



Republic of the Philippines
CITY COUNCIL
Quezon City
15th City Council

PO 2003-125

77th Regular Session

ORDINANCE NO. SP **1336** S-2003

AN ORDINANCE PENALIZING PRANK CALLERS WITHIN QUEZON CITY.

Introduced by Councilors ELIZABETH A. DELARMENTE, VICTOR V. FERRER, JR., BERNADETTE HERRERA-DY, ROMMEL R. ABESAMIS, VOLTAIRE GODOFREDO L. LIBAN III, RAMON P. MEDALLA, ERIC Z. MEDINA, JORGE L. BANAL, JULIAN M.L. COSETENG, ANTONIO E. INTON, JR., JANET M. MALAYA, RESTITUTO B. MALAÑGEN, RICARDO R. DEL ROSARIO, XYRUS L. LANOT and JUNIE MARIE L. CASTELO.

WHEREAS, the City Council is mandated to formulate legislative measures to protect its citizenry;

WHEREAS, the telephone lines and similar communication devices shall be used exclusively for useful and important calls and not to any worthless activity to the detriment of the individual caller or recipient thereof;

WHEREAS, there are numerous reported incidents of prank callers in Quezon City;

WHEREAS, it is imperative to stop and penalize the individuals who are maliciously doing prank calls to individuals in particular and further jeopardizing the public in general.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED:

SECTION 1. TITLE. - This Ordinance shall be known as the "Anti-Pranksters Ordinance of Quezon City."

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SECTION 2. DEFINITION OF TERMS. - For the purpose of this Ordinance, the following shall mean:

- a. **PRANK** - a ridiculous or mildly mischievous act and/or to play tricks maliciously that create and sow panic, fear and/or physical harm to the recipient of the call, in particular or to the public, in general.

It includes calls that are obscene or threatening. Even heavy breathing or silence intended to intimidate and harass the recipient of the call is covered.

- b. **PRANKSTER** - a person who, for any reason whatsoever, makes a call through the telephone and/or mobile phones and transmits false and/or irrational information, verbal or text messages, gossip or rumors intended to cause harm, fear, panic, anxiety and concern to the recipient of the call.

It includes person who transmits information about bomb threats, natural calamities and other emergencies that are later on established to be false.

A person who makes a call that offends the sensibilities of the recipient or has caused in the humiliation, embarrassment and deep and grave concern and anxiety shall be deemed a prankster.

SECTION 3. CALLS AND COVERAGE. - Calls made through the telephone and mobile phone in residential, commercial and industrial establishments, including the government offices located within the territorial jurisdiction of Quezon City are covered under this Ordinance.

The franchise holder of the telephone number used in prank calls is prima facie considered the caller unless otherwise the user was made known and identified.


SECTION 4. PENALTIES. - A fine not less than One Thousand Pesos (P1,000.00) but not more than Five Thousand Pesos (P5,000.00) or imprisonment of not less than thirty (30) days but not more than ninety (90) days, or both, shall be imposed against the offender.

SECTION 5. REPEALING CLAUSE. - All local legislative measure, inconsistent herewith are hereby repealed or modified accordingly.


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SECTION 6. EFFECTIVITY CLAUSE. - This Ordinance shall take effect immediately upon its approval.

ENACTED: October 7, 2003.


JORGE L. BANAL
President Pro-Tempore
Acting Presiding Officer

ATTESTED:



EUGENIO V. JURILLA
City Council Secretary

APPROVED: _____

FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION


This is to certify that this Ordinance which was APPROVED on Second Reading on October 7, 2003, was finally PASSED on Third Reading by the City Council on October 21, 2003.


EUGENIO V. JURILLA
City Council Secretary

CERTIFICATION

This is to CERTIFY that proposed Ordinance No. PO2003-125 which was enacted by the Quezon City Council during its 77th Regular Session on October 7, 2003, was submitted to and received by the Office of the City Mayor on October 29, 2003, but the same was not returned to this office up to this date, hence, pursuant to Sections 54 and 55 of RA 7160, the ordinance is deemed approved as if he had signed it.

November 27, 2003.


EUGENIO V. JURILLA
City Council Secretary