

SEVENTEENTH CONGRESS
OF THE REPUBLIC OF THE PHILIPPINES
First Regular Session

HOUSE OF REPRESENTATIVES

House Bill No. **2873**

HOUSE OF REPRESENTATIVES	
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Introduced by Representative Victor A. Yap

EXPLANATORY NOTE

The use of cellular phones is now an indispensable part of modern life for every individual regardless of social strata. In view of this, it would be beneficial for Filipino users to retain their mobile telephone numbers when changing from one mobile network carrier to another- this is known as Mobile Number Portability (MNP).

Apart from the benefits derived by Filipino consumers, MNP is important for the telecom markets because it removes a bar to switching that keeps those with much equity in the number - in particular many business users - prisoner behind a high switching barrier. The reduction in barriers to switching is of particular benefit to challenger carriers against dominant incumbents.

Based on the foregoing, and the public policy to ensure the greatest good for the greatest number, implementing MNP will create a more competitive Telecom environment, as well as, provide greater benefits to our citizens.

Therefore, the immediate passage of this bill is earnestly sought.



VICTOR A. YAP
Representative, 2nd District of Tarlac

HOUSE OF REPRESENTATIVES

House Bill No. **2873**

Introduced by Representative Victor A. Yap

AN ACT
ESTABLISHING NUMBER PORTABILITY FOR MOBILE TELEPHONE SERVICE

Be it enacted by the Senate and House of Representatives in Congress assembled:

SECTION 1. Title. – This Act shall be known as the "Mobile Telephone Number Portability Act of 2016".

SECTION 2. Declaration of Policy. – It is the policy of the State to ensure and promote public interest and convenience in the country. The remarkable growth of mobile telephone subscribers connotes telecommunications as an inevitable public service needing reasonable regulation to promote the interest of the continuously growing consumers or mobile telephone subscribers. In view of this, the State shall promote consumers' choice in telecommunications service to avail of superior services suitable to their needs thereby giving value to the cost of the telephone service.

SECTION 3. Definition of Terms. – For purposes of this Act, the following terms shall mean:

a) *Certificate of Public Convenience and Necessity* - refers to an authority issued by the Commission to operate a public telecommunications service based on the premise that the provision of said service and the authorization to do business will promote public interest in a proper and suitable manner;

b) *Commission* - refers to the National Telecommunications Commission (NTC);

c) *Franchise* - refers to the privilege conferred upon a telecommunications entity by Congress authorizing the said entity to engage in a certain type of telecommunications service;

d) *Mobile Telephone Number Portability* - refers to the ability to transfer an existing mobile telephone number assigned by a telephone service provider to another service provider;

e) *Postpaid Mobile Account* - refers to a model of mobile telephone service whereby the customers or subscribers are charged for usage in the prior month. It is an account for which

customers or subscribers are billed for their use of a service provider services on a monthly basis, based on either the terms of a contract or on amount of services they have used;

f) *Prepaid Mobile Account* - refers to a model of mobile telephone service whereby customers or subscribers are required to add a certain amount to their accounts prior to usage and their maximum usage is limited to the amount that is added to the account. It is an account for which credit is purchased in advance of service use;

g) *Provisional Authority* - refers to a temporary authority issued by the Commission to operate a public telecommunications service.

SECTION 4. Mobile Telephone Number Portability - The Commission shall require all mobile telephone service providers to provide consumers or mobile telephone subscribers the option to retain their numbers in the following events:

a) Switching from one service provider to another: *Provided*, That the subscriber has duly registered his name and mobile telephone number with the originating service provider; *Provided further*, That the subscriber opting to switch to another mobile service provider has no existing liability or outstanding obligations with the originating service provider;

b) Switching from a mobile postpaid account to a mobile prepaid account and vice versa: *Provided*, That the subscriber has duly registered his name and mobile telephone number with the service provider; *Provided further*, That the subscriber opting to switch from a mobile prepaid account and vice versa has no existing liability or outstanding obligations with the service provider.

SECTION 5. Funding. Provisions. - The Commission shall immediately hereinafter include in the Commission's programs the prompt implementation of this Act, funding of which shall be provided for in the Annual General Appropriations Act.

SECTION 6. Separability Clause.- If any part or provision of this Act shall be held unconstitutional or invalid, the other provisions hereof that are not affected thereby shall continue to be in full force and effect.

SECTION 7. Repealing Clause. - All laws, decrees, ordinances, rules and regulations, administrative or executive orders, and other presidential issuances inconsistent with this Act, are hereby repealed, amended or modified accordingly.

SECTION 9. Effectivity. - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,