



HOUSE OF REPRESENTATIVES

H. No. 10699

BY REPRESENTATIVES DAZA, TEVES, ONGCHUAN, TIANGCO, DALIPE, REVILLA (B.), DUJALI, MAGSINO, ROMUALDO, DEL MAR, TUTOR, CASTRO (F.), CABREDO, ROMULO, BENITEZ, ALMARIO, NOGRALES (M.), TAN (K.M.), ROBES, MANUEL, GOLEZ AND BROSAS

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 “*Sana All May Internet Act*”.

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

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

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

13 (a) Establish a policy and regulation that shall reduce to zero the spectrum user fee
14 (SUF) paid by telecommunications entities to the national government, to enable
15 the proliferation of the Wi-Fi technology usage and facilitate infrastructure

1 development, and eventually lower the cost of delivering telecommunications
2 services to end users;

3 (b) Promote the acceleration of internet use in the country and the expansion of Wi-Fi
4 technology and infrastructure in unserved and underserved areas so the poor and
5 underprivileged shall have access to reliable, accessible, and affordable
6 connectivity;

7 (c) Encourage and empower the small players in the industry to provide affordable
8 internet services, especially in the unserved and underserved areas; and

9 (d) Adopt a license-free, zero SUF policy in accordance with international best
10 practices, and protect public interest by limiting the use of Wi-Fi frequency fixed
11 links to the government and duly enfranchised public telecommunications
12 entities.

13 *SEC. 4. Definition of Terms.* – As used in this Act:

14 (a) *Internet* refers to the biggest worldwide global computer network providing a
15 wide variety of information and communication facilities, consisting of
16 interconnected networks using standardized communication protocols;

17 (b) *Open and unprotected frequency* refers to the frequencies at 2.4-2.4835 GHz,
18 5.150-5.350 GHz, and 5.470-5.850 GHz. of the radio spectrum. Any frequency
19 outside of the aforementioned is licensed especially if it is included in the list of
20 frequencies in the NTC Memorandum Circulars and issuances which are part of
21 the National Radio Frequency Allocation Table;

22 (c) *Public telecommunications entity or PTE* refers to any person, firm, partnership or
23 corporation, government or private, engaged in the provision of
24 telecommunications services to the public for a fee;

25 (d) *Radio frequency spectrum* refers to the part of the electromagnetic spectrum with
26 frequencies from 30Hz to 300GHz, used for communications which includes
27 frequencies for wireless telecommunications technologies such as radio,
28 television, and radar;

1 (e) *Spectrum user fee (SUF)* refers to the fee imposed by the government regulator in
2 the use of a particular frequency; and

3 (f) *Wi-Fi or Wireless fidelity* refers to a type of wireless local access network
4 technology that is based on the Institute of Electrical and Electronics Engineers or
5 IEEE's wireless communication standard 802.11 family and uses the 2.4 GHz and
6 5 GHz frequency band.

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

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

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

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

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

1 SEC. 9. *Joint Congressional Oversight Committee (JCOC)*. – There is hereby created a
2 Joint Congressional Oversight Committee to monitor the effective implementation of this Act,
3 recommend the necessary remedial or administrative measures, and perform such other duties
4 and functions as may be necessary to attain the objectives of this Act.

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

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

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

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

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

Approved,