Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
EIGHTEENTH CONGRESS
Second Regular Session

COMMITTEE REPORT NO. 883

Submitted by the Committee on Information and Communications Technology on MAR 2 2 2021.

Re: House Bill No. 9070

Recommending its approval in substitution of House Bill No. 7081

Sponsor: Representatives Victor A. Yap and Joey Sarte Salceda

Mr. Speaker:

The Committee on Information and Communications Technology to which was referred House Bill No. 7081 introduced by Representative Joey Sarte Salceda, entitled:

“AN ACT
ENCOURAGING SATELLITE-BASED TECHNOLOGIES, MANDATING RELEVANT AGENCIES TO PROMOTE THE DEVELOPMENT OF SATELLITE-BASED TECHNOLOGIES DEDICATED TO EDUCATION AND OTHER CIVIC CAUSES, AND FOR OTHER PURPOSES”

has considered the same and recommends that the attached House Bill No. 9070, entitled:

“AN ACT
DEREGULATING SATELLITE-BASED TECHNOLOGIES, MANDATING RELEVANT AGENCIES TO PROMOTE THE DEVELOPMENT OF SATELLITE-BASED TECHNOLOGIES DEDICATED TO EDUCATION AND OTHER CIVIC CAUSES”


Respectfully submitted:

HON. VICTOR A. YAP
Chairperson
Committee on Information and Communications Technology

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
Quezon City
Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City  

EIGHTEENTH CONGRESS  
Second Regular Session  

House Bill No. 9070  
(In Substitution of House Bill No. 7081)  


AN ACT  
DEREGULATING SATELLITE-BASED TECHNOLOGIES, MANDATING RELEVANT AGENCIES TO PROMOTE THE DEVELOPMENT OF SATELLITE-BASED TECHNOLOGIES DEDICATED TO EDUCATION AND OTHER CIVIC CAUSES  

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

SECTION 1. Short Title. – This Act shall be known as the “Satellite-Based Technologies Promotion Act”.  

SEC. 2. Declaration of Policy. – It shall be declared the policy of the State to promote broad and inclusive access to the internet and the availability of high-speed internet services, as well as the accessibility of affordable satellite-based technologies, as crucial for encouraging economic growth, opportunities for decent employment in the countryside, and improvements in educational outcomes.  

Towards these ends, the State shall deregulate access to satellite-based services and encourage their use in the countryside and by educational institutions and cause-oriented civic organizations. 

SEC. 3. Definition of Terms. – As used in this Act; 

a) Internet service providers (ISPs) refer to organizations that provide services for accessing, using, or participating in the internet, whether as commercial, community-owned, non-profit, or private-owned organizations; 

b) Satellite-based technologies refer to communications technologies that employ infrastructure and mechanisms with the ability to transmit and receive signals
from earth and to retransmit those signals back with the use of a transponder
which is an integrated receiver and transmitter of radio signals;

c) **Satellite Global Broadband Network (SGBN)** refers to a global satellite network
employing portable terminals such as the broadband global area network (BGAN)
which makes available services such as high speed internet, phone, facsimile,
short message texting, and streamlining services;

d) **Value-added service (VAS) providers** refer to providers of non-core
communications services, or, in general, all services beyond standard voice calls
and facsimile transmissions; and

e) **Very-small-aperture terminal (VSAT)** refers to a two-way satellite ground station
with a dish antenna, typically not more than four (4) meters in diameter, and
whose technical specifications the Department of Information and Communication
Technology (DICT) may further define.

SEC. 4. **Additional Mandate to the Department of Information and Communications
Technology (DICT).** – To expand access to satellite-based technologies as an alternative
connectivity solution for making distance-based learning more inclusive, the DICT shall:

a) Pursue policies to secure necessary orbital slots for prospective Philippine
satellites, especially those dedicated to education and missionary internet
connectivity in the countryside;

b) Work with relevant agencies to encourage the commercial development of
technologies complementary to satellites-based technologies, especially those
dedicated to education;

c) In coordination with the Philippine Space Agency (PhilSA), issue rules and
regulations on the development, use, and maintenance of satellite-based
technology;

d) Perform such other functions as may be relevant to its work as the principal policy
and development agency for satellite based technology.

SEC. 5. **Policies on the Use of Satellite Technology.** – The government shall promote
the use of satellite services as a means of making education more inclusive and more
technologically-ready.

To promote the expansion of satellite-based networks, particularly in rural areas, and
in areas with limited fixed or cellular mobile network connectivity, value-added service
(VAS) providers and internet service providers (ISPs) shall be allowed to own and operate
networks utilizing satellite global broadband network (SGBN) such as very small aperture
terminals (VSATs), broadband global area network (BGAN) and other similar technologies
without need of a franchise and a provisional authority or Certificate of Public Convenience and Necessity (CPCN) from the National Telecommunications Commission (NTC). VAS providers and ISPs shall, however, comply with existing policies requiring registration of VAS and ISP offerings and submission of their schedule of rates.

