



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY



JOINT DTI-DICT-NTC-NPC-DOJ ADMINISTRATIVE ORDER NO. 78-01
Series of 2018

Subject: **Administrative Procedures on Addressing Consumer Issues and Concerns Pertaining to Telecommunications Industry and Speedy Resolution of Consumer Complaints**

WHEREAS, Section 24, Article II of the 1987 Philippine Constitution provides for the State's recognition of the vital role of communication and information in nation-building;

WHEREAS, Section 12, Article XIV of the same Constitution provides for the duty of the State to regulate the transfer and promote the adaptation of technology from all sources for the national benefit, and encourage the widest participation of private groups, local governments, and community-based organizations in the generation and utilization of science and technology;

WHEREAS, Section 9 Article XVI of the same Constitution further affords State protection to consumers from trade malpractices and from substandard or hazardous products;

WHEREAS, Article 2 of Republic Act (RA) No. 7394, otherwise known as Consumer Act of the Philippines, states that it is the policy of the State to protect the interest of the consumer, promote his general welfare and to establish standards of conduct for business and industry. Towards this end, the State shall implement measures to achieve, among others, protection against deceptive, unfair and unconscionable sales act and practices;

WHEREAS, Article 6 of RA 7394 and its Implementing Rules and Regulations (IRR) designated the Department of Trade and Industry (DTI) as one of the implementing agencies mandated to enforce consumer laws, rules and regulations in relation to consumer products other than drugs, cosmetics, devices and substances, and products related to agriculture;

WHEREAS, RA 10173, also known as the Data Privacy Act of 2012, empowers the National Privacy Commission (NPC) to coordinate with other government agencies on efforts to formulate and implement plans and policies to strengthen the protection of personal information, which includes consumer

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protection policies in relation to data privacy principles, and, to receive complaints and institute investigations, adjudicate and award indemnity on matters affecting any personal information;

WHEREAS, Section 2, paragraph (n), of RA 10844, also known as the Department of Information and Communications Technology (DICT) Act of 2015, declares that it is the policy of the State to oversee agencies governing and regulating the ICT sector and ensure consumer protection and welfare, data privacy and security, foster competition and growth of the ICT sector;

WHEREAS, Paragraph IV (n) of Section 6, paragraph IV (n), of RA 10844 also states that the DICT shall have the power and function to ensure and protect the rights and welfare of consumers and business users to privacy, security, and confidentiality of matters relating to ICT, in coordination with agencies concerned, the private sector and relevant international bodies;

WHEREAS, RA No. 7925, also known as An Act To Promote And Govern The Development Of Philippine Telecommunications And The Delivery Of Public Telecommunication, outlines the responsibilities of the National Telecommunications Commission (NTC) which include, among others, the promotion of consumers welfare by facilitating access to telecommunications services whose infrastructure and network must be geared towards the needs of individual and business user and protection of consumers against misuse of a telecommunications entity's monopoly or quasi-monopolistic powers by, but not limited to, the investigation of complaints and exacting compliance with service standards from such entity;

WHEREAS, Commonwealth Act (C.A.) No. 146, also known as the Public Service Act, as amended, provides that the NTC is vested with the power to fix just and reasonable standards, classifications, regulations, practices, measurements or services to be furnished, imposed, observed and followed thereafter by any public service;

WHEREAS, Executive Order (EO) 292, also known as the Administrative Code of 1987, as amended, provides that the Department of Justice (DOJ) is the government's principal law agency which serves as the government's prosecution arm and administers the government's criminal justice system by investigating crimes, prosecuting offenders and overseeing the correctional system;

WHEREAS, on 05 March 2018 the Senate Committee on Science and Technology convened a Committee hearing to discuss numerous consumer complaints relating to telecommunication services;

WHEREAS, said Senate Committee directed to convene an Ad Hoc Inter-Agency Committee on Telecommunications (IAC-T) to formulate policies that will address pressing consumer complaints, particularly a uniform guideline in resolving issues and concerns on telecommunications services;

WHEREAS, Republic Act No. 11032, otherwise known as the Ease of Doing Business and Efficiency in Government Service Delivery Act of 2018, declares the policy of the State to take appropriate measures to promote transparency in each agency with regard to the manner of transacting with the public, which shall encompass a program for the adoption of simplified requirements and procedures that will reduce red tape and expedite business and non-business related transactions in government

NOW, THEREFORE, for and in consideration of the foregoing premises, the following administrative procedure is hereby prescribed and promulgated for guidance and compliance of all concerned:

ARTICLE 1 GENERAL PROVISION

Section 1. Short Title. This Order shall be referred to as the "Administrative Procedure on Consumer Complaints Relative to Telecommunications Services"

Section 2. Objectives. This Order is hereby adopted to serve as guidelines for consumers and relevant government agencies in resolving issues and concerns regarding telecommunications services such as:

- 2.1 Data Privacy and Protection;
- 2.2 Defective Product;
- 2.3 Denial of Subscription Plan Application;
- 2.4 Electronic Billing and/or charges on paper billing
- 2.5 Fair Use Policy;
- 2.6 Lock-in Period;
- 2.7 Non-conformity to, or Violation on, the Terms and Conditions on Misleading Advertisement, Fraudulent Sales Promo, Deceptive Sales Practice and Other complaints akin to the foregoing;
- 2.8 Poor Technical / Customer Service Care and Accessibility;
- 2.9 Text Scams / Spam Messages;
- 2.10 Unauthorized Charges;
- 2.11 Value Added Service (Opt-in and – Out);
- 2.12 Vanishing Load; and
- 2.13 Warranty

Section 3. Coverage. This Order shall be applicable to consumer complaints filed before the concerned government agencies concerning telecommunications services.

