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SEVENTEENTH CONGRESS OF THE REPUBLIC)
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SENATE
S.B. No. 1277
(In substitution of S.B. Nos. 58, 190, 816, and 1050)

Prepared Jointly by the Committees on Science and Technology; Education, Arts and Culture and Finance with Senators Pangilinan, Pacquiao, Recto, and Aquino IV as Authors thereof

AN ACT
ESTABLISHING THE FREE INTERNET ACCESS PROGRAM IN PUBLIC SPACES IN THE COUNTRY
AND APPROPRIATING FUNDS THEREOF

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 Internet Access in Public Places
2 Act.”

3 SECTION 2. *Declaration of Policy.* – The State hereby recognizes the vital role of information
4 and communications technology in nation-building, and declares its policy to promote an
5 environment for the development of structures that would ensure the availability and
6 accessibility to reliable and secure internet access suitable to the needs and aspirations of the
7 nation.

8 Towards this end, the State shall establish a program that will provide free access to internet
9 service in public places throughout the country, to promote knowledge-building among citizens
10 and enable them to participate and compete in the evolving information and communication
11 age.

12 SECTION 3. *Free Public Internet Access Program.* – There is hereby created a *Free Public*
13 *Internet Access Program*, hereinafter referred to as the *Program*. The Program shall involve the
14 establishment of the infrastructure, installation of equipment, and the creation of an online
15 platform and application necessary to provide free internet access to the public in government
16 offices and public places throughout the country.

17 The internet service provided in the Program shall be separate from the internet service used
18 for backend computer systems and programs, databases, and/or management and information
19 systems in government offices; *Provided*, That the shared use of infrastructure shall not be
20 prohibited.

21 SECTION 4. *Lead Implementing Agency.* – The Department of Information and Communications
22 Technology (DICT), shall be the lead implementing agency that will oversee the effective and
23 efficient implementation of this Act.

1 The DICT is tasked to coordinate with relevant agencies and stakeholders in the formulation,
2 development, and maintenance of a comprehensive plan and schedule for the rollout of the
3 Program.

4 **SECTION 5. Coverage of the Program.** – Public places and government offices to be covered by
5 the Program shall include the following:

- 6 (a) All national and local government offices;
- 7 (b) Public basic education institutions;
- 8 (c) State universities and colleges;
- 9 (d) Public hospitals and health centers;
- 10 (e) Public parks, plazas, and libraries;
- 11 (f) Public airports, seaports; and
- 12 (g) Public transport terminals.

13 The DICT shall be authorized to set standards and qualifications in determining which public
14 spaces and government offices shall be included and prioritized for the rollout of the Program.

15 **SECTION 6. Permitting and Certification.** – The DICT shall streamline the process for the
16 application, renewal and release of permits and certificates pertinent to the effective
17 implementation of this Act.

18 The DICT shall also standardize and regulate fees for the facilitation of permits, certificates, and
19 the rental rates of government-owned or –controlled properties for the construction of
20 infrastructure and installation of equipment necessary for the immediate and effective
21 implementation of the Program.

22 The DICT shall conduct the necessary public consultations and consultations with concerned
23 National Government Agencies (NGAs), Local Government Units (LGUs), civil society
24 organizations and other stakeholder groups in the development of the implementing rules and
25 policies regarding the permitting and certification process.

26 No additional steps, permits, certificates or fees shall be required from any applicant other than
27 the requirements stipulated by the DICT.

28 All issuances necessary to facilitate the implementation of the streamlined process shall be
29 released within three (3) months from the promulgation of this Act.

30 The Department of Interior and Local Government (DILG) shall be responsible for monitoring
31 the compliance of concerned Local Government Units (LGUs) with the requirements of the
32 Program.

