

SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

'19 JAN 21 P 3 :21

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SENATE
S.B. NO. 2158

Introduced by Senator Maria Lourdes Nancy S. Binay

AN ACT
ESTABLISHING AN ADVISORY OFFICE WITHIN THE DEPARTMENT OF
TRADE AND INDUSTRY FOR THE PURPOSE OF PREVENTING FRAUD
TARGETING SENIORS CITIZENS

EXPLANATORY NOTE

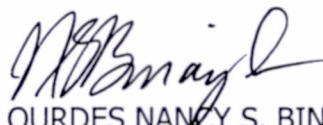
Article XV, Section 4 of the 1987 Philippine Constitution provides:

“The family has the duty to care for its elderly members but the State may also do so through just programs of social security.”

It is our duty to protect and free senior citizens from abuse and exploitation of any kind. This bill directs the Department of Trade and Industry (DTI) to create an advisory office within the Bureau of Trade Regulation and Consumer Protection to assist and support the department in the prevention of fraud and scams targeting seniors' finances.

The proposed bill seeks to protect and promote the welfare of our senior citizens by creating an advisory office that will help the DTI alert consumers about new scams targeting senior citizens and requiring the establishment of an effective complaints system to ensure that reports of fraud are given immediate action.

In view of the foregoing, the passage of this measure is earnestly sought.

A handwritten signature in black ink, appearing to read 'M. Binay', with a stylized flourish at the end.

MARIA LOURDES NANCY S. BINAY
Senator

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

1 Section 1. *Short Title.* – This Act shall be known as the “Seniors Fraud
2 Prevention Act.”

3

4 Sec. 2. *Office for the Prevention of Fraud Targeting Seniors.* –

5 (A) *Establishment of Advisory Office.* – The Department of Trade
6 and Industry (here referred to as the “DTI”) shall establish an
7 office within the Bureau of Trade Regulation and Consumer
8 Protection for the purpose of advising the DTI on the
9 prevention of fraud targeting seniors and to assist the DTI
10 with the following:

11 (1) *Oversight.* – The advisory office shall monitor the
12 market for mail, television, Internet, and
13 telemarketing fraud including recorded message
14 telephone calls (here referred to as “robocalls”)
15 targeting seniors and shall coordinate with other
16 relevant agencies regarding the requirements of this
17 Act.

- 1 (2) *Consumer Education.* – The DTI through the
2 advisory office shall, after consultation with the
3 Secretary of Justice, the Secretary of Health, the
4 Postmaster General, and other relevant agencies –
- 5 (i) disseminate to seniors and families and
6 caregivers of seniors general information on
7 mail, television, Internet, telemarketing, and
8 robocall fraud targeting seniors, including
9 descriptions of the most common fraud
10 schemes;
 - 11 (ii) disseminate to seniors and families and
12 caregivers of seniors information reported
13 complaints of fraud targeting seniors either
14 through a telephone number or website
15 established by the DTI for reporting such
16 complaints, where such complaints will
17 become immediately available to appropriate
18 law enforcement agencies, including the
19 National Bureau of Investigation (NBI);
 - 20 (iii) in response to a specific request about a
21 particular entity or individual, provide
22 publically available information of
23 enforcement action taken by the DTI for
24 mail, television, Internet, telemarketing, and
25 robocall fraud against such entity; and
 - 26 (iv) maintain a website to serve as a resource for
27 information for senior and families and
28 caregivers of seniors regarding mail,
29 television, Internet, telemarketing, robocall,
30 and other identified fraud targeting seniors.

1 (3) *Complaints.* – The DTI through the advisory office
2 shall, after consultation with the Secretary of Justice,
3 establish procedures to:

4 (i) log and acknowledge the receipt of
5 complaints by individuals who believe they
6 have been a victim of mail, television,
7 Internet, telemarketing, and robocall fraud
8 and must make those complaints
9 immediately available to local law
10 enforcement authorities;

11 (ii) provide to individuals described in
12 subparagraph (i), and to any other persons,
13 specific and general information on mail,
14 television, telemarketing and robocall fraud,
15 including descriptions of the most common
16 schemes using such methods of
17 communication.

18 (B) *Commencement.* – The DTI shall commence carrying out the
19 requirements of this Act not later than one year after the date
20 of its effectivity.
21

22 *Sec. 3. Separability Clause.* – If any provision or part hereof, is held invalid
23 or unconstitutional, the remainder of the law or the provision not otherwise
24 affected shall remain valid and subsisting.
25

26 *Sec. 4. Repealing Clause.* – Any law, presidential decree or issuance,
27 executive order, letter of instruction, administrative order, rule or regulation
28 contrary to or is inconsistent with the provision of this Act is hereby repealed,
29 modified, or amended accordingly.
30

- 1 Sec. 5. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
- 2 after its publication in at least two (2) newspapers of general circulation.

Approved,