Section 4. Applicability of the Existing Administrative Rules of Procedure and the Revised Rules of Court. In the absence of any applicable provision in these Rules, the pertinent provisions of the existing rules of procedure and citizen's charter of the concerned government agencies in accordance with R.A. 11032, and the Revised Rules of Court shall apply suppletorily.

**ARTICLE 2
DEFINITION OF TERMS**

Section 1. Definition of Terms. For purposes of this Order, the following terms shall mean or be understood as follows:

- 1.1. **Consumer** – means a natural person who is a purchaser, lessee, recipient or prospective purchaser, lessor or recipient of consumer product, services or credit.
- 1.2. **Consumer transaction** – means (1) (i) a sale, lease, assignment, award by chance, or other disposition of consumer products, including chattels that are intended to be affix to land , or services, or of any right, title, or interest therein except securities as defined in the Securities Act and contracts of insurance under the Insurance Code or (ii) a grant of provision of credit to a consumer for purposes that are primarily personal, family, household or agricultural, or (2) a solicitation or promotion by a supplier respect to a transaction referred to in clause (1).
- 1.3. **Data Privacy** – refers to the exercise and observance of the rights of data subjects as enumerated under the Data Privacy Act of 2012 (otherwise known as R.A. No. 10173) recognizing the fundamental human right of every individual to privacy and the State's inherent obligation to ensure that personal data in information and communications systems in the government and in the private sector are secured and protected.
- 1.4. **Electronic Billing (E-billing)** – refers to the process of delivery of bills and invoices in the electronic mode (e.g. via online portal or website, or sent to the customer through email or push messaging, and/or other electronic forms). It offers a paperless mode of transaction.¹
- 1.5. **Lock-in** - refers to the duration of the service contract between the public telecommunication entity and the consumer within which the latter agrees to exclusively maintain a monthly postpaid subscription with such entity.
- 1.6. **Opt-in** – the subscriber has requested to be included on the specific list to receive direct marketing notifications.
- 1.7. **Opt-Out** – unsubscribing from future unsolicited commercial and promotional advertisements, surveys and other Broadcast/Push messages.²
- 1.8. **Public Telecommunications Entity** – commonly referred to as "Telcos", refers to any person, firm, partnership or corporation, government or private, engaged in the provision of telecommunications services to the public for compensation.

¹ National Telecommunication Commission Memorandum Circular 03-04-2018

² National Telecommunication Commission Memorandum Circular 03-03-2005

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- 1.9. **Spam Message** – refers to an unsolicited and unwanted commercial and promotional advertisements and surveys.
- 1.10. **Telecommunications** – refers to any process which enables a telecommunications entity to relay and receive voice, data, electronic messages, written or printed matter, fixed or moving pictures, words, music or visible or audible signals or any control signals of any design and for any purpose by wire, radio or other electromagnetic, spectral, optical or technological means.
- 1.11. **Text Scams** - refers to misleading or deceptive short message service (SMS) received by a subscriber which entices him/her to do something that will result in the pecuniary gain on the part of the unknown sender.
- 1.12. **Value Added Service** - refers to enhanced services beyond those ordinarily provided for by local exchange and inter-exchange operators, and overseas carriers through circuit switched networks.³
- 1.13. **Vanishing Load** - refers to sudden or unconsented deduction/charges of prepaid load credit.
- 1.14. **Unauthorized Charges** – refers to hidden, unauthorized, and/or undisclosed charges on postpaid accounts **including billing disputes**.

ARTICLE 3
ADVISORY INTER-AGENCY COMMITTEE-TELECOMMUNICATIONS

Section 1. Creation of an Advisory Inter-agency Committee. In order to continue and institutionalize the inter-agency coordination spurred by the Ad Hoc Inter-Agency Committee on Telecommunications (IAC-T), this Joint Administrative Order hereby creates and organizes an Advisory Inter-agency Committee on Telecommunications (AIC-T) to be composed of representatives from the following:

- 1.1. Department of Information and Communications Technology
- 1.2. Department of Justice
- 1.3. Department of Trade and Industry
- 1.4. National Privacy Commission
- 1.5. National Telecommunications Commission

³ National Telecommunication Commission Memorandum Circular 02-05-2008

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**ARTICLE 4
RIGHTS AND RESPONSIBILITIES**

Section 1. Responsibilities of the Public Telecommunications Entities. The public telecommunications entities shall have the following responsibilities:

