



SENATE

P. S. Res. No. 287

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Introduced by Senator Aquilino “Koko” Pimentel III

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**RESOLUTION DIRECTING THE APPROPRIATE  
COMMITTEE TO INVESTIGATE, IN AID OF  
LEGISLATION, THE HIGH-HANDED, ARROGANT, AND  
IRRESPONSIBLE ACTS OF ONE ANGELINE XIWEN  
THAM, A FOREIGN NATIONAL DOING BUSINESS IN  
THE PHILIPPINES FOR THE PURPOSES OF (1)  
REVIEWING CURRENT LAWS IN ORDER TO PREVENT  
SIMILARLY MINDED PERSONS FROM BULLYING AND  
MISLEADING PHILIPPINE GOVERNMENT AGENCIES  
AND OFFICIALS AND (2) DECLARING ANGELINE  
XIWEN THAM AS PERSONA NON GRATA**

1       **WHEREAS**, it has been reported<sup>1</sup> that Angeline Xiwen Tham, a  
2 Singaporean, owns ₱9.8 million in subscribed shares, or 99.996% of the  
3 company popularly known as *Angkas* at its inception, as recorded in  
4 documents filed with the Securities and Exchange Commission (SEC);  
5

6       **WHEREAS**, aside from being the owner of 99.996% of the company,  
7 said Angeline Xiwen Tham also appears as the President of said company  
8 in its official documents;  
9

10       **WHEREAS**, the said company, as early as 2016, embarked on the  
11 business of motorcycle taxis despite not having any Certificate of Public  
12 Convenience and despite knowing that motorcycles cannot be utilized as  
13 common carriers under existing Philippine law<sup>2</sup>;  
14

15       **WHEREAS**, the said company even made it appear in its Articles of  
16 Incorporation filed with the SEC that it will not operate as a public utility<sup>3</sup>,

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<sup>1</sup> Retrieved from <https://tribune.net.ph/index.php/2020/01/05/who-is-angeline-xiwen-tham/> on January 14, 2020

<sup>2</sup> The LTFRB, Et. Al., vs. Hon. Carlos A. Valenzuela, Et. Al., G.R. No. 242860, March 11, 2019

<sup>3</sup> Retrieved from <https://www.gmanetwork.com/news/money/companies/721440/angkas-rectifies-foreign-ownership-issue/story/> on January 14, 2020



1 thereby misleading the appropriate government offices although in truth  
2 and in fact, it has control of the selection of its drivers, the power of  
3 dismissal and the power to control the conduct of the drivers, thereby  
4 passing the “test” for establishing employer-employee relationship;  
5

6 **WHEREAS**, the Supreme Court, in the case of “LTFRB, Et. Al.,  
7 *versus*, Hon. Carlos A. Valenzuela, Et. Al.” G.R. No. 242860, ruled that  
8 the operations of *Angkas* are covered by the definition of common carriers  
9 and fall under the term “public service”<sup>4</sup>;

10  
11 **WHEREAS**, when government agencies implemented the law and  
12 apprehended the drivers of *Angkas*, the said company initiated the staging  
13 of a mass “indignation” ride by its drivers which was meant to paralyze  
14 traffic in Metro Manila and embarked on a social media campaign  
15 designed to shame and bully government agencies who merely  
16 implemented the law;

17  
18 **WHEREAS**, on January 29, 2019, the House of Representatives  
19 adopted House Resolution No. 2449 urging the Department of  
20 Transportation to set up a pilot program allowing and monitoring the  
21 operation of *Angkas*, and on the basis of its findings submit to Congress  
22 recommendations for the most appropriate and reasonable regulatory  
23 framework therefor;

24  
25 **WHEREAS**, during the period June 26 until December 26, 2019,  
26 *Angkas* was the solitary participant in the government’s Pilot  
27 Implementation of Motorcycle Taxis under a Technical Working Group of  
28 the Department of Transportation (DOTr-TWG). It claims to have built up  
29 a motorcycle rider base totaling to 27,000, yet can only show that 2,204 of  
30 them are properly registered under the pilot testing program of the DOTr-  
31 TWG<sup>5</sup>;

