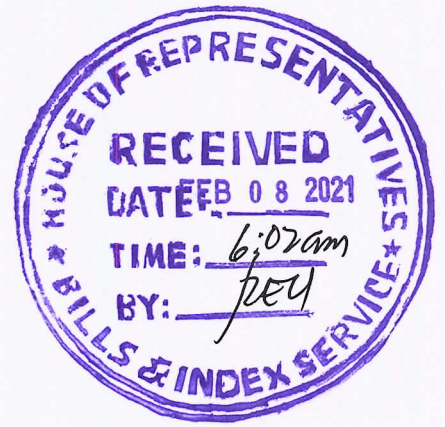


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 8639



Introduced by **HON. JOY MYRA S. TAMBUNTING**

EXPLANATORY NOTE

The COVID-19 pandemic has allowed internet to grow into an essential service across households, businesses and other institutions. Working from home entails communicating with co-workers through online group calls. The shift to blended learning had students rely on internet to attend synchronous classes. With the emphasis on minimizing contact to prevent the transmission of diseases, businesses have come to rely on contactless transactions for payment and contact tracing. Indeed, internet has become a vital part of almost all transactions in our day-to-day lives.

Considering the importance of this service, the government must take actions to ensure the quality of service offered by internet service providers (ISPs). Presently, ISPs offer subscribers with consumable packages and promotions which expires after a certain time. This bill seeks to institutionalize a "roll-over data scheme" applicable to all ISPs. Through this scheme, unused data allocation from Internet data packages or promos will not expire but will instead carry over to succeeding months until the end of the year.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.


REP. JOY MYRA S. TAMBUNTING
2nd District, Parañaque City

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HOUSE BILL NO. 8639

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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 House of Representatives of the Philippines in Congress assembled:

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

Sec. 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 on 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.

Sec. 3. Definition of Terms. – As used in this Act:

- a) 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.
- b) 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.
- c) Unlimited Internet Data Package – refers to Internet service package with no data cap.
- d) Roll-Over Data Allocation – refers to the unused internet data allocation per month which shall be carried over to the following month.
- e) Data Capping – refers to the limit of bandwidth allocation an ISP is offering to its subscriber per day, week, or month.

Sec. 4. Coverage. – All Internet Service Providers (ISPs) In the Philippines shall be covered by this Act.

Sec. 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.

Sec. 6. Exemptions. – Subscribers who shall avail of any unlimited Internet data package shall be exempted from this Act.

Sec. 7. Penalties. – Any ISP who falls to comply with any of the provisions of this Act 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.

Sec. 8. Implementing Rules and Regulations (IRR). – Within sixty (60) days from the effectivity of this Act, the Secretary of the Department of Information and Communications Technology (DICT), in coordination with the National Telecommunications Commission (NTC) and other concerned agencies, shall promulgate the Implementing rules and regulations and other issuances as may be necessary to ensure the effective Implementation of this Act.

Sec. 9. Separability Clause. – Should any part or provision of this Act be declared unconstitutional or invalid, the remaining parts or provisions not affected thereby shall remain in full force and effect.

Sec. 10. Repealing Clause. – All laws, decrees, executive orders, issuances, rules and regulations which may be Inconsistent with any of the provisions of this Act, are hereby deemed repealed, amended or modified accordingly.

Sec. 11. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication In the Official Gazette or in two (2) newspapers of general circulation.

Approved,