



HOUSE OF REPRESENTATIVES

H. No. 709

BY REPRESENTATIVES RODRIGUEZ (R.), RODRIGUEZ (M.), ESCUDERO,
EVARDONE, ANTONINO, ALVAREZ (A.), CO, BATOCABE, GARBIN AND
ABAYON

AN ACT PROHIBITING AND PENALIZING THE PILFERAGE AND
THEFT, UNAUTHORIZED USE, INTER-CONNECTION OR
RECEPTION OF ANY SIGNAL OR SERVICE OFFERED OVER A
CABLE TELEVISION (CATV) OR CABLE INTERNET SYSTEM
AND/OR NETWORK OR THROUGH ANY UNAUTHORIZED
INSTALLATION, ACCESS OR CONNECTION THERETO
THROUGH THE USE OF CABLE OR OTHER EQUIPMENT AND
PRESCRIBING PENALTIES THEREFOR

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

1 SECTION 1. *Short Title.* – This Act shall be referred to as “The
2 Anti-Cable Television and Cable Internet Pilferage Act of 2012”.

3 SEC. 2. *Declaration of Policy.* – It shall be the policy of the State to
4 protect the general public and legitimate operators of: (a) cable television
5 (CATV) systems and/or networks that secure programming through the
6 reception of local and foreign satellite, as well as other electromagnetic
7 signals; and (b) cable internet services that provide access to the worldwide
8 web through the CATV system/network, from unauthorized connection or
9 tapping to existing facilities through wired, wireless or electromagnetic means.

1 Only subscribers duly authorized and/or registered with the CATV and/or
2 cable internet service operator shall be allowed to receive any service or
3 benefit offered and/or operated over a CATV or internet system/network.

4 SEC. 3. *Definition of Terms.* – As used in this Act:

5 (a) *Cable television (CATV) system/network* refers to processes and
6 facilities associated with the delivery of signals and programs provided for by
7 broadcast television stations, local and foreign satellite program providers or
8 CATV service operators, through origination, relay and reception of electronic
9 or control signals of any design wired, wireless, optical or other technological
10 means for the purpose of providing multiple-channel CATV service to multiple
11 subscribers within defined service areas.

12 The term shall also include electronic equipment such as digital or
13 analog receiver-decoder boxes, set-top and converter boxes as well as, but not
14 limited to, master antennae television, satellite master antennae television,
15 direct broadcast satellite, multi-point distribution service, a television
16 receive-only satellite program distributor and other providers of video and
17 audio programming, whatever the technology.

18 (b) *Cable internet system/network* refers to processes, including
19 electronic equipment such as modems, associated for the access of the
20 worldwide web through the facilities of the CATV system/network.

21 (c) *Cable television (CATV) service operator* refers to any person,
22 natural or juridical, public or private, granted a Certificate of
23 Authority/Provisional Authority as provided under existing laws, rules and
24 regulations, to install, operate and maintain a CATV system/network and
25 service and is actually providing such service to its subscribers.

26 (d) *Cable internet service operator* refers to any person, natural or
27 juridical, public or private, which was issued a registration certificate as
28 provider under existing laws, rules and regulations, to provide and facilitate

1 access to the worldwide web through a CATV system/network and is actually
2 providing such service to its subscribers.

3 SEC. 4. *Prohibited Acts.* – It is hereby declared unlawful for any
4 person, whether natural or juridical, public or private, to:

5 (a) Intercept or receive, or assist in intercepting or receiving, any signal
6 or service offered over CATV and cable internet system/network by tapping,
7 making or causing to be made any unauthorized connection to existing wired
8 or wireless facilities with drop, feeder and/or trunk lines, or through the use of
9 electronic equipment such as digital or analog receiver-decoder boxes, set-top
10 or converter boxes, modems or any equivalent circumvention devices or
11 methods that allow for unauthorized access or decoding of unencrypted or
12 encrypted satellite program signals or other electromagnetic signals, or
13 unauthorized access into the system/network of the cable internet service
14 operator, or by the recording, manufacture, distribution, importation or sale of
15 intercepted or received CATV signals and cable internet service;

