

(S.B. 1725)

(No. 303)

(Approved September 2, 1999)

AN ACT

To add a new subsection (v) and redesignate subsections (v) to (ee), respectively, as subsections (w) to (ff) of Section 3 of Chapter I; add a subsection (g) to Section 7 of Chapter II, and add a Section 7A to Chapter III of Act No. 213 of September 12, 1996, known as the "Puerto Rico Telecommunications Act of 1996," in order to create a registry system of the persons that are not interested in receiving promotions by telephone.

STATEMENT OF MOTIVES

The Telecommunications Act of 1996 presents an innovative and competitive system at a reasonable cost to all the citizens, and there was also an attempt to establish support mechanisms to preserve and develop the service.

For these reasons, the Legislature has decided that by creating a registry of persons who do not want to receive promotions through the telephone lines, the privacy in the homes of all the residents of Puerto Rico is being preserved.

In recent years, promotions have increased by the telemarketing of services and products through the telephone lines; this practice invades the tranquility of the home. It is in the public interest that a mechanism be established through which the individual citizens can decide if they wish to receive promotional calls in their homes or not.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- To add a new subsection (v), and redesignate subsections (v) to (ee), respectively, as subsections (w) to (ff) of Section 3; add one subsection (g) to Section 7, and add one Section 7A to Chapter III of Act No. 213 of September 12, 1996, to read as follows:

“CHAPTER I – PUBLIC POLICY OF THE GOVERNMENT OF PUERTO RICO FOR THE TELECOMMUNICATIONS INDUSTRY OF PUERTO RICO; GENERAL PROVISIONS.

Section 3.- Definitions.

- (a) ...
- (v) “Registry” shall mean the telephone list that the Regulatory Board shall create of the persons who are not interested in receiving telephonic promotions.

...

CHAPTER II – CREATION OF THE TELECOMMUNICATIONS REGULATORY BOARD OF PUERTO RICO:

Section 7.- General Powers and Duties of the Board.

(a) The Board shall adopt, promulgate, amend, and revoke rules, orders, and regulations as it deems necessary and proper according to the exercise of its powers, and the performance of its duties. When adopting, amending, or revoking rules or regulations, the Board shall be subject to the provisions of the Uniform Administrative Procedure Act No. 170 of August 12, 1989*, as amended; and, also:

...

* **Translator’s Note: should read 1988.**

The Telecommunications Board shall create a registry system of the persons who do not wish to be offered promotions through their telephones.

...

CHAPTER III – REGULATION AND SUPERVISION

Section 7A.- Registry

The Board shall create a registry of persons, including non profit organizations, or companies including the whole central and municipal government that do not want the telephonic promotions; for this, it shall promulgate a regulation as soon as possible about how said list will be made. It shall include the way in which they will subscribe to the book, and the cost of the subscription shall not exceed five (5) dollars per year, and every company that violates this mandate shall be fined for the sum of one thousand (1,000) dollars. Also, the Board shall establish the way in which concessionaries shall be notified of the prohibition to make telephonic promotions and of the amount of time that the prohibition shall remain effective”.

Section 2.- This Act shall take effect on January 1, 2000.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 303 (S.B. 1725) of the 5th Session of the 13th Legislature of Puerto Rico:

AN ACT to add a new subsection (v) and redesignate subsections (v) to (ee), respectively, as subsections (w) to (ff) of Section 3 of Chapter I; add a subsection (g) to Section 7 of Chapter II, and add a Section 7A to Chapter III of Act No. 213 of September 12, 1996, known as the “Puerto Rico Telecommunications Act of 1996,” in order to create a registry system of the persons that are not interested in receiving promotions by telephone,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 4th of February of 2003.

Elba Rosa Rodríguez-Fuentes
Director

