

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session



House Bill No. 3014

INTRODUCED BY REPRESENTATIVE MARLYN L. PRIMICIAS-AGABAS

EXPLANATORY NOTE

In today's digital age, internet access is essential for economic development, education, healthcare, and governance. Affordable and accessible internet plays a crucial role in shaping the future of societies, driving innovation, and enabling citizens to fully participate in the global digital economy. Yet, despite its undeniable importance, many Filipinos, particularly in underserved and marginalized communities, still face significant barriers to internet access. This proposed bill seeks to address these barriers by creating policies that promote affordable and widespread internet access, thereby reducing the costs and expanding the coverage of internet services across the Philippines.

The significance of reliable internet access for societal progress and economic stability cannot be overstated. Internet connectivity directly impacts the efficiency of government services and corporate operations, contributing to improved public sector governance and economic growth. This was especially evident during the COVID-19 pandemic when the entire country had to pivot to remote work and digital learning platforms. As the Philippines continues to recover and adapt to the new normal, reliable and affordable internet has become indispensable for both work-from-home arrangements and the continued delivery of education.

However, several challenges hinder the broader accessibility of the internet. One of the key obstacles is the limited number of service providers, leading to a situation where demand for internet access far outstrips supply. This imbalance results in high prices for internet subscriptions while service quality, particularly in terms of speed and coverage, remains inadequate. Although there have been policy efforts, such as the National Telecommunications Commission (NTC) Memorandum Circular No. 002-09-2021, to reduce Spectrum User Fees (SUF) and address these issues, it remains clear that further reforms are necessary to ensure that internet access becomes affordable for all Filipinos, especially in underserved areas.

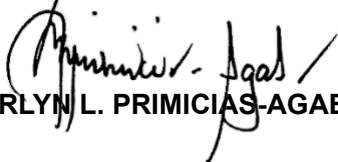
At present, the government charges significant SUFs to telecommunications entities using Wi-Fi technology, despite the fact that such charges should only apply to those utilizing licensed frequencies or spectrums. These fees contribute to the high cost of internet plans and limit the ability of telecommunications companies to offer competitive pricing or affordable internet packages. While the NTC has made strides to reduce SUFs for certain radio frequencies, the current market conditions suggest that the complete removal of SUFs is needed to promote more competition and lower costs across the sector.

The proposed bill aligns with international best practices, as recommended by the International Telecommunications Union (ITU), which advocates for the elimination of SUFs on Wi-Fi. Many countries—including the United States, Australia, Singapore, South Korea, and Indonesia—have adopted similar policies to reduce the cost of internet services and boost the growth of Wi-Fi infrastructure. By removing SUFs for telecommunications entities in the Philippines, the bill creates a more favorable environment for expanding internet access, especially in remote and underserved areas where private sector involvement has been limited.

A core feature of the bill is its focus on enhancing the sustainability of the internet service sector. By removing SUFs, the government reduces the operating costs for internet service providers, making it easier for them to invest in infrastructure, especially in areas where connectivity is scarce.

Ultimately, this bill represents a comprehensive solution to the pressing issue of internet accessibility in the Philippines. By eliminating the SUF, promoting Wi-Fi technologies, and ensuring the responsible regulation of telecommunications infrastructure, the bill lays the groundwork for a more inclusive and sustainable digital future for the country. Its passage is a timely and necessary step toward ensuring that no Filipino is left behind in the digital age.

In conclusion, this bill addresses the urgent need for affordable internet access in the Philippines, offering a practical, sustainable, and inclusive policy framework that benefits all Filipinos, regardless of their location or socioeconomic status. By passing the “*Sana All May Internet Act*”, the government will not only enhance the quality of life for its citizens but also lay the foundation for future economic growth, social development, and national progress.


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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 Congress assembled:

SECTION 1. **Short Title.** - This Act shall be known as the "*Sana All May Internet Act*".

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

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

SEC. 3. **Objectives.** - This Act aims to:

- a. Establish a policy and regulation that will reduce to zero the spectrum user fee (SUF) paid by telecommunications entities to the national government, to enable the proliferation of the 2 Wi-Fi technology usage and infrastructure development, and eventually lower the cost of delivering telecommunications services to end users;
- b. Promote the acceleration of internet use in the country and the expansion of Wi-Fi technology and infrastructure in unserved and underserved areas so the poor and underprivileged will have access to reliable, accessible and 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 best international practices, and protect public interest by limiting the use of outdoor Wi-Fi frequency access points

or base stations and 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. *Internet service provider or ISP* refers to an entity with or without a franchise, registered as a value-added service provider with the National Telecommunications Commission (NTC) and authorized to build, install, operate and maintain a network to offer internet access services to the public for a fee;
- c. *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 these frequencies is a licensed frequency especially if it is included in the frequencies listed in the Department of Information and Communications Technology (DICT) policies and NTC Memorandum Circulars and issuances which are part of the National Radio Frequency Allocation Table (NRFAT).
- d. *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;
- e. *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.
- f. *Spectrum user fee (SUF)* refers to the fee imposed by the government regulator in the use of a particular frequency; and
- g. *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' (IEEE) wireless communication standard 802.11 family and uses the 2.4 GHz and 5 GHz frequency band.³

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".

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 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 during their operations, thereby effectively establishing a zero SUF.

SEC. 7. **Implementing Rules and Regulations (IRR).** - Within sixty (60) days from the effectiveness of this Act, the DICT as the lead agency, together with the NTC and

representatives from the telecommunications sector shall promulgate the necessary rules and regulations for the effective implementation of the provisions of this Act.

SEC. 8. **Joint Congressional Oversight Committee (JCOC).** - There is hereby created a Joint Congressional Oversight Committee to monitor the effective implementation of this Act, recommend the necessary remedial or administrative measures and perform such other duties and functions as may be necessary to attain the objectives of this Act.

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

SEC. 9. **Suppletory Application.** - The provisions of Republic Act No. 10844 also known as the "Department of Information and Communications Technology Act of 2015" and other laws consistent with this Act shall have suppletory application.

SEC. 10. **Separability Clause.** - If any provision of this Act is declared unconstitutional or invalid, other parties or provisions hereof not affected thereby shall continue to be in full force and effect.

SEC. 11. **Repealing Clause.** - All laws, presidential decrees, executive orders, presidential proclamations, rules and regulations or parts thereof contrary to or inconsistent with this Act are hereby repealed, superseded or modified accordingly.

SEC. 12. **Effectivity.** - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,