

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **5382**



Introduced by Representative Kenneth T. Gatchalian

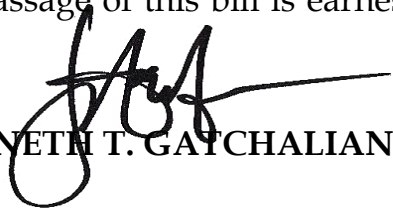
EXPLANATORY NOTE

Despite recent improvements, the Philippines still lags behind its neighbors in internet quality, affordability, and access. As of January 2025, the country ranked 58th in fixed broadband and 62nd in mobile internet speeds, with broadband penetration at only 33% – far lower than Singapore, Brunei, Vietnam, Thailand, and Malaysia. Internet costs also remain among the highest in the region, while service reliability continues to be poor.¹

Weak digital infrastructure, especially in rural areas, limits access to essential services and widens the digital divide. Issues such as slow upload speeds, latency, and unreliable connections further hinder the growth of digital banking, e-commerce, telehealth, and other online services critical to economic recovery.

This bill seeks to establish minimum broadband quality standards, ensure accurate reporting of internet performance, and penalize service providers that fail to comply. By holding providers accountable, the measure protects consumer rights, promotes fair competition, and strengthens the country's digital economy.

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


KENNETH T. GATCHALIAN

¹ Moral, M. A. (2025, April 9). The Philippines sees steady gains in internet connectivity. BusinessWorld. <https://www.bworldonline.com/special-features/2025/04/09/665138/the-philippines-sees-steady-gains-in-internet-connectivity/>

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AN ACT
REQUIRING ALL PUBLIC TELECOMMUNICATIONS ENTITIES AND
INTERNET SERVICE PROVIDERS TO INCREASE SERVICE COVERAGE
AND DELIVER A MINIMUM STANDARD FOR INTERNET CONNECTION
SPEED

*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 "*Better Internet*
2 *Act*".

3 **SEC. 2.** *Declaration of Policy.* — The State recognizes the importance of
4 technological advancements in nation building, economic development, and
5 promoting people's well-being and as such, it endeavors to ensure the provision of
6 strategic, reliable, cost-efficient, and citizen-centric information and communication
7 technology (ICT) infrastructure, systems, and resources to guarantee that the
8 population has access to quality, reliable, and affordable ICT services.

9 In line with this, the State shall ensure that all Public Telecommunications
10 Entities (PTEs) and Internet Service Providers (ISPs) will continuously upgrade
11 their facilities and improve their services to be responsive to the growing demand
12 for quality Internet access services.

1 **SEC. 3. *Definition of Terms.*** — As used in this Act, the following terms
2 are defined as follows:

3 (a) *Bandwidth* shall refer to the data transfer rate or the amount of data that
4 can be carried from one point to another in a given time period expressed
5 in bits per second or multiples of it;

6 (b) *Broadband* shall refer to high-speed Internet service that is always on
7 and faster than traditional dial-up access transmitted through various
8 wired or wireless data transmission technologies such as, but not limited
9 to, digital subscriber line (DSL), cable modem, fiber optic cable, fixed
10 wireless, satellite, cellular mobile, TV white space, and other evolving
11 and emerging technologies as may be developed in the future;

12 (c) *Cellular towers* shall refer to passive telecommunication tower
13 infrastructure, including, but not limited to, three-legged or four-legged
14 structure, poles, mast, or similar infrastructure used to support mobile
15 cellular network facilities;

16 (d) *Compliance period* shall refer to the first two (2) years from the
17 effectivity of this Act within which all ISPs and PTEs are required to
18 comply with the minimum broadband download speeds set forth in this
19 Act;

20 (e) *Greenfield Service Area* refers to a barangay where an ISP is completely
21 absent or that has internet connection but does not reach an average
22 minimum broadband speed of two (2) megabits per second (MBPS) or
23 as prescribed by the DICT, whichever is higher;

24 (f) *Internet Service Providers or ISPs* shall refer to an entity, with or
25 without a Congressional franchise, registered as a value-added service
26 (VAS) provider from the National Telecommunications Commission
27 (NTC) and authorized to build, install, operate, and maintain an internet

1 network in order to offer Internet access services to the public for
2 compensation;

3 (g) *Jitter* shall refer to the variation of end-to-end delay from one packet to
4 the next within the same packet stream, connection, or flow;

5 (h) *Latency* shall refer to the time it takes for a packet of data to get from a
6 source to destination;