16 (b) Engage in the unauthorized importation, sale, lease, distribution or
17 possession of electronic equipment such as digital or analog receiver-decoder
18 boxes, set-top and converter boxes, modems or any equivalent circumvention
19 devices or methods that allow for unauthorized access or decoding of
20 unencrypted or encrypted satellite program signals or other electromagnetic
21 signals, whether local or foreign, or unauthorized access into the
22 system/network of the cable internet service operator;

23 (c) Knowingly use or receive any direct or indirect benefit from CATV
24 and cable internet service through the commission of any of the preceding
25 prohibited acts; and

26 (d) Wantonly, maliciously or willfully damage, destroy or remove
27 CATV and/or cable internet facilities and accessories of authorized CATV and

1 cable internet service operators resulting into system disruption or network
2 degradation.

3 SEC. 5. *Prima Facie Evidence.* – The presence of any of the following
4 circumstances shall constitute *prima facie* evidence of illegal tapping,
5 interconnection or reception into the CATV or cable internet system/network,
6 by the person benefited thereby, and shall be the basis for: (a) the immediate
7 disconnection by the CATV or cable internet service operator to such person
8 after due notice; (b) the holding of preliminary investigation by the public
9 prosecutor and the subsequent filing in court of the pertinent information; and
10 (c) the lifting of any temporary restraining order or injunction which may have
11 been issued against a CATV or cable internet service operator:

12 (1) The presence of drop cable, feeder and/or trunk lines from the
13 CATV or cable internet system/network to the structures and facilities of the
14 unauthorized person which has been confirmed by the CATV or cable internet
15 service operator as not being a duly registered subscriber;

16 (2) The unauthorized tapping of drop cable, feeder and/or trunk lines
17 into the CATV or cable internet system/network, and/or the unauthorized
18 installation of electronic equipment such as digital or analog receiver-decoder
19 boxes, set-top and converter boxes, or modems, by a person not duly
20 authorized by the CATV or cable internet service operator; and

21 (3) The unauthorized possession and use of electronic equipment such
22 as digital or analog receiver-decoder boxes, set-top and converter boxes, or
23 modems used to intercept CATV signals or access the cable internet
24 system/network and which equipment have not been duly registered with the
25 CATV or cable internet service operator or have not been covered by the
26 appropriate licenses and permits from the proper government regulatory
27 agency or agencies in accordance with existing laws, rules and regulations.

1 SEC. 6. *Penalties.* – Anyone who willfully violates any provision of
2 this Act or commits any of the prohibited acts in Section 4 hereof shall be
3 punished by imprisonment of not less than two (2) years but not more than five
4 (5) years, or a fine ranging from Fifty thousand pesos (P50,000.00) to One
5 hundred thousand pesos (P100,000.00), or both, at the discretion of the court.

6 SEC. 7. *Information Dissemination.* – The National
7 Telecommunications Commission (NTC) and the various cable television
8 associations of the Philippines shall, in a collective effort, undertake a vigorous
9 campaign to inform the consuming public of the existence of this Act within
10 sixty (60) days from its effectivity and at least once a year thereafter.

11 SEC. 8. *Rules and Regulations.* – The NTC, in consultation with
12 various cable television associations of the Philippines and other affected
13 parties, shall, within sixty (60) days from the effectivity of this Act, issue the
14 implementing rules and regulations.

15 SEC. 9. *Recovery of Pilferage Losses.* – Any duly authorized CATV or
16 cable internet service operator may recover pilferage losses equivalent to at
17 least one (1) year basic subscription fees presently charged to registered
18 subscribers from such unauthorized persons found to have committed any of
19 the herein prohibited acts.

20 SEC. 10. *Repealing Clause.* – All other laws, decrees, ordinances,
21 rules, regulations and other issuances or parts thereof which are inconsistent
22 with this Act are hereby repealed.

23 SEC. 11. *Effectivity.* – This Act shall take effect fifteen (15) days
24 after the completion of its publication in the *Official Gazette* or in any two (2)
25 national newspapers of general circulation.

Approved,