



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod ng Mandaluyong

ORDINANCE NO. 338, S-2005

ORDINANCE PENALIZING PRANK CALLERS
WITHIN THE CITY OF MANDALUYONG

BE IT ORDAINED by the Sangguniang Panlungsod of Mandaluyong, in session assembled:

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

SECTION 2. DEFINITION OF TERMS. For purposes 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 – is 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 rumor 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 latter humiliation, embarrassment and deep and grave concern and anxiety shall be deemed a prankster.

SECTION 3. SCOPE AND COVERAGE. Calls made through the telephone and mobile phone in residential, commercial and industrial establishments, including government offices located within the territorial jurisdiction of the City of Mandaluyong 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 or is identified.

SECTION 4. PENALTIES. A fine of 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.

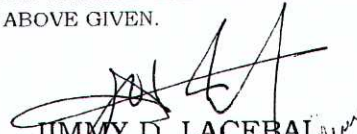
SECTION 5. NO CONTEST PROVISION. Any person, individual or entity who is apprehended or cited for violation and who does not wish to contest the violation and is willing to pay voluntarily the minimum fine imposed upon him/her prior to the filing of formal charges with the proper court shall be allowed to pay said fine with the City Treasurer to avoid being criminally prosecuted within six (6) hours from apprehension otherwise the case shall be prosecuted.

The City Treasurer, subject to Civil Service Laws, Rules and Regulation, is hereby directed to provide personnel or to deputize personnel who will accept payment of fines in twenty four (24) hours a day so as not to jeopardize the right of the offender to avail of the six - hour period within which to pay under this Ordinance.


SECTION 7. EFFECTIVITY. This Ordinance shall take effect upon approval.

ENACTED on this 5th day of December, 2005 in the City of Mandaluyong.

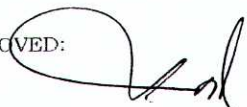
I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED AND APPROVED BY THE SANGGUNIANG PANLUNGSOD OF MANDALUYONG IN REGULAR SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


JIMMY D. LACEBAI
Sanggunian Secretary

ATTESTED:


JESUS C. CRUZ
City Vice Mayor &
Presiding Officer

APPROVED:


NEPTALI M. GONZALES II
City Mayor

Date: DEC 12 2005