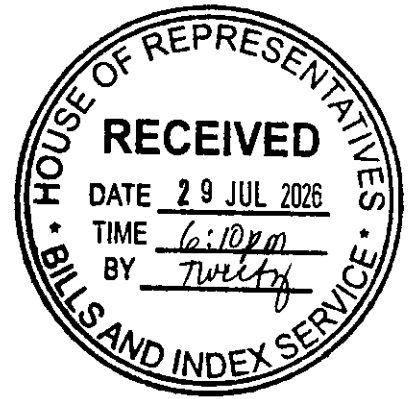


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

House Bill No. 10419



Introduced by **Representatives JEFFREY SORIANO, JOCELYN P. TULFO, and
RALPH WENDEL P. TULFO**

EXPLANATORY NOTE

This bill seeks to institutionalize a Roll-Over Data Allocation Scheme that allows subscribers to carry over unused mobile and internet data allocations, ensuring that consumers receive the full value of the services for which they have paid. The measure likewise provides mechanisms for the accumulation, utilization, and conversion of unused data allocations under specified conditions.

Internet connectivity has become an essential service for education, employment, business, government transactions, and communication. Millions of Filipinos rely on prepaid and postpaid internet subscriptions to access online learning platforms, digital banking services, remote work opportunities, and other vital online activities. Despite this dependence, consumers often lose unused data allocations upon the expiration of their subscriptions or promotional periods, even though such data has already been paid for.

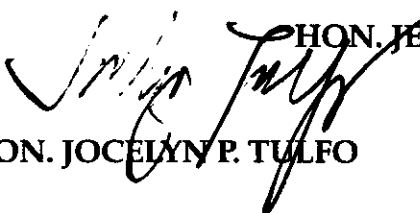
This practice results in the forfeiture of paid services and places consumers at a disadvantage, particularly those who purchase larger data allocations to ensure uninterrupted connectivity during emergencies, fluctuating work schedules, or periods of limited internet use. As digital services continue to play a greater role in everyday life, there is a growing need to promote fairer consumer practices that maximize the value of internet subscriptions and encourage more efficient use of digital resources.

This measure establishes a Roll-Over Data Allocation Scheme that enables subscribers to retain and utilize unused data allocations beyond the original subscription period, subject to reasonable conditions. It likewise encourages greater consumer protection, promotes transparency in internet service offerings, and ensures that subscribers are able to enjoy the full benefit of the services they have purchased.

Access to reliable and affordable internet services is increasingly indispensable in a modern and digital society. Consumers deserve fair treatment and reasonable flexibility in the use of services for which they have paid. Allowing the

rollover of unused data allocations advances consumer welfare, strengthens digital inclusion, and promotes a more responsive and equitable telecommunications sector.

In view of the foregoing, the immediate approval of this measure is earnestly sought.


HON. JOCELYN P. TULFO


HON. JEFFREY SORIANO


HON. RALPH WENDEL P. TULFO

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House Bill No. 10419

Introduced by **Representatives JEFFREY SORIANO, JOCELYN P. TULFO, and
RALPH WENDEL P. TULFO**

AN ACT
MANDATING INTERNET SERVICE PROVIDERS TO IMPLEMENT A
ROLL-OVER DATA ALLOCATION SCHEME FOR UNUSED DATA, AND
PROVIDING PENALTIES FOR VIOLATIONS THEREFOR

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 “*Roll-Over Internet Act.*”

SEC. 2. *Declaration of Policy.* – The State recognizes the vital role of information and communications technology in nation building. It shall implement measures to regulate internet and telecommunications services offered by public telecommunications entities (PTEs) and internet service providers (ISPs), to ensure reliable, accessible, and affordable connectivity, responsive and effective customer service, and the protection and promotion of the rights and welfare of the consuming public.

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

- a. Data Capping refers to the 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 and 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 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;

f. Unlimited Internet Data Package refers to an internet service package with no data cap; and

g. Year refers to twelve (12) calendar months, beginning on the date of subscription for prepaid users or on the start of the applicable billing cycle for postpaid users.

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:

i. The rolled-over data allocation shall be prioritized to be consumed in the preceding month: Provided, That the unused data every month will 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:

i. Unused data allocation shall be rolled-over provided that the subscriber or user renews the subscription right after the lapse of the offer duration;

ii. 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

iii. 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.* – For any ISP who fails to comply with any of the provisions of this Act, the following penalties shall be imposed:

a. A fine of Fifty thousand pesos (Php 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-determination fees of affected subscribers.

SEC. 8. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, 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 Clause.* – If any portion or provision of this Act is declared invalid or unconstitutional, other provisions hereof shall remain in full force and effect.

SEC. 10. *Repealing Clause.* – All laws, presidential decrees, executive orders, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 11. *Effectivity.* – This Act shall take effect fifteen days (15) after its publication in the Official Gazette or in a national newspaper of general circulation.

Approved,