

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



Senate  
Office of the Secretary

'16 AUG 25 A11 :17

SENATE

SENATE BILL NO. 1078

RECEIVED BY: J.

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INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

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**AN ACT TO ESTABLISH MINIMUM STANDARDS REGARDING THE  
QUALITY OF WIRELESS TELEPHONE SERVICE AND TO MONITOR  
COMPLAINTS REGARDING SUCH SERVICE**

**EXPLANATORY NOTE**

As stipulated in the 1987 Philippine Constitution, Section 24 of Article II, clearly provides:

*"The State recognizes the vital role of communication and information in nation building"*

With the advent of mobile and cellular phones in the early 1980s, people made and received telephone calls without being tied to a specific location. This technological innovation made all transactions easy, faster and affordable.

Mobile and cellular phone have become an essential part of many Filipinos lives with the number of mobile 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 on poor and sometimes "fraudulent" services of these companies.

This bill seeks to establish minimum standards regarding the quality of wireless telephone service and to monitor complaints regarding such service.

**JOSEPH VICTOR G. EJERCITO**



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*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 the "Cell Phone  
2 Subscriber Protection Act of 2016".  
3

4           **SECTION 2. Declaration of Policy.** - It is the policy of the State to recognize  
5 the vital role of communication and information in nation-building.  
6

7           **SECTION 3. Definition.** - As used in this Act, the term:  
8

9           (A) "Public Telecommunication Entity" or "PTE" means any person, firm,  
10 partnership or corporation, government or private, engaged in the  
11 provision of telecommunications services to the public for compensation;  
12 and  
13

14           (B) "Commission" means the National Telecommunications Commission.  
15

16           **SECTION 4. Establishment of Standards Regarding Quality of Commercial Mobile  
17 Service and Monitoring of Complaints Regarding Such Service.** -  
18

19           (A) *In General.* - The Commission shall, by regulation, establish such  
20 requirements as the Commission considers appropriate to ensure that  
21 Public Telecommunications Entities meet minimum standards regarding  
22 the quality and performance of such service, which shall include  
23 standards regarding connection, reception and billing practices.  
24  
25

1  
2 (B) *Complaint System.* -  
3

4 (1) *Establishment.* - The Commission shall establish and administer a  
5 system that makes available a procedure for any subscriber of a  
6 commercial mobile service to register a complaint regarding the  
7 quality or performance of the service.  
8

9 (2) *Toll Free Number.* - Such system shall include establishment of a toll-  
10 free number applicable to commercial mobile services for reporting  
11 a complaint.  
12

13 (3) *Records.* - The Commission shall maintain a record of each complaint  
14 made under the system established pursuant to this Act.  
15

16 (4) *Notice.* - The Commission shall require each Public  
17 Telecommunications Entity of commercial mobile service to  
18 include, in each subscriber's bill for such service, a statement  
19 informing the subscriber that a complaint regarding the quality or  
20 performance of the service may be registered with the Commission  
21 and providing the toll-free number under subparagraph (2) and an  
22 address for mailing a complaint. The Commission shall take such  
23 other actions as may be appropriate to publicize the availability of  
24 the complaint system to subscribers of commercial mobile services.  
25

26 (C) *Reporting of Complaints to Congress.* - Every six (6) months, the Commission  
27 shall submit a report to the Congress regarding complaints received under  
28 the complaint system required under paragraph (B), which shall -  
29

30 (1) Indicate the number of complaints received, during the period for  
31 which the report is made, regarding the service of the Public  
32 Telecommunications Entity for which a complaint is made; and  
33

34 (2) Indicate the types of complaints received during such period,  
35 including complaints regarding dead spots, dropped calls, network  
36 busy signals, and improper billing practices, and the number of  
37 each type of complaint received during such period.  
38

39 Upon submission to the Congress of each report under this  
40 subparagraph, the Commission shall make such report publicly  
41 through publication in at least two (2) newspapers of general  
42 circulation.  
43

44 (D) *Effect on Consumer Protection Laws.* - This paragraph may not be construed as  
45 relieving any Public Telecommunications Entities from the obligation to  
46 comply with any law, presidential decree or issuance, executive order,

1 letter of instruction, administrative order, rule or regulation relating to  
2 consumer protection or unfair trade.

3  
4 (E) *Rules and Regulations.* - The Commission shall prescribe such regulations as  
5 may be necessary to carry out the provisions of this Act.  
6

7 **SECTION 5. *Separability Clause.*** - If any provision or part hereof is held  
8 invalid or unconstitutional, the remainder of the law of the provision not otherwise  
9 affected shall remain valid and subsisting.  
10

11 **SECTION 6. *Repealing Clause.*** - Any law, presidential decree or issuance,  
12 executive order, letter of instruction, administrative order, rule or regulation  
13 contrary to, or inconsistent with, the provisions of this Act is hereby repealed,  
14 modified, or amended accordingly.  
15

16 **SECTION 7. *Effectivity Clause.*** This Act shall take effect fifteen (15) days  
17 after its publication in at least two (2) newspapers of general circulation.  
18  
19  
20

21  
22 Approved,