- 1.1. Develop a better and full understanding of the needs and motivations underlying consumer behaviour in telecommunications markets, especially those of vulnerable consumers (such as those in rural areas, the elderly, minors, disabled, those on low incomes, the unemployed).
- 1.2. Cooperate with the government in assisting consumer participation in telecommunications markets by educating consumers about their rights, by raising awareness about new services and options offered by the market, and by making the process of switching in the fixed line, mobile and Internet markets easier, cheaper and faster.
- 1.3. Provide complete, comparable, appropriate and accurate information to consumers through different channels (e.g. through leaflet, radio, consumer hotline and web-based programmes) to enable consumers, especially vulnerable consumers, to quickly identify the most suitable and best value telecommunications plan.
- 1.4. Use more effective means of targeting information to vulnerable groups to provide them with practical guidance about how they can get the best deal.
- 1.5. Provide price/service-comparison facilities and other relevant information through consumer hotlines, websites, etc.
- 1.6. Work with the fixed line (including Internet service providers) and the mobile network operators to develop and publicise a set of comparable indicators relating to quality of service.
- 1.7. Observe at all times—truth-in-billing and prohibit harmful business conduct and practices (e.g. by prohibiting mis-selling, misleading advertising).

Section 2. Responsibilities of the Consumer. Consumers are expected to make responsible decisions and accept a certain level of responsibility when exercising choice or entering into service contracts with the service providers. The consumers should:

- 2.1. Keep informed about service offerings as best as possible.
- 2.2. Make decisions carefully having considered the detrimental consequences that may arise from making hasty/ill-informed decisions.
- 2.3. Obtain as much information regarding the service and be aware of other consumers' experience with similar services.

- 2.4. Compare price and features before making a purchase.
- 2.5. Refrain from entering into any schemes that are promoted with fancy terms without inquiring about the details of the offer.
- 2.6. Understand financial capability before entering in to any contract.
- 2.7. Read contract terms and conditions carefully and strive to understand each individual clause before entering in to any contract with a telecommunications service provider.
- 2.8. Keep track of changes that have been made to the contract and enquire about them to avoid confusion.
- 2.9. Be aware that anyone should not be coerced to subscribe to any unwanted service.
- 2.10. Inform the service provider about any lost/stolen sim card.
- 2.11. Inform the service provider about any changes in contact details or any changes in personal circumstances which would affect the contract.
- 2.12. Be aware of the usage tariffs of any Value Added Services associated with the main account prior to using such value added services.
- 2.13. Ensure the receipt of invoices of the postpaid account(s) on time and ensure the accuracy of the transactions.
- 2.14. Ensure prompt payment of bills to avoid non-payment disconnection.
- 2.15. Ensure that utilization of telecommunication services is not in a manner hazardous to the environment or other users.
- 2.16. File consumer complaint/s to the public telecommunications entities and/or to the concerned government agency/ies in case of any violation of the issues/concerns mentioned in Section 2, Article 1 of this Order.

Section 3. Consumer Rights. The following are the rights of the consumer:

- 3.1. *Right to Basic Needs.* Consumers have the right to be given a good quality telecommunication products and/or services that suits their needs as contracted during the consumer transaction.
- 3.2. *Right to Safety.* Consumers have the right to be protected from any possible hazards and danger of the telecommunication products and/or services.
- 3.3. *Right to Choose.* Consumers have the right to choose their public telecommunications entities and the telecommunication products and/or services they will avail.

- 3.4. *Right to Information.* Consumers must be informed of the all the details pertaining to the telecommunication products and/or services available in the market.
- 3.5. *Right to Representation.* Consumers must be represented in policy formulation affecting telecommunication industry.
- 3.6. *Right to Redress.* Consumers must be heard in case consumer complaints on telecommunication products and/or services are filed before the appropriate government agencies.
- 3.7. *Right to Consumer Education.* Consumers must be given the opportunity to attend seminars/workshops concerning their rights on telecommunication issues and concerns.
- 3.8. *Right to a Healthy Environment.* Consumers must be assured that public telecommunication entities sites/facilities do not destroy the environment that will endanger their lives and livelihood.

ARTICLE 5 COMPLAINTS HANDLING

Section 1. Department of Trade and Industry. The DTI shall handle cases involving violations of the laws and regulations on Defective Product, Non-conformity or Violation on the Terms and Conditions on Misleading Advertisement, Fraudulent Sales Promo, Deceptive Sales Practice and Other complaints akin to the foregoing, and Warranty concerning telecommunication products, facilities, and/or services subject of a consumer transaction.

- 1.1. Procedures in Handling Complaint (Process Flow Chart attached as **ANNEX A**)
 - 1.1.1. Consumers shall file their complaint through the DTI Fair Trade and Enforcement Bureau (FTEB) or to the Regional Operations Group (ROG) through its Regional and Provincial Offices.
 - 1.1.2. DTI shall acknowledge and evaluate the complaint. If the complaint does not fall within its jurisdiction, the same shall be endorsed to the concerned agency for its appropriate action.
 - 1.1.3. A Notice of Mediation shall be issued to the concerned parties immediately on the day the consumer complaint is received setting the date, time, and place of the mediation conference. The total number of days on mediation shall not exceed ten (10) working days from receipt of the complaint.

