



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL No. 5455



Introduced by HONORABLE ERNESTO “ERNIX” M. DIONISIO, JR.

AN ACT
REQUIRING PUBLIC TELECOMMUNICATIONS ENTITIES TO PROVIDE
ITS SUBSCRIBERS WITH FREE ACCESS TO GOVERNMENT WEBSITES

EXPLANATORY NOTE

The 1987 Constitution¹ provides that:

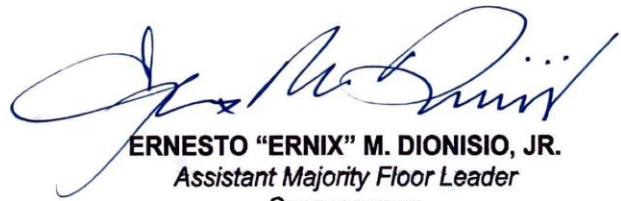
The right of the people to information on matters of public concern shall be recognized. Access to official records, and to documents, and papers pertaining to official acts, transactions, or decisions, as well as to government research data used as basis for policy development, shall be afforded the citizen, subject to such limitations as may be provided by law.

One of the guaranteed rights provided for by the Bill of Rights, is that the people have the right to be informed on matters of public concerns.

In current times, technology is rampantly changing and developing. This bill seeks to require public telecommunications entities to provide its subscribers with free access to government websites. Through the enactment of this bill, every Filipino people would have a better access to governmental information, specifically to government websites.

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

¹ Section 7, Article III, 1987 Constitution.

A handwritten signature in blue ink, appearing to read 'Ernesto M. Dionisio, Jr.', with a stylized flourish at the end.

ERNESTO "ERNIX" M. DIONISIO, JR.

Assistant Majority Floor Leader

Congressman

First Congressional District of Manila



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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 the *"Free Access to Government Websites Act."*

Section 2. Declaration of Policy. - The State hereby recognizes the vital role of information and communications technology in nation-building and declares its policy to promote an environment that would ensure the availability and accessibility of official government information in the internet. Towards this end, the State shall mandate that public telecommunication entities granted a Congressional privilege to operate as such to contribute in the promotion of availability and efficiency of access to government and lessen the digital divide.

Section 3. Definition of Terms. –

- (a) *Government website* - a website recognized by the Department of Information and Communications Technology (DICT) and is maintained for the National Government, with the main purpose of communicating and providing information, departmental issuances, mandates and other vital information for the operation of the government and the general public;
- (b) *Free access* - shall mean the provision of full and uninhibited access to government websites by telecommunications entities without charging their subscribers any fee or service cost;
- (c) *Public telecommunications entity* any person, firm, partnership or corporation, whether government or private, that is engaged in the provision

of telecommunications services to the public for compensation and conferred with a legislative franchise to operate;

(d) *Subscriber* - any person who uses, enjoys and pays for the services of public telecommunications entities;

(e) *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 or technological means.

Section 4. Free Access to Government Websites. – All public telecommunications entities are required to provide free access to all government websites. To ease the burden of public telecommunication entities in the enforcement of this Act, the DICT is mandated to assist government agencies in ensuring that their respective websites can be accessed with minimal data requirements.

Section 5. Penalties. – Any public telecommunications entity who is found to have violated the provisions of this Act shall be punished with a fine of not less than One million pesos (P1,000,000.00) but not more than Ten million pesos (P10,000,000.00) and/or a suspension or revocation of its legislative franchise and other permits and licenses by the National Telecommunications Commission.

Section 6. Implementing Rules and Regulations. – The DICT, as the lead implementing agency that will oversee the effective and efficient implementation of this Act, shall promulgate the necessary rules and regulations within one hundred twenty (120) days from the effectivity of this Act.

Section 7. Repealing Clause. All laws, decrees, orders, rules or regulations, other issuances or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

Section 8. Separability Clause. - If any provision of this Act is declared invalid, other parts or provisions hereof not affected thereby shall remain and continue to be in full force and effect.

Section 9. Effectivity. This Act shall take effect fifteen (15) days after the completion of its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,