

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH (17TH) CONGRESS
First Regular Session

House Bill No. 515

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REGISTRATION UNIT BILLS AND INDEX SERVICE	

Introduced by: Rep. BERNADETTE R. HERRERA-DY

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

EXPLANATORY NOTE

This bill recognizes the vital role of communication and information in national development and thus, provides for free public wireless internet access in public places such as national and local government offices, state universities, public hospitals, public libraries, airports and seaports, and public transportation terminals. It effectively both deepens and expands the existing mandate of the Department of Information and Communications Technology (DICT) to “[e]stablish a free internet service that can be accessed in government offices and public areas” as set forth in Section 6(e) of R.A. 10844.¹ It borrows from and builds upon S.B. 2232 authored by Senator Recto, as well as S.B. 2845 which was prepared jointly, during the Sixteenth Congress. It also builds upon the gains and lessons of the Free Wi-Fi Internet Access in Public Places program of the Department of Science and Technology’s Information and Communications Technology (ICT) Office.²

World Bank studies show that every 10 percent increase in broadband connectivity results in a 1.38 percent increase in Gross Domestic Product (GDP).³ According to Undersecretary Louis Casambre of the DOST-ICT Office, “any increase in Internet connectivity through Free Wi-Fi Internet Access in Public Places will jump start economic development by giving access to e-Commerce, e-Learning, and e-Government tools to beneficiaries...” Increased beneficiary access will accordingly increase their incomes and push one’s economic status upwards across the nation, especially those belonging in the countryside.⁴

This legislation will institutionalize the provision of free Wi-Fi access points in public

¹ This provision states: “(e) Establish a free internet service that can be accessed in government offices and public areas using the most cost-effective telecommunications technology, through partnership with private service providers as may be necessary;”

² <http://icto.dost.gov.ph/dost-free-wi-fi-project-gets-a-p3b-upgrade/>

³ *Id.* (quoting World Bank study)

⁴ <http://icto.dost.gov.ph/dost-free-wi-fi-project-gets-a-p3b-upgrade/>

places such as, town plazas, parks, government offices, health units, and transport terminals including train stations, seaports, and airports, building upon current DOST programs.⁵

Through an increased budget and an expanded DICT mandate to provide free internet service, industry will be able to better participate. Free wireless internet connection will ensure that the populace will be equipped with and honed to using key faculties needed to build an innovative, progressive, and rapidly digitizing economy.

In light of the foregoing, the approval of this bill is earnestly sought.



BERNADETTE HERRERA-DY

⁵ See <http://www.gov.ph/2016/01/26/free-wi-fi-project-goes-nationwide/>

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**AN ACT PROVIDING FREE WI-FI INTERNET ACCESS IN PUBLIC AREAS, AND
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*Be it enacted in the Senate and House of Representatives of the Philippines in the
Congress assembled:*

1 **SECTION 1. Short Title.** - This Act shall be known as the "Free Public Wi-Fi Act of
2 201_".
3

4 **SEC. 2. Declaration of Policy.** - The State shall give priority to science and technology
5 to accelerate social progress and promote human development. The State shall encourage the
6 participation of local government, private groups, and community-based organizations in the
7 development and utilization of science and technology for national development.
8

9 In recognition of the vital role of information and communication in nation-building, the
10 State shall promote a policy environment for the development of information and
11 communication structures that would ensure the availability and accessibility to quality,
12 affordable, reliable and secure Internet access suitable to the needs and aspirations of the
13 nation. The State shall also encourage the exchange of information into, out of, and across the
14 country, to promote knowledge-building among citizens and enable them to participate and
15 compete in an evolving information and communications technology age.
16

17 **SEC. 3. Free Wi-Fi Internet Access.** - Within two (2) years from the effectivity of this
18 Act, free Wi-Fi Internet access shall be made available in public areas enumerated under
19 Section 4 of this Act: *Provided*, that priority shall be given to areas with existing Internet
20 infrastructure.
21

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

- 24 a) National and local government offices;

- 1 b) State universities and colleges;
- 2 c) Public hospitals and health centers;
- 3 d) Public parks, plazas, and libraries;
- 4 e) Airports and seaports; and
- 5 f) Public transport terminals

6
7 At the minimum, free Wi-Fi Internet access should be available at the main lobbies and
8 main hallways of the public building or terminal, or at the main assembly point in a public
9 park or area.