- 1.1.4. When mediation is successful, a mediation agreement shall be immediately prepared and executed by the parties. Said agreement shall be final and executory.
- 1.1.5. When no settlement is reached, or the party complained of or his/her duly authorized representative fails or refuses to appear or participate in the scheduled mediation, the Mediation Officer shall immediately issue a Notice of Failure of mediation and submit the case for adjudication.
- 1.1.6. When the consumer complaint or his/her duly authorized representative fails or refuses to appear or participate in the scheduled mediation, the mediation officer shall dismiss the complaint without prejudice and archive the same.
- 1.1.7. On the day of the receipt of the Failure of Mediation, the Adjudication Officer shall issue immediately on the said date a Notice of Adjudication directing both parties to simultaneously submit their respective position papers with statement of facts, arguments, supporting affidavits and other documentary evidence within five (5) working days from receipt of such Notice of Adjudication and/or setting date/s of hearing, if necessary.
- 1.1.8. The Adjudication Officer shall review, assess, and render a Decision in writing. The total number of days on adjudication shall not exceed twenty (20) working days from receipt of Failure of Mediation.
- 1.1.9. A copy of a Decision shall be served on the Parties to the case by personal service or registered mail with proof of service through post registry return card.
- 1.1.10. An appeal may be taken from a final judgement or order within fifteen (15) days from receipt thereof. The appeal shall be taken by filing a Memorandum of Appeal with the Secretary, with Notice of Appeal to the Adjudication Officer, and with copy duly furnished the adverse parties.
- 1.1.11. The Secretary shall decide the said appeal within thirty (30) days from receipt thereof.

Section 2. National Privacy Commission. The National Privacy Commission ("NPC") shall have primary and sole authority to entertain cases involving alleged violations of the Data Privacy Act ("DPA"), and, take cognizance of matters related to privacy and data protection, specifically on the matters relating on the rights of the data subject, to wit:

- a. The right to be informed whether personal data pertaining to him or her will be, are being, or were processed and the extent and other circumstances of the processing.

- b. The right to object to the processing of his or her personal data, including processing for direct marketing, automated processing or profiling.
- c. The right to reasonable access to the personal information processed upon demand.
- d. The right to dispute the inaccuracy or error in the personal data and have the personal information controller correct it immediately and appropriately.
- e. The right to suspend, withdraw or order the blocking, removal or destruction of his or her personal data from the personal information controller's filing system.
- f. The right to be indemnified for any damages sustained due to such false, incomplete, outdated, unlawfully obtained or unauthorized use of personal data, considering any violation of his or her rights and freedoms as a data subject.
- g. The lawful heirs and assigns of the data subject may invoke the rights of the data subject at any time after the death of the data subject or when the latter is incapacitated or incapable of exercising his or her rights.
- h. Where his or her personal data is processed by electronic means and in a structured and commonly used format, the data subject has the right to obtain from the personal information controller a copy of such data in an electronic or structured format that is commonly used and allows further use.

2.1. Procedures in Handling Compliant.

2.1.1 The NPC shall receive complaints involving alleged violations of the DPA, its Implementing Rules and Regulations, and other issuances in accordance with its Rules of Procedure as contained in NPC Circular 16-04 and simplified in the attached flowchart as **ANNEX B** hereof.

2.1.2 Any person (or his or her duly authorized representative as defined by NPC Circular 16-04) who is the subject of a privacy violation or a personal data breach, or who is otherwise affected by a violation of the DPA may file a complaint before any office of the NPC; Provided, the NPC may *sua sponte* commence an investigation in relation to the above.

2.1.3 No complaint shall be entertained unless the complainant has exhausted available remedies in accordance with Section 4 of NPC Circular 16-04.

2.1.4 The complaint, together with the documentary evidence and affidavits of witnesses, if any, shall be filed in such number as there are respondents, plus two (2) copies for the file. The complaint and its supporting evidence, may be filed as electronic documents, either by e-mail or by submitting the same contained in a portable electronic data storage device in accordance with Section 8 of NPC Circular 16-04.

2.1.5 Upon receipt of the complaint, the National Privacy Commission shall assign an investigating officer who shall conduct the proceedings. The investigating officer shall evaluate the complaint to determine whether

its allegations involve a violation of the Data Privacy Act or related issuances and if based on its allegations, there is reason to believe that there is a privacy violation or personal data breach.

- 4.1.6 Unless dismissed under Section 12 of NPC Circular 16-04, the investigating officer shall investigate the circumstances surrounding the privacy violation or personal data breach. Upon the termination of the investigation, the investigating officer shall produce a fact-finding report, which shall include the results of the investigation, the evidence gathered, and any recommendations. The report shall be submitted to the Office of the Privacy Commissioner.
- 2.1.7 The Commission shall review the evidence presented, including the fact-finding report and supporting documents. On the basis of said review, the National Privacy Commission may: (1) promulgate a Decision; or (2) order the conduct of a clarificatory hearing, if in its discretion, additional information is needed to make a Decision.
- 2.1.8 The Decision of the Commission shall adjudicate the issues raised in the complaint on the basis of all the evidence presented and its own consideration of the law.
- 2.1.9 The decision of the National Privacy Commission shall become final and executory fifteen (15) days after the receipt of a copy thereof by the party adversely affected. One motion for reconsideration may be filed, which shall suspend the running of the said period. Any appeal from the Decision shall be to the proper courts, in accordance with the Rules of Court.

