

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Third Regular Session



COMMITTEE REPORT NO. 1152

Submitted by the Committee on Information and Communications Technology on
July 31, 2024.

Re : House Bill No. 10699

Recommending its approval in substitution of House Bills Numbered 43, 2172, and 4190.

Sponsors : Representatives Paul Ruiz Daza and Tobias "Toby" M. Tiangco

Mr. Speaker:

The Committee on Information and Communications Technology to which were referred House Bill No. 43, introduced by Reps. Paul Ruiz Daza, Alan "Aldu" R. Dujali, Marissa "Del Mar" P. Magsino, Jurdin Jesus M. Romualdo, Rachel Marguerite B. Del Mar, and Kristine Alexie B. Tutor, entitled:

**"AN ACT
PROVIDING FOR CHEAPER AND MORE ACCESSIBLE INTERNET FOR ALL"**

House Bill No. 2172, introduced by Rep. Jose "Bong" J. Teves Jr., entitled:

**"AN ACT
ESTABLISHING A ZERO SPECTRUM USER FEE POLICY FOR PHILIPPINE
TELECOMMUNICATIONS ENTITIES USING Wi-Fi FREQUENCY BANDS OR
SPECTRUM"**

and House Bill No. 4190, introduced by Rep. Harris Christopher M. Ongchuan, entitled:

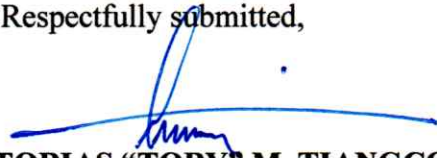
**"AN ACT
ESTABLISHING A ZERO SPECTRUM USER FEE POLICY FOR PHILIPPINE
TELECOMMUNICATIONS ENTITIES USING Wi-Fi FREQUENCY BANDS OR
SPECTRUM"**

has considered the same and recommends that the attached House Bill No. 10699, entitled:

**"AN ACT
PROVIDING FOR CHEAPER AND MORE ACCESSIBLE INTERNET FOR ALL"**

be approved in substitution of House Bills Numbered 43, 2172, and 4190 and with Representatives Paul Ruiz Daza, Jose "Bong" J. Teves Jr., Harris Christopher M. Ongchuan, Tobias "Toby" M. Tiangco, Bryan B. Revilla, Alan "Aldu" R. Dujali, Marissa "Del Mar" P. Magsino, Jurdin Jesus M. Romualdo, Rachel Marguerite B. Del Mar, Kristine Alexie B. Tutor, France L. Castro, Fernando T. Cabredo, Roman T. Romulo, Francisco "Kiko" B. Benitez, Cheeno Miguel D. Almario, Margarita "Atty. Migs" B. Nograles, Keith Micah "Atty. Mike" D.L. Tan, Florida "Rida" P. Robes, Raoul Danniel A. Manuel, Anthony Rolando T. Golez Jr, and Arlene D. Brosas as authors thereof.

Respectfully submitted,



TOBIAS "TOBY" M. TIANGCO
Chairperson
Committee on Information and
Communications Technology

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
Quezon City

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HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 10699

(In substitution of House Bills Numbered 43, 2172, and 4190)

Introduced by Representatives Paul Ruiz Daza, Jose "Bong" J. Teves Jr., Harris Christopher M. Ongchuan, Tobias "Toby" M. Tiangco, Bryan B. Revilla, Alan "Aldu" R. Dujali, Marissa "Del Mar" P. Magsino, Jurdin Jesus M. Romualdo, Rachel Marguerite B. Del Mar, Kristine Alexie B. Tutor, France L. Castro, Fernando T. Cabredo, Roman T. Romulo, Francisco "Kiko" B. Benitez, Cheeno Miguel D. Almario, Margarita "Atty. Migs" B. Nograles, Keith Micah "Atty. Mike" D.L. Tan, Florida "Rida" P. Robes, Raoul Danniel A. Manuel, Anthony Rolando T. Golez Jr, and Arlene D. 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

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

- b. Promote the acceleration of internet use in the country and the expansion of Wi-Fi technology and infrastructure in unserved and underserved areas so the poor and underprivileged shall have access to reliable, accessible, and affordable connectivity;
- c. Encourage and empower the small players in the industry to provide affordable internet services, especially in the unserved and underserved areas; and
- d. Adopt a license-free, zero SUF policy in accordance with international best practices, and protect public interest by limiting the use of Wi-Fi frequency fixed links to the government and duly enfranchised public telecommunications entities.

