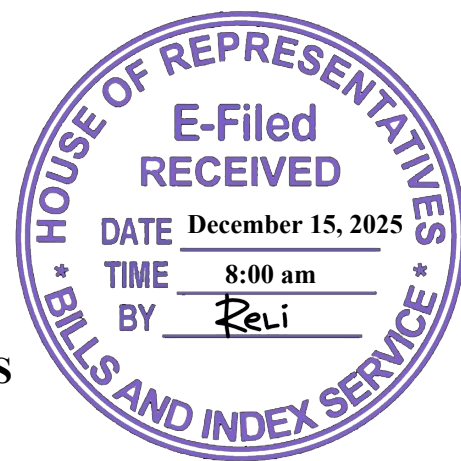




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session



COMMITTEE REPORT NO. 51

Submitted by the Committee on Housing and Urban Development on **December 15, 2025**

Re House Bill No. **6801**

Recommending its approval in substitution of House Bills Numbered 2291 and 3394

Sponsor: Representative Ma. Victoria Co-Pilar
Mr. Speaker:

The Committee on Housing and Urban Development to which were referred House Bill No. 2291, introduced by Rep. Ma. Victoria Co-Pilar, entitled:

**AN ACT MANDATING THE ALLOCATION OF AN AREA FOR
INFORMATION AND COMMUNICATION TECHNOLOGY
INFRASTRUCTURE AND FACILITIES IN SUBDIVISIONS AND
HOUSING DEVELOPMENT PROJECTS**

and House Bill No. 3394, introduced by Rep. Ma. Victoria Co-Pilar, entitled:

**AN ACT MANDATING THE ALLOCATION OF AN AREA FOR
INFORMATION AND COMMUNICATION TECHNOLOGY
INFRASTRUCTURE AND FACILITIES IN SUBDIVISIONS AND
HOUSING DEVELOPMENT PROJECTS**

has considered the same and recommends that the attached House Bill No. **6801**, entitled:

**AN ACT MANDATING THE ALLOCATION OF AN AREA FOR
INFORMATION AND COMMUNICATION TECHNOLOGY
INFRASTRUCTURE AND FACILITIES IN SUBDIVISIONS AND
HOUSING DEVELOPMENT PROJECTS**

be approved in substitution of House Bills Numbered 2291 and 3394 with Representatives Ma. Victoria Co-Pilar, Leila M. de Lima, Howard A. Guintu, Kenneth T. Gatchalian, Jan “Atty. JP” Padiernos, Roman T. Romulo, Kenneth Paolo Tereng, Henry “Indy” F. Oaminal, Jr., Antolin A. Oreta III, Irene G. Labadlabad, Gerald Cloyd Alexis V. Galang, Antonio A. Ferrer, Elijah Rumbaoa San Fernando, Lani Mercado-Revilla, Terry L. Ridon, Nathaniel M. Oducado, Roy M. Gonzales, Sonny “SL” L. Lagon, Steve Chiongbian Solon, and Roy M. Loyola as authors thereof.

Respectfully submitted,


MA. VICTORIA CO-PILAR
Chairperson
Committee on Housing and Urban
Development

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 6801

(In substitution of House Bills Numbered 2291 and 3394)

Introduced by Representatives **MA. VICTORIA CO-PILAR, LEILA M. DE LIMA, HOWARD A. GUINTU, KENNETH T. GATCHALIAN, JAN "ATTY. JP" PADIERNOS, ROMAN T. ROMULO, KENNETH PAOLO TERENG, HENRY "INDY" F. OAMINAL, JR., ANTOLIN A. ORETA III, IRENE G. LABADLABAD, GERALD CLOYD ALEXIS V. GALANG, ANTONIO A. FERRER, ELIJAH RUMBAOA SAN FERNANDO, LANI MERCADO-REVILLA, TERRY L. RIDON, NATHANIEL M. ODUCAO, ROY M. GONZALES, SONNY "SL" L. LAGON, STEVE CHIONGBIAN SOLON, AND ROY M. LOYOLA**

AN ACT
MANDATING THE ALLOCATION OF AN AREA FOR INFORMATION AND COMMUNICATION TECHNOLOGY INFRASTRUCTURE AND FACILITIES IN SUBDIVISIONS AND HOUSING DEVELOPMENT PROJECTS

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 “Housing Development
2 Digital Connectivity Act”.