32  
33 **WHEREAS**, on January 5, 2020, it was reported<sup>6</sup> that *Angkas*’ did  
34 not “disclose to the riding public that it is a 99-percent foreign owned  
35 corporation and is operating contrary to existing Philippine laws that  
36 common carriers should be at least 60% owned by Filipinos,”;

37  
38 **WHEREAS**, when the DOTr decided to extend the Pilot  
39 Implementation of Motorcycle Taxis under a Technical Working Group  
40 and allowed other motorcycle hailing apps to participate, *Angkas*  
41 vehemently protested the inclusion of other motorcycle hailing apps and

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<sup>4</sup> Page 9, Decision dated March 11, 2019

<sup>5</sup> Retrieved from <https://www.gmanetwork.com/news/news/nation/720019/dotr-says-angkas-has-submitted-only-2-204-authorized-riders/story/>  
January 15, 2020

<sup>6</sup> Retrieved from <https://pia.gov.ph/news/articles/1032292> on January 14, 2020



1 initiated the staging of another mass “indignation” ride by its drivers which  
2 was meant to paralyze traffic in Metro Manila, and mounted another  
3 social media campaign aimed to shame government agencies by providing  
4 false and misleading information that seventeen thousand (17,000) riders  
5 will lose their jobs, thus affecting their families, when the truth is these  
6 riders may choose to be assimilated by the other motorcycle hailing apps.  
7 *Angkas* riders, with the tacit approval of Angeline Xiwen Tham, have  
8 threatened to merely continue with their illegal acts, and remain *colorum*  
9 motorcycle taxis, if the alleged plan to displace 17,000 riders would be  
10 pursued by government;

11  
12 **WHEREAS**, in its press conference held on December 23, 2019,  
13 *Angkas* representatives even went as far as falsely accusing the LTFRB  
14 and TWG of corruption saying “*Wag sana gawing negosyo ng LTFRB ang*  
15 *pilot program na kung saan dapat safety talaga ang tinitignan natin*<sup>7</sup>...”  
16 and “*Hindi po regulasyon ang ginagawa ng TWG, Korapsyon po ‘to! x x*  
17 *x Bakit tinitira ngayon ang 17,000 na bikers na tanggalin sa Angkas? That*  
18 *is not right! That is not right and that is anti-competition! x x x This is not*  
19 *regulation this is corruption.*<sup>8</sup>”;

20  
21 **WHEREAS**, on January 3, 2020, a press conference was arranged  
22 by Geiser-Maclang, which happens to be the PR Agency of *Angkas*<sup>9</sup>. In  
23 that press conference, the Lawyers for Commuters Safety and Protection  
24 (LCSP) publicly accused the LTFRB and other officials of anomalies in  
25 the selection of other players to be allowed to participate in the extension  
26 of the pilot implementation. Everything that was said in that press  
27 conference echoed the same statements made by *Angkas*;

28  
29 **WHEREAS**, all the foregoing blatant transgressions of our laws,  
30 misleading and bullying behavior targeting Philippine government officials  
31 could only have been done with the explicit complicity of Angeline Xiwen  
32 Tham, the company’s President and 99.96% owner. Tham is merely a  
33 guest of our country, yet she is already acting like an oligarch which she  
34 seems hell-bent on becoming at our expense. Her acts of deriding our  
35 sovereign laws is high-handed, arrogant and irresponsible, which should  
36 not be countenanced but condemned to the fullest;

37  
38 **NOW THEREFORE, BE IT RESOLVED**, as it is hereby  
39 resolved by the Senate of the Philippines, that the appropriate  
40 Committee investigate, in aid of legislation, the high-handed, arrogant

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<sup>7</sup> Retrieved from <https://www.youtube.com/watch?reload=9&v=WZSx0DX8vb8>, 5:43, January 13, 2020

<sup>8</sup> Retrieved from <https://www.youtube.com/watch?reload=9&v=WZSx0DX8vb8>, 9:37, 9:57, January 13, 2020

<sup>9</sup> Retrieved from <https://pia.gov.ph/news/articles/1032292> on January 14, 2020

- 1 and irresponsible acts of Angeline Xiwen Tham for the purpose of
- 2 reviewing our current laws in order to prevent a repeat of the same by
- 3 similarly minded individuals and to declare her a persona non grata.

*Adopted,*

  
**AQUILINO "KOKO" PIMENTEL III**