

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



Senate
Office of the Secretary

'13 NOV 14 P4:17

SENATE
S. No. 1924

RECEIVED BY *W*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article II, Section 24, provides:

The State recognizes the vital role of communication and information in nation-building.

The arrival of the cellular phone in the early 1980s was a turning point in telecommunications. For the first time, people made and received telephone calls without being tied to a specific location.

Cellular phones have become an essential part of many Filipinos' lives with the number of cellular phone users increasing daily. However, cellular phones companies have failed to cope with the increasing demand for cellular phone services, and the National Telecommunications Commission has received numerous complaints on poor services by these companies.

This bill seeks to establish minimum standards regarding the quality of mobile phone service and to monitor complaints regarding such service.*

ms. *Miriam Defensor Santiago*
MIRIAM DEFENSOR SANTIAGO

* This bill was originally filed during the Thirteenth Congress, First Regular Session.



NOV 14 P4:17

SENATE
S. No. **1924**

RECEIVED BY: *[Signature]*

Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 ESTABLISHING MINIMUM STANDARDS
3 IN THE QUALITY OF MOBILE PHONE SERVICES

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

4 SECTION 1. *Short Title.* – This Act shall be known as the “Cell Phone Subscriber
5 Protection Act.”

6 SECTION 2. *Declaration of Policy.* – It is the policy of the State to recognize the vital
7 role of communication and information in nation-building.

8 SECTION 3. *Definition.* – As used in this Act, the term:

9 (A) “Public Telecommunications Entity” or “PTE” means any person, firm,
10 partnership or corporation, government or private, engaged in the provision of
11 telecommunications services to the public for compensation; and

12 (B) “Commission” means the National Telecommunications Commission.

13 SECTION 4. *Establishment of Standards Regarding Quality of Commercial Mobile
14 Service and Monitoring of Complaints Regarding Such Service.* –

15 (A) *In General.* – The Commission shall, by regulation, establish such requirements
16 as the Commission considers appropriate to ensure that Public Telecommunications Entities
17 meet minimum standards regarding the quality and performance of such service, which shall
18 include standards regarding connection, reception, and billing practices.

1 (B) *Complaint System.* –

2 (1) *Establishment.* – The Commission shall establish and administer a system
3 that makes available a procedure for any subscriber of a commercial
4 mobile service to register a complaint regarding the quality or
5 performance of the service.

6 (2) *Toll-Free Number.* – Such system shall include establishment of a toll-free
7 number applicable to commercial mobile services for reporting a
8 complaint.

9 (3) *Records.* – The Commission shall maintain a record of each complaint
10 made under the system established pursuant to this Act.

11 (4) *Notice.* – The Commission shall require each Public Telecommunications
12 Entity of commercial mobile service to include, in each subscriber's bill
13 for such service, a statement informing the subscriber that a complaint
14 regarding the quality or performance of the service may be registered with
15 the Commission and providing the toll-free number under subparagraph
16 (2) and an address for mailing a complaint. The Commission shall take
17 such other actions as may be appropriate to publicize the availability of the
18 complaint system to subscribers of commercial mobile services.

19 (C) *Reporting of Complaints to Congress.* – Every six (6) months, the Commission
20 shall submit a report to the Congress regarding complaints received under the complaint system
21 required under paragraph (B), which shall –

22 (1) Indicate the number of complaints received, during the period for which
23 the report is made, regarding the service of the Public
24 Telecommunications Entity for which a complaint is made; and

25 (2) Indicate the types of complaints received during such period, including
26 complaints regarding dead spots, dropped calls, network busy signals, and
27 improper billing practices, and the number of each type of complaint
28 received during such period.

1 Upon submission to the Congress of each report under this subparagraph, the
2 Commission shall make such report publicly through publication in at least two (2) newspapers
3 of general circulation.

4 (D) *Effect on Consumer Protection Laws.* – This paragraph may not be construed as
5 relieving any Public Telecommunications Entity from the obligation to comply with any law,
6 presidential decree or issuance, executive order, letter of instruction, administrative order, rule or
7 regulation relating to consumer protection or unfair trade.

8 (E) *Rules and Regulations.* – The Commission shall prescribe such regulations as may
9 be necessary to carry out the provisions of this Act.

10 SECTION 5. *Separability Clause.* – If any provision or part hereof is held invalid or
11 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
12 valid and subsisting.

13 SECTION 6. *Repealing Clause.* – Any law, presidential decree or issuance, executive
14 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
15 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

16 SECTION 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
17 publication in at least two (2) newspapers of general circulation.

Approved,