10
11 **SEC. 5. *Free and Fair Usage Policy.*** - No fees shall be collected for use of the free
12 Wi-Fi Internet service. A Fair Usage Policy shall be implemented to ensure that individuals
13 will have equitable access. No restrictions or requirements that hinder access shall be
14 imposed, except to implement the Fair Usage Policy or when there is a clear and present
15 security or technical risk that cannot be remedied through normal technical solutions.

16
17 The free Wi-Fi Internet access shall not be used for the regular operations and/or
18 activities of the offices or facilities covered: *Provided*, that the shared use of infrastructure
19 shall not be prohibited.

20
21 **SEC. 6. *Role of Government Agencies.*** – Consistent with its mandate to provide free
22 internet service under Section 6(e) of R.A. 10844, the Department of Information and
23 Communications Technology (DICT) shall be the lead agency for the implementation of this
24 Act, in cooperation with all National Government Agencies (NGAs) and Local Government
25 Units (LGUs).

26
27 For the purpose of this Act, the NGAs and LGUs shall:

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

32
33 To provide a nationwide, uniform, and easier access, NGAs and LGUs that are already
34 offering free Wi-Fi Internet access to the public, may enroll or align their existing service
35 with that provided in this Act.

36
37 **SEC. 7. *License-Free Use of Available and Unassigned Spectrum.*** - The DICT shall be
38 allowed the license-free use of available and unassigned spectrum for the provision of the
39 free Wi-Fi Internet service, as well as for other public service purposes: *Provided*, That this
40 shall not cause interference to, or hinder the development of, the broadcast and other services
41 authorized by the DICT.

42
43 The license-free use of available and unassigned spectrum may be granted to other
44 agencies and private entities subject to the guidelines issued by the DICT.

1 **SEC. 8. *Public-Private Participation.*** - To promote an efficient and cost-effective
2 delivery of the free Wi-Fi Internet service, the DICT shall partner with private service
3 providers in the implementation of this Act.
4

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

9 **SEC. 9. *Appropriations.*** - The amount necessary for the immediate implementation of
10 the provisions of this Act shall be charged against any available funds of the DICT.
11

12 Thereafter, such sums as may be necessary to implement this Act shall be automatically
13 appropriated out of the Spectrum User Fees (SUF) collection of the DICT.
14

15 Any deficiency in the budgetary requirements for the implementation of this Act shall be
16 included in the General Appropriations Act.
17

18 **SEC. 10. *Annual Report.*** - The DICT shall prepare an annual report on the status of the
19 implementation of the free Wi-Fi Internet service program, which shall be submitted to the
20 President of the Philippines and to the Chairpersons of the Committee on Science and
21 Technology of both Houses of Congress, not later than June 30 of the succeeding year.
22

23 **SEC. 11. *Implementing Rules and Regulations.*** - The DICT, in coordination with the
24 Department of Interior and Local Government (DILG), shall promulgate not later than thirty
25 (30) days upon the effectivity of this Act the necessary rules and regulations for its effective
26 implementation.
27

28 **SEC. 12. *Separability Clause.*** - In the event that any provision of this Act is declared
29 unconstitutional, the validity of the other provisions shall not be affected by such declaration.
30

31 **SEC. 13. *Repealing Clause.*** - The provision with respect to establishing free internet
32 service of Section 6(e) of R.A. 10844 is hereby repealed or modified accordingly.
33

34 All laws, decrees, orders, rules and regulations, or portions thereof, inconsistent with this
35 Act are hereby repealed or modified accordingly.
36

37 **SEC. 14. *Effectivity.*** - This Act shall take effect fifteen (15) days following its
38 publication in at least two (2) newspapers of general circulation of the Official Gazette.
39

40 *Approved,*
41