

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 10640

Introduced by Representative Joseph Gilbert F. Violago



EXPLANATORY NOTE

The 1987 Constitution enshrines that the State recognizes the vital role of communication and information in nation-building.

According to the Speedtest Global Index as of May 2024, the median download speed in the Philippines is at 32.12 Megabits per second (Mbps)¹ for Mobile and 94.50 Mbps for fixed broadband². For the fourth quarter of 2023, however, out of the three big mobile players in the Philippines, only Smart has a median download speed of 37.64 Mbps, followed by Globe at 26.44 Mbps, and DITO at 19.74 Mbps.

Meanwhile the global average is 52.48 Mbps³ of download speed for mobile, and 93.67 Mbps for fixed broadband⁴ as of May 2024. In fact, Philippines ranks 83 out of 147 countries for mobile speed, and 56 out of 147 countries for fixed broadband. Certainly, our country's figures pale in comparison to Qatar who has the fastest mobile speed of 329.37 Mbps, and Singapore with 289.98 Mbps for fixed broadband.

In any case, only in metropolitan areas can consumers experience reliable internet connection. Elsewhere in the country, consumers experience slow and intermittent or even lack of connectivity. This lamentable experience for digital users is unacceptable in this modern age where technology is at the behest of people. In fact, according to Yahoo Finance, the Philippines is rank 18th in the list of highest internet users in the world, with 58,300,000 Filipinos using the internet⁵. However, approximately 50% of the population still does not have the means to use the internet.⁶

This bill seeks to mandate Internet Service Providers (ISPs) to provide a minimum download speed of 40 Megabits per second (Mbps) for mobile broadband/internet access and 90 Mbps for fixed and fixed wireless broadband/internet

¹ <https://www.speedtest.net/global-index/philippines#mobile>

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

³ <https://www.speedtest.net/global-index#mobile>

⁴ <https://www.speedtest.net/global-index#fixed>

⁵ <https://finance.yahoo.com/news/25-countries-highest-number-internet-182553746.html>

⁶ *Ibid.*

access and work towards providing an average internet connection speed above the global average. ISPs shall also prioritize expanding their infrastructure to rural areas to cater to consumers with no internet access or coverage.

A similar version of the bill was filed in the 18th Congress, and the present proponent acknowledges the hard work and wisdom of his predecessors.

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

A handwritten signature in black ink, appearing to read 'J. Violago', is written over the printed name.

JOSEPH GILBERT F. VIOLAGO

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AN ACT
REQUIRING INTERNET SERVICE PROVIDERS (ISPs) TO DELIVER A
MINIMUM STANDARD FOR INTERNET CONNECTION SPEED

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

SECTION 1. This Act shall be known as the “Minimum Internet Standards Act”.

SECTION 2. *Standards on Broadband/Internet Services.* – Within two (2) years from the effectivity of this Act, all Internet Service Providers (ISPs) shall provide a minimum download speed of 40 Megabits per second (Mbps) for mobile broadband/internet access and 90 Mbps for fixed and fixed wireless broadband/internet access and work towards providing an average internet connection speed above the global average.

In order to meet the prescribed minimum standards, ISPs shall modify, improve, or change their telecommunication lines and systems or expand their infrastructure to run on higher capacity bandwidths based on the number of subscribers demanding their services, with minimal to no interruption on their services. ISPs shall also prioritize expanding their infrastructure to rural areas to cater to consumers with no internet access or coverage.

SECTION 3. *Role of the NTC.* – The National Telecommunications Commission (NTC) shall establish requirements as deemed necessary to ensure that ISPs meet the minimum standards in internet connection speed, which shall include standards regarding connection, reception, just pricing, and billing practices to protect the rights of consumers of internet services.

SECTION 4. *Penalties.* – Any ISP who shall fail to comply with the minimum standards specified under Section 2 hereof or the rules and regulations promulgated thereunder, shall, upon conviction, be subject to the penalty of a fine of not less than Five hundred thousand pesos (Php500,000.00) but not exceeding Five million pesos (Php5,000,000.00).

SECTION 5. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the NTC and the Department of Information and Communications Technology (DICT), shall formulate and prepare the necessary rules and regulations to implement the provisions of this Act.

SECTION 6. *Separability Clause.* – If any provision or part of this Act is declared unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SECTION 7. *Repealing Clause.* – All laws, executive orders, issuances, rules, and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,