

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL No. 1854



Introduced by
ACT Teachers Party-List Rep. FRANCE L. CASTRO,
GABRIELA Women's Party Rep. ARLENE D. BROSAS,
and **KABATAAN Party-List Rep. RAOUL DANNIEL A. MANUEL**

AN ACT
ENSURING THE ACCESSIBILITY, AFFORDABILITY AND RELIABILITY
OF INTERNET AND TELECOMMUNICATIONS SERVICES, AND
PROVIDING FUNDS THEREOF

EXPLANATORY NOTE

The study "A Better Normal Under COVID-19: Digitalizing the Philippine Economy Now"¹ by the World Bank dated October 2020 revealed that Filipinos pay one of the most expensive yet one of the slowest in Southeast Asia. Consumers pay USD 6.30 per month for 500 MB of prepaid, handset-based mobile broadband, making the Philippines having the fourth highest cost next to Singapore, Brunei, and Malaysia. In terms of the cost of a fixed broadband plan in the Philippines is close to the cost of similar plans in Singapore and Thailand, countries which have the fastest speeds in the region.

According to May 2022 data of Ookla,² the global average download speed for mobile and fixed broadband internet are 74.14 megabits per second (Mbps) and 132.92 Mbps, respectively. The global average upload speed for fixed broadband internet is at 14.10 Mbps for mobile internet and 74.96 Mbps, respectively. Meanwhile, the global median download speed for mobile and fixed broadband internet are 30.37 Mbps and 64.70 Mbps, respectively. The global median upload speed for fixed broadband internet is at 8.60 Mbps and 27.74 Mbps, respectively.

¹ <https://documents1.worldbank.org/curated/en/796871601650398190/pdf/Philippines-Digital-Economy-Report-2020-A-Better-Normal-Under-COVID-19-Digitalizing-the-Philippine-Economy-Now.pdf>

² <https://www.speedtest.net/global-index>

For mobile internet, the Philippines only ranked 66/141 with an average download speed of 46.34 Mbps and upload speed of 9.01 Mbps. For fixed broadband internet, the Philippines ranked 65/182 with an average download speed of 89.86 Mbps and upload speed of 87.90 Mbps. Meanwhile, median speed data shows that the Philippines only ranked 99 for mobile internet with 19.26 Mbps download speed and 5.46 Mbps upload speed; and ranked 58 for fixed broadband internet with 60.09 Mbps download speed and 56.44 Mbps upload speed. Low median speed shows that more Filipinos are suffering from slow internet connection compared to those with very fast internet connection.

Even under cases of very slow to no internet connection, consumers still pay the same amount in their monthly bill. While some private telecommunications service providers have some mechanisms to reduce the amount to be paid by the consumers due to their unreliable internet service, the consumers need to undergo lengthy and rigorous processes to avail it. More than often, consumers were left with no choice but to pay for the internet service that they did not even use.

The study also revealed that even though the number of internet users tripled from 23 million in 2010 to 73 million in 2020, the Philippines has a low high-speed broadband penetration compared to its neighboring middle-income countries—Indonesia, Thailand, Vietnam, China and Malaysia. In 2018, about 40 percent of the Philippines' total population of 103 million and about 57 percent of the country's 23 million households did not have internet access, according to the United Nations Broadband Commission.

Gaps in the country's internet and telecommunications infrastructure became more visible when the public and private sector adopted work-from-home arrangements, and schools were compelled to swiftly transition to online learning wherever possible. Teachers and students suffer not only from the difficulty to implement and facilitate distance and online learning set-up, but also due to slow, unreliable and expensive internet connection. There were even reported cases where students have died while searching for internet signal.

Moreover, with or without the pandemic, the increasing use of online registration, emails and the like for government transactions should compel the government to ensure the availability of high-quality internet for everyone.

This Bill seeks to ensure the affordability and reliability of internet services provided by the telecommunication service providers to the Filipino consumers. The government must protect, and promote the right of every student, teacher, worker and employee, each and every Filipino citizen to be connected, by ensuring the accessibility, affordability, and reliability of internet services.