7 (i) *Packet* shall refer to the unit of data that is routed between an origin or
8 source and a destination on the Internet or any other packet-switched
9 network;

10 (j) *Packet Loss* shall refer to the number of packets that does not reach the
11 destination;

12 (k) *Service reliability or Uptime* refers to the delivery of a certain
13 percentage of advertised speed to a subscriber over a given time;

14 (l) *Public Telecommunications Entity or PTEs* shall refer to any person,
15 firm, partnership or corporation, government or private, engaged in the
16 provision of telecommunications services to the public for
17 compensation;

18 (m) *National ICT Household Plan* refers to the plan for the improvement of
19 ICT access and use, including broadband access, by households and
20 individuals developed by the Department of Information
21 Communications Technology (DICT) on the basis of information
22 gathered from the National ICT Household Survey;

23 (n) *Threshold Speed* refers to minimum upload and download speeds that
24 an ISP or PTE must provide to their end user as entry-level broadband
25 service;

26 (o) *Unserved Area* refers to a specific population or land area of a
27 city/municipality where broadband access service is not available, as
28 identified by the National ICT Household Plan;

1 (p) *Underserved Area* refers to a specific population or land area of a
2 city/municipality where broadband access service is covered and
3 available, but below the threshold speed. The underserved areas shall be
4 identified by the National ICT Household Plan while the threshold
5 speed shall be determined by this Act and, subsequently, by the NTC.

6 **SEC. 4. *Increase in service coverage.*** — The NTC shall require all ISPs
7 and PTEs to extend and expand the service coverage of wired and wireless
8 broadband service in all unserved and underserved areas in the Philippines within
9 two (2) years from the effectivity of this Act (the "Compliance Period"), according
10 to the schedule and strategy to be set forth by the DICT in the National ICT
11 Household Plan.

12 The DICT shall develop the National ICT Household Plan, identify therein
13 unserved and underserved areas in the Philippines and devise a plan of action to
14 ensure Internet services shall be made available at the household level. The DICT
15 shall make such information and plans public within sixty (60) days from the
16 effectivity of this Act: Provided, That subject to regulatory requirements, ISPs shall
17 be allowed to own, establish, and operate wired and wireless networks, utilizing any
18 available technology, in order to meet their obligations under this Act. ISPs shall be
19 allowed access to unlicensed radio spectrum necessary to enable them to utilize
20 wireless technologies to provide Internet service: Provided, Further, That ISPs shall
21 not build international carrier, inter-exchange carrier, local exchange carrier, and
22 mobile radio telephone networks reserved for PTEs, as provided for in Republic Act
23 No. 7925, otherwise known as the Public Telecommunications Policy Act of the
24 Philippines.

25 **SEC. 5. *Delivery of Advertised Speeds.*** — Within one (1) year from the
26 effectivity of this Act, the NTC is hereby mandated to require all PTEs and ISPs to
27 only advertise and offer internet service download speeds that they can consistently
28 provide and work towards providing an average internet connection speed above

1 global average. PTEs and ISPs shall deliver at least eighty (80%) percent of
2 advertised broadband speed to their subscribers at eighty (80) percent service
3 reliability or at least eighty (80) percent of the time: Provided, That the entry-level
4 broadband connection speed offered by ISPs or PTEs to subscribers shall not be
5 lower than the following:

- 6 (a) Twenty (20) Megabits per second (Mbps) for wired broadband and ten
7 (10) Mbps for wireless broadband in metropolitan cities;
- 8 (b) Ten (10) Mbps for wired broadband and five (5) Mbps for wireless
9 broadband services in all other cities; and
- 10 (c) Five (5) Mbps for wired broadband and two (2) Mbps for wireless
11 broadband services in rural areas.

12 PTEs and ISPs shall have two (2) years from the effectivity of this Act to
13 ensure that they provide, as a minimum, the above threshold speeds to their end
14 users; Provided, That PTEs and ISPs that will expand coverage and offer internet
15 services in “Greenfield Service Areas” or previously unserved and underserved
16 areas, as identified by the DICT, shall not be subjected to the minimum download
17 speed for the next five (5) years.

18 The NTC shall conduct a regular review of technological advancements in
19 the field of communications and data transmission to determine the necessity of
20 adjusting the minimum speed standards set in this Act: Provided, That internet speed
21 and service reliability of internet connections delivered by service providers shall be
22 measured based on the methodology prescribed by the NTC.