Section 3. National Telecommunications Commission. The NTC shall handle cases involving violations of the laws and regulations on Denial of Subscription Plan Application, Electronic Billing, Fair Use Policy, Lock-in Period, Poor Technical / Customer Service Care and Accessibility, Text Scams / Spam Messages, Unauthorized Charges, Value Added Service (Opt-in and – Out), and Vanishing Load.

- 3.1. Procedures in Handling Complaint on Services Provided by PTE's (Process Flow Chart attached as **ANNEX C**)
 - 3.1.1. Consumers shall bring their complaints to the service providers. Service providers shall conduct thorough investigation and promptly act on the complaints. They shall endeavour to allow complaints to be received over the phone and shall keep a record of all written or phone-in complaints.
 - 3.1.2. A consumer shall have the option of filing complaint with the NTC, through the Consumer Welfare and Protection Division (CWPD), if his/her service provider fails to address his complaint within five (5) working days after notifying his service provider of his complaint.

- 3.1.3. Complaint Forms are available at NTC Main Office, Regional Offices and/or can be downloaded from NTC Website. Authorization letter is required if the complainant is not the account holder.
- 3.1.4. Proof of claim, contract, billing etc. must be attached as supporting documents.
- 3.1.5. Two (2) IDs must be presented, at least one (1) is government issued.
- 3.1.6. CWPD shall endorse the complaint to the service provider within two (2) days from receipt thereof. The service provider is given three (3) to five (5) working days within which to resolve the complaint by directly communicating with the complainant and informing CWPD of the action/s taken.
- 3.1.7. If the complaint remains unresolved within the period provided in the preceding paragraph, the parties will be convened for a mediation/conference at their most convenient time to be held at NTC Main Office or Regional Offices.
- 3.1.8. If after mediation or conference the case is resolved, CWPD shall consider the complaint closed. However, if after mediation or conference the case is not resolved, the complaint shall be forwarded to the Legal Branch for filing of Administrative Case.
- 3.2. Procedures in Handling Complaint on Text Message, Text Scams, Spam Messages (Process Flow Chart attached as **ANNEX D**)
- 3.2.1. Consumers shall bring their complaints to the service providers. Service providers shall conduct thorough investigation and promptly act on the complaints. They shall endeavour to allow complaints to be received over the phone and shall keep a record of all written or phone-in complaints.
- 3.2.2. A consumer shall have the option of filing complaint with the NTC, through the Consumer Welfare and Protection Division (CWPD), if his/her service provider fails to address his complaint within five (5) working days after notifying his service provider of his complaint.
- 3.2.3. Complaint Forms are available at NTC Main Office, Regional Offices and/or can be downloaded from NTC Website.
- 3.2.4. Proof showing the text message must be attached with the complaint form.
- 3.2.5. Two (2) IDs must be presented, at least one (1) is government issued.
- 3.2.6. CWPD shall send a warning advisory to the offender's number.

- 3.2.7. If the complainant still receives the complained message/s, CWPD shall transmit the complaint form to the service provider via e-mail for blocking of the offender's SIM Card.
- 3.2.8. The complainant may verify the result of the blocking via phone call or e-mail to CWPD.

ARTICLE 5 ENDORSEMENT

Section 1. Endorsement of Complaint. Should a complaint filed, or a query submitted, which does not fall under the jurisdiction of the government agency where it was initially lodged, the complaint or query shall be immediately endorsed to the concerned government agency/ies within three (3) working days. The concerned government agency/ies shall then inform the endorsing agency and the complainant of the action taken on the endorsed complaint/query. All concerned agencies shall designate a specific unit to transmit and receive endorsement to the appropriate agency/ies.

Section 2. Mode of Endorsement. Endorsement of complaint may be done through electronic mail or other efficient means of communication provided all attached documents are included.

Section 3. Referral to the Department of Justice. The concerned government agency, after having resolved the consumer complaint and finding that there is a need to institute criminal action, shall refer the matter to the Department of Justice (DOJ) for the conduct of criminal investigation and prosecution of offenders, in accordance with existing laws, rules, and regulations.

ARTICLE 6 DATA SHARING

Section 1. Data Sharing. All government agencies involved shall ensure the confidentiality, integrity and availability of the personal information processed as a result of the endorsement. The provisions of the Data Privacy Act of 2012 and the Implementing Rules and Regulations, and other issuances of the NPC, particularly those referring to data sharing shall be strictly complied with during the endorsement processes across the appropriate agencies. For this purpose, all agencies involved shall enter into a data sharing agreement within thirty days after the signing of this Joint Administrative Order.

**ARTICLE 7
MISCELLANEOUS PROVISION**


Section 1. Separability Clause. If any clause, provision, paragraph or part thereof shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any other part hereof but such judgment shall be merely confined to the clause, provision, paragraph or part directly involved in the controversy in which such judgment has been rendered.

Section 2. Repealing Clause. All administrative orders, rules, regulations, memoranda, circulars, resolutions, and other issuances that are contrary to or inconsistent with the provisions of this Order are hereby modified, superseded, or repealed accordingly.


Section 3. Effectivity Clause. This Order shall take effect fifteen (15) days after its publication in the Official Gazette or in a major daily newspaper of national circulation in the Philippines.