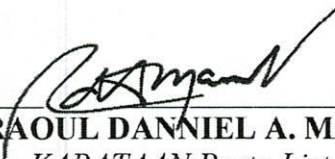
The immediate passage of this Bill is thus earnestly sought.



Rep. FRANCE L. CASTRO
ACT Teachers Party-List



Rep. ARLENE D. BROSAS
GABRIELA Women's Party



Rep. RAOUL DANNIEL A. MANUEL
KABATAAN Party-List

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AN ACT
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Be it enacted by the Senate and the House of Representatives of the Philippines assembled.

SECTION 1. *Short Title.* - This Act shall be known and cited by its short title "***Fast, Affordable, Service-Oriented, Telecommunications and Internet Act (FAST Internet Act).***"

SEC. 2. *Declaration of State Policy.* - The policy of the State to recognize the vital role of communication and information in nation-building is hereby affirmed, recognized and implemented. To this end, the State shall ensure the accessibility, affordability, and reliability of internet services as an inseparable and indispensable aspect of every citizen's right to information, speech, and social services, among others.

The State shall regulate the telecommunications service providers, including internet service providers, to ensure the affordability, service-orientedness and reliability of telecommunications and internet connection for the public.

SEC. 3. *Regulation of Internet Services.* - The National Telecommunications Commissions is hereby mandated to regulate the cost and speed of internet services in the Philippines. For this purpose, Section 3 of Republic Act No. 3846, as amended, is hereby amended as follows:

Section 3. Definitions and Interpretations. - For purposes of this Act, the following terms shall be used:

(a) Telecommunications - any process which enables a telecommunications entity to relay and receive voice, data, electronic messages, written or printed matter, fixed or moving pictures, words, music or visible or audible signals or any control signals of any design and for any purpose by wire, radio or other electromagnetic, spectral, optical, **INTERNET** or technological means.

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SEC. 4. Internet Speed Standards. - The private internet service providers shall improve their service comparable to the international standard of internet speed and reliability within one (1) year from the effectivity of this Act.

SEC. 5. Costs of Internet and Telecommunications Services. - The Department of Information and Communications Technology, in consultation with pertinent government agencies, consumer groups, telecommunications service providers, and other relevant stakeholders, shall regulate the cost of telecommunications services in the Philippines. *Provided*, That cost of telecommunications services in the Philippines shall be comparable to the cost of services in Southeast Asian countries, where it is relatively cheaper, within one (1) year from the effectivity of this Act.

SEC. 6. Automatic Deduction of Bill Due to Slow or No Internet Service. - The telecommunications service providers shall automatically deduct the bills of the consumer experiencing slow or no internet service, subject to the implementing rules and regulations of this Act: *Provided*, That in no case shall the telecommunications service providers require the consumer to file a request in order to avail such deduction due to slow or no internet service; *Provided further*, That the billing statement shall reflect the date/s when the consumer experienced slow or no internet connection and the corresponding deductions to his or her bill.

Section 8. National Broadband System. - The Department of Information and Communications Technology shall establish a national broadband system to provide free, fast and reliable public internet access for certain public areas in every barangay within two (2) years from the effectivity of this Act.

Section 7. Funding. - The initial amount necessary to implement the provisions of this Act shall be charged against the current year's Appropriation of the DICT. Thereafter, such sum as may be necessary for its continued implementation shall be included in the annual General Appropriations Act.

SEC. 7. Implementing Rules and Regulations. - The DICT, in coordination with pertinent government agencies, consumer groups, experts on internet and information technology and other relevant stakeholders, shall promulgate the necessary

implementing rules and regulations for the effective implementation of this Act no later than ninety (90) days upon the effectivity of this Act.

SEC. 8. *Separability Clause.* - If any part or provision of this Act is held invalid, illegal or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 9. *Repealing Clause.* - All laws, decrees, executive orders, proclamations, rules and regulations, and other issuances, or parts thereof contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 10. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any two (2) national newspapers of general circulation.

Approved,