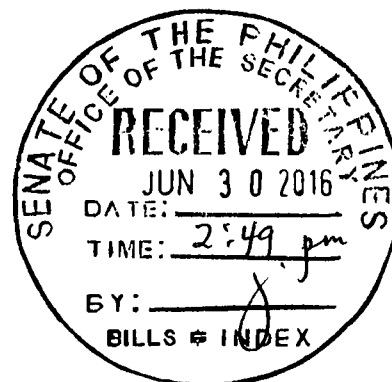


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE
S.B. No. 58

Introduced by Senator Francis N. Pangilinan

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

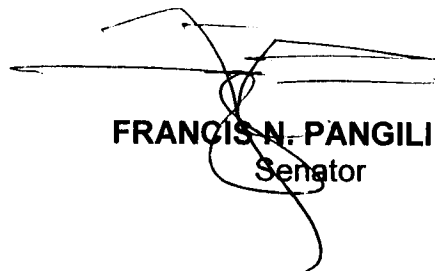
EXPLANATORY NOTE

The number of people who have access to the Internet worldwide has dramatically increased in the past decade. Almost three billion people are reported to have access to the Internet in 2014 from 910 million in 2004. Internet penetration is highest in the developed world with almost 90 percent of the population gaining access to the internet. Also in the past decade, remarkable growth in the information and communications technology (ICT) sector was observed in the developing world, specifically on mobile telephone subscription and usage. Yet, most developing countries such as the Philippines are trailing behind in terms of adoption and Internet penetration rates.

According to the United Nations Broadband Commission's Report on the State of Broadband (2015 edition), only 39.7% of the Philippine population was able to use the internet in 2014, placing the country at 106th out of the 191 countries evaluated in the report. This means that a huge portion of the population lacks access to reliable and high speed Internet connection. Therefore, there is a crucial need to accelerate the shift from basic connectivity to a more fully-interconnected digital economy to bridge the digital divide by providing free public wireless internet access.

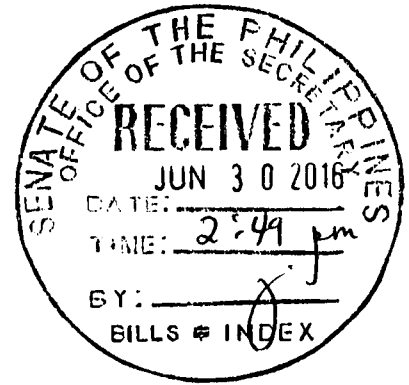
This measure proposes the installation of free Wi-Fi in public places such as, town plazas, parks, government offices, health units and transport terminals including train stations, seaports, and airports.

In view of the foregoing, the passage of this bill is earnestly sought.



FRANCIS N. PANGILINAN
Senator

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SENATE
S.B. No. 58

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

Be 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*
2 2016."

3 **SEC. 2. Declaration of Policy.** - The State shall give priority to science and
4 technology to accelerate social progress and promote human development. The State
5 shall encourage the participation of local governments, private groups, and community-
6 based organizations in the development and utilization of science and technology for
7 national development.

8 In recognition of the vital role of information and communication in nation-building,
9 the State shall promote a policy environment for the development of information and
10 communication structures that would ensure the availability and quality, affordable,
11 reliable and secure Internet access suitable to the needs and aspirations of the nation.
12 The State shall also encourage the exchange of information into, out of, and across the
13 country, to promote knowledge-building among citizens and enable them to participate
14 and compete in an evolving information and communications technology age.

15 **SEC. 3. Free Wi-Fi Internet Access.** - Within a period of two (2) years from the
16 effectivity of this Act, free Wi-Fi internet access shall be made available in public areas
17 enumerated under Section 4 of this Act: *Provided, That*, priority shall be given to areas
18 with existing Internet infrastructure.

1 **SEC. 4. Coverage.** – Public areas to be provided with free Wi-Fi Internet access
2 shall include the following:

- 3 a) All national and local government offices;
- 4 b) State universities and colleges;
- 5 c) Public hospitals and health centers;
- 6 d) Public parks, plazas, and libraries;
- 7 e) Airports and seaports; and
- 8 f) Public transport terminals.

9 At the minimum, free Wi-Fi internet access should be available at the main
10 lobbies and main hallways of the public building or terminal, or at the main assembly
11 point in a public park or area.

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

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

21 **SEC. 6. Role of Government Agencies.** – The Department of Information and
22 Communications Technology (DICT) shall be the lead agency for the implementation of
23 this Act, in cooperation with all National Government Agencies (NGAs) and Local
24 Government Units (LGUs).

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

- 26 a) Allow reasonable access for the installation of equipment and signage in areas of
27 the building or park where the Wi-Fi Internet service is reasonably required;
- 28 b) Allow reasonable use of electricity; and
- 29 c) Ensure the security of the equipment installed.

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

4 **SEC. 7. *Public-Private Participation.*** – To promote an efficient and cost-effective
5 delivery of the free Wi-Fi Internet service, the DICT shall partner with private service
6 providers in the implementation of this Act.

7 In order to lower costs, increase speed, and improve the free Wi-Fi internet service,
8 private service providers are encouraged to exchange data traffic at a domestic Internet
9 Protocol (IP) Exchange designated by the DICT.

10 **SEC. 8. *Appropriations.*** - The amount necessary for the immediate implementation
11 of the provisions of this Act shall be charged against any available funds of the DICT.
12 Thereafter, the budgetary requirements for the implementation of this Act shall be
13 included in the General Appropriations Act.

14 **SEC. 9. *Annual Report.*** – The DICT shall prepare an annual report on the status of
15 the implementation of the free Wi-Fi internet service program, which shall be submitted
16 to the President of the Philippines and the Chairpersons of the Committee on Science
17 and Technology of both Houses of Congress, not later than June 30 of the succeeding
18 year.

19 **SEC. 10. *Implementing Rules and Regulations.***- The DICT, in coordination with
20 the Department of Interior and Local Government (DILG), shall promulgate not later
21 than thirty (30) days after the effectivity of this Act the necessary rules and regulations
22 for its effective implementation.

23 **SEC. 11. *Separability Clause.*** - In the event that any provision of this Act is
24 declared unconstitutional, the validity of the other provisions shall not be affected by
25 such declaration.

26 **SEC. 12. *Repealing Clause.*** -- All laws, decrees, orders, rules and regulations, or
27 portions thereof, inconsistent with this Act are hereby repealed or modified accordingly.

28 **SEC. 13. *Effectivity.*** -- This Act shall take effect fifteen (15) days following its
29 publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,