

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
TWENTIETH CONGRESS
First Regular Session
HOUSE BILL NO. 650



Introduced by: **REP. TOBIAS "TOBY" M. TIANGCO**

EXPLANATORY NOTE

In today's digital age, reliable and affordable internet connectivity is a fundamental necessity for Filipinos, supporting education, work, business, and daily communication. However, many consumers experience the frustration of losing unused data allocations at the end of each billing cycle, despite having paid for these services in advance. This practice not only leads to wasted resources but also undermines consumer rights and the full value of their subscriptions.

The proposed roll over data bill seeks to address this concern by mandating all telecommunications companies to allow subscribers to carry forward any unused data from their monthly allocation to the next billing cycle. This policy will ensure that consumers receive the full benefit of the data they have paid for, promoting fairness and transparency in the telecommunications industry. According to a report by ABS-CBN News, similar roll over data policies have been successfully implemented in other countries, resulting in increased customer satisfaction and greater accountability among service providers.

The absence of a roll over data policy in the Philippines has been a longstanding issue raised by consumer groups and digital rights advocates. According to the *Department of Information and Communications Technology (DICT)*, the forfeiture of unused data disproportionately affects low- and middle-income users, who are more likely to conserve their data for essential use and emergencies. By allowing data roll over, the bill aims to make internet access more equitable and responsive to the needs of all Filipinos.

Moreover, the measure is expected to foster healthy competition among telecommunications companies, encouraging them to offer more consumer-friendly services and innovative data plans. This will not only benefit individual subscribers but also contribute to the country's broader digital transformation goals, as outlined in the Philippine Digital Strategy and the National Broadband Plan. Further, this bill has also passed the third reading in the 19th Congress.

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

TOBIAS "TOBY" M. TIANGCO
Representative
Lone District, Navotas City

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AN ACT
MANDATING AND INSTITUTIONALIZING ROLL-OVER DATA ALLOCATION
SCHEME AND PROVIDING PENALTIES FOR NONCOMPLIANCE THEREWITH

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 for the regulations of internet services of internet service providers (ISPs) and ensure that the interest and welfare of the people and the consuming public are protected and upheld.

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

- (a) *Data Capping* refers to the limit of bandwidth allocation an ISP is offering to its subscriber per day, week, or month;
- (b) *Internet Data Package* refers to the internet service packages, plans, or promos offered by ISPs with maximum limits on the open access data volume an end user may avail per set period of the package;
- (c) *Internet Service Provider* refers to any service-based operator whose services involve the combination of computer processing, information storage, protocol conversion, and transmission to enable subscribers to access internet content and services as well as multimedia services and its transmission of data through digital subscriber line (DSL), fixed wireless broadband, cable broadband, fiber-optic or fiber-to-the-home (FTTH)

and mobile data to enable subscribers to access internet content and services, as well as multimedia services;

- (d) *Offer Duration* refers to the length of time a subscriber or user is allowed to use an internet data package service and promos;
- (e) *Roll-Over Data Allocation* refers to the unused internet data allocation per day, week, or month, as the case may be, depending on the applicable *Internet Data Package*, which shall be carried over to the following day, week, or month until it is fully consumed; and
- (f) *Unlimited Internet Data Package* refers to an internet service package with no data cap.

SEC. 4. *Coverage*. – All ISPs in the Philippines shall be covered by this Act.

SEC. 5. *Roll-Over Data Allocation Scheme*. – All ISPs are required to implement a Roll-Over Data Allocation Scheme for their subscribers as follows:

- (a) For postpaid subscribers or users:

The rolled-over data allocation shall be prioritized to be consumed in the preceding month: *Provided*, That the unused data every month shall be rolled-over and accumulated up until the last month of the year: *Provided, further*, That all unused data allocation for a year may be used and converted as rebates, that may be used by subscribers as payment for internet service in the succeeding year of subscription.

- (b) For prepaid subscribers or users and postpaid subscribers who avail of internet data package promo offers:

- (1) Unused data allocation shall be rolled-over provided that the subscriber or user renews the subscription right after the lapse of the offer duration;
- (2) The unused data allocation of subscribers or users who fail to renew subscription shall be reduced by twenty percent (20%) every day until the subscription is renewed; and
- (3) If after five (5) days, the subscription is not renewed, all unused data allocation shall be considered consumed.

SEC. 6. *Exemptions*. – Subscribers who availed and shall avail of any unlimited internet data package with no data cap shall be exempted from this Act.

SEC. 7. *Penalties*. – Any ISP who fails to comply with Section 5 of this Act, the following penalties shall be imposed:

- (a) A fine of Fifty thousand pesos (P 50,000.00) per violation per subscriber; and
- (b) For repeated violations, aside from fine, revocation or cancellation of the license, registration or franchise of an ISP including the waiving of any pre-termination fees of affected subscriber.

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

SEC. 9. *Separability Cause.* – 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 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,