

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1957

HOUSE OF REPRESENTATIVES

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Introduced by **HON. GUS S. TAMBUNTING**

EXPLANATORY NOTE

The internet was first made available in the Philippines in 1994 and since then, its user base has grown to a massive 44,000,000 million in our country or approximately 43.5% of our total population according to the Internet Live Stats.

It has changed the way we receive and provide information. We rely on the web for the latest news, entertainment, information, research and an overall new way of communicating and doing business. Many people do many basic things through the net-research for assignments, banking, shopping, connect to our loved ones abroad, look for job vacancies and many others. On-line business has also become popular and the home-based internet job industry has grown in the recent years.

As Article XVI, Section 10 Of the Philippine Constitution states: "The State shall provide the policy environment for the full development of Filipino capability and the emergence of communication structures suitable to the needs and aspirations of the nation and the balanced flow of information into, out of, and across the country, in accordance with a policy that respects the freedom of speech and of the press."

The provision of free wi-fi access will greatly help in enabling our people to cope with the changing times and empower them to help themselves via giving them access to information without the need to spend.

Currently, the available free wi-fi is very limited and enacting a law that will ensure free wi-fi for all will guarantee people from all walks of life free access and equal opportunity to learn, earn, and discover what the web has to offer.


GUS S. TAMBUNTING

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AN ACT
PROVIDING FREE PUBLIC WIRELESS ACCESS IN PUBLIC BUILDINGS,
TERMINALS, PARKS AND PLAZAS THROUGHOUT THE COUNTRY

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

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

SECTION 2. *Declaration of Policy.* The State recognizes the vital role of information and communications technology in nation-building and with appropriate training programs and institutional policy changes, the State shall develop human resources to foster an information technology intensive country.

In pursuance thereof, the State shall create an information-friendly environment and shall encourage the active participation of the private sector, local government units and community based organizations in the production, distribution and application of investments and services in telecommunications and information technology to ensure the availability, diversity and affordability of such products and services for national development.

SECTION 3. *Installation of wireless Internet Connections.* The government, including the local government units (LGUs) and government owned and controlled corporations (GOCCs) shall install broadband hotspots in public areas that will provide a stable and reliable wireless internet connection at all times, thereby encouraging discourse and trade in internet-related goods, services and content.

Areas that will be provided with broadband hotspots shall include the following:

- a) All buildings of national government offices, including its regional and satellite offices, provincial capitols and city and municipal halls;
- b) Public primary and secondary schools;
- c) Buildings of state universities and colleges;
- d) Public libraries, parks and plazas;
- e) Public hospitals and rural health units; and
- f) Public transport terminals such as airports, seaports, MRT/LRT stations and public bus terminals.

SECTION 4. *Internet Service Provider.* Consistent with its objective of providing internet service for all, the Department of Information and Communications Technology (DICT) shall provide the internet connectivity necessary to comply with all the provisions of this Act. The internet connectivity infrastructure required for a mesh of networks shall cover public spaces throughout the country that will be provided with broadband hotspots. In cases where the DICT is technically unable to provide internet connectivity, said hotspots will be made available using initially existing commercial internet service providers (ISPs).

The DICT shall likewise be the lead agency for the promotion and implementation of the government's information and communications technology related efforts which shall include policy formulation and industry development and shall monitor the progress of the implementation of a broadband infrastructure and its maintenance.

SECTION 5. *Wi-Fi Access.* Within a period of two (2) years, all public spaces as stated in this Act shall be ensured a range of broadband hotspots. Internet connection to any of the broadband hotspots in the designated public spaces shall not be restricted with passwords. Only in cases where there is a clear and present security or technical risk that cannot be remedied through normal technical solutions shall the administration or management of public broadband hotspots limit access to the network through the use of passwords, which shall, however, be easily provided to the public upon request.

No fees shall be collected for users to connect to the internet using the public broadband hotspots or the free public wi-fi network.

SECTION 6. *Non-collection of Data.* The government shall respect the privacy of citizens who use the public broadband hotspots. In no case shall the administration or management of public broadband hotspots engage in the collection, use or disclosure of user data including the collection of anonymous traffic data, in accordance with existing laws.

SECTION 7. *Separability Clause.* If any provision or part hereof is held invalid or unconstitutional, the other provisions not otherwise affected shall remain valid and subsisting.

SECTION 8. *Repealing Clause.* All laws, decrees, issuances, orders, rules and regulations or portions thereof, contrary to, or inconsistent with any of the provisions of this Act are hereby repealed, modified or amended accordingly.

SECTION 9. *Effectivity.* This Act shall take effect fifteen (15) days from the date of its publication in the Official Gazette or in a newspaper of general circulation.

Approved,