

[OCD NDRRMC Joint Memorandum Circular No. 001, s.2015, July 21, 2015]

IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 10639, ALSO KNOWN AS "AN ACT MANDATING THE TELECOMMUNICATIONS SERVICE PROVIDERS TO SEND FREE MOBILE ALERTS IN THE EVENT OF NATURAL AND MAN-MADE DISASTERS AND CALAMITIES"

*Adopted: 21 July 2015
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Pursuant to Republic Act 10639 entitled "An Act Mandating the Telecommunications Service Providers to Send Free Mobile Alerts in the Event of Natural and Man-Made Disasters and Calamities", Republic Act 7925, E.O. 546, series of 1979, and in order to establish and operate a Nationwide Early Warning System that is capable of near real-time delivery of critical and informational messages like emergency announcements, storm warnings, tsunami alerts, evacuation directives, and others related to disaster management to active mobile devices in targeted and specific locations, the following rules and regulations are hereby promulgated:

SECTION 1: COVERAGE

- 1.1 All Mobile Phone Service Providers operating within the Republic of the Philippines shall adhere to the requirement prescribed in this Circular.
- 1.2 Mobile Alerts of emergency and distress related advisories shall conform to this Circular.

SECTION 2: DEFINITION OF TERMS

Whenever used in these Rule, the following shall refer to:

- 2.1 Auxiliary mobile phones services – refers to balance inquiry, customer support, prepaid reloading services and emergency alerts
- 2.2 Basic mobile phone services – refers to short messaging services (SMS) or text messaging and voice call services
- 2.3 Commission – refers to the National Telecommunications Commission
- 2.4 Emergency Alert and Warning Messages – refers to the messages from the Warning Agencies that is hazard specific, area focused and time bound that is intended to the subscribers
- 2.5 Mobile alert – a machine-to-person communication that is important or time sensitive. The alert maybe in the form of SMS, MMS, email or push notification
- 2.6 Mobile Emergency Alert System (MEAS) – is an alerting network designed to disseminate emergency alerts to mobile devices. It has the capability to send alerts to participating telecommunications companies

- (TELCOS) who will distribute the alerts to their customers with compatible devices that simultaneously delivers messages to all phones using a cell tower on the mobile phone service provider's network
- 2.7 Mobile cellular phone, mobile phone or cellphones – refers to a mobile telecommunication device that uses a combination of radio transmission and conventional telephone switching to permit telephone communication to and from mobile users within a specified area or cell
 - 2.8 Mobile phone service provider, service provider or telecommunication company (TELCO) – refers to any person, firm or partnership or corporation, government or private, granted a legislative franchise by Congress to provide cellular mobile telephone services to the general public, and issued a certificate of public convenience and necessity (CPCN) by the National Telecommunications Commission (NTC)
 - 2.9 Multimedia messaging service (MMS) refers to standard for telephony messaging systems that allows sending messages, including multimedia objects (images, audio, video, rich text), and not just text messages through the short messaging service (SMS)
 - 2.10 NDRRMC – refers to the National Disaster Risk Reduction Management Council
 - 2.11 Push notification – a message or alert delivered by a centralized server to an end point device
 - 2.12 Short Messaging Service (SMS) – a service for sending messages to mobile phones that use Global System for Mobile Communications in text format

SECTION 3: GENERAL MEASURES AND GUIDELINES ON MOBILE DISASTER ALERTS

- 3.1 Mobile Disaster Alerts. – In the event of an impending tropical cyclone, tsunami, earthquake or other calamities, Mobile Phone Service Providers are mandated to send out Emergency Alert and Warning Messages at regular intervals as required by the National Disaster Risk Reduction and Management Council (NDRRMC), and other relevant agencies.
- 3.2 Sources of Alert and Warning Messages – All Warning Agencies shall be the source of Emergency Alert and Warning Messages, which shall be submitted to NDRRMC for validation and confirmation for transmission by the Mobile Phone Service Providers.
- 3.3 All processed Emergency Alert and Warning Messages shall emanate from the NDRRMC through the NDRRM Operations Center (NDRRMOC).
- 3.4 The Emergency Alert and Warning Messages shall cover emergency announcements and up-to-date information from the NDRRMC. The alerts shall include up-to-date information, the contact information of local government units and other agencies required to respond to the situation and other relevant information such as, but not limited to, evacuation areas, relief sites and pick-up points, storm warnings, tsunami alerts, evacuation directives, and others related to disaster management services.
- 3.5 The alerts shall be at no cost, whether direct or indirect to the consumers; and shall be included as part of the service provider's auxiliary services. The alerts may be in the form of SMS, MMS, email, and/or Push notification.
- 3.6 The Emergency Alert and Warning Messages shall be sent to all cell phone subscribers in the affected areas at any time whenever necessary

SECTION 4: PROCEDURES FOR THE TRANSMISSION OF EMERGENCY ALERT AND WARNING MESSAGE(S)

- 4.1 The alert message will be sent to the NDRRM Operations Center (NDRRMOC) as soon as possible using available communications means. Such information must clearly specify the, explicit nature of emergency, the specific locations and/or exact area to be affected by the impending hazards and the urgency of dissemination for mobile alert transmission.
- 4.2 Mobile Phone Service Providers shall provide the NDRRMC a web portal through which they can directly send the alert to avoid delays.
- 4.3 Upon receiving the Emergency Alert and Warning Messages, NDRRMOC will then immediately forward the same to the Executive Director of the NDRRMC.
- 4.4 Once the information is approved by the Executive Director for mobile alert transmission, the NDRRMC shall immediately relay the message to the Mobile Phone Service Providers.
- 4.5 Mobile Phone Service Providers shall disseminate the Emergency Alert and Warning Messages, to their respective mobile subscribers within the target area. The content of the message should indicate the target area or location of the impending hazards or alert.
- 4.6 Any act of God or any situation of Force Majeure, which effectively prevents an affected Mobile Phone Service Provider/s from complying with the provisions of this Section or other relevant provisions of this Memorandum Circular shall exempt said Provider/s from said compliance and any penal liabilities under this Circular.

As soon as the facilities and operations of the Mobile Phone Service Provider/s in the affected area/s are restored, however, said Provider shall comply within a reasonable period with the provisions of the aforesaid Section 4 and/or other relevant requirements of this Circular.

A Mobile Phone Service Provider which had the capability of transmitting the Emergency Alert and Warning Messages required by this Circular before its facilities were disabled, but which failed to do so without any justifiable cause shall not be exempt from the requirements or liabilities set forth in this Circular.

SECTION 5: SYSTEMS IMPLEMENTATION

The following are two (2) ways of sending Emergency Alert and Warning Messages:

- 5.1 Through direct coordination/communication between NDRRMC and the TELCOs as shown in ANNEX 1A and/or a simple interface between NDRRMC and the TELCOs as shown in ANNEX 1B.

A Mobile Phone Service Provider shall immediately comply with this provision to the extent that its existing coverage and present technologies shall allow. Within thirty (30) days from the effectivity of this Circular and every calendar quarter thereafter, the Mobile Phone Service Provider shall submit a status report to the NTC on the progress