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

- a. *Internet* refers to the biggest worldwide global computer network providing a wide variety of information and communication facilities, consisting of interconnected networks using standardized communication protocols;
- b. *Open and unprotected frequency* refers to the frequencies at 2.4-2.4835 GHz, 5.150-5.350 GHz, and 5.470-5.850 GHz. of the radio spectrum. Any frequency outside of the aforementioned is licensed especially if it is included in the list of frequencies in the NTC Memorandum Circulars and issuances which are part of the National Radio Frequency Allocation Table;
- c. *Public telecommunications entity or PTE* refers to any person, firm, partnership or corporation, government or private, engaged in the provision of telecommunications services to the public for a fee;
- d. *Radio frequency spectrum* refers to the part of the electromagnetic spectrum with frequencies from 30Hz to 300GHz, used for communications which includes frequencies for wireless telecommunications technologies such as radio, television, and radar;
- e. *Spectrum user fee (SUF)* refers to the fee imposed by the government regulator in the use of a particular frequency; and
- f. *Wi-Fi or Wireless fidelity* refers to a type of wireless local access network technology that is based on the Institute of Electrical and Electronics Engineers or IEEE's wireless communication standard 802.11 family and uses the 2.4 GHz and 5 GHz frequency band.

1 SEC. 5. *Coverage.* – This Act shall cover Wi-Fi frequencies at 2.4-2.4835 GHz, 5.150-
2 5.350 GHz, and 5.470-5.850 GHz, and any other frequency band that the NTC may deem open
3 and unprotected after due notice and hearing. This Act shall in no way amend or repeal Republic
4 Act No. 10929, otherwise known as "The Free Internet Access in Public Places Act".

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

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

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

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

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

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

1 SEC. 10. *Suppletory Application.* – The provisions of Republic Act No. 10844, otherwise
2 known as the "Department of Information and Communications Technology Act of 2015" and
3 other laws consistent with this Act shall have suppletory application.

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

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

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

12 *Approved,*

FACT SHEET

House Bill No. **10699**

(In Substitution of House Bills Numbered 43, 2172, and 4190)

AN ACT

PROVIDING FOR CHEAPER AND MORE ACCESSIBLE INTERNET FOR ALL

Introduced by: REPRESENTATIVES PAUL RUIZ DAZA, JOSE "BONG" J. TEVES JR., HARRIS CHRISTOPHER M. ONGCHUAN, TOBIAS "TOBY" M. TIANGCO, BRYAN B. REVILLA, ALAN "ALDU" R. DUJALI, MARISSA "DEL MAR" P. MAGSINO, JURDIN JESUS M. ROMUALDO, RACHEL MARGUERITE B. DEL MAR, KRISTINE ALEXIE B. TUTOR, FRANCE L. CASTRO, FERNANDO T. CABREDO, ROMAN T. ROMULO, FRANCISCO "KIKO" B. BENITEZ, CHEENO MIGUEL D. ALMARIO, MARGARITA "ATTY. MIGS" B. NOGRALES, KEITH MICAH "ATTY. MIKE" D.L. TAN, FLORIDA "RIDA" P. ROBES, RAOUL DANNIEL A. MANUEL, ANTHONY ROLANDO T. GOLEZ JR, AND ARLENE D. BROSAS

Committee Referral: COMMITTEE ON INFORMATION and COMMUNICATIONS TECHNOLOGY

Committee Chairperson: REP. TOBIAS "TOBY" M. TIANGCO

OBJECTIVES:

- To address unjust and unfair policy and regulation that levies exorbitant Spectrum User Fee (SUF) on telecommunication companies (telcos) for the use of Wi-Fi frequencies or spectrum, thus lowering the cost of delivering telecommunications services.
- To adopt a license-free, zero-SUF policy in accordance with best international practices.
- To help in the acceleration of internet connectivity and the development of Wi-Fi infrastructure in the country.
- Encourage and empower the small players in the industry to provide affordable internet services especially in the unserved and underserved areas.

KEY PROVISIONS:

- Institutionalizes the Zero SUF policy for telcos using certain Wi-Fi frequencies or spectrum.

- Mandates to cover 2.4-2.4835 GHz, 5.150-5.350 GHz, and 5.470-5.850 GHz, and any other frequency band that the National Telecommunications Commission (NTC) may deem open and unprotected.
- Mandates the Department of Information and Communications Technology and the NTC to effectively establish the Zero SUF policy and regulation by not imposing a levy, charge, or collect fees to telcos for using wi-fi or wireless data network.
- Mandates that the Public Telecommunication Entities (PTEs) shall not interfere with each other's Wi-Fi airwaves or with any licensed radio stations in the course of their operations, thereby effectively establishing a zero SUF.
- Mandates that the zero SUF shall be without prejudice to the authority of the State, through the NTC, to collect fees for registration and authorization permits and licenses provided that such fees do not substantially deviate from traditional fees and charges that it becomes onerous to PTEs.
- Mandates that devices and equipment used to access the frequencies enumerated under the Act shall continue to strictly adhere to the existing NTC technical conditions and regulatory standards.

RELATED LAWS:

- Republic Act No. 10929 or the Free Internet Access in Public Places Act
- Republic Act No. 10844 or the Department of Information and Communications Technology Act of 2015
- Republic Act No. 3846 or the Radio Control Law of 1931
- Commonwealth Act No. 146 or the Public Service Act of 1938 as amended.