23 After the end of the compliance period, it shall be considered a violation of
24 this Act, subject to the penalties provided in Sec. 15 of this Act, to offer paid Internet
25 service below the threshold speed. For the avoidance of doubt, there shall be no
26 minimum speed required for free Internet service: Provided, however, that service
27 provided under the Free Internet Access in Public Places Act or RA 10929 shall

1 meet the minimum speeds prescribed therein or in the relevant rules of the DICT for
2 free Internet service programs.

3 **SEC. 6.** *Measurement and Publication of Broadband Quality of Service*
4 *(QOS).* — In order to monitor and enforce compliance of PTEs and ISPs, the NTC
5 shall:

- 6 (a) Prescribe, in coordination with DICT, a criteria and methodology for the
7 measurement and publication of broadband quality of service, including
8 parameters such as download speed, upload speed, latency, packet loss,
9 jitter, and service availability, with appropriate benchmarks, after public
10 consultation and hearings within six (6) months from the effectivity of
11 this Act;
- 12 (b) Provide the public a mechanism to run broadband diagnostics in a secure
13 and consumer-friendly format;
- 14 (c) Develop a procedure for collecting and analyzing broadband QOS
15 measurements from various platforms and processing test data in a
16 central database, which shall update and release results every 24 hours,
17 at the least;
- 18 (d) Make publicly available on the NTC website and other media the criteria
19 and methodology for the broadband QOS measurement tool and the list
20 of platforms using the NTC-prescribed broadband measurement
21 mechanism;
- 22 (e) Review, after the two-year compliance period, the compliance of PTEs
23 and ISPs with the minimum download speeds, and prescribe and upgrade
24 on an annual basis, the minimum broadband download speed and QOS
25 standards, on internet industry to ensure that performance standards
26 shall, at a minimum, be at par with service levels established in regional
27 data network performance indices and aligned with international best
28 practices. Such QOS standards shall take into account speed, packet loss,

1 jitter, latency, and service availability: Provided, That the NTC shall not
2 decrease the minimum speeds set forth in this Act: Provided, Further,
3 That new performance standards shall be published at least thirty (30)
4 days before they take effect.

5 (f) Diligently monitor and conduct monthly network audits and/or QOS
6 tests in order to ensure compliance of the PTEs and ISPs with threshold
7 speeds, advertised speeds, and coverage obligations, and publish
8 network audit report on a monthly basis; and

9 (g) Publish the results of all the NTC's network audits, broadband QOS tests,
10 and the results of the consumer broadband QOS tests on their official
11 website and social media accounts on a monthly basis, and furnish a copy
12 of the same to the DICT. Such reports should be in a format that can
13 easily be analyzed by third party data scientists.

14 **SEC. 7. Responsibilities of the DICT.** — In addition to responsibilities
15 imposed in other sections of this Act, the DICT shall:

16 (a) Maintain and make public a National ICT Assets Index (NICTAI), which
17 shall be updated on an annual basis, in order to provide accurate data on
18 broadband coverage and ICT adoption and utilization in the country;

19 (b) Conduct the National ICT Household Survey and publish the National
20 ICT Household Plan every three (3) years, and identify unserved and
21 underserved areas for purposes of this Act;

22 (c) Regularly review and update ICT policy guidelines, strategies and plans,
23 including, but not limited to, the National Broadband Plan to ensure that
24 the Philippines' Internet service policy framework is at par with global
25 standards and best practices; and

26 (d) Ensure the delivery of Internet services at the household level through a
27 schedule and plan of action that includes, but is not limited to,
28 infrastructure sharing and co-location arrangement.

1 **SEC. 8. *Responsibilities of the NTC.*** — In addition to responsibilities
2 imposed in other sections of this Act, the NTC shall:

- 3 (a) Ensure that PTEs and ISPs meet the minimum standards regarding
4 connection, reception, just pricing, and billing practices to promote and
5 protect the rights of consumers of Internet services;
- 6 (b) Determine whether the ICT industry has built out the optimal number of
7 towers and other infrastructure necessary to meet the objectives of this
8 law;
- 9 (c) Promulgate an efficient and expeditious administrative process for the
10 registration of Internet service providers and shall, in coordination with
11 the DICT, develop a set of criteria for qualifying service providers that
12 will encourage the widest possible participation of as many industry
13 players as possible who will build the necessary network infrastructure
14 and offer Internet services to end users in different parts of the country
15 and will take national security into consideration, particularly for
16 facilities that interface directly with another country's domestic network;
- 17 (d) Publish a spectrum management policy framework that promotes a
18 transparent, efficient, and equitable approach to distributing spectrum,
19 including clear guidelines for: (i) recalling unutilized spectrum, (ii)
20 reassigning spectrum for more efficient use, and (iii) implementing an
21 open frequency approach to expand Internet access in underserved and
22 unserved areas, to be developed together with the DICT and the
23 Philippine Competition Commission;
- 24 (e) Provide the public with annual reports on the performance of PTEs and
25 ISPs in terms of increasing Internet coverage and meeting the threshold
26 download speeds;

