

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 6958**

Introduced by Hon. ALFRFEDO A. GARBIN, JR.

**EXPLANATORY NOTE**

Food and Grocery delivery services has become a very important means to cope with the needs to buy food and other essentials during the COVID-19 quarantine period. In fact, the use of food and grocery delivery services was heavily promoted by the government in order to allow the Filipino people, who are residing in areas covered by the government mandated quarantine, to remain at home.

In this time of COVID-19 crisis, where staying at home and avoiding crowded places have become the new normal, the food and grocery delivery services has become an indispensable and booming industry. We expect that this industry will continue to grow as we move forward in our daily lives.

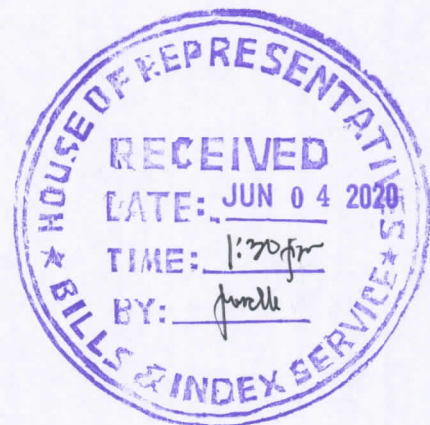
The service providers are mainly composed of motorcycle riders who would enroll themselves with mobile apps. These riders will advance the purchase price for orders, be responsible in buying the food and grocery items ordered, and receive reimbursement and small premium payment upon delivery to customers.

It is unfortunate to know, however, that there are unscrupulous individuals who would cancel their orders even if the applicable service provider has already placed and paid for the food or grocery items which were already confirmed to be paid and are ready for delivery. This devious machination wastes not only precious time of the riders that ply our roads but it also exposes the riders from unnecessary risks in order to deliver what has been expected from them on time and intact.

In order to protect the interest of the service providers who are risking life and limb to keep us safe within our abodes, this bill seeks to provide safeguards to the riders and to penalize those who will unreasonably, unceremoniously, and unconsciously cancel their orders. More than the penalty awarded, it is hoped that the passage of this bill into law will serve as deterrent to unreasonable cancellations of orders.

In view of the foregoing, this bill is, therefore, earnestly recommended for immediate approval.

  
**HON. ALFREDO A. GARBIN, JR.**





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**AN ACT PROVIDING PROTECTION TO INDIVIDUALS ENGAGED IN  
THE FOOD AND GROCERY DELIVERY SERVICES**

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

**SEC. 1. *Short Title.*** – This Act shall be known as Food and Grocery Delivery Services Protection Act.

**SEC. 2. *Definition of Terms.*** – Whenever used in this Act, the following terms shall have the respective meanings hereafter set forth:

- a) Food and Grocery Delivery Services – Services where the service provider buys food and grocery items from a third party seller and advance the payment for said purchase for a fee;
- b) Food and Grocery Delivery Service Providers – persons or entities who are engaged in the business of food and grocery services by way of mobile phone applications, internet webpages or similar platforms. Online marketplace are expressly excluded from the foregoing definition;
- c) Delivery Riders – persons who directly advance and deliver food and/or grocery items on behalf of the Food and Grocery Delivery Service Providers and in favor of Customers;
- d) Customers – any person, individual, group of individuals, business establishment, partnership, association, and corporation availing the services of Food and Grocery Delivery Services under their name or through another person for their benefit; and
- e) Confirmed Order – There shall be a confirmed order once the Customer sent his confirmation to the Delivery Rider with respect to the order for the purchase of food and/or grocery items.

**SEC. 3. *Prohibited Acts.*** – The below listed acts are expressly prohibited, as follows:

- a) Unless otherwise provided in this Act, it shall be unlawful for any Customer to cancel confirmed orders for the delivery of food and/or grocery items when the said items have already been paid by or is already in the possession of the Delivery Rider or otherwise is in transit to the Customer. This also covers instances wherein Customers order food and/or grocery items for the purpose of pranking or those who has no genuine intention of availing of the service which causes damage and undue duress to the Delivery Riders and their corresponding Service Providers; and
- b) It shall be unlawful for any Customer to shame, demean, embarrass, or humiliate the Delivery Riders across any platform.



**SEC. 4. Exception.** - The following shall be considered as exemptions from the prohibited cancellation of confirmed orders mentioned in Section 3, Paragraph (a), as follows:

- a) When the Customer uses credit card services as a mode of reimbursement and payment and any such reimbursement and payment will still be credited to the Food and Grocery Delivery Service Provider notwithstanding the cancellation;
- b) The Customer remits to the Food and Delivery Service Provider any such reimbursement and payment as a pre-condition for the cancellation of order; and
- c) The delivery of ordered food or grocery items will be or was delayed for at least one (1) hour from the expected time of arrival given by the Delivery Rider upon confirmation of order except when the Customer was previously notified by the Delivery Rider or the Service Provider of the impending delay and such delay was not caused by the fault or negligence of the Delivery Rider.

**SEC. 5. Penalties.** - Violation of the prohibited acts under Section 3 shall be accorded the below listed penalties, to wit:

- a) Violation of Section 3, Paragraph (a) herein mentioned shall result to a penalty of Prison Mayor. The violator shall likewise be liable for a fine of One Hundred Thousand Pesos. The violator shall likewise reimburse the Food and Delivery Service Providers for the value of the food and grocery items advanced by the Delivery Rider and be made to pay said Food and Grocery Deliver Service Provider an amount of money double the fee pertinent to the cancelled transaction; and
- b) Violation of Section 3, paragraph (b) herein mentioned shall result to a penalty of Prison Correccional.

**Sec. 6. Application of other Laws** - All prohibited acts defined and penalized by this Act, if committed by, through and with the use of information and communications technologies shall be covered by the relevant provisions of R.A. 10175 also known as the Cybercrime Prevention Act of 2012. *Therefore*, the penalty to be imposed shall be one (1) degree higher than that provided for in this Bill.

**SEC. 7. Role of Food and Grocery Delivery Services Providers.** - In case of violation of this Act, the Service Provider shall reimburse the Delivery Riders for all amounts of money advanced by the Delivery Riders resulting from the cancelled order within twenty four (24) hours from the unlawful cancellation by way of bank deposit or such other acceptable fund transfer mechanism. Violation of this role shall render the Food and Grocery Services Provider liable to the Delivery Rider for a penalty of Five Thousand Pesos. This penalty shall be in addition to whatever penalty to be imposed by the applicable regulatory agency.

**SEC. 8. Mandatory requirement for proof of identity and residential address.** - The Food and Delivery Service Provider shall require its Customers, prior to registration with the applicable mobile phone applications, internet webpages or similar platforms, to submit a valid proof of identity and residential address or proof of billing. It shall likewise endeavor to verify the identity of the customer through video call verification. Violation of this role shall render the Food and Grocery Services provider liable for a fine of One Million Pesos per violation. This penalty shall be in addition to whatever penalty to be imposed by the applicable regulatory agency.

The Food and Deliver Service Provides shall also be required to comply with the pertinent provisions of the Data Privacy Act of 2012 before processing the personal

information of the Customers for their database. Any violation of the Data Privacy Act shall be dealt with by the National Privacy Commission in its own instance.

**SEC. 9. *Separability Clause.*** – If any of the sections or provisions of this Act is held invalid, all other provisions not affected thereby shall remain valid.

**SEC. 10. *Repealing Clause.*** – All laws, orders, issuances, rules and regulations or parts thereof inconsistent with this Act are hereby repealed, amended, or modified accordingly.

**SEC. 11. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,