

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

'22 AUG 16 P2 :28

SENATE
S. No. 1184

RECEIVED BY: _____



Introduced by Senator Christopher Lawrence "Bong" T. Go

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

EXPLANATORY NOTE

The effect of COVID-19 pandemic on mobility pushed people to explore new and more convenient ways of shopping and dining. As we enter the new normal, it is undeniable that deliveries of food, grocery, supplies, and even medical supplies had become the preferred way of shopping of consumers, since these services offer the ease of buying without leaving the comforts of their homes.

The food, grocery, and pharmacy delivery services sector has helped many of our kababayans survive the pandemic and provide for their families.

Given the rising number of consumer opting more convenient and safer ways of making their purchases, and the rising number of delivery riders in the country, it is therefore incumbent to the State to provide its people the protection it can provide, and ensure that the rights and safety of both the customer and rider are upheld in every transaction.

This proposed measure adopts the committee report of the Senate Committee on Trade, Commerce And Entrepreneurship of the 18th Congress which was a product of extensive study and consultation.

In view of the foregoing, approval of this bill is earnestly sought.

A handwritten signature in black ink, appearing to be 'Bong T. Go', written over the printed name below.

SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

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

'22 AUG 16 P2 :28

SENATE
S. No. 1184

RECEIVED BY: 

Introduced by Senator Christopher Lawrence "Bong" T. Go

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

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 "Food, Grocery, and
2 Pharmacy Delivery Services Protection Act of 2022."

3

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

6 (a) *Food, Grocery, and Pharmacy Delivery Service* – a form of courier or
7 delivery service where a person through a mobile phone application, internet
8 website or any other similar platform orders food, grocery or pharmaceutical items
9 from a third-party seller and engages the service of a rider or driver for the delivery
10 of said order for a fee;

11 (b) *Food, Grocery, and Pharmacy Delivery Service Providers or Service*
12 *Providers* — these are the persons or entities who are engaged in the business of
13 providing food, grocery and pharmacy delivery services by way of mobile phone
14 applications, internet websites or other similar platforms;

15 (c) *Delivery Riders or Drivers* — regardless of the existing contractual
16 relationship with the service providers, these are persons who perform the delivery

1 services by picking up the ordered items from the third-party seller, and delivering
2 the items to the customers who avail of the service;

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

6

7 *Sec. 3. Prohibition Against Advance Payment.* – It shall be prohibited for any
8 food, grocery, and pharmacy delivery service provider to require delivery riders or
9 drivers to advance any monetary amount for the fulfillment of orders.'

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

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

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

18 Any food, grocery, and pharmacy delivery service provider who shall be found
19 to be in violation of the prohibition on requiring monetary advances from delivery
20 riders or drivers shall, upon conviction, be subject to the penalty of *arresto mayor*
21 and/or fine of an amount not exceeding One hundred thousand pesos (P100,000.00)
22 and the licenses and permits of said violators shall be revoked. This is without
23 prejudice to any other available remedies under existing laws.

24

25 *Sec. 4. Know-Your-Customer Rules for Food, Grocery and Pharmacy Delivery*
26 *Service.* – The service providers shall require its customers, prior to the registration
27 with their mobile phone applications, internet websites or other similar platforms, to
28 submit a valid proof of identity and shall likewise be implemented by the service
29 providers. The processing of personal information done in accordance with this
30 section shall be fully compliant with the requirements of Republic Act No. 10173, or
31 the "Data Privacy Act of 2012."

32

1 Sec. 5. *Prohibited Acts.* –

2 (a) *Using Another Person's Personal Information.* – it shall be unlawful for any
3 person to use the personal information of another such as, but not limited to, name,
4 address, and contact number when registering for any food, grocery, and pharmacy
5 delivery service;

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

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

12 (d) *Refusal to Receive Unpaid Order* – it shall be unlawful for any person to
13 unjustly refuse to receive an order when such order has been placed by him
14 personally or if the order is placed by virtue of his authority.

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

19
20 Sec. 6. *Repealing Clause.* – All laws, presidential decrees, executive orders,
21 proclamations, rules and regulations, or any part thereof, which are inconsistent with
22 the provisions of this Act are hereby repealed or modified accordingly.

23
24 Sec. 7. *Separability Clause.* – If any provision or part of this Act, or the
25 application thereof to any person or circumstance, is held unconstitutional or invalid,
26 the remainder of this Act shall not be affected thereby.

27
28 Sec. 8. *Effectivity.* – This Act shall take effect fifteen (15) days from its
29 publication in the *Official Gazette* or in at least two (2) newspapers of general
30 circulation.

Approved,