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NINETEENTH CONGRESS OF THE) REPUBLIC OF THE PHILIPPINES) Second Regular Session)

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SENATE S.B. No. 2490

Introduced by SENATOR IMEE R. MARCOS

AN ACT PROVIDING FREE ACCESS TO GOVERNMENT WEBSITES FROM TELECOMMUNICATION PROVIDERS, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Article II, Section 24 of the 1987 Constitution provides that "the State recognizes the vital role of communication and information in nation-building." Further, Article III, Section 7 of the Constitution guarantees the right of the people to information on matters of public concern.

Over the years, the use of internet services in the country has greatly increased in various sectors and industries such as manufacturing, services, education and even in the public sector. The dependence on internet in conducting daily activities was accelerated when COVID-19 pandemic struck and the default mode of doing things was online and virtual.

At present, one of the most pressing concerns regarding internet connection is its accessibility, particularly for government services. The Philippine government has not maximized the reach and power of internet connection in delivering government services to the people. While telecommunication companies provide free access to selected applications, government websites are not accessible for free. As such, services, benefits and grants from government are rarely publicized and hence seldom availed of by citizens in need.

In an effort to harness the power of the internet for the benefit of the people, this bill requires internet service providers and public telecommunication entities to provide free access to government websites. For the abovementioned reasons, the immediate passage of this bill is necessary.

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IMEE R. MARCOS



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AN ACT PROVIDING FREE ACCESS TO GOVERNMENT WEBSITES FROM TELECOMMUNICATION PROVIDERS, 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 law shall be known as the "Free Access to 2 Government Websites Act"

3 Section 2. Definition of Terms. – The terms shall be defined in this Act, as 4 follows:

- (a) Internet Service Providers or "ISP" shall refer to an entity, with or without a
 Congressional franchise, registered as a value-added service (VAS) provider
 from the National Telecommunications Commission (NTC) to build, install,
 operate, and maintain an Internet network in order to offer Internet access
 services to the public for compensation; and
- (b) Public Telecommunications Entity or "PTEs" shall refer to any person, firm,
 partnership, or corporation, government or private, engaged in the provision of
 telecommunications services to the public for compensation.

Section 3. Coverage. – All public telecommunication entities and internet service
 providers shall provide free access to government websites to enable the government
 to provide information through online services to the people.

16 Section 4. Lead Agency. – The Department of Information and Communications 17 Technology (DICT) shall be the lead agency in the implementation of this Act. The DICT 18 shall coordinate with the other departments and/or agencies, as may be necessary, to 19 implement free access to all government websites.

Section 5. Penalty. - Failure of any internet service provider or public 1 telecommunication entity to provide free access to government websites under this Act 2 shall be ground for suspension, revocation, or non-renewal of the PTE's Provisional 3 Authority or Certificate of Public Convenience and Necessity, or cancel the registration 4 of an ISP, whichever applies, including the waiving of any pre-termination fees of 5 affected subscribers and timely disbursement of any remaining credits from excessive 6 downtime. The foregoing is without prejudice to any other remedies available to the 7 NTC under existing law/s. 8

9 Section 6. Implementing Rules and Regulations. – Within sixty (60) days from
10 the effectivity of this Act, the DICT and the NTC shall promulgate the necessary rules
11 and regulations for the effective implementation of this Act.

Section 7. Repealing Clause. – All laws, executive orders, presidential decrees,
 rules and regulations or parts thereof inconsistent with any provision of this Act are
 hereby repealed, amended or modified accordingly.

Section 8. Separability Claúse. – If any separable provision of this Act be declared unconstitutional, the remaining provisions shall continue to be in force.

17 Section 9. Effectivity. – This Act shall take effect fifteen (15) days after 18 publication in the Official Gazette or in a newspaper of general circulation.

Approved,