Done this 21st of December 2018
at Makati City, Metro Manila.

Recommending approval:



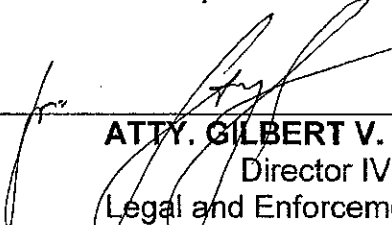
ATTY. RUTH B. CASTELO
Undersecretary
Department of Trade & Industry



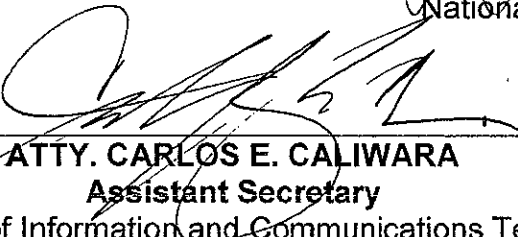
ATTY. MARKK L. PERETE*
Undersecretary
Department of Justice



ENGR. EDGARDO V. CABARIOS
Deputy Commissioner
National Telecommunications Commission

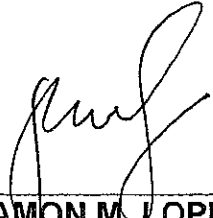


ATTY. GILBERT V. SANTOS
Director IV
Legal and Enforcement Office
National Privacy Commission



ATTY. CARLOS E. CALIWARA
Assistant Secretary
Department of Information and Communications Technology

Approved by:



RAMON M. LOPEZ

Secretary

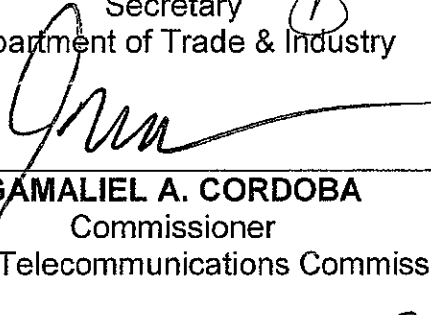
Department of Trade & Industry



ATTY. MENARDO I. GUEVARRA

Secretary

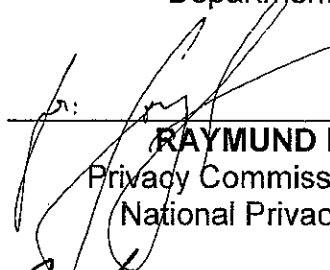
Department of Justice



GAMALIEL A. CORDOBA

Commissioner

National Telecommunications Commission



RAYMUND E. LIBORO

Privacy Commissioner /Chairman

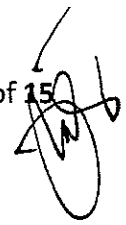
National Privacy Commission



ELISEO M. RIO, JR.

Secretary

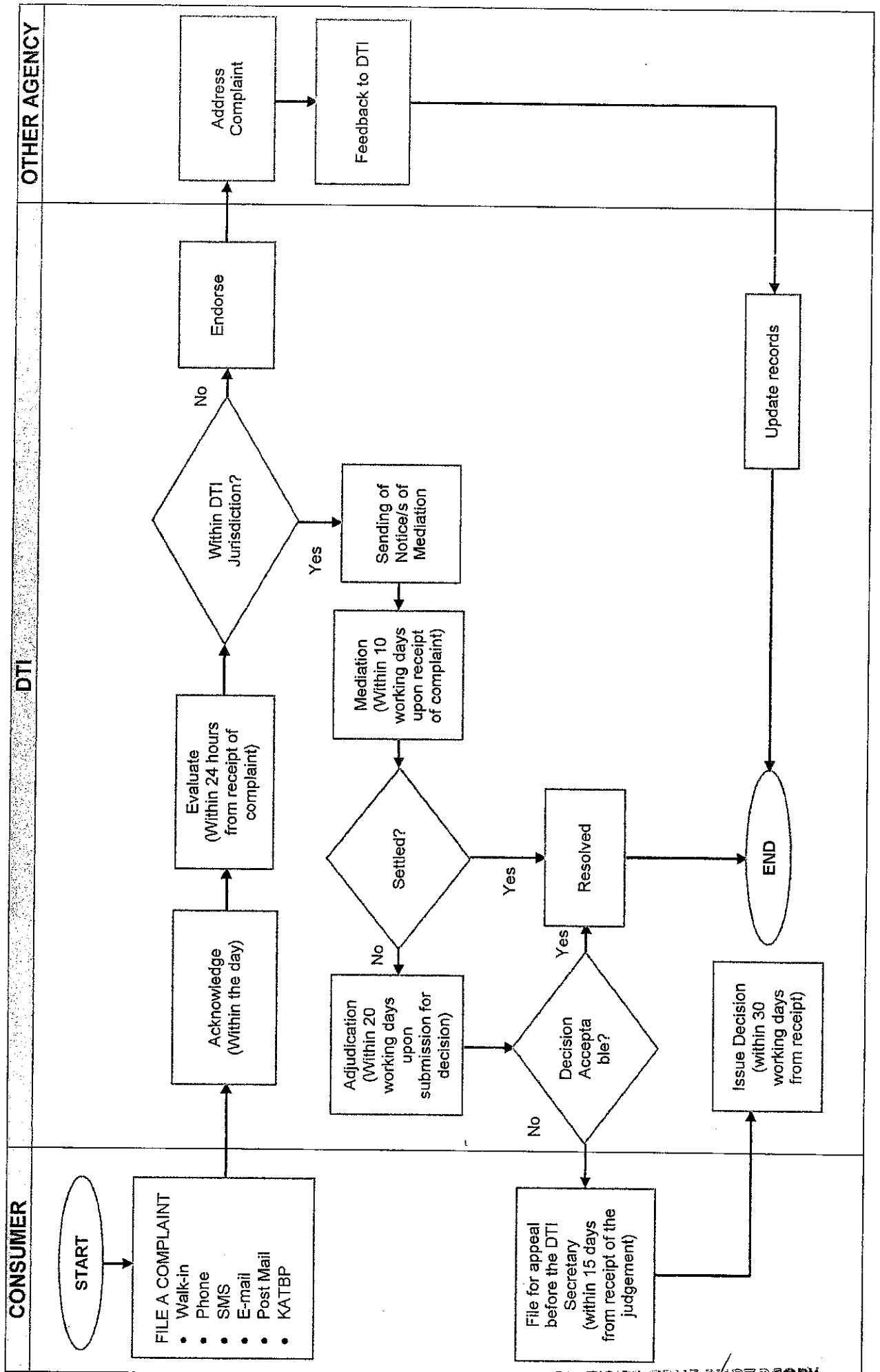
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DEPARTMENT OF TRADE AND INDUSTRY (DTI) EXISTING PROCEDURAL FLOWCHART ON COMPLAINTS HANDLING

