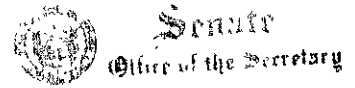



SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



SENATE

'15 JUN 15 A9:45

COMMITTEE REPORT NO. 185

RECEIVED BY: 

Submitted Jointly by the Committees on Science and Technology and Finance on JUN 15, 2015

Re: Senate Bill No. 2845

Recommending its approval in substitution of Senate Bill No. 2232

Sponsor: Senator Ralph G. Recto

MR. PRESIDENT:

The Committees on Science and Technology and Finance, to which was referred Senate Bill No. 2232, introduced by Senators Ralph G. Recto and Cynthia A. Villar, entitled:

“AN ACT PROVIDING FREE PUBLIC WIRELESS INTERNET ACCESS IN PUBLIC BUILDINGS, PARKS, AND NATIONAL ROADS IN THE NATIONAL CAPITAL REGION, AND FOR OTHER PURPOSES”

have considered the same and have the honor to report it back to the Senate with the recommendation that the attached bill, Senate Bill No. 2845, prepared by the Committees, entitled:

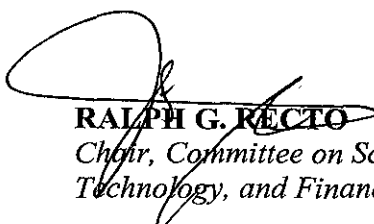
“AN ACT PROVIDING FREE WI-FI INTERNET ACCESS IN PUBLIC BUILDINGS, TRANSPORT TERMINALS AND PARKS, AND FOR OTHER PURPOSES

be approved in substitution of Senate Bill No. 2232 with Senators Ralph G. Recto, Cynthia A. Villar and Francis “Chiz” G. Escudero as authors thereof.


RESPECTFULLY SUBMITTED:

Chairpersons

FRANCIS “CHIZ” G. ESCUDERO
Chair, Committee on Finance


RALPH G. RECTO
Chair, Committee on Science and
Technology, and Finance – Subcommittee D

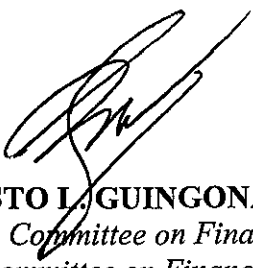
Vice Chairpersons

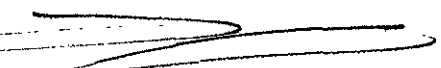

SERGIO R. OSMEÑA III
Vice Chairperson, Committee on Finance
Chair, Committee on Finance –
Subcommittee B


SONNY ANGARA
Vice Chairperson, Committee on Science and
Technology; Member, Committee on Finance



CYNTHIA A. VILLAR
Vice Chairperson, Committee on Science and
Technology; Member, Committee on Finance

Members

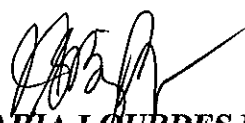

TEOFISTO I. GUINGONA III
Member, Committee on Finance
Chair, Committee on Finance- Subcommittee
E


LOREN B. LEGARDA
Member, Committee on Science and
Technology; and Chair, Committee on
Finance – Subcommittee C

RAMON BONG REVILLA, JR.
Member, Committee on Finance


PAOLO BENIGNO "BAM" AQUINO IV
Member, Committee on Science and
Technology

PIA S. CAYETANO
Member, Committee on Finance


MARIA LOURDES NANCY S. BINAY
Member, Committees on Science and
Technology and Finance


FERDINAND R. MARCOS, JR.
Member, Committee on Finance

GREGORIO B. HONASAN II
Member, Committee on Science and
Technology



GRACE POE
Member, Committee on Finance



AQUILINO "KOKO" PIMENTEL III
Member, Committee on Finance

MANUEL "LITO" M. LAPID
Member, Committee on Finance

MIRIAM DEFENSOR SANTIAGO
Member, Committee on Finance

JINGGOY EJERCITO ESTRADA
Member, Committee on Finance




JOSEPH VICTOR G. EJERCITO
Member, Committee on Finance

Ex-Officio Members:

RALPH G. RECTO
Senate President-Pro Tempore

ALAN PETER "COMPAÑERO" S. CAYETANO
Majority Leader

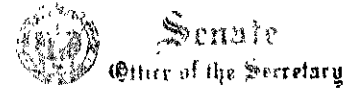


VICENTE C. SOTTO III
Acting Minority Leader
Member, Committee on Finance

JUAN PONCE ENRILE
Minority Leader

Hon. FRANKLIN M. DRILON
President
Senate of the Philippines

SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



'15 JUN 15 A9:45

Senate Bill No. 2845

(In substitution of Senate Bill No. 2232)

RECEIVED BY: AS

Prepared Jointly by the Committees on Science and Technology and Finance with Senators Ralph G. Recto, Cynthia A. Villar, and Francis "Chiz" G. Escudero as authors