33 **SECTION 7. Role of National Government Agencies and Local Government Units.** – For the
34 purposes of this Act, the concerned NGAs and LGUs shall:

- 35 (a) Coordinate with the DICT and DILG in the streamlining of the application, renewal and
36 approval of permits and certificates, and the regulation, standardization, and
37 implementation of fees pertinent to the effective implementation of the Program;
- 38 (b) Facilitate the access of telecommunication companies in government or government-
39 owned or –controlled properties and facilities for the deployment and temporary
40 storage of equipment and property needed to construct infrastructure or install
41 equipment necessary for the implementation of this Act;

- 1 (c) Align or enroll their respective programs providing free access to internet service with
2 that provided in this Act;
3 (d) Ensure the security of installed equipment; and
4 (e) Assign a designated personnel who can act as site coordinator as needed.
5

6 **SECTION 8. *Exclusivity Arrangements.*** – The DICT shall proscribe exclusivity arrangements in
7 favor of a single telecommunications entity to promote the free and unrestricted access to
8 public places, including but not limited to malls, hospitals, parks, churches, arenas, and schools
9 by telecommunication companies for the purpose of installation and operation of broadband
10 facilities.

11 **SECTION 9. *License-Free Use of Available or Unassigned Spectrum.*** – The DICT, in coordination
12 with the National Telecommunications Commission (NTC), shall be allowed the license-free use
13 of available and unassigned spectrum for the provision of the free access to internet service, as
14 well as for other public service purposes: *Provided,* That this shall not cause interference to, or
15 hinder the development of, the broadcast and other services authorized by the NTC.

16 The license-free use of available or unassigned spectrum may be granted to other agencies and
17 private entities subject to the guidelines issued by the Department and the NTC.

18 **SECTION 10. *Data Collection and Monitoring.*** – The DICT shall collect data which shall aid in
19 monitoring and assessing the effective implementation of this Act.

20 The DICT shall periodically collect, update, and publish information such as but not limited to
21 speed and stability of internet service in Program sites, and ensure immediate access to such
22 information without need of a request.

23 **SECTION 11. *Annual Report.*** – The DICT, in coordination with other relevant NGAs and LGUs,
24 shall prepare an annual report on the status of the implementation of the Program, and
25 recommend necessary policies for the effective implementation of this Act.

26 This report shall be submitted to the President of the Philippines and to the Chairpersons of the
27 Committee on Science and Technology of the Senate of the Philippines and the Committee on
28 Information and Communications Technology of the House of Representatives.

29 **SECTION 12. *Appropriations.*** – The amount necessary for the immediate and effective
30 implementation of this Act shall be charged against any available funds of the Department of
31 Information and Communications Technology, the National Telecommunications Commission,
32 and concerned Local Government Units and National Government Agencies, including the
33 Department of Education in the case of public basic education institutions, and the Department
34 of Health in the case of public hospitals and health care centers. Thereafter, such sums as may
35 be necessary for the implementation of this Act shall be automatically appropriated out of the
36 Spectrum User Fees (SUF) collection of the NTC.

37 Any deficiency in the budgetary requirements for the implementation of this Act shall be
38 included in the annual General Appropriations Act.

39 **SECTION 13. *Implementing Rules and Regulations.*** – Within ninety (90) days from the
40 effectivity of this Act, the Department of Information and Communications Technology in
41 coordination with relevant agencies, shall promulgate the necessary rules and regulations for
42 the effective implementation of this Act.

43 **SECTION 14. *Separability Clause.*** – Should any provision herein be declared unconstitutional,
44 the same shall not affect the validity of the other provisions of this Act.

1 **SECTION 15. *Repealing Clause.*** – All laws, decrees, orders, rules, and regulations or other
2 issuances or parts inconsistent with the provisions of this Act are hereby repealed or modified
3 accordingly.

4 **SECTION 16. *Effectivity.*** – This Act shall take effect fifteen (15) days after publication in the
5 Official Gazette or in any two (2) newspapers of general circulation in the Philippines.

6 *Approved,*