

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



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SENATE

Senate Bill No. 2316

RECEIVED BY: *J*

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

AN ACT
ESTABLISHING NUMBER PORTABILITY FOR MOBILE TELEPHONE
SERVICE

EXPLANATORY NOTE

This bill seeks to provide "portability" in telecommunications wherein mobile telephone service providers would offer the option to their mobile telephone subscribers to retain their numbers even if they switch to another service provider or even if they switch from mobile postpaid account to a mobile prepaid account and vice versa.


Mobile telephone number portability is already available in some parts of Africa, Australia, in most European countries and in some parts of Asia. The Philippines has yet to adopt a similar option for mobile telephone subscribers which will greatly ensure convenience, efficiency and quality telecommunications service.

This measure was previously filed by Sen. Manny Villar in the 15th Congress. The immediate passage of this bill is earnestly sought.


JINGGOY EJERCITO ESTRADA
Senator

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*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 “*Mobile Telephone*
2 *Number Portability Act of 2014*”.

3
4
5 **SEC. 2. Declaration of Policy.** – It is the policy of the State to ensure and
6 promote public interest and convenience in the country. The remarkable growth
7 of mobile telephone subscribers connotes telecommunications as an inevitable
8 public service needing reasonable regulation to promote the interest of the
9 continuously growing consumers or mobile telephone subscribers. In view of
10 this, the State shall promote consumers' choice in telecommunications service to
11 avail of superior services suitable to their needs thereby giving value to the cost
12 of the telephone service.

13
14
15 **SEC. 3. Definition of Terms.** – For purposes of this Act, the following terms shall
16 mean:

17
18 (a) *Certificate of Public Convenience and Necessity* – refers to an authority
19 issued by the Commission to operate a public telecommunications service
20 based on the premise that the provision of said service and the
21 authorization to do business will promote public interest in a proper and
22 suitable manner;

23
24 (b) *Commission* – refers to the National Telecommunications Commission
25 (NTC);

26
27 (c) *Franchise* – refers to the privilege conferred upon a telecommunications
28 entity by Congress authorizing the said entity to engage in a certain type
29 of telecommunications service;

30
31 (d) *Mobile Telephone Number Portability* – refers to the ability to transfer an
32 existing mobile telephone number assigned by a telephone service
33 provider to another service provider;

1 (e) *Postpaid Mobile Account* – refers to a model of mobile telephone service
2 whereby the customers or subscribers are charged for usage in the prior
3 month. It is an account for which customers or subscribers are billed for
4 their use of a service provider services on a monthly basis, based on
5 either the terms of a contract or on amount of services they have used;
6

7 (f) *Prepaid mobile account* – refers to a model of mobile telephone service
8 whereby customers or subscribers are required to add a certain amount to
9 their accounts prior to usage and their maximum usage is limited to the
10 amount that is added to the account. It is an account for which credit is
11 purchased in advance of service use;
12

13 (g) *Provisional Authority* – refers to a temporary authority issued by the
14 Commission to operate a public telecommunications service.
15

16
17 **SEC. 5. *Mobile Telephone Number Portability.*** – The Commission shall require
18 all mobile telephone service providers to provide consumers or mobile telephone
19 subscribers the option to retain their numbers in the following events:
20

21 (a) Switching from one service provider to another; *Provided*, That the
22 subscriber has duly registered his name and mobile telephone number
23 with the originating service provider; *Provided further*, That the subscriber
24 opting to switch to another mobile service provider has no existing liability
25 or outstanding obligations with the originating service provider;
26

27 (b) Switching from a mobile postpaid account to a mobile prepaid account and
28 vice versa; *Provided*, That the subscriber has duly registered his name
29 and mobile telephone number with the service provider; *Provided further*,
30 That the subscriber opting to switch from a mobile prepaid account and
31 vice versa has no existing liability or outstanding obligations with the
32 service provider.
33

34
35 **SEC. 6. *Funding Provisions.*** – The Commission shall immediately hereinafter
36 include in the Commission’s programs the prompt implementation of this Act,
37 funding of which shall be provided for in the Annual General Appropriations Act.
38

39
40 **SEC. 7. *Separability Clause.*** – If any provision of this Act shall at any time be
41 found to be unconstitutional or invalid, the remainder thereof not affected by such
42 declaration shall remain in full force and effect.
43

44
45 **SEC. 8. *Repealing Clause.*** – All laws, decrees, rules or regulations inconsistent
46 with the provisions of this Act are hereby repealed or modified accordingly.
47

48
49 **SEC. 9. *Effectivity Clause.*** – This Act shall take effect after fifteen (15) days
50 following its complete publication in two (2) newspapers of general circulation.
51

52
53 *Approved,*