3 **SEC. 2. Declaration of Policy.** – It is the policy of the State to undertake, in
4 cooperation with the private sector, a continuing program of urban and housing
5 development which considers the provision of integrated, reliable, and affordable
6 information and communications technology (ICT) services.

7 Recognizing the need for such an integrated approach in nation-building, the State
8 shall pursue the development of affordable housing side by side with sustainable physical
9 infrastructure that responds to the needs of the population and residents including those
10 pertaining to connectivity, health, education, housing, community, public space,
11 transportation, sports and recreation, the practice of faith, public information, arts and
12 culture, and public safety.

13 The State shall ensure the provision of ICT infrastructure and facilities in
14 subdivisions and housing development projects in order to provide interoperability
15 among government, industry players, and citizens to facilitate access to information and
16 processing of licenses, clearances, permits, certifications and other requirements of the
17 government.

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

2 (a) *Beneficial user* refers to homeowners and residents within a subdivision or
3 village, who are not members of the association, and to subdivision owners or developers
4 who hold properties in the subdivision not for the purpose of residing thereto but as part
5 of their inventory for the purpose of sale to the public;

6 (b) *Critical ICT infrastructure* refers to ICT systems and assets so vital to the
7 Republic of the Philippines that the incapacity or destruction of such systems or assets
8 would have a detrimental impact on national security;

9 (c) *Homeowners' association* refers to a non-stock, non-profit corporation
10 registered with the Department of Human Settlements and Urban Development (DHSUD),
11 or one previously registered with the Philippine Guarantee Corporation or the Securities
12 and Exchange Commission, organized by owners or purchasers of a lot in a subdivision,
13 village or other residential real property located within the jurisdiction of the association;
14 or awardees, usufructuaries, legal occupants and lessees of housing units and lots or lots
15 in a government socialized or economic housing or relocation project and other urban
16 estates; or underprivileged and homeless citizens as defined under existing laws in the
17 process of being accredited as usufructuaries or awardees of ownership rights under the
18 Community Mortgage Program, Land Tenure Assistance Program and other similar
19 programs in relation to a socialized housing project actually being implemented by the
20 national government or the local government unit;

21 (d) *Independent tower company (ITC)* refers to a private entity duly organized and
22 existing under the laws of the Philippines, registered with the Department of Information
23 and Communications Technology (DICT), and engaged in the business of establishing or
24 operating one or more shared passive telecommunications tower infrastructure;

25 (e) *Information and communications technology* refers to the totality of electronic
26 means to access, create, collect, store, process, receive, transmit, present, and disseminate
27 information as defined under Republic Act (RA) No. 10844, otherwise known as the
28 "Department of Information and Communications Technology Act of 2015";

29 (f) *ICT infrastructure and facilities* refer to telecommunications towers, cell sites,
30 base stations, antenna, commercial power systems, and other telecommunication
31 apparatus such as switches, cables, and poles needed to provide telecommunications
32 service;

33 (g) *ICT provider* refers to any person, firm, partnership or corporation,
34 government or private, engaged in the provision of ICT services including public
35 telecommunications entity as defined under RA 7925, otherwise known as the "Public
36 Telecommunications Policy Act of the Philippines"; and

37 (h) *Passive telecommunications tower infrastructure (PTTI)* refers to all types of
38 outdoor non-electronic communications infrastructure or civil works, including towers,
39 masts, poles, and other similar infrastructure such as the following:

(1) Appurtenant shelters, sheds, cabins, cabinets or other similar housing for the base band units, radio units, and related electronic equipment, as well as the cable entrances thereof;

(2) Ducts, ladders, arresters, mounts, cable entrances, and the cable trays of the PTTI;

(3) Shared fiber optic or radio frequency cables or other similar equipment assemblies that make up the fronthaul;

(4) Power supply and back-up power management systems; and

(5) All other facilities necessary and pertinent to the proper, resilient, and continuous operation of a PTTI, built either on the ground or installed on buildings, walls, rooftops or other edifice, that are utilized for purposes of mounting antennas, transmitters or receivers, radio frequency modules, and other radio communications systems as macro cell sites for the rendition of information and communications technology services in the telecommunications network.

SEC. 4. Housing Development Enhancement. – To promote the accessibility of ICT and ensure digital connectivity in urban centers and populated areas of the country, all housing projects, subdivisions, villages, or other residential real property, including mixed residential housing and commercial development project, and socialized or economic housing shall allocate an area within its designated open space for the establishment of ICT infrastructure and related amenities.

