



Republic of the Philippines
 COMMISSION ON INFORMATION AND COMMUNICATIONS TECHNOLOGY
 NATIONAL TELECOMMUNICATIONS COMMISSION



MEMORANDUM CIRCULAR
 No. 03-07-2009

SUBJECT: GUIDELINES ON PREPAID LOADS

WHEREAS, the 1987 Constitution fully recognizes the vital role of communications in nation building and provides for the emergence of communications structures suitable to the needs and aspirations of the nation;

WHEREAS, the promotion of competition in the telecommunications market is a key objective of Republic Act No. 7925 (RA7925, for brevity), otherwise known as The Public Telecommunications Policy Act of the Philippines, which mandates that "a healthy competitive environment shall be fostered, one in which telecommunications carriers are free to make business decisions and interact with one another in providing telecommunications services, with the end in view of encouraging their financial viability while maintaining affordable rates";

WHEREAS, Sec. 2.4 of NTC Memorandum Circular (MC) No. 05-06-2007 provides that a subscriber can only be charged according to the rates, terms and conditions he has agreed to;

WHEREAS, Sec. 2.8 of the same MC No. 05-06-2007 further provides that subscribers of prepaid telecommunications services shall be provided with a free mechanism to verify the remaining balance for his/her subscribed service;

WHEREAS, MC No. 04-06-2007 requires public telecommunications entities to retain the call data records of voice calls and similar records for non-voice traffic;

NOW, THEREFORE, pursuant to RA7925, Executive Order (EO) No. 546 series of 1979, and in order to protect and promote the interest of subscribers/end-users of prepaid telecommunications services, the National Telecommunications Commission (Commission) hereby promulgates the following regulatory guidelines:

1. The expiration or validity of prepaid loads shall correspond to the amount of loads purchased. Prepaid loads with higher value shall have longer expiration or validity period. The minimum validity or expiration period of prepaid loads shall be as follows:

Amount of Load Purchased	Minimum Expiration/Validity Period
PhP10.00 or lower	Three (3) days
More than PhP10.00 to PhP50.00	Fifteen (15) days
More than 50.00 to PhP100	Thirty (30) days
More than 100.00 to PhP150.00	Forty Five (45) days
More than PhP150.00 to PhP250.00	Sixty (60) days
More than PhP250.00 to PhP300	Seventy Five (75) days
More than PhP300	One Hundred Twenty (120) days

2. The validity period of the prepaid load shall commence upon receipt of confirmation of the prepaid load purchased.
3. Public telecommunications entities may offer longer validity or expiry period for prepaid loads.



"Elevating the Philippines as the leading ICT-driven economy in Asia"

NTC Building BIR Rd. East Triangle Diliman, Quezon City
 E-mail : ntc@ntc.gov.ph * www.ntc.gov.ph

4. For each new load that is purchased, the amount of the unused loads earlier purchased that are still within the validity period shall be added to and accumulate to the new load. The new minimum validity or expiry period shall be based on the sum of the new load plus the unused load. For purposes of illustration, if for example a subscriber has an unused load of PhP2.00 and a PhP10.00 new load is purchased, the new validity or expiry period shall be fifteen (15) days.
5. Access to balance inquiry service through text messages shall be free of charge.
6. Violation of any of the provisions of this Circular shall be a ground for the imposition of fines and other appropriate penalties in accordance with law.
7. Any circular, order, memoranda or parts thereof inconsistent herewith are deemed repealed or amended accordingly.
8. This Circular shall take effect fifteen (15) days after publication in a newspaper of general circulation and three (3) certified true copies furnished the University of the Philippines (UP) Law Center.

Quezon City, Philippines 03 July 2009


RUEL V. CANOBAS
Commissioner


JAIME M. FORTES, JR.
Deputy Commissioner


DOUGLAS MICHAEL N. MALLILLIN
Deputy Commissioner

