


THIRTEENTH CONGRES OF THE)
REPUBLIC OF THE PHILIPPINES)
SECOND REGULAR SESSION)

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S. BILL No. 2406

RECEIVED BY: 

Introduced by Sen. Alfredo S. Lim

EXPLANATORY NOTE

In this electronic age, the most popular media of communication that are affordable but highly informative that reach the great many regardless of status in life are cable television and internet.

Unfortunately, providers of CATV and internets are threatened by high incidence of theft through unauthorized interception of CATV programming or internet services.

This has become a very serious issue that cable television and internet providers face today.

Not only has the theft/unauthorized interception caused financial damage to providers, it had also made the signal poor thus depriving the consuming public excellent service.

Cable television and internet must survive and remain competitive to provide affordable and fast media and communication services to their subscribers.

Verily, CATV/internet service/signal pilferage causes frequent disturbances and interruptions of the service to the detriment of authorized cable television/internet operators. Thus, the need to declare such acts as unlawful and providing penalties therefore.

It is the bills purpose to protect the industry and provide its growth in order to assure high-quality service to the viewing public.


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1 electromagnetic signals or access into the system/network of the cable Internet
2 service operator, or by the recording, manufacture, distribution, importation or
3 sale, of intercepted or received CATV signals and cable internet service.

4 SECTION 4. *Prohibited Acts* – The following are prohibited:

5 a) Possession of electronic equipment, such as, digital or analog receiver-
6 decoder boxes, set-up and converter boxes, modem or any equivalent
7 circumvention devices or unencrypted or encrypted cosatellite program or
8 other electromagnetic signals, wether local or foreign, or access into the
9 system/network of the cable internet service operator Cable Television
10 (CATV) System/Internet, when not duly licensed, authorized or permitted
11 in writing by the licensed CATV or internet operator;

12 b) Connection to or tapping on the existing facilities, systems, lines or
13 networks of the cable or internet service operation of Cable Television
14 (CATV) System/Internet operators through wire or electromagnetic means
15 of electronic equipment, such as, digital or analog receiver-decoder boxes,
16 set-top and converter boxes, modem or any equivalent circumvention
17 devices or methods when not duly authorized and/or registered with the
18 CATV and/or cable internet service operator; and,

19 c) Damaging, destroying or removing any CATV and/or cable internet
20 service operators without any prior written authorization from said
21 operators or for malice, money or purposely to sabotage or cause their
22 systems disruptions or network degradation.

23 SECTION 5. *Prima Facie Evidence*. - presence of any of the following
24 circumstances shall constitute prima facie evidence of illegal tapping,

1 interconnection or reception into the CATV or cable internet system/ network by
2 the person benefited thereby, and shall be the basis for the immediate
3 disconnection by the CATV or cable internet service operator to (a) such person
4 after due notice, (b) the holding of preliminary investigation by the public
5 prosecutor and the subsequent filing in court of the pertinent information, and (c)
6 the lifting of any temporary restraining order or injunction which may have been
7 issued against a CATV or cable internet operator:

8 (1) The presence of drop cable, feeder and/ or trunk lines from the
9 CATV or cable internet system/ network to the structure and facilities of the
10 unauthorized person which has been confirmed by the CATV or cable internet
11 service operator as not being authorized.

12 (2) The unauthorized tapping of drop cable, feeder and/ or trunk lines
13 into the CATV or cable system/ network, and/ or the unauthorized
14 installation of electronic equipment such a digital or analog receiver-
15 decoder boxes, set-top and converted boxes, or modems, by person not duly
16 authorized by the CATV or cable internet service operator.

17 (3) The unauthorized possession and use of electronic equipment such
18 as digital or analog receiver- decoder boxes, set-top and converter boxes, or
19 modem used to intercept CATV signals or access the cable internet
20 system/network and which equipment have not been covered by the appropriate
21 licenses and permits from the proper government regulatory agency or agencies in
22 accordance with existing laws, rules and regulations.

23 SECTION 6. *Penalties.* – Anyone who violates any provision of this Act
24 or commits any of the prohibited acts in Section 4 hereof shall be punished by an
25 imprisonment of not less than three (3) years but not more than five (5) years, or a

1 fine ranging from Fifty Thousand Pesos (P 50,000.00) to One Hundred
2 Thousand Pesos (P 100,000.00), or both, at the discretion of the court.

3 SECTION 7. *Civil Indemnity.* – Upon conviction, the duly authorized
4 CATV or cable internet service operator may recover indemnity from
5 persons convicted under this Act in an amount equivalent to one
6 (1) year basic subscription fees presently charged to registered subscribers of such
7 CATV or cable internet service operators.

8 SECTION 8. *Information Dissemination.* – The National
9 Telecommunications Commission and the Cable Television Associations in the
10 Philippines, shall undertake an information dissemination campaign to the public
11 of the salient features of this Act, within sixty (60) days from its effectivity and at
12 least once a year thereafter.

13 SECTION 9. *Rules and Regulations.* – The National
14 Telecommunications Commission, in consultation with the Cable Association of
15 the Philippines and the public, shall issue the implementing rules and regulations
16 to ensure the efficient and effective implementation of the provisions of this Act
17 after a public hearing which must commence within thirty (30) working days
18 upon the effectivity of this Act and to be concluded not later than sixty (60) days
19 thereafter.

20 SECTION 10. *Repealing Clause.* – All other laws, decrees, ordinances,
21 rules, regulations and other issuances or parts thereof, which are inconsistent with
22 this Act are hereby repealed.

1 SECTION 11. *Effectivity.* – This Act shall take effect fifteen (15) days
2 after the completion of its publication in the Official Gazette or in any two (2)
3 national newspaper of general circulation.

Approved.