



HOUSE OF REPRESENTATIVES

House Bill No. **6453**

Introduced by Representative VICTOR A. YAP

EXPLANATORY NOTE

The rapid development of the information and communications technology sector has defined seamless geographical boundaries across nations in the exchange of information through various telecommunications facilities and services. Relevance of this sector is almost always felt in every facet of our socio-economic and political activity. The emerging digital global economy has integrated into the delivery of business services the use of information and communications technology infrastructure to boost competitiveness. Governments throughout the world are geared towards the development and management of information systems to streamline and improve efficiency in the delivery of basic services to the people. Computer literacy of a workforce is necessary to be able to participate in the new electronic area.

Telecommunication companies (telcos) reported in Congressional hearings, among others, that the objection to the installation of cell sites is a stumbling block in telcos' roll out of much needed infrastructure aimed at improving internet speed and mobile connectivity.

Based on a February 2016 study of TowerXchange, the number of unique physical cell sites in the Philippines is one of the lowest in Asia with a combined 15,000 cell sites. China has the highest number with 1.18 million cell sites, followed by India with 450,000, Indonesia with 76,477 cell sites while Vietnam has 55,000, Thailand with 52,483, Pakistan with 28,000, Bangladesh with 27,000 and Malaysia with 22,000 sites. The Philippines with 15,000 cell sites, ranks higher only than Cambodia with 9,000, Myanmar which has 7,620 and Sri Lanka, 7,000.

To address the problem of mobile and internet connectivity especially in residential areas where the same is not adequately provided due to lack of telecommunication infrastructure, it has become imperative for the government to take measures to ensure universal access to reliable and affordable services and protect the interests and welfare of both of the industry players and the consuming public.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


REP. VICTOR A. YAP
Second District, Province of Tarlac

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AN ACT
STRENGTHENING THE VITAL ROLE OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY, AMENDING FOR THE PURPOSE
PERTINENT PROVISIONS OF PRESIDENTIAL DECREE 957, OTHERWISE KNOWN
AS THE "SUBDIVISION AND CONDOMINIUM BUYERS' PROTECTIVE DECREE",
AS AMENDED BY PRESIDENTIAL DECREE 1216

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress
assembled:*

1 **SECTION 1.** Section 31 of Presidential Decree No. 957 is hereby further amended by inserting
2 new sub-sections 31-A and 31-B to read as follows:

3
4 "SECTION 31-A. FOR PURPOSES OF THIS ACT, THE TERM "UTILITY
5 SPACE" SHALL MEAN AN AREA RESERVED EXCLUSIVELY FOR
6 UTILITIES SUCH AS WATER, POWER AND TELECOMMUNICATIONS.

7
8 THE DEVELOPER SHALL ALLOCATE ADEQUATE UTILITY SPACE
9 RESERVED FOR TELECOMMUNICATION INFRASTRUCTURE AND
10 FACILITIES AND OTHER SIMILAR FACILITIES AND AMENITIES.
11 TELECOMMUNICATION INFRASTRUCTURE SHALL INCLUDE, BUT
12 NOT LIMITED TO, CELL SITES, BASE STATIONS AND OTHER
13 TELECOMMUNICATION APPARATUS NEEDED TO PROVIDE
14 TELECOMMUNICATIONS SERVICE.THE DESIGN, LOCATION AND
15 PERIMETER DISTANCE OF THESE FACILITIES SHALL CONFORM TO
16 THE GUIDELINES, STANDARDS, RULES AND REGULATIONS OF THE
17 HOUSING AND LAND USE REGULATORY BOARD (HLURB),
18 DEPARTMENT OF HEALTH, AND THE NATIONAL BUILDING CODE.

19
20 THE PROPOSED LOCATION OR THE UTILITY SPACE SHALL BE
21 IDENTIFIED IN THE SUBDIVISION PLAN PRIOR TO SUBMISSION TO
22 THE HLURB.

1
2 IT SHALL BE THE DUTY OF THE DEVELOPER TO ENSURE THAT THE
3 BROKERS, SALES PERSONS, AND DEALERS ARE AWARE OF THE
4 LOCATION OF THE UTILITY SPACE AND SUCH INFORMATION IS
5 PROPERLY DISSEMINATED TO THEIR PROSPECTIVE BUYERS.
6

7 THE APPROVAL OF THE HOMEOWNERS ASSOCIATION SHALL NO
8 LONGER BE REQUIRED IN THE USE OF UTILITY SPACE FOR
9 TELECOMMUNICATION INFRASTRUCTURE AND FACILITIES AND
10 OTHER SIMILAR FACILITIES AND AMENITIES.”
11

12 “SECTION 31-B - THE HOUSING AND LAND USE REGULATORY
13 BOARD SHALL, IN CONSULTATION WITH THE DEPARTMENT OF
14 PUBLIC WORKS AND HIGHWAYS, THE NATIONAL
15 TELECOMMUNICATIONS COMMISSION, ISSUE THE NECESSARY
16 RULES AND REGULATIONS FOR TELECOMMUNICATION
17 INFRASTRUCTURE AND FACILITIES AND OTHERS SIMILAR
18 FACILITIES AND AMENITIES, FOR THE EFFECTIVE IMPLEMENTATION
19 OF THIS ACT NOT LATER THAN NINETY (90) DAYS FROM ITS
20 EFFECTIVITY.”
21

22 **SECTION 2.** Repealing Clause. – All laws, presidential decrees, executive orders,
23 proclamations and/or administrative regulations which are inconsistent with the provisions of
24 this Act are hereby amended, modified, superseded or repealed accordingly.
25

26 **SECTION 3.** Separability Clause. - If, for any reason, any section or provision of this Act or any
27 part thereof, or the application of such section, provision or portion is declared invalid or
28 unconstitutional, all the other provisions not affected thereby shall remain valid.
29

30 **SECTION 4.** Effectivity Clause. – This Act shall take effect fifteen (15) days after its complete
31 publication in the Official Gazette or in at least two (2) newspapers of general circulation.
32

33 Approved.