- 1 (f) Provide policies and standards of network elements to ensure that PTEs
2 and ISPs will maintain the Quality of Service (QOS) of the Internet
3 connection they provide to their respective area of coverage;
4 (g) Provide for an expeditious mechanism to address consumer complaints
5 on slow Internet speed and false advertising of Internet speeds; and
6 (h) Establish an efficient monitoring system or framework with regard to the
7 PTEs and ISPs' management of consumer complaints and maintain
8 records of subscribers' complaints.

9 **SEC. 9. *Reports to Congress.*** — The DICT and NTC shall submit a
10 quarterly progress report to Congress of all acts performed pursuant to this Act
11 during the first week after the immediately preceding quarter for the next two (2)
12 years from the effectivity of this Act.

13 **SEC. 10. *Streamlining Permitting Requirement.*** — The DICT and other
14 relevant agencies including, but not limited to, the Department of Interior and Local
15 Government (DILG), Department of Public Works and Highways (DPWH),
16 Department of Human Settlements and Urban Development (DHSUD), Anti-Red
17 tape Authority (ARTA), Civil Aviation Authority of the Philippines (CAAP),
18 Department of Health (DOH), and the Food and Drug Administration (FDA) shall
19 ensure the streamlining of the permitting process for the construction, installation,
20 and operation of telecommunications tower and other infrastructure such as, but not
21 limited to, permits for base stations, cables, poles, and other work elements
22 necessary to offer Internet service.

23 The DICT shall set up a one-stop shop that shall coordinate with other
24 regulatory agencies regarding the permitting requirements and applicable regulatory
25 fees for installing common towers, cables, poles, and other network elements in
26 order to facilitate the attainment of the objectives of this Act.

27 To facilitate the expeditious planning of the country's ICT infrastructure, all
28 PTEs and ISPs are required to submit, within fifteen (15) working days upon the

1 request of the DICT or the NTC, a copy of their most updated and complete
2 broadband network map, enabling the government to draw up incentive plans and
3 opportunities in order to boost internet service and compel the creation of the
4 infrastructure essential for overall economic growth.

5 **SEC. 11. *Rights of End-Users.*** – The user of internet services shall have the
6 following basic rights, in addition to other rights under existing laws:

- 7 (a) To be entitled to internet services which is not discriminatory, reliable
8 and conforming with minimum standards set by the NTC;
- 9 (b) To be rendered internet services within two (2) months from application
10 for service, in areas where the service is advertised to be available;
- 11 (c) Timely correction of errors in billing or in prepaid load and the
12 immediate provision of rebates or refunds by the service provider
13 without the need for demand by the user; and
- 14 (d) Subject to the filing of a formal request to the service provider, a user
15 may request the immediate termination of service without the imposition
16 of fees or penalties, and with the refund of any fee or charge already paid
17 by the user, should a service provider not consistently comply with the
18 preceding paragraphs (a), (c), (d), or any minimum performance
19 standards set by the NTC.

20 **SEC. 12. *Local Government Units (LGUs) as Partners in Broadband***
21 ***Infrastructure Development.*** — The LGU shall serve as a strategic partner who shall
22 ensure that all LGU-related permits and requirement necessary to expand Internet
23 coverage and improve quality of Internet service shall be acted upon immediately.
24 In order to ensure that all municipalities and barangays have access to Internet
25 facilities, an LGU shall be allowed to build and operate its own broadband network
26 in partnership with PTEs and ISPs.

