



HOUSE OF REPRESENTATIVES

H. No. 22

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OLIVAREZ, ARENAS, PUNO, MONTES AND GARIN

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 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

1 radio frequency spectrum to service providers capable of efficiently and effectively using it to
2 meet public demand for telecommunications and data transmission services.

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

- 4 (a) Establish a policy and regulation that will reduce to zero the spectrum user fee
5 (SUF) paid by telecommunications entities to the national government, to enable
6 the proliferation of the Wi-Fi technology usage and facilitate infrastructure
7 development, and eventually lower the cost of delivering telecommunications
8 services to end users;
- 9 (b) Promote the acceleration of internet use in the country and the expansion of Wi-Fi
10 technology and infrastructure in unserved and underserved areas so the poor and
11 underprivileged will have access to reliable, accessible, and affordable
12 connectivity;
- 13 (c) Encourage and empower the small players in the industry to provide affordable
14 internet services, especially in the unserved and underserved areas; and
- 15 (d) Adopt a license-free, zero SUF policy in accordance with international best
16 practices, and protect public interest by limiting the use of outdoor Wi-Fi
17 frequency access points or base stations and links to the government and duly
18 enfranchised public telecommunications entities.

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

- 20 (a) *Internet* refers to the biggest worldwide global computer network providing a
21 wide variety of information and communication facilities, consisting of
22 interconnected networks using standardized communication protocols;
- 23 (b) *Internet service provider or ISP* refers to an entity with or without a franchise,
24 registered as a value-added service provider with the National
25 Telecommunications Commission (NTC) and authorized to build, install, operate
26 and maintain a network in order to offer internet access services to the public for a
27 fee;
- 28 (c) *Open and unprotected frequency* refers to the frequencies at 2.4-2.4835 GHz,
29 5.150-5.350 GHz, and 5.470-5.850 GHz of the radio spectrum. Any frequency
30 outside of these frequencies is a licensed frequency especially if it is included in
31 the frequencies listed in the Department of Information and Communications
32 Technology (DICT) policies and NTC Memorandum Circulars and issuances
33 which are part of the National Radio Frequency Allocation Table or NRFAT;

1 (d) *Public telecommunications entity or PTE* refers to any person, firm, partnership or
2 corporation, government or private, engaged in the provision of
3 telecommunications services to the public for a fee;

4 (e) *Radio frequency spectrum* refers to the part of the electromagnetic spectrum with
5 frequencies from 30Hz to 300GHz, used for communications which include
6 frequencies for wireless telecommunications technologies such as radio,
7 television, and radar;

8 (f) *Spectrum user fee (SUF)* refers to the fee imposed by the government regulator in
9 the use of a particular frequency; and

10 (g) *Wi-Fi or Wireless fidelity* refers to a type of wireless local access network
11 technology that is based on the Institute of Electrical and Electronics Engineers'
12 Wireless Communication Standard 802.11 family and uses the 2.4 GHz and 5
13 GHz frequency band.

14 SEC. 5. *Coverage.* – This Act shall cover Wi-Fi frequencies at 2.4-2.4835 GHz, 5.150-
15 5.350 GHz, and 5.470-5.850 GHz, and any other frequency band that the NTC may deem open
16 and unprotected after due notice and hearing. This Act shall in no way amend or repeal Republic
17 Act No. 10929, otherwise known as the “Free Internet Access in Public Places Act”.

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

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

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

33 SEC. 8. *Implementing Rules and Regulations.* – Within sixty (60) days after the
34 effectivity of this Act, the DICT as the lead agency, together with the NTC and representatives

1 from the telecommunications sector, shall promulgate the necessary rules and regulations for the
2 effective implementation of the provisions of this Act.

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

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

14 SEC. 10. *Suppletory Application.* – The provisions of Republic Act No. 10844, otherwise
15 known as the “Department of Information and Communications Technology Act of 2015”,
16 Republic Act No. 12234, also known as the “Konektadong Pinoy Act”, and other laws consistent
17 with this Act shall have suppletory application.

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

21 SEC. 12. *Repealing Clause.* – All laws, presidential decrees, executive orders,
22 presidential proclamations, rules and regulations or parts thereof contrary to or inconsistent with
23 this Act are hereby repealed, superseded or modified accordingly.

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

Approved,