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Senate Bill No. 2845

(In substitution of Senate Bill No. 2232)

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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

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**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,*