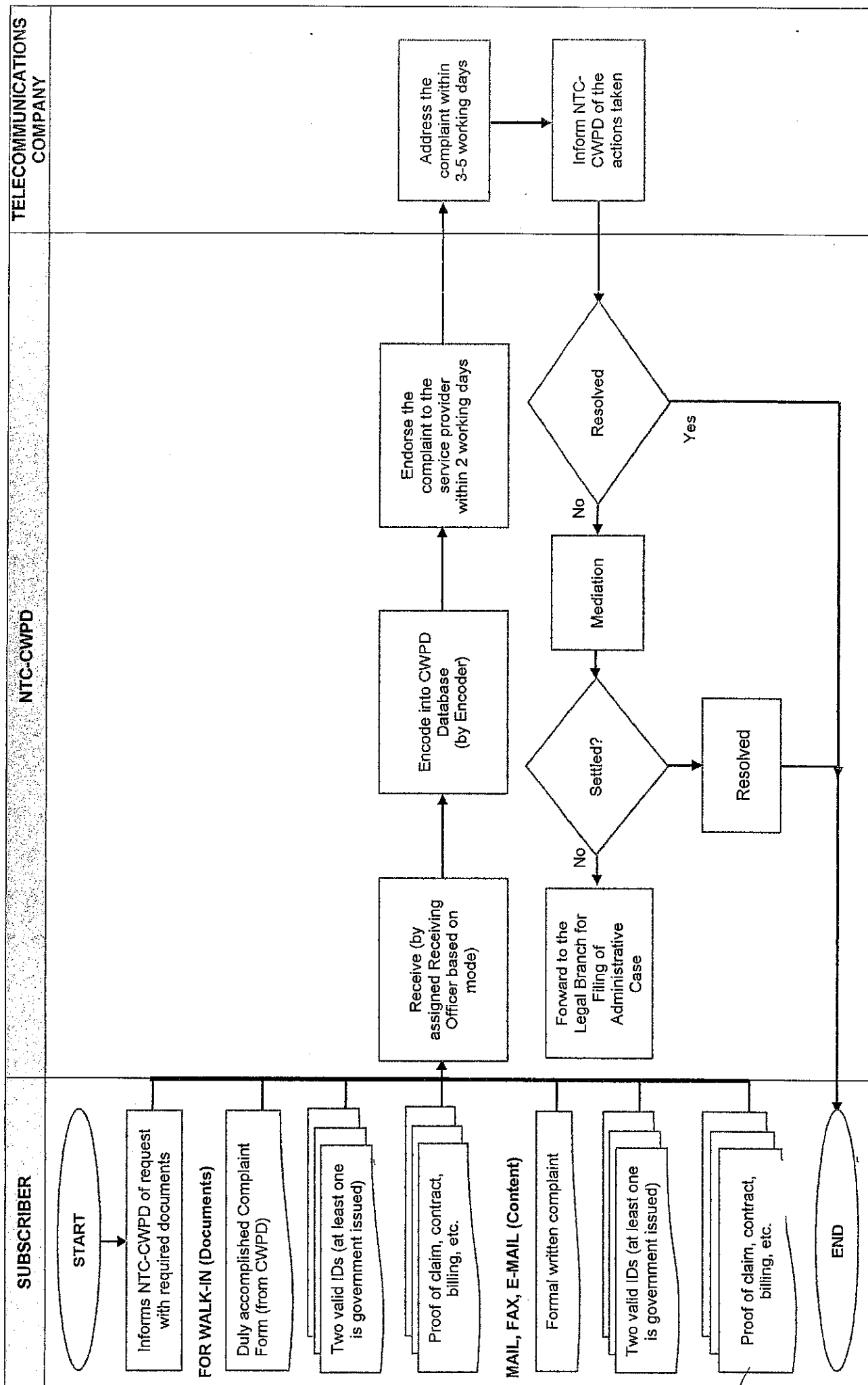


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NATIONAL TELECOMMUNICATIONS (NTC) COMMISSION EXISTING PROCEDURAL FLOWCHART ON HANDLING COMPLAINTS ON SERVICES PROVIDED BY PTE's

