



Republic of the Philippines
 Province of Cavite
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
 Trece Martires City



EXCERPTS FROM THE MINUTES OF THE 36th REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF CAVITE HELD ON 01 DECEMBER 2003 AT THE NEW SESSION HALL, CAPITOL BUILDING, TRECE MARTIRES CITY

PRESENT:

Hon. Juanito Victor C. Remulla, Jr.	Vice-Governor/Presiding Officer
Hon. Bernard Michael I. Bautista	Majority Floor Leader
Hon. Strike B. Revilla	Minority Floor Leader
Hon. Hermogenes C. Arayata III	Sanggunian Member
Hon. Iluminada F. Silao	Sanggunian Member
Hon. Rafael S. Rodriguez	Sanggunian Member
Hon. Hilda P. Mendoza	Sanggunian Member
Hon. Alex L. Advincula	Sanggunian Member
Hon. Cesario R. del Rosario, Jr.	Sanggunian Member
Hon. Arleen C. Arayata	ABC Prov'l. Fed. Pres.
Hon. Jose Rozel E. Hernandez	SB Prov'l. Fed. Pres.

ABSENT:

Hon. Dominic R. Tolentino	Sanggunian Member
Hon. Teodoro S. Sanchez	Sanggunian Member
Hon. Sophia Marie G. Pagtakhan	SK Prov'l. Fed. Pres.

RESOLUTION NO. 615-S-2003

WHEREAS, cable TV, information/internet and other telecommunication service providers are suffering from heavy financial losses because of rampant unauthorized connection and vandalism;

WHEREAS, it is high time to declare all unauthorized connection of Cable TV and Internet to be unlawful, including all forms of vandalism to equipment and parts of aforementioned telecommunication service providers;

NOW, THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED in the Regular Session of the Sangguniang Panlalawigan of Cavite that;

PROVINCIAL ORDINANCE NO. 2003-009

AN ORDINANCE DECLARING AS UNLAWFUL THE UNAUTHORIZED CONNECTION OF COMMUNICATION LINE TO STEAL POWER OR AUDIO/VIDEO SIGNALS FROM ANY TELECOMMUNICATION, CABLE TELEVISION OR INFORMATION/INTERNET SERVICE PROVIDERS, AS WELL AS VANDALIZING ANY EQUIPMENT OF THE AFOREMENTIONED TELECOMMUNICATION SERVICE PROVIDERS WITHIN THE JURISDICTION OF THE PROVINCE OF CAVITE AND PROVIDING PENALTIES THEREOF.

(Sponsored by: Hon. Cesario R. del Rosario, Jr.)

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SECTION 1. DEFINITION OF TERMS

- a) **TELECOMMUNICATION LINE** - shall mean this Ordinance to be any kind of wire or cable used in transmitting telecommunication power or audio/video signals.
- b) **TELECOMMUNICATION OR TELECOM SERVICE PROVIDER** - shall mean in this Ordinance to be any corporation, juridical person or any business organization, duly licensed by the Philippine National Telecommunication and is recognized to be of good standing by the Provincial Government of Cavite, to operate and to provide cable television, internet/information services through video dial-tone system, broadcast satellite system or distributed by cable, wire, radio frequency, or other media in the province of Cavite.
- c) **SUBSCRIBER** - in this Ordinance shall mean a person who availed of the services of a cable TV, information/internet or other telecommunication service provider in exchange for a weekly or monthly service fee.
- d) **ACCESS DEVICE, CONNECTION, and DEVICE** - means an access device, connection, or device wholly or partly designed to make intelligible an encrypted, encoded, scrambled, or other nonstandard signal carried by a multi-channel video or information services provider.
- e) **CATV** - acronym for cable TV, derived from the older term, community antenna television. An RF distribution system which distributes television broadcast programs, original programs, premium programming and other services using a network of coaxial cables.
- f) **MULTI-CHANNEL SYSTEM** - in this Ordinance shall be used interchangeably with CATV or cable TV.
- g) **COAXIAL CABLE** - The standard cable consisting of a central inner conductor and a cylindrical outer conductor used for many video connections.

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SECTION 2. The following acts are considered unauthorized connection of cable television, information and similar telecommunication line service providers:

- a) A person who, without proper documents and authorization from any Multi-channel (CATV) and information/internet service provider, deliberately made a connection, whether physically, electrically, electronically, or inductively to existing lines of a CATV, internet/information, and similar telecommunication companies.



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- b) A subscriber who extended his telecommunication lines to other households without proper authorization from his telecom service provider.
- c) A disconnected subscriber who re-installed his former line without proper authorization from his telecommunication service provider.
- d) A telecommunication line connection made to a subscriber-applicant by an unaccredited contractor/person.
- e) Accredited contractor who utilizes CATV company-supplied installation materials that illegally negotiate for a certain amount of money for installation. *of*
- f) A person who tampers with, modifies, or maintains a modification to a device installed by a multi-channel video or information services provider.
- g) A person who tampers with, modifies, or maintains a modification to an access device or uses that access device or any unauthorized access device to obtain services from a multi-channel video or internet/information services provider.

SECTION 3. - Any service provider who has sufficient knowledge and verifiable information about an unlawful connection or tampering on their cable, wire or telecommunication system, shall ask the assistance of the Barangay Captain or any Barangay Kagawad, to investigate and verify the alleged unlawful connection and/or tampering on their system. Such investigation/verification shall be made in the presence of the owner of the house, business establishment or, in the case of a building, its administrator. *Mufund*

SECTION 4. - Vandalism on equipment, lines, and parts of cable TV, information/internet and other telecommunication service provider. For purposes of this ordinance, acts of vandalism shall mean the following intentional acts:

- a) Cutting of lines
- b) Physical damage
- c) Any other acts that result to the prejudice, damage or disturbance to cable TV equipment
- d) Illegal splitting and tapping

SECTION 5. PENALTIES. Any person, corporation or entity found by the proper court to be violating any of the provision of this Ordinance, shall be meted with the following punishment:



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- a) **FIRST OFFENSE** - A fine of **TWO THOUSAND PESOS (P2,000.00)** or imprisonment of **THIRTY (30) DAYS** or both at the discretion of the court;
- b) **SECOND OFFENSE** - A fine of **THREE THOUSAND PESOS (3,000.00)** or imprisonment of **FORTY-FIVE (45) DAYS** or both at the discretion of the court;
- c) **THIRD OFFENSE** - A fine of **FIVE THOUSAND PESOS (P5,000.00)** or imprisonment of **SIXTY (60) DAYS** or both at the discretion of the court.

PROVIDED, however, that any one who shall be found in violation of any two or more of the provisions cited above shall be liable to pay equivalent to that of the third offense.

SECTION 6. EFFECT OF FINES. The payment of fines herein imposed shall not release anyone found in violation of this Ordinance from paying the cost of service and damages incurred by the Cable Television, Telecommunication and Internet Service Providers.

SECTION 7. SEPARABILITY CLAUSE. In the event that a section of this Ordinance is declared unconstitutional or unlawful by a court of competent jurisdiction, the remaining section/s not invalidated shall continue to be in full force and effect.

SECTION 8. This Ordinance shall take effect thirty (30) days after the completion of its publication in a newspaper of provincial circulation.

UNANIMOUSLY APPROVED.


I hereby certify to the correctness of the foregoing


MICHELLE F. ALCID
OIC- Provincial Board Secretary

ATTESTED:


JUANITO VICTOR C. REMULLA, JR.
Vice-Governor/Presiding Officer

APPROVED:


AYONG S. MALIKSI
Provincial Governor

MFA/mna