AN ACT MANDATING THE TELECOMMUNICATIONS SERVICE PROVIDERS TO SEND FREE MOBILE ALERTS IN THE EVENT OF NATURAL AND MAN-MADE DISASTERS AND CALAMITIES

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

SECTION 1. Short Title. — This Act shall be known as "The Free Mobile Disaster Alerts Act".

SEC. 2. Declaration of Policy. — The State shall, at all times, protect its citizenry in the events of natural or man-made disasters and calamities. It shall likewise exhaust all possible means to notify and inform its constituents of the impending disasters to prevent injuries, destruction and loss of lives and property.

SEC. 3. Definition of Terms. — (a) Mobile phone service provider, service provider or telecommunication company refers to any person, firm or partnership or corporation, government or private, granted a
The alerts shall be at no cost, whether direct or indirect, to the consumers; and shall be included as part of the service providers auxiliary service. The alerts may be in the form of SMS (text messages), MMS, or email, as needed and appropriate.

SEC. 5. Report of Violations. – Any natural or juridical person may report before the NTC any violation of this Act.

SEC. 6. Penalties. – (a) Any person who gives false or misleading data or information or willfully or through gross negligence, conceals or falsifies a material fact, in any investigation, inquiry, study, or other proceeding held pursuant to this Act, shall be punished with imprisonment of not less than two (2) months but not more than six (6) months, and with a fine of not less than One thousand pesos (P1,000.00) but not more than Ten thousand pesos (P10,000.00); Provided, however, That if the false or misleading data or information shall have been under oath, the maximum penalty for giving false testimony or perjury shall be imposed.

(b) If the offender is a corporation, the penalties may range from the imposition of a fine of not less than One million pesos (P1,000,000.00) but not more than Ten million pesos (P10,000,000.00) and/or a suspension or revocation of its legislative franchise and other permits and licenses by the NTC. The maximum penalties prescribed in paragraph (a) shall also be imposed on the members of its board and/or management, as applicable.

(c) An alien violating this Act shall, in addition to the penalty herein provided, be deported after service of sentence and shall not be permitted reentry into the Philippines.

(d) All monetary penalties shall directly accrue to the National Treasury.

SEC. 7. Implementing Rules and Regulations. – The Department of Transportation and Communications (DOTC), the NTC, the NDRRMC, the PAGASA and other relevant government agencies shall, within sixty (60) days from the effectivity of this Act, submit the implementing rules and regulations (IRR) governing this Act.
SEC. 8. Amendatory and Repealing Clause. — All laws, decrees, orders, rules and regulations, ordinances or any part thereof inconsistent herewith are hereby repealed or modified accordingly.

SEC. 9. Separability Clause. — If any provision of this Act is subsequently declared unconstitutional, the remaining provisions hereof shall remain in full force and effect.

SEC. 10. Effectivity Clause. — This Act shall take effect immediately after its complete publication either in the Official Gazette or in a newspaper of general circulation in the Philippines.

Approved,

FRANKLIN M. DRILON  FELICIANO BELMONTE JR.
President of the Senate  Speaker of the House of Representatives

This Act which originated in the House of Representatives was finally passed by the House of Representatives and the Senate on February 10, 2014 and May 5, 2014, respectively.

OSCAR G. TABAS  MARILYN M. BARTA-YAP
Secretary of the Senate  Secretary General

House of Representatives

Approved: JUN 20 2014

BENIGNO S. AQUINO III
President of the Philippines

Office of the President of the Philippines
PNoy014716

CERTIFIED COPY
MARIANITO M. DIMAANDAL
DIRECTOR IV
MALACAÑANG RECORDS OFFICE