The NTC shall comply with international regulations on the allocation and use of frequency for satellite services, and shall not re-allocate them to the detriment of users of VSAT, or other SGBN. It shall likewise ensure the availability of satellite frequencies for the use of VAS providers and ISPs. The NTC shall issue the rules and regulations necessary for the implementation of portions of this paragraph that require administrative and regulatory oversight.

SEC. 6. Promotion of Satellite-based Technologies Among Education and Cause-oriented Civic Organizations. – Government organizations, public and non-profit private educational institutions, volunteer organizations engaged in education, environmental management, climate change management, disaster preparedness and crisis response shall be allowed to own and operate satellite-based technology in order to aid and augment their activities. The NTC shall, within thirty (30) days upon the effectivity of this Act, establish an expeditious administrative process to allow such entities to apply for permits to import and or own such technology. The Anti-Red Tape Authority shall ensure that the procedures set forth by the NTC pursuant to this section, complies with Republic Act No. 9485, or the Anti-Red Tape Act of 2007.

SEC. 7. Implementing Rules and Regulations. Unless otherwise stated, the DICT shall, in coordination with the NTC, PhilSA and in consultation with relevant groups and sectors, issue the rules and regulations to implement this Act within ninety (90) days from the date of its effectivity.

SEC. 8. Separability Clause. – If for any reason, any part or provision of this Act is declared invalid or unconstitutional, any part or provision not affected thereby shall remain in full force and effect.

SEC. 9. Repealing Clause. – The provisions of Executive Order No. 467 (s. 1998) that are inconsistent with this Act are hereby repealed or modified accordingly. All other laws, decrees, rules and regulations inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 10. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,
FACT SHEET

House Bill No. 9070
(In Substitution of House Bill No. 7081)

Satellite-Based Technologies Promotion Act


Committee Referral: COMMITTEE ON INFORMATION and COMMUNICATIONS TECHNOLOGY (Primary)

Committee Chairperson: REP. VICTOR A. YAP

OBJECTIVES:

• To make satellite-based technologies more accessible and inclusive.

• To clearly define the regulatory framework for the use of satellite based technologies.

• To allow internet service providers (ISPs) and value-added services (VAS) providers to build and operate their own network using satellite technology.

• To broaden the competition among ISPs and VAS providers, as it will eventually result to lowering the costs and improving the benefits for the consumers.

• To encourage government organizations, public and non-profit private educational institutions, volunteer organizations engaged in education, environmental management, climate change management, disaster preparedness and crisis response, to own and operate satellite-based technology to aid and augment their activities and be used more broadly for civic causes.

KEY PROVISIONS

• Directs relevant agencies to promote the development of satellite-based technologies dedicated to education and other civic causes.
• Provides policies on the use of satellite-based technologies as a means of making education more inclusive and more technologically-ready and the expansion of satellite-based networks, especially in rural areas and those with limited fixed or cellular mobile network connectivity.

• Mandates the Department of Information and Communication Technology (DICT) to be the lead agency in-charge of regulating the use of satellite-based technologies outside commercial telecommunications to allow a more developmental perspective to satellite-based systems.

• Mandates the DICT to expand access to satellite-based technologies as an alternative connectivity solution by:

  o pursuing policies to secure necessary orbital slots for prospective Philippine satellite(s), especially those dedicated to education and missionary internet connectivity in the countryside;
  o working with relevant agencies and encourage the commercial development of technologies complementary to satellites-based technologies, especially those dedicated to education;
  o issuing the necessary rules and regulations on the development, use, and maintenance of satellite-based technology; and
  o performing other functions relevant to its work as the principal regulatory and development agency for satellite technology.

• Permits VAS providers and ISPs to own and operate networks utilizing Satellite Global Broadband Network (SGBN) such as Very Small Aperture Terminals (VSATs), Broadband Global Area Network (BGAN) and other similar technologies without need of a franchise and a provisional authority or Certificate of Public Convenience and Necessity (CPCN) from the National Telecommunications Commission (NTC).

• Mandates the NTC to comply with international regulations on the allocation and use of frequency for satellite services, and not to re-allocate them, to ensure the availability of satellite frequencies for the use of VAS providers and ISPs.

RELATED LAW

• Republic Act No. 9485 (The Anti-Red Tape Act of 2007)
• Executive Order No. 467 (s. 1998) (Providing for a National Policy on the Operation and Use of International Satellite Communications in the Country)