

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3250

HOUSE OF REPRESENTATIVES	
RECEIVED	
DATE:	<u>24 AUG 2016</u>
TIME:	<u>10:30 am</u>
BY:	<u>pehi</u>
REGISTRATION UNIT BILLS AND INDEX SERVICE	

Introduced by Representative **MARLYN L. PRIMICIAS-AGABAS**

**AN ACT PROVIDING FREE WI-FI INTERNET ACCESS
IN PUBLIC AREAS, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

We are now living in a digitized world. We access information faster thru the net. Communication and business are more immediate with internet connection. However, internet access in the Philippines comes with a cost. We pay for internet access and usage which costs a considerable amount of money especially for the common Filipinos.

Aside from communication and business, most of the educational institutions require or utilize the internet for its material and for information dissemination. It cannot be gainsaid that the advancement brought about by information technology has increased the profitability and productivity of Filipinos and the economy, in general.

Thus, the vital role of the internet in information and communication cannot be denied. It serves as the backbone of technology which is the dominant platform of development nowadays. It is therefore proposed that free internet access be provided by the government in public places to the benefit of the populace.

With the foregoing, approval of the bill is earnestly requested.



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **3250**

Introduced by Representative **MARLYN L. PRIMICIAS-AGABAS**

**AN ACT PROVIDING FREE WI-FI INTERNET ACCESS
IN PUBLIC AREAS, AND FOR OTHER PURPOSES**

*Be it enacted in the Senate and the House of Representatives of the
Philippines in Congress assembled:*

SECTION 1. Short Title. - This Act shall be known as "The Free Public Wi-Fi
Act."

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

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

1 **SEC. 3. Free Wi-Fi Internet Access.** - Within two (2) years from the effectivity of
2 this Act, Free Wi-Fi Internet Access shall be made available in public areas
3 enumerated under Section 4 of this Act. **Provided,** that priority shall be given to
4 areas with existing Internet infrastructure.

5
6 **SEC. 4. Coverage.** – Public areas to be provided with Free Wi-Fi Internet Access
7 shall include the following:

- 8 a). National and local government offices;
- 9 b). State universities and colleges;
- 10 c). Public hospitals and health centers;
- 11 d). Public parks, plazas and libraries;
- 12 e). Airports and seaports, and
- 13 f). Public transports and terminals

14
15 At the minimum, free Wi-Fi Internet access shall be made available at the
16 main lobbies and main hallways of public building or terminal, or at the main
17 assembly point in a public park or area.

18
19 **SEC. 5. Free and Fair Usage Policy.** – No fees shall be collected for use of the
20 free Wi-Fi Internet service. A Fair Usage Policy shall be implemented to ensure that
21 individuals will have equitable access. No restrictions or requirements that hinder
22 access shall be imposed, except to implement the Fair Usage Policy or when there is
23 a clear and present security or technical risk that cannot be remedied through normal
24 technical solutions.

25
26 The free Wi-Fi Internet access shall not be used for the regular operations
27 and/or activities of the offices or facilities covered: **Provided,** that the shared used
28 of infrastructure shall not be prohibited.

29
30 **SEC. 6. Role of Government Agencies.** – Consistent with its mandate to
31 provide free Internet service under Sec. 6(e) of RA 10844, the Department of
32 Information and Communications Technology (DICT) shall be the lead agency for the
33 implementation of this Act, in cooperation with National Government Agencies
34 (NGAs) and Local Government Units (LGUs).

1
2 For the purpose of this Act, the NGAs and LGUs shall:
3

- 4 a) Allow reasonable access for the installation of equipment and
5 signage to areas of the building or park where the free Wi-Fi
6 Internet service is reasonably required;
7 b) Allow reasonable use of electricity; and
8 c) Ensure the security of the equipment installed.
9

10 **SEC. 7. License-Free Use of Available and Unassigned Spectrum.** – The
11 DICT shall be allowed the license-free use of available and unassigned spectrum for
12 the provision of the free Wi-Fi Internet service, as well as for other public service
13 purposes: **Provided,** that this shall not cause interference to, or hinder the
14 development of, the broadcast and other services authorized by the DICT.
15

16 The license-free use of available and unassigned spectrum may be granted to
17 other agencies and private entities subject to the guidelines issued by the DICT.
18

19 **SEC. 8. Public-Private Participation.** – To promote an efficient and cost-
20 effective delivery of free Wi-Fi Internet service, the DICT shall partner with private
21 service providers in the implementation of this Act.
22

23 In order to lower costs, increase speed, and improve the free Wi-Fi Internet
24 service, private service providers are encouraged to exchange data traffic at a
25 domestic Internet Protocol (IP) Exchange designated by the DICT.
26

27 **SEC. 9. Appropriations.** - The amount necessary for the immediate
28 implementation of the provisions of this Act shall be charged against any available
29 funds of the DICT.
30

31 Thereafter, such sums as may be necessary to implement this Act shall be
32 automatically appropriated out of the Spectrum Users Fee (SUF) collection of the
33 DICT.
34

1 Any deficiency in the budgetary requirement for the implementation of this Act
2 shall be included in the General Appropriations Act.
3

4 **SEC. 10. Annual Report.** – The DICT shall prepare an annual report on the
5 status of the implementation of the free Wi-Fi Internet service program, which shall
6 be submitted to the President of the Philippines and to the Chairpersons of the
7 Committee on Science and Technology of both Houses of Congress, not later than
8 June 30 of the succeeding year.
9

10 **SEC. 11. Implementing Rules and Regulations.** – The DICT, in coordination
11 with the Department of the Interior and Local Government (DILG), shall promulgate
12 not later than thirty (30) days upon the effectivity of this Act, the necessary rules and
13 regulations for its effective implementation.
14

15 **SEC. 12. Repealing Clause.** – The provision with respect to establishing free
16 internet service of Section 6(e) of R.A. 10844 is hereby repealed or modified
17 accordingly.
18

19 All laws, decrees, rules and regulations, or portions thereof, inconsistent with
20 this Act are hereby repealed or modified accordingly.
21

22 **Sec. 13. Separability Clause.** - In the event that any provision of this Act is
23 declared unconstitutional, the validity of the other provisions shall not be affected by
24 such declaration.
25

26 **SEC. 14. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its
27 publication in the Official Gazette (OG) or in a newspaper of general circulation.
28

29 *Approved,*