



S E N A T E

S. No. 2302

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PREPARED BY THE COMMITTEE ON TRADE, COMMERCE AND  
ENTREPRENEURSHIP WITH SENATORS LAPID,  
PIMENTEL III, VILLANUEVA AND ZUBIRI AS AUTHORS  
THEREOF

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AN ACT PROVIDING MEASURES TO PROTECT  
INDIVIDUALS ENGAGED IN FOOD, GROCERY  
AND PHARMACY DELIVERY SERVICES

*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  
2           “Food, Grocery, and Pharmacy Delivery Services Protection  
3           Act”.

4           SEC. 2. *Definition of Terms.* – For purposes of this  
5           Act, these terms are defined as follows:

6           (a) *Food, Grocery, and Pharmacy Delivery Service* – a  
7           form of courier or delivery service where a person through  
8           a mobile phone application, internet website or any other

1 similar platform orders food, grocery or pharmaceutical  
2 items from a third-party seller and engages the service of a  
3 rider or driver for the delivery of said order for a fee;

4 (b) *Food, Grocery, and Pharmacy Delivery Service*  
5 *Providers or Service Providers* – these are persons or  
6 entities who are engaged in the business of providing food,  
7 grocery and pharmacy delivery services by way of mobile  
8 phone applications, internet websites or other similar  
9 platforms;

10 (c) *Delivery Riders or Drivers* – regardless of the  
11 existing contractual relationship with the service  
12 providers, these are persons who perform the delivery  
13 services by picking up the ordered items from the third-  
14 party seller, and delivering the items to the customers who  
15 avail of the service;

16 (d) *Confirmed Order* – there shall be a confirmed  
17 order once the customer sends his confirmation to the  
18 delivery rider or driver with respect to the order for the  
19 purchase of food, grocery and/or pharmaceutical items.

1           SEC. 3. *Prohibition Against Advance Payment.* – It  
2 shall be prohibited for any food, grocery, and pharmacy  
3 delivery service provider to require delivery riders or  
4 drivers to advance any monetary amount for the  
5 fulfillment of orders.

6           In case of cancellation of confirmed orders, the food,  
7 grocery, and pharmacy delivery service provider shall still  
8 pay the delivery riders or drivers for the service fee due  
9 them as if the transaction was successful.

10          In turn, it shall be the duty of service providers to  
11 pursue claims for collection from its cancelling customers.

12          Any investigation or inquiry conducted by the service  
13 providers on the propriety or validity of the cancellation  
14 shall not affect the right of the riders/drivers to collect  
15 their respective service fee as provided under this section.

16          Any food, grocery, and pharmacy delivery service  
17 provider who shall be found to be in violation of the  
18 prohibition on requiring monetary advances from delivery  
19 riders or drivers shall, upon conviction, be subject to the

1 penalty of *arresto mayor* and/or fine of an amount not  
2 exceeding One hundred thousand pesos (P100,000.00) and  
3 the licenses and permits of said violators shall be revoked.  
4 This is without prejudice to any other available remedies  
5 under existing laws.

6 If the violation is committed by a corporation,  
7 partnership, association, or any other kind of business  
8 entity that may be created by operation of law, the penalty  
9 provided in the next preceding paragraph shall be imposed  
10 upon its president, director, partner or any responsible  
11 officer that authorized monetary advances to be required.

12 SEC. 4. *Know-Your-Customer Rules for Food, Grocery*  
13 *and Pharmacy Delivery Service.* – The service providers  
14 shall require its customers, prior to the registration with  
15 their mobile phone applications, internet websites or other  
16 similar platforms, to submit a valid proof of identity and  
17 residential address. Procedures for verification of identity  
18 shall likewise be implemented by the service providers.  
19 The processing of personal information done in accordance

1 with this section shall be fully compliant with the  
2 requirements of Republic Act No. 10173, or the “Data  
3 Privacy Act of 2012.”

4 SEC. 5. *Prohibited Acts.* –

5 (a) *Using Another Person’s Personal Information* –It  
6 shall be unlawful for any person to use the personal  
7 information of another such as, but not limited to, name,  
8 address, and contact number when registering for any food,  
9 grocery, and pharmacy delivery service;

10 (b) *Cancellation of Confirmed Orders* – It shall be  
11 unlawful for any person to cancel a confirmed order unless  
12 such option is specifically allowed by the food, grocery, and  
13 pharmacy delivery service hired;

14 (c) *Placing of Hoax Order* – It shall be unlawful for  
15 any person to: (1) place an order under the name of  
16 another unless the latter consented to the same; (2) place  
17 an order using a fictitious name, address or both; and

18 (d) *Refusal to Receive Unpaid Order* – It shall be  
19 unlawful for any person to unjustly refuse to receive an

1 order when such order has been placed by him personally  
2 or if the order is placed by virtue of his authority.

3 Any person who shall commit any of the prohibited  
4 acts as provided for in this section shall, upon conviction,  
5 be subject to the penalty of *arresto mayor* and/or fine of an  
6 amount not exceeding One hundred thousand pesos  
7 (P100,000.00) without prejudice to any other available  
8 remedies under existing laws.

9 SEC. 6. *Repealing Clause.* – All laws, presidential  
10 decrees, executive orders, proclamations, rules and  
11 regulations, or any part thereof, which are inconsistent  
12 with the provisions of this Act are hereby repealed or  
13 modified accordingly.

14 SEC. 7. *Separability Clause.* – If any provision or part  
15 of this Act, or the application thereof to any person or  
16 circumstance, is held unconstitutional or invalid, the  
17 remainder of this Act shall not be affected thereby.

1           SEC. 8. *Effectivity.* – This Act shall take effect  
2 fifteen (15) days from its publication in the *Official Gazette*  
3 or in at least two (2) newspapers of general circulation.

Approved,