SEC. 5. Housing Projects. – A developer of a subdivision project shall set aside an area for ICT infrastructure and facilities in the open space mandated under Section 31 of Presidential Decree (PD) No. 957, otherwise known as “The Subdivision and Condominium Buyers’ Protective Decree”, as amended by PD 1216. Priority shall be given to critical ICT infrastructure.

(a) In order to maintain the area reserved for parks, playgrounds and recreational use, and other public space for social infrastructure and community activities, the developer may opt to provide an area for ICT infrastructure and facilities from the net saleable lots outside the mandatory thirty percent (30%) of the gross area for open space. The use for ICT infrastructure and facilities of these saleable lots zoned as residential shall be allowed, unless there are express prohibitions under existing laws, regulations, and ordinances, and shall not be used as reason for denying the certificate of completion for the subdivision project: *Provided*, That prior to the completion of the subdivision project, the developer may enter into agreements for the construction, maintenance, and operation of the communications facilities compliant with the requirements of this Act, the DICT or the National Telecommunications Commission (NTC), whichever is applicable.

(b) The area set aside for ICT infrastructure and facilities can either be obtained through direct purchase based on the fair market value of the land or used by way of a long-term lease: *Provided*, That the expenses incurred in building the ICT infrastructure and facilities shall be borne by the purchaser or the lessee which is an ICT provider or by a duly registered ITC: *Provided, further*, That developers of future subdivision projects

1 may likewise opt to serve as the ITC, by itself or through its affiliate or subsidiary:
2 *Provided, finally*, That payment of any kind for the establishment of ICT infrastructure and
3 facilities shall be held in trust by the developer in favor of the homeowners' association
4 and turned over once the homeowners' association is constituted in accordance with
5 Section 30 of PD 957 and registered with the DHSUD pursuant to Section 5(IV)(a) of RA
6 11201, otherwise known as the "Department of Human Settlements and Urban
7 Development Act", in relation to Section 4 of RA 9904, also known as the "Magna Carta for
8 Homeowners and Homeowners' Associations", except in cases under Section 5(a) of this
9 Act where payment shall accrue to the developer.

10 (c) All ICT infrastructure and facilities, particularly PTTI, to be built in future
11 housing subdivision projects shall be non-exclusive and shall be accessible for shared use
12 by ICT providers and all installation of active infrastructure such as antennas,
13 transmitters, receivers, radio frequency modules, radio communication systems, and
14 other active information and communications technology equipment, units, and
15 implements for macro cell sites, as well as improvements, renovations, upgrades, or
16 updates thereof, shall be co-located thereon but subject to the consent of the developer
17 or the homeowners' association, as the case may be.

18 **SEC. 6. Existing Subdivisions.** - Homeowners' associations in existing
19 subdivisions shall provide an area in the open space mandated under Section 31 of PD
20 957, as amended by PD 1216, further amended by this Act, where ICT infrastructure and
21 facilities shall be established.

22 (a) If the area identified for ICT infrastructure and facilities is located in an open
23 space in an existing subdivision already donated and accepted by the city or municipality,
24 the clearance of the city or municipality shall be secured.

25 (b) If the area identified for ICT infrastructure and facilities is located in an open
26 space in an existing subdivision already donated and turned over to the homeowners'
27 association with the consent of the city or municipality, the homeowners' association
28 shall be consulted in accordance with Section 10(k) of RA 9904 and secure its clearance.

29 (c) If the area identified for ICT infrastructure and facilities, however, is a lot in an
30 existing subdivision owned by a private individual, consultation with and clearance from
31 the homeowners' associations shall be required and the deed of restrictions insofar as the
32 subject lot is concerned shall be deemed modified accordingly: *Provided*, That the
33 subsequent related application for clearances before the homeowners' association shall
34 be strictly governed by the guidelines provided under Section 15 of RA 11032, otherwise
35 known as the "Ease of Doing Business and Efficient Government Service Delivery Act of
36 2018", and violation thereof shall be imposed the sanctions set forth in the law.

