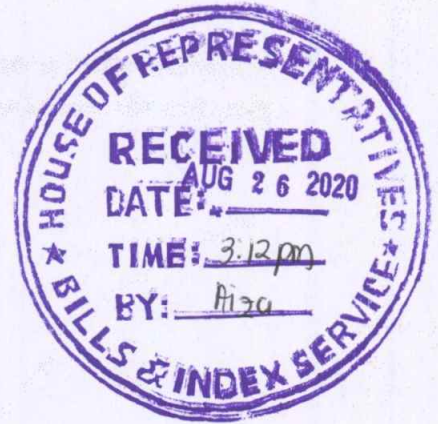


REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
QUEZON CITY

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7509



Introduced by REPRESENTATIVES ENRICO A. PINEDA and
MICHAEL ODYLON L. ROMERO, PhD.

EXPLANATORY NOTE

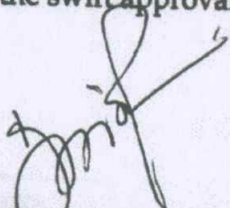
With the advent of the COVID19 pandemic affecting the country resulting to the declaration and implementation of community quarantine to Metro Manila, the entirety of Luzon and some parts of Visayas and Mindanao, our fellow Filipinos has been dependent on internet access whether for personal, commercial, academic or entertainment purposes. However, as data transmission still has a lot of room for improvement, the same has been primarily been put into the spotlight as the country adapts to accessing information through digital technology. A study done last year by HootSuite and We are Social have shown that among the South East Asian countries and even globally, the Philippines ranked first in the world internet usage averaging ten (10) hours and two minutes a day, despite infrastructure shortcomings from ISPs resulting to limited access, consistency, and internet speed. As the country shifts more to digital transactions, streaming media, online communication platforms and online classes, internet service and its infrastructure has become a vital part of our country and our people's lives, as it adjust and recovers from the adverse effects of the contagion.

This measure seeks to regulate and institutionalize the "roll-over data scheme" and ensures that end users of internet service shall enjoy to the fullest the data allocation that they have paid for. Some Internet Service Providers (ISP) have already implemented such scheme as part of their campaign to draw in more subscribers. Given the dependence of Filipinos to the internet, which will be further at present circumstances, internet service is a necessity, and that every byte of information data is important to every household in the country.

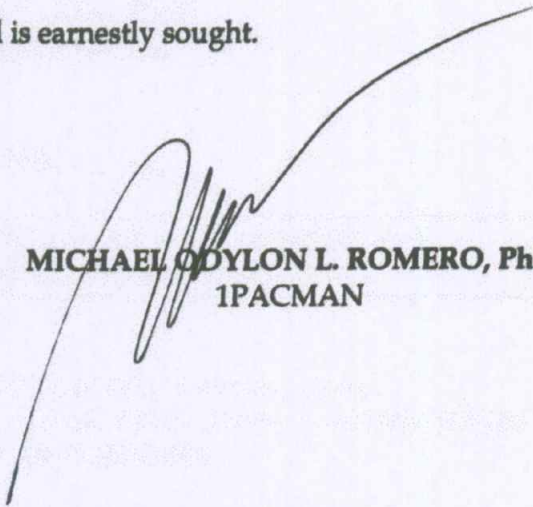
This bill intends to ensure that subscribers will get the most of their internet allocation that they have subscribed from, lessening the loss of unused data allotment that ISPs have offered, and subscribers have paid. It likewise aims to give preference to consumers wherein unused data allotment shall not be lost, rather be carried over to succeeding months, while converting such after the end of a year into rebates the consuming public may avail and use. As intended, the scheme will eventually contribute and result to improvement of internet services which our country has been hoping for. It

is therefore imperative for the government to guarantee for an internet service that is accessible, reliable and commensurate to cost. Such shall be beneficial for our people in the long term.

Hence, the swift approval of this bill is earnestly sought.



ENRICO A. PINEDA
1PACMAN



MICHAEL O'DYLON L. ROMERO, PhD
1PACMAN

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AN ACT MANDATING AND INSTITUTIONALIZING
ROLL-OVER DATA ALLOCATION SCHEME, PROVIDING FOR PENALTIES
AND FOR OTHER PURPOSES

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

Section 1. This Act shall be known as "Roll-Over Internet Act".

Section 2. Declaration of Policy. The State recognizes the vital role of information and communications technology in nation building. The State shall implement measures to provide for regulations to reliable internet services offered by internet service providers and ensure that the interest and welfare of its people and the consuming public are protected and upheld.

Section 3. Definition of Terms. As used in this Act:

Internet service provider (ISP) - refers to any service based-operators whose services is to combine computer processing, information storage, protocol conversion, and routing with transmission to enable subscribers to access internet content and services as well as multimedia services and its transmission through digital subscriber line (DSL), fixed wireless broadband, cable broadband, fiber-optic or fiber-to-the-home (FTTH) and mobile data.

Internet Data Package - refers to the internet service packages, plans or promos offered by ISPs with maximum limits on the data volume an end user may avail per day, week, or month.

Unlimited Internet Data Package - refers to internet service package with no data cap.

Roll-Over Data Allocation - refers to the unused internet data allocation per month which shall be carried over to the following month.

Data Capping - refers to the limit of bandwidth allocation an ISP is offering to its subscriber per day, week, or month.

Section 4. Coverage. All Internet Service Providers (ISP) in the Philippines shall be covered by this Act.

Section 5. Roll-Over Data Allocation Scheme. All Internet Service Providers (ISPs) are required to implement a roll-over data system for their subscribers, *Provided*, that the rolled-over data allocation shall be prioritized to be consumed in the preceding month, *Provided further*, that the unused data every month will be rolled-over and accumulated up until the last month of the year, *Provided lastly*, that all unused data allocation for a year may be used and converted as rebates, that may be used by the subscribers as payment for internet service in the succeeding year of subscription.

Section 6. Exemptions. Subscribers who have availed of the unlimited internet service plans with no data cap are exempted from this Act.

Section 7. Penalties. The following penalties shall be imposed for failure to comply with any of the provisions of this Act, the ISP shall pay a fine of Three hundred thousand pesos (Php 300,000.00) for the first offense, and a fine of Five hundred thousand pesos (Php 500,000.00) for the second offense. In case of subsequent offense, a fine of One million pesos (Php 1,000,000.00) and the revocation of the ISP's license and franchise.

Section 8. Implementing Rules and Regulations (IRR). Within sixty (60) days from the effectivity of this Act, the DICT shall, in coordination with the NTC and other concerned agencies, promulgate the implementing rules and regulations and other issuances as may be necessary to ensure the effective implementation of this Act.

Section 9. Separability Clause. Should any part of this Act be declared unconstitutional or invalid, the other provisions hereof that are not affected thereby shall continue to be in full force and effect.

SECTION 10. Repealing Clause. All laws, decrees, executive orders, proclamations, rules and regulations, and issuances, or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 11. This Act shall take effect fifteen (15) days after its publication to the Official Gazette or in any newspaper of general circulation.

Approved,