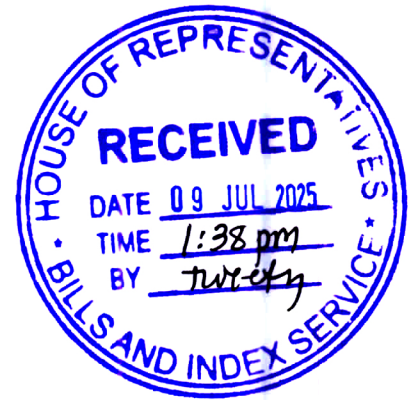




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
TWENTIETH CONGRESS
First Regular Session



HOUSE BILL NO. **1654**

Introduced by **REPRESENTATIVE CHEENO MIGUEL D. ALMARIO**

EXPLANATORY NOTE

In May 16, 2011, the United Nations Human Rights Council, during its Seventeenth Session, released a report recognizing that access to internet is important to exercise an individual's right to freedom of opinion and expression, among other human rights. The report states that "Facilitating access to the Internet for all individuals, with as little restriction to online content as possible, should be a priority for all States".¹

14 years after the said report was released, internet connectivity in the Philippines remains to be most expensive and one of the slowest in Southeast Asia. Based on the recent report of Department of Information and Communications Technology (DICT), only 3 out of 10 Filipinos has reliable internet connection and only 12,000 independent common internet towers are present in the country.²

This bill seeks to ensure that the all Filipinos will have internet access by making the internet business less costly and more efficient. By encouraging more independent internet providers, the building of infrastructures will be done at a faster pace. It will also promote a healthier business competition, thus lowering the cost for the consumers.

Hence, the passage of this bill is earnestly sought.


CHEENO MIGUEL D. ALMARIO
Representative
2nd District, Davao Oriental

¹ https://www2.ohchr.org/english/bodies/hrcouncil/docs/17session/A.HRC.17.27_en.pdf.

² WB urges reforms in PH's connectivity, says cost of inaction too high. Sundry Locus, June 27, 2024.
<https://www.gmanetwork.com/news/money/economy/911390/world-bank-urges-reforms-in-philippines-internet-connectivity-says-cost-of-inaction-too-high/story/>.



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AN ACT
PROVIDING FOR CHEAPER AND MORE ACCESSIBLE INTERNET FOR ALL

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

1 **SECTION 1. Short Title.** – This Act shall be known as “Sana All May Internet Act”.

2
3 **SEC. 2. Declaration of Policy.** – The State recognizes the vital role of
4 telecommunication in nation building and as such, it shall implement measures to
5 provide communication standards suitable to the needs and aspirations of the nation.
6

7 As a scarce public resource, the State shall manage the use of the radio frequency
8 spectrum in the interest of the public and in accordance with international agreements
9 and conventions to which the Philippines is a signatory. To this end, the government shall
10 allocate the radio frequency spectrum to promote the adoption of appropriate
11 technologies and best practices, an interference-free environment, and the highest
12 service standards and shall assign the radio frequency spectrum to service providers
13 capable of efficiently and effectively using it to meet public demand for
14 telecommunications and data transmission services.
15

16 **SEC. 3. Objectives.** – This Act aims to:

- 17 a. Establish a policy and regulation that shall reduce to zero the spectrum user
18 fee (SUF) paid by telecommunications entities to the national government, to
19 enable the proliferation of the Wi-Fi technology usage and facilitate
20 infrastructure development, and eventually lower the cost of delivering
21 telecommunications services to end users;
22 b. Promote the acceleration of internet use in the country and the expansion of
23 Wi-Fi technology and infrastructure in unserved and underserved areas so the
24 poor and underprivileged shall have access to reliable, accessible, and
25 affordable connectivity;

- c. Encourage and empower the small players in the industry to provide affordable internet services, especially in the unserved and underserved areas; and
- d. Adopt a license-free, zero SUF policy in accordance with international best practices, and protect public interest by limiting the use of Wi-Fi frequency fixed links to the government and duly enfranchised public telecommunications entities.