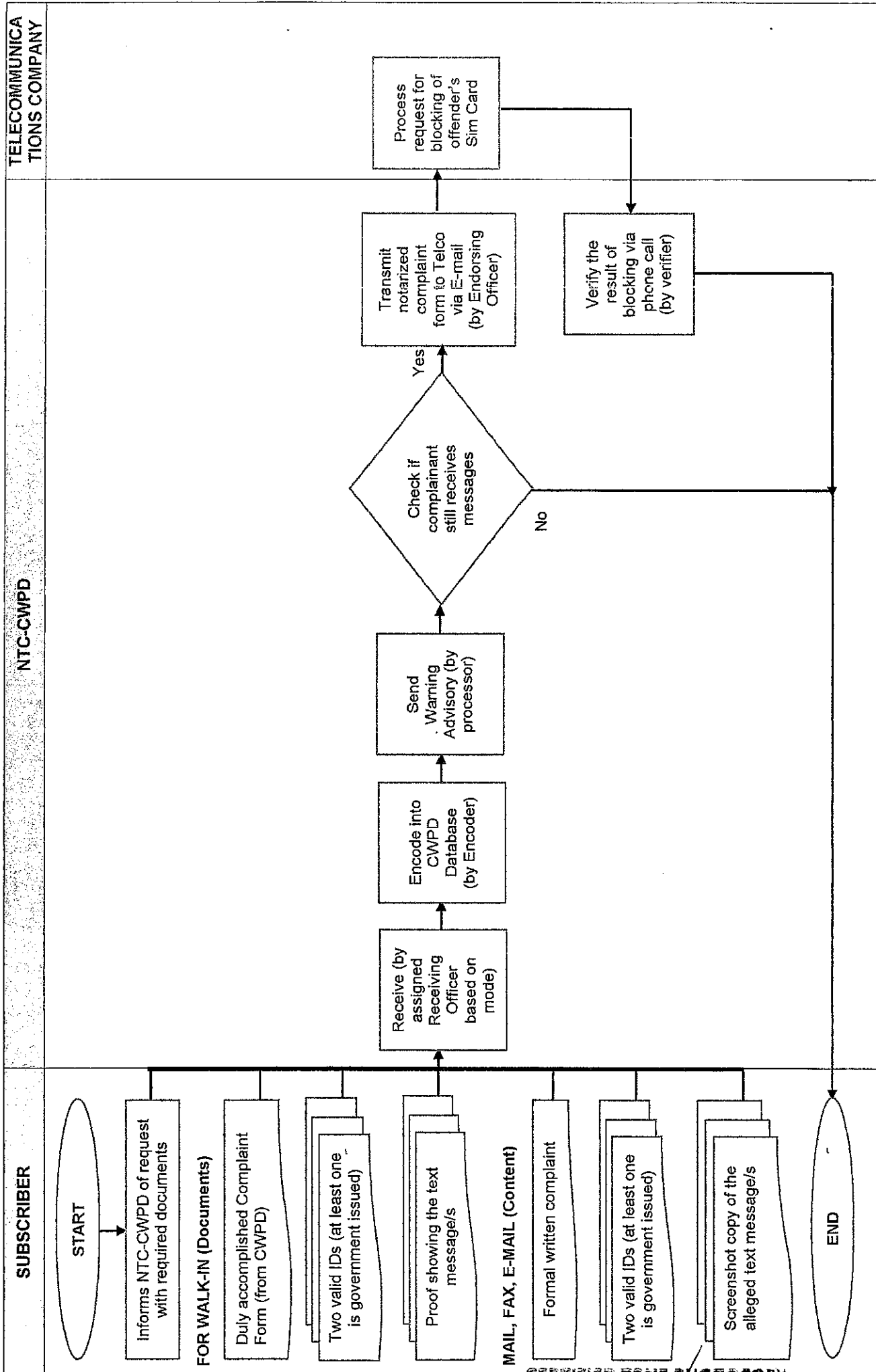
Note: Consumers shall bring their complaints to the service providers. If the service provider fails to address the complaint within five (5) working days, the consumer may file with the NTC through the Consumer Welfare and Protection Division



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NATIONAL TELECOMMUNICATIONS COMMISSION (NTC) EXISTING PROCEDURAL FLOWCHART ON COMPLAINTS ON TEXT MESSAGE (TEXT SCAM, SPAM, ILLEGAL/OBSCENE TEXT MESSAGES, THREATS AND OTHER RELATED ITEMS)

Note: Consumers shall bring their complaints to the service providers. They have the option to file with the NTC through the Consumer Welfare and Protection Division.



CERTIFIED TRUE PHOTOCOPY

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