37 (d) In all instances, the area set aside for ICT infrastructure and facilities can either
38 be obtained through direct purchase based on the fair market value of the land or used
39 by way of a long-term lease: *Provided*, That the expenses incurred in building the ICT
40 infrastructure and facilities shall be borne by the purchaser or the lessee which is an ICT
41 provider or by a duly registered ITC: *Provided, further*, That the ICT provider shall not be
42 considered as a homeowner of the subdivision project, notwithstanding the definition of
43 homeowner provided under Section 3(j) of RA 9904, but as a beneficial user defined
44 under Section 3(a) of this Act: *Provided, furthermore*, That ICT providers shall conform to

1 the guidelines, standards, rules and regulations of the DHSUD, the Department of Health
2 (DOH), and the National Building Code on the design, location, and perimeter distance of
3 the infrastructure and facilities.

4 (e) All ICT infrastructure and facilities, particularly PTI, to be built in an existing
5 subdivision shall be non-exclusive and shall be accessible for shared use by ICT provider
6 and all installation of active infrastructure such as antennas, transmitters, receivers, radio
7 frequency modules, radio communication systems, and other active ICT equipment, units,
8 and implements for macro cell sites, as well as improvements, renovations, upgrades, or
9 updates thereof, shall be co-located thereon, subject to the consent of the developer or
10 the homeowners' association, as the case may be.

11 (f) Existing subdivisions with established ICT infrastructure and facilities shall be
12 deemed compliant with this Act: *Provided*, That the ICT infrastructure and facilities are
13 compliant with the requirements of the DICT.

14 (g) In any case, the consent of the city or municipality referred to under Section
15 6(a) of this Act and the consultation and consent required in accordance with Section
16 10(k) of RA 9904 referred under Section 6(b) herein shall be governed by the guidelines
17 provided under Section 15 of RA 11032. The request for the issuance of consent referred
18 hereunder shall be deemed approved and issued by the DHSUD and the Anti-Red Tape
19 Authority in case there is failure to act upon the request within the prescribed period.

20 (h) In case of national emergency, the requirement of clearance from homeowners'
21 associations shall be suspended or waived, pursuant to RA 11517, entitled "An Act
22 Authorizing the President to Expedite the Processing and Issuance of National and Local
23 Permits, Licenses and Certifications in Times of National Emergency", notwithstanding
24 the right of homeowners' associations to regulate access to the subdivision, subject to
25 conditions stipulated under Section 10 of RA 9904.

26 **SEC. 7. Jurisdiction of Human Settlements Adjudication Commission.** – In case
27 of denial of clearance by the homeowners' association under Section 6(b) of this Act, ICT
28 providers may file a case before the Regional Adjudication Branch of the Human
29 Settlements Adjudication Commission. The Regional Adjudication Branch of the region
30 where the subdivision is located shall exercise original and exclusive jurisdiction to hear
31 and decide the case.

32 **SEC. 8. Rationalized Locational Plan.** – The DICT and the NTC shall, in
33 consultation with the relevant stakeholders, prepare a comprehensive locational plan
34 that identifies the sites for the construction and establishment of ICT infrastructure and
35 facilities in accordance with the comprehensive land use plan and zoning ordinance of
36 each local government unit.

37 Such rationalized locational plan shall be reviewed every five (5) years by the DICT
38 and NTC, in coordination with the DHSUD and the Department of the Interior and Local
39 Government (DILG).

40 The NTC shall issue the document certifying the necessity for ICT infrastructure
41 and facilities as provided under the rationalized locational plan of proposed sites.

1 **SEC. 9. *Information Campaign.*** – The DICT shall, in partnership with the DHSUD,
2 DILG, DOH, and the Food and Drug Administration, in coordination with ICT providers,
3 conduct an information campaign to address the safety concerns on the radio frequency
4 radiation emitted by telecommunication towers.

5 **SEC. 10. *Implementing Rules and Regulations.*** – Within sixty (60) days from the
6 effectivity of this Act, the DHSUD shall, in consultation with the DICT, NTC, DILG, DOH, and
7 the stakeholders, promulgate the necessary rules and regulations for the effective
8 implementation of this Act.

9 **SEC. 11. *Separability Clause.*** – If any provision of this Act shall be declared
10 unconstitutional or invalid, the other provisions not otherwise affected shall remain in
11 full force and effect.

12 **SEC. 12. *Repealing Clause.*** – Section 31 of PD 957, as amended by PD 1216, is
13 hereby further amended. All laws, decrees, executive orders, proclamations and other
14 executive issuances which are inconsistent with or contrary to the provisions of this Act
15 are hereby amended or repealed accordingly.