SEC. 4. Definition of Terms. – As used in this Act:

- a. Internet refers to the biggest worldwide global computer network providing a wide variety of information and communication facilities, consisting of interconnected networks using standardized communication protocols;
- b. Open and unprotected frequency refers to the frequencies at 2.4-2.4835 GHz, 5.150-5.350 GHz, and 5.470-5.850 GHz. of the radio spectrum. Any frequency outside of the aforementioned is licensed especially if it is included in the list of frequencies in the NTC Memorandum Circulars and issuances which are part of the National Radio Frequency Allocation Table;
- c. Public telecommunications entity or PTE refers to any person, firm, partnership or corporation, government or private, engaged in the provision of telecommunications services to the public for a fee;
- d. Radio frequency spectrum refers to the part of the electromagnetic spectrum with frequencies from 30Hz to 300GHz, used for communications which includes frequencies for wireless telecommunications technologies such as radio, television, and radar;
- e. Spectrum user fee (SUF) refers to the fee imposed by the government regulator in the use of a particular frequency; and
- f. Wi-Fi or Wireless fidelity refers to a type of wireless local access network technology that is based on the Institute of Electrical and Electronics Engineers or IEEE's wireless communication standard 802.11 family and uses the 2.4 GHz and 5 GHz frequency band.

SEC. 5. Coverage. – This Act shall cover Wi-Fi frequencies at 2.4-2.4835 GHz, 5.150- 5.350 GHz, and 5.470-5.850 GHz, and any other frequency band that the NTC may deem open and unprotected after due notice and hearing. This Act shall in no way amend or repeal Republic Act No. 10929, otherwise known as "The Free Internet Access in Public Places Act".

Notwithstanding the foregoing, the NTC is hereby authorized to add in the list of the frequencies enumerated under this Act, should there be in the future, pursuant to internationally agreed standards, changes in technologies, and as public safety and security may require any new frequency that may fall or be included into the definition of open and unprotected spectrum.

SEC. 6. Establishing a Zero Spectrum User Fee. – The State, through the DICT and the NTC, shall not impose a levy, charge, or collect fees from PTEs and other users for their use of the frequencies as specified in this Act: Provided, That PTEs shall not interfere with each other's Wi-Fi airwaves or with any licensed radio stations in the course of their operations, thereby effectively establishing a zero SUF. The zero SUF shall be without prejudice to the authority of the State, through the NTC, to collect fees for

1 registration and authorization permits and licenses provided that such fees do not
2 substantially deviate from traditional fees and charges that it becomes onerous to PTEs.

3
4 **SEC. 7. Devices and Equipment.** – Devices and equipment used to access the
5 frequencies enumerated under this Act shall continue to strictly adhere to the existing
6 NTC technical conditions and regulatory standards.

7
8 **SEC. 8. Implementing Rules and Regulations.** – Within sixty (60) days from the
9 effectivity of this Act, the NTC shall, together with the DICT and representatives from the
10 telecommunications sector, promulgate the necessary rules and regulations for the
11 effective implementation of the provisions of this Act.

12
13 **SEC. 9. Joint Congressional Oversight Committee (JCOC).** – There is hereby
14 created a Joint Congressional Oversight Committee to monitor the effective
15 implementation of this Act, recommend the necessary remedial or administrative
16 measures, and perform such other duties and functions as may be necessary to attain the
17 objectives of this Act.

18
19 The oversight committee shall be composed of eight (8) members, with the
20 Chairpersons of the Senate Committee on Public Services and the House of
21 Representatives' Committee on Information and Communications Technology as Co-
22 Chairpersons. The three (3) members from each House shall be designated by the Senate
23 President and the Speaker of the House of Representatives, respectively; Provided, That
24 at least one (1) member from each House shall be nominated by their respective Minority
25 Leaders. The secretariat of the JCOC shall be the existing secretariat personnel of the
26 concerned Committees of both Houses of Congress.

27
28 **SEC. 10. Supplementary Application.** – The provisions of Republic Act No. 10844,
29 otherwise known as the "Department of Information and Communications Technology
30 Act of 2015" and other laws consistent with this Act shall have supplementary application.

31
32 **SEC. 11. Separability Clause.** – If any provision of this Act is declared
33 unconstitutional or invalid, other parts or provisions hereof not affected thereby shall
34 continue to be in full force and effect.

35
36 **SEC. 12. Repealing Clause.** – All laws, decrees, executive orders, issuances, rules,
37 and regulations which may be inconsistent with any of the provisions of this Act, are
38 hereby deemed repealed, amended, or modified accordingly.

39
40 **SEC. 13. Effectivity.** – This Act shall take effect fifteen (15) days after its
41 publication in the Official Gazette or in a newspaper of general circulation.

42
43 Approved,
44