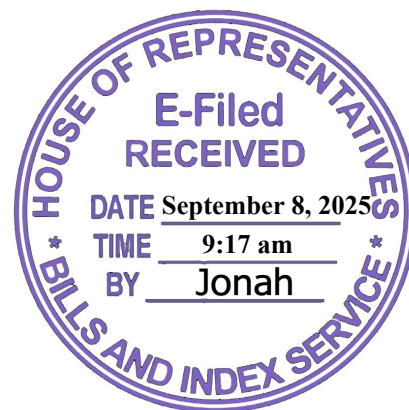


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 4390



Introduced by Representatives Bryan B. Revilla, Lani Mercado-Revilla, and Ramon Jolo B. Revilla III

EXPLANATORY NOTE

In the digital age, connectivity is a lifeline. More and more workers now enjoy hybrid set-up where on certain days, they perform their tasks remotely, without needing to physically report for work. There has been a widespread use of ICT technology in educational institutions to implement synchronous and asynchronous online classes, where students learn at the comfort of their homes. Even the legislative work of Congress can now easily, in some cases, be performed online to streamline its processes.

These crucial activities are anchored on internet access. Without reliable, secure, and affordable internet access, it would be difficult for Filipinos to satisfy the demands of the digital age. 21st-century skills will likewise be challenging to impart on young citizens who will face an incredibly different labor market as technology progresses at an unprecedented speed.

Thus, to make the internet more accessible and affordable for all Filipinos, regardless of place, the proposed law aims to transform the telecommunications industry by implementing a Zero Spectrum User's Fee Policy for certain frequencies. This will unload a heavy burden on the part of service providers that will allow them to bring down their prices to Filipino customers. Lowering or eliminating Spectrum User's Fee can also stimulate competition among service providers, leading to more improved services, lower prices, and ultimately, a better internet experience for all the consumers.

In view of the foregoing, the expedient passage of this bill – previously approved on third and final reading by the House of Representatives – is earnestly sought.


REP. BRYAN B. REVILLA
Representative, AGIMAT Party-list


REP. LANI MERCADO-REVILLA
Representative, 2nd District of Cavite

A handwritten signature in black ink, featuring a large, stylized capital 'R' followed by a series of loops and a final downward stroke.

REP. RAMON JOLO B. REVILLA III
Representative, 1st District of Cavite

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HOUSE BILL NO. **4390**

Introduced by Representatives Bryan B. Revilla, Lani Mercado-Revilla, and Ramon
Jolo B. Revilla III

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:*

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

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

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

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

- 14 a) Establish a policy and regulation that will reduce to zero the spectrum user fee
15 (SUF) paid by telecommunications entities to the national government, to
16 enable the proliferation of the Wi-Fi technology usage and infrastructure
17 development, and eventually lower the cost of delivering telecommunications
18 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 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. *Internet service provider or ISP* refers to an enfranchised Public Telecommunication Entity (PTE), registered as a value-added service provider with the National Telecommunications Commission (NTC) and authorized to build, install, operate, and maintain a network in order 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 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

1 g. *Wi-Fi or Wireless fidelity* refers to a type of wireless local access network
2 technology that is based on the Institute of Electrical and Electronics Engineers'
3 (IEEE) wireless communication standard 802.11 family and uses the 2.4 GHz
4 and 5 GHz frequency band.

5 **SEC. 5. Coverage.** – This Act shall cover Wi-Fi frequencies at 2.4-2.4835 GHz, 5.150-
6 5.350 GHz, and 5.470-5.850 GHz, and any other frequency band that the NTC may
7 deem open and unprotected after due notice and hearing. This Act shall in no way
8 amend or repeal Republic Act No. 10929, otherwise known as "The Free Internet
9 Access in Public Places Act".

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

15 **SEC. 6. Establishing a Zero Spectrum User Fee.** – The State through the DICT and
16 the NTC shall not impose a levy, charge, or collect fees from PTEs and other users
17 for their use of the frequencies as specified in this Act: Provided, That PTEs shall not
18 interfere with each other's Wi-Fi airwaves or with any licensed radio stations in the
19 course of their operations, thereby effectively establishing a zero SUF. The zero SUF
20 shall be without prejudice to the authority of the state, through the NTC, to collect fees
21 for registration and/or authorization permits and licenses provided that such fees do
22 not substantially deviate from traditional fees and charges that it becomes onerous to
23 PTEs.

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

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

31 **SEC. 9. Joint Congressional Oversight Committee (JCOC).** – There is hereby created
32 a Joint Congressional Oversight Committee to monitor the effective implementation of
33 this Act, recommend the necessary remedial or administrative measures and perform

1 such other duties and functions as may be necessary to attain the objectives of this
2 Act.

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

11 **SEC. 10. *Suppletory Application.*** – The provisions of Republic Act No. 10844 also
12 known as the "Department of Information and Communications Technology Act of
13 2015" and other laws consistent with this Act shall have suppletory application.

14 **SEC. 11. *Separability Clause.*** – If any provision of this Act is declared unconstitutional
15 or invalid, other pans or provisions hereof not affected thereby shall continue to be in
16 full force and effect.

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

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

22
23 *Approved,*