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

18 *Approved,*

FACT SHEET

House Bill No. 6801

(In substitution of House Bills Numbered 2291 and 3394)

AN ACT

MANDATING THE ALLOCATION OF AN AREA FOR INFORMATION AND COMMUNICATION TECHNOLOGY INFRASTRUCTURE AND FACILITIES IN SUBDIVISIONS AND HOUSING DEVELOPMENT PROJECTS

Introduced by **REPRESENTATIVES MA. VICTORIA CO-PILAR, LEILA M. DE LIMA, HOWARD A. GUINTU, KENNETH T. GATCHALIAN, JAN "ATTY. JP" PADIERNOS, ROMAN T. ROMULO, KENNETH PAOLO TERENG, HENRY "INDY" F. OAMINAL, JR., ANTOLIN A. ORETA III, IRENE G. LABADLABAD, GERALD CLOYD ALEXIS V. GALANG, ANTONIO A. FERRER, ELIJAH RUMBAOA SAN FERNANDO, LANI MERCADO-REVILLA, TERRY L. RIDON, NATHANIEL M. ODUKADO, ROY M. GONZALES, SONNY "SL" L. LAGON, STEVE CHIONGBIAN SOLON, AND ROY M. LOYOLA**

Committee Referral: ***COMMITTEE ON HOUSING AND URBAN DEVELOPMENT***

Committee Chairperson: ***REPRESENTATIVE MA. VICTORIA CO-PILAR***

OBJECTIVES:

- To promote a continuing program of urban and housing development, which considers the provision of integrated, reliable, and affordable information and communications technology (ICT) services
- To pursue the development of affordable housing side by side with sustainable physical infrastructure that responds to the needs of the population and residents, including those pertaining to connectivity, health, education, housing, community, public space, transportation, sports and recreation, the practice of faith, public information, arts and culture, and public safety

KEY PROVISIONS:

- Mandates the establishment of ICT infrastructure and facilities in existing subdivisions and future housing developments to promote the accessibility of ICT and ensure digital connectivity in urban centers and populated areas of the country, including those pertaining to connectivity, health, education, housing, community, public space, transportation, sports and recreation, the practice of faith, public information, arts and culture, and public safety
- Mandates that the necessary space for the establishment of ICT infrastructure and facilities in future housing projects shall come from the thirty percent (30%) of the gross area of the project that is reserved for open space by amending Section 31 of Presidential Decree (PD) No. 957, as amended by PD No. 1216 which can be obtained by an ICT provider either through direct purchase based on the fair market value of the land or used by way

of a long-term lease, the compensation for which shall be held in trust by the developer and turned over once a homeowners' association is constituted

- Allows the developer the option to provide an area for ICT infrastructure and facilities from the net saleable lots outside the mandatory thirty percent (30%) of the gross project area for open space in subdivision projects where the area for parks, playgrounds and recreational use, and other public space for social infrastructure and community activities is better reserved and maintained for the purpose, the compensation for which shall accrue to the developer
- Directs ICT providers to secure the consent of the city or municipality if the area identified for ICT infrastructure and facilities in an existing subdivision is located in an open space already donated to the city or municipality and to secure the consent of the homeowners' association if the area identified is located in an open space already donated to the homeowners' association, and provides for compensation to the local government unit for the use of such open space or the homeowners' association
- Mandates that application for clearances before the homeowners' association shall be strictly governed by the guidelines provided under Section 15 of Republic Act No. 11032, otherwise known as the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018"
- Directs the Department of Information and Communications Technology (DICT) and the National Telecommunications Commission to prepare a comprehensive locational plan that identifies the sites for the construction and establishment of ICT infrastructure and facilities in accordance with the comprehensive land use plan and zoning ordinance of each local government unit
- Directs the DICT and the Department of Human Settlements and Urban Development, Department of Health, and the Food and Drug Administration, in coordination with ICT providers, to conduct an information campaign to address the safety concerns on the radio frequency radiation emitted by telecommunication antennas

RELATED LAWS:

- Republic Act No. 9904 – "Magna Carta for Homeowners and Homeowners' Associations"
- Republic Act No. 11032 - "Ease of Doing Business and Efficient Government Service Delivery Act of 2018"
- Republic Act No. 11201 – "Department of Human Settlements and Urban Development Act"
- Presidential Decree No. 957, as amended – "The Subdivision and Condominium Buyers' Protective Decree"