27 **SEC. 13. *Infrastructure Sharing and Co-location.*** —

- 1 (a) The DICT shall promulgate policies, rules, and regulations, in
2 coordination and/or jointly with the concerned national government
3 agencies, government owned and operated corporations, and local
4 government units, to ensure that infrastructure, whether existing or built
5 in the future, necessary or capable of supporting data transmission
6 networks or services are:
- 7 i. mandatory for open access and made available for co-location and
8 co-use by the owner of network facilities, equipment, and
9 infrastructure on an open, fair, and non- discriminatory basis to any
10 access seeker's network facilities;
 - 11 ii. as far as possible, deployed together with roadworks, pipe-laying,
12 and other infrastructure development by both government and
13 private entities; and
 - 14 iii. propagated in the most cost-efficient and timely manner through
15 various means, including encouraging the operation of
16 independent entities that build and operate towers, dark fiber, and
17 utility corridors, among other infrastructure that help facilitate
18 broadband network deployment.
- 19 (b) The DICT shall, in coordination with the Philippine Competition
20 Commission and other relevant government agencies, promulgate
21 policies, rules, and regulations to ensure that buildings, condominiums,
22 villages, towns, and subdivisions are all built with facilities, such as cable
23 entrances, ducts, and risers, that allow non-discriminatory and non-
24 exclusive access to multiple service providers, in order for PTEs and
25 ISPs to provide Internet service;
- 26 (c) In case of a dispute arising from an infrastructure-sharing arrangement,
27 the DICT shall:
- 28 i. Coordinate with the regulator of the infrastructure;

- 1 ii. Mediate between a PTE or ISP and an infrastructure owner, which
2 may include a PTE, an ISP, or a public service network provider;
3 and/or
4 iii. Serve as the primary enforcer of this provision.
- 5 (d) The DICT shall encourage the use of existing infrastructure, such as
6 those of cable TV operators, to fast track the layout of networks, to
7 increase coverage, and to address the problem of unserved and
8 underserved areas;
- 9 (e) The regulator of the shared infrastructure shall, in consultation with
10 concerned stakeholders, determine and ensure reasonable rental rates for
11 use of shared infrastructure such as, but not limited to, utility poles,
12 utility corridors and ducts; and
- 13 (f) For shared infrastructure arrangements, the DICT shall also look into the
14 following considerations:
- 15 i. Technical feasibility of the request of access seeker to use
16 infrastructure;
- 17 ii. Incentives to encourage investment in less commercially viable
18 areas;
- 19 iii. Fair and reasonable rates for shared facilities, depending on the
20 location and market size in a particular area.

21 All policies, rules, and regulations under this Section shall be operationalized
22 within one (1) year from the effectivity of this Act.

23 **SEC. 14. Penalties.** — The NTC may, motu proprio or upon complaint of
24 any interested party in the appropriate administrative and/or quasi-judicial process,
25 and in accordance with due process, shall:

- 26 (a) Require any PTE or ISP, who shall not meet the requirements set forth
27 under, or shall not comply with the provisions of this Act, to comply with

1 service standards that have not been met, or provisions of this Act that
2 have been violated;

3 (b) Impose upon entities who do not comply with Internet service standards
4 as laid down by Sections 4 and 5 of this Act and as prescribed by the
5 NTC:

6 i. The penalty of a fine of not less than two hundred thousand pesos
7 (Php200,000.00) but not more than two million pesos
8 (Php2,000,000.00) for each count of violation: Provided, That if a
9 service provider has a gross annual income not exceeding Ten
10 Million Pesos (Php10,000,000.00), the penalty shall be equivalent
11 to one percent (1%) to two percent (2%) of its gross annual income;
12 and

13 ii. For repeated violations, revoke the PTE's Provisional Authority or
14 Certificate of Public Convenience and Necessity, or cancel the
15 registration of an ISP, whichever applies, including the waiving of
16 any pre-termination fees of affected subscribers and timely
17 disbursement of any remaining from excessive downtime.

18 The foregoing is without prejudice to any other remedies available to the
19 NTC under existing laws.

20 **SEC. 15. *Implementing Rules and Regulations.*** — Within sixty (60) days
21 after the effectivity of this Act, the DICT and the NTC shall issue a Joint
22 Memorandum Circular setting forth the rules and regulations to effectively
23 implement the provisions of this Act.

24 **SEC. 16. *Separability Clause.*** —If any portion or provision of this Act is
25 declared unconstitutional, the remainder of this Act or any provisions not affected
26 thereby shall remain in force and effect.

1 **SEC. 17. *Repealing Clause.*** — Any law, presidential decree or issuance,
2 executive order, letter of instruction, rule or regulation inconsistent with the
3 provisions of this Act is hereby repealed or modified accordingly.

4 **SEC. 18. *Effectivity.*** — This Act shall take effect fifteen (15) days following
5 its publication in the Official Gazette or in a newspaper of general circulation.

Approved,