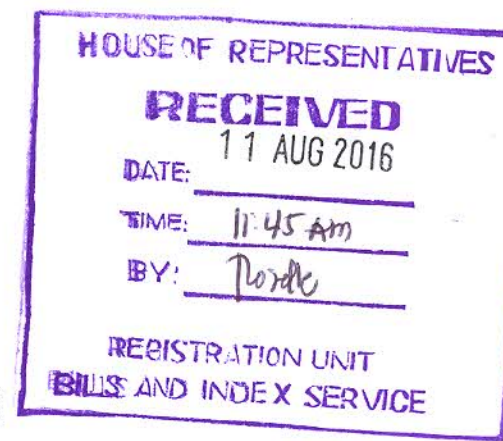


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 2858



Introduced by REP. EDGAR MARY S. SARMIENTO

EXPLANATORY NOTE

The Constitution, Article II, Section 24, provides:

The State recognizes the vital role of communication and information
in nation-building.

The arrival of the cellular phone in the early 1980s was a turning point in telecommunications. For the first time, people made and received telephone calls without being tied to a specific location. Cellular phones have become an essential part of many Filipinos' lives with the number of cellular phone users increasing daily. However, cellular phone companies have failed to cope with the increasing demand for cellular phone services, and the National Telecommunications Commission (NTC) has received numerous complaints about poor service from cellular subscribers.

The recent creation of the Department of Information and Communications Technology (DICT), where NTC is now attached, is an opportune time to lobby for changes. This bill seeks to establish minimum standards regarding the quality of mobile phone service and to monitor complaints regarding such service.

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


EDGAR MARY S. SARMIENTO

SECTION 4. *Establishment of Standards Regarding Quality of Commercial Mobile Service and Monitoring of Complaints Regarding Such Service.* –

(A) *In General.* – The Commission shall, by regulation, establish such requirements as the Commission considers appropriate to ensure that Public Telecommunications Entities meet minimum standards regarding the quality and performance of such service, which shall include standards regarding connection, reception, and billing practices.

(B) *Complaint System.* –

(1) *Establishment.* – The Commission shall establish and administer a system that makes available a procedure for any subscriber of a commercial mobile service to register a complaint regarding the quality or performance of the service.

(2) *Toll-Free Number.* – Such system shall include establishment of a toll-free number applicable to commercial mobile services for reporting a complaint.

(3) *Records.* – The Commission shall maintain a record of each complaint made under the system established pursuant to this Act.

(4) *Notice.* – The Commission shall require each Public Telecommunications Entity of commercial mobile service to include, in each subscriber's bill for such service, a statement informing the subscriber that a complaint regarding the quality or performance of the service may be registered with the Commission and providing the toll-free number under subparagraph (2) and an address for mailing a complaint. The Commission shall take such other actions as may be appropriate to publicize the availability of the complaint system to subscribers of commercial mobile services.

(C) *Reporting of Complaints to Congress.* – Every six (6) months, the Commission shall submit a report to the Congress regarding complaints received under the complaint system required under paragraph (B), which shall –

1 (1) Indicate the number of complaints received, during the period for which the
2 report is made, regarding the service of the Public Telecommunications Entity for which a
3 complaint is made; and

4 (2) Indicate the types of complaints received during such period, including
5 complaints regarding dead spots, dropped calls, network busy signals, and improper billing
6 practices, and the number of each type of complaint received during such period.

7 Upon submission to the Congress of each report under this subparagraph, the
8 Commission shall make such report publicly through publication in at least two (2)
9 newspapers of general circulation.

10 (D) *Effect on Consumer Protection Laws.* – This paragraph may not be construed
11 as relieving any Public Telecommunications Entity from the obligation to comply with any
12 law, presidential decree or issuance, executive order, letter of instruction, administrative
13 order, rule or regulation relating to consumer protection or unfair trade.

14 (E) *Rules and Regulations.* – The Commission shall prescribe such regulations as
15 may be necessary to carry out the provisions of this Act.

16
17 SECTION 5. *Separability Clause.* – If any provision or part hereof is held invalid or
18 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
19 valid and subsisting.

20
21 SECTION 6. *Repealing Clause.* – Any law, presidential decree or issuance,
22 executive order, letter of instruction, administrative order, rule, or regulation contrary to or
23 inconsistent with the provisions of this Act is hereby repealed, modified, or amended
24 accordingly.

1 SECTION 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
2 publication in at least two (2) newspapers of general circulation.

3

4 Approved,