar, Escudero, Defensor Santiago, Enrile, and Honasan as authors thereof.

**AN ACT
PROHIBITING AND PENALIZING UNAUTHORIZED INTERCEPTION, RECEPTION
OR USE OF ANY SIGNAL OR SERVICE OVER A CABLE TELEVISION SYSTEM OR
CABLE INTERNET SYSTEM AND/OR NETWORK, AND FOR OTHER PURPOSES**

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 known as the "Anti-Cable Television
2 and Cable Internet Tapping Act of 2012."
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4 **SEC. 2. Declaration of Policy.** - The State recognizes the indispensable role of
5 the private sector, encourages private enterprise, and provides incentives to needed
6 investments. Pursuant thereto, this Act aims to protect the Cable Television and Cable
7 Internet Industries from cable pilferage.
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9 **SEC. 3. Definition of Terms.** - As used in this Act:

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11 A. "Cable Television (CATV) Service" - refers to the transmission or delivery of
12 video and audio signals and programming for a fee, through fiber optics, coaxial cable
13 and other technological means;
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15 B. "Cable Internet Service" - refers to the transmission or delivery of electronic
16 signals for, a fee, to provide and facilitate access to the world wide web, for a fee,
17 through a CATV transmission or delivery system/network.

1 C. "Cable Television (CATV) System/Network" - refers to a facility engaged in the
2 transmission or delivery of video and audio signals and programming for a fee, through
3 fiber optics, coaxial cable and other technological means.
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5 D. "Cable Internet System/Network" - refers to a facility engaged in the
6 transmission or delivery of electronic signals for a fee, to provide and facilitate access to
7 the world wide web, for a fee, through a CATV transmission or delivery system/network.
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9 E. "Cable Television (CATV) Service Provider" - refers to any person, natural or
10 juridical, public or private, which was granted a Certificate of Authority or Provisional
11 Authority as provided under existing laws, rules and regulations, to install, operate and
12 maintain a CATV System/Network and is actually providing Cable Television (CATV)
13 Service to its subscribers.
14

15 F. "Cable Internet Service Provider" - refers to any person, natural or juridical,
16 public or private, which was issued a registration certificate as provided under existing
17 laws, rules and regulations, to provide and facilitate access to the world wide web, for a
18 fee, through a CATV transmission or delivery system/network and is actually providing
19 Cable Internet Service to its subscribers.
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21 **SEC. 4. Prohibited Acts.** - It is hereby declared unlawful for any person,
22 whether natural or juridical, public or private, to:
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24 (1) intercept or receive, or assist in intercepting or receiving, any service offered
25 over a cable television system or a cable internet system by tapping, making or causing
26 to be made, any connection to an existing CATV System/Network or Cable Internet
27 System/Network without the authority of the concerned CATV Service Provider or Cable
28 Internet Service Provider;

29 (2) record, reproduce, distribute, import or sell, any intercepted or received CATV
30 System/Network signals without the authority of the concerned CATV Service Provider
31 or Cable Internet Service Provider;

32 (3) use or receive any direct or indirect benefit from any CATV System/Network
33 or Cable Internet System/Network with knowledge that it is a result of any of acts
34 enumerated in the paragraphs (1) or (2) above; or

35 (4) wantonly, maliciously or willfully damage, destroy or remove CATV and/or
36 Cable Internet facilities and accessories of authorized CATV and/or Cable Internet
37 Service Providers.

1 **SEC. 5. Penalties.** - Any person who commits any of the unlawful acts
2 enumerated in the next preceding section shall be punished with imprisonment of not
3 less than two (2) years but not more than five (5) years or a fine of not less than Fifty
4 Thousand (P50,000.00) pesos nor more than One Hundred Thousand (P100,000.00)
5 pesos or both, at the discretion of the court. If the offender is a corporation or
6 association, the president, manager, managing partner or any officer of the corporation
7 or partnership who directly participated in the violation of this Act shall be held liable.

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9 **SEC. 6. Information Dissemination.** – Within sixty (60) days after the effectivity
10 of this Act, the National Telecommunications Commission shall undertake an
11 information dissemination campaign to inform the public of the existence of this Act.

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13 **SEC. 7. Rules and Regulations.** - The National Telecommunications
14 Commission, in consultation with CATV and Cable Internet Service Providers and other
15 affected parties, shall, within sixty (60) days after the conduct of public hearings which
16 must commence within thirty (30) working days upon the effectivity of this Act, issue the
17 implementing rules and regulations to ensure the efficient and effective implementation
18 of the provisions of this Act.

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20 **SEC. 8. Separability Clause.** – If, for any reason, any section or provision of this
21 Act is held invalid or unconstitutional, the remainder of the law or the provisions not
22 otherwise affected shall remain valid and subsisting.

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24 **SEC. 9. Repealing Clause.** - All laws, presidential decrees or issuances,
25 executive orders, letters of instruction, administrative orders, rules or regulations
26 contrary to, or inconsistent with, the provisions of this Act are hereby repealed, modified
27 or amended accordingly.

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29 **SEC. 10. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its
30 complete publication in at least two (2) newspapers of general circulation.

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32 Approved,