AN ACT
PROVIDING FREE WI-FI INTERNET ACCESS IN PUBLIC BUILDINGS, TRANSPORT TERMINALS AND PARKS, AND FOR OTHER PURPOSES

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 “Free Public Wi-Fi Act of 2015”.
- 2 **SEC. 2. Declaration of Policy.** – The State shall give priority to science and technology to
3 accelerate social progress and promote human development. The State shall encourage the
4 participation of local governments, private groups, and community-based organizations in the
5 development and utilization of science and technology for national development.
- 6 In recognition of the vital role of information and communication in nation-building, the
7 State shall promote a policy environment for the development of information and communication
8 structures that would ensure the availability and accessibility to quality, affordable, reliable and
9 secure Internet access suitable to the needs and aspirations of the nation. The State shall also
10 encourage the exchange of information into, out of, and across the country, to promote knowledge-
11 building among citizens and enable them to participate and compete in an evolving information and
12 communications technology age.
- 13 **SEC. 3. Free Wi-Fi Internet Access.** - Within two (2) years from the effectivity of this Act,
14 free Wi-Fi Internet access shall be made available in public areas enumerated under Section 4 of
15 this Act: *Provided*, That priority shall be given to areas with existing Internet infrastructure.
- 16 **SEC. 4. Coverage.** – Public areas to be provided with free Wi-Fi Internet access shall
17 include the following:
- 18 a) National and local government offices;
 - 19 b) State universities and colleges;
 - 20 c) Public hospitals and health centers;
 - 21 d) Public parks, plazas, and libraries;

1 e) Airports and seaports; and

2 f) Public transport terminals

3 At the minimum, free Wi-Fi Internet access should be available at the main lobbies and
4 main hallways of the public building or terminal, or at the main assembly point in a public park or
5 area.

6 **SEC. 5. *Free and Fair Usage Policy.*** – No fees shall be collected for use of the free Wi-Fi
7 Internet service. A Fair Usage Policy shall be implemented to ensure that individuals will have
8 equitable access. No restrictions or requirements that hinder access shall be imposed, except to
9 implement the Fair Usage Policy or when there is a clear and present security or technical risk that
10 cannot be remedied through normal technical solutions.

11 The free Wi-Fi Internet access shall not be used for the regular operations and/or activities
12 of the offices or facilities covered: *Provided*, That the shared use of infrastructure shall not be
13 prohibited.

14 **SEC. 6. *Role of Government Agencies.*** – The Information and Communications Technology
15 Office (ICTO) of the Department of Science and Technology (DOST) shall be the lead agency for
16 the implementation of this Act, in cooperation with all National Government Agencies (NGAs) and
17 Local Government Units (LGUs).

18 For the purpose of this Act, the NGAs and LGUs shall:

- 19 a) Allow reasonable access for the installation of equipment and signage to
20 areas of the building or park where the free Wi-Fi Internet service is
21 reasonably required;
- 22 b) Allow reasonable use of electricity; and
- 23 c) Ensure the security of the equipment installed.

24 To provide a nationwide, uniform, and easier access, NGAs and LGUs that are already
25 offering free Wi-Fi Internet access to the public, may enroll or align their existing service with that
26 provided in this Act.

27 **SEC. 7. *License-Free Use of Available and Unassigned Spectrum.*** – The ICTO, in
28 coordination with the National Telecommunications Commission (NTC), shall be allowed the
29 license-free use of available and unassigned spectrum for the provision of the free Wi-Fi Internet
30 service, as well as for other public service purposes: *Provided*, That this shall not cause interference
31 to, or hinder the development of, the broadcast and other services authorized by the NTC.

32 The license-free use of available and unassigned spectrum may be granted to other agencies
33 and private entities subject to the guidelines issued by the ICTO and the NTC.

1 **SEC. 8. *Public-Private Participation.*** – To promote an efficient and cost-effective delivery
2 of the free Wi-Fi Internet service, the ICTO shall partner with private service providers in the
3 implementation of this Act.

4 In order to lower costs, increase speed, and improve the free Wi-Fi Internet service, private
5 service providers are encouraged to exchange data traffic at a domestic Internet Protocol (IP)
6 Exchange designated by the ICTO.

7 **SEC. 9. *Appropriations.*** – The amount necessary for the immediate implementation of the
8 provisions of this Act shall be charged against any available funds of the ICTO and the NTC.
9 Thereafter, such sums as may be necessary to implement this Act shall be automatically
10 appropriated out of the Spectrum User Fees (SUF) collection of the NTC.

11 Any deficiency in the budgetary requirements for the implementation of this Act shall be
12 included in the General Appropriations Act.

13 **SEC. 10. *Annual Report.*** – The ICTO shall prepare an annual report on the status of the
14 implementation of the free Wi-Fi Internet service program, which shall be submitted to the
15 President of the Philippines and to the Chairpersons of the Committee on Science and Technology
16 of both Houses of Congress, not later than June 30 of the succeeding year.

17 **SEC. 11. *Implementing Rules and Regulations.*** – The ICTO, in coordination with the NTC
18 and the Department of Interior and Local Government (DILG) shall promulgate not later than thirty
19 (30) days upon the effectivity of this Act the necessary rules and regulations for its effective
20 implementation.

21 **SEC. 12. *Separability Clause.*** – In the event that any provision of this Act is declared
22 unconstitutional, the validity of the other provisions shall not be affected by such declaration.

23 **SEC. 13. *Repealing Clause.*** – All laws, decrees, orders, rules and regulations, or portions
24 thereof, inconsistent with this Act are hereby repealed or modified accordingly.

25 **SEC. 14. *Effectivity.*** – This Act shall take effect fifteen (15) days following its publication
26 in at least two (2) newspapers of general circulation or the Official Gazette.

Approved,