

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



'22 NOV -9 P1:14

**SENATE**

**S. No. 1482**

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**Introduced by SENATOR RAMON BONG REVILLA, JR.**

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**AN ACT  
MANDATING AND INSTITUTIONALIZING ROLL-OVER DATA ALLOCATION  
SCHEME AND PROVIDING FOR PENALTIES**

**EXPLANATORY NOTE**

In this age of digital transactions, internet connectivity becomes more of a need rather than a want. Various basic activities and relations are now becoming internet-based. Education and work, and even grocery-shopping and marketing, can now be done through the internet. Going to mass and attending religious activities and worships, as well as family gatherings and other social celebrations, are also done online nowadays. Indeed, the Covid 19 pandemic taught us that we can accomplish almost everything online.

In consideration of the interests of the larger majority who depend on the internet for their various activities, this bill seeks to mandate the roll-over of unused internet data allocation, depending on applicable Internet Data Packages, which shall be carried over to the following day, week or month until it is fully consumed. This will help various sectors of society, who purchase different internet data packages, to fully consume the allocations of their package.

This proposal is a step towards the promotion of the welfare of the digital community, in particular, and the whole Filipino community, in general. Thus, consideration of this proposal is highly recommended.

  
**RAMON BONG REVILLA, JR.**

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

1 Section 1. *Short Title.* – This Act shall be known as the "*Roll-Over Internet Data*  
2 *Act*".

3 Sec. 2. *Declaration of Policy.* – The State recognizes the vital role of information  
4 and communications technology in nation building. The State shall implement  
5 measures to provide for regulations on internet services provided by internet service  
6 providers and ensure that the interest and welfare of the people and the consuming  
7 public are protected and upheld.

8 Sec. 3. *Definition of Terms.* – As used in this Act:

9 a. *Data Capping* refers to the limit of bandwidth allocation an internet service  
10 provider (ISP) is offering to its subscriber per day, week, or month;

11 b. *Internet Data Package* refers to the internet service packages, plans or promos  
12 offered by ISPs with maximum limits on the open access data volume an end  
13 user may avail per set period of the package;

14 c. *Internet Service Provider* refers to any service-based operator whose services  
15 involve the combination of computer processing, information storage, protocol  
16 conversion, and transmission to enable subscribers to access internet content  
17 and services, as well as multimedia services and its transmission of data  
18 through digital subscriber line (DSL), fixed wireless broadband, cable  
19 broadband, fiber-optic or fiber-to-the-home (FTTH), and mobile data to enable

1 subscribers to access internet content and services, as well as multimedia  
2 services;

3 d. *Offer Duration* refers to the length of time a subscriber or user is allowed to  
4 use an internet data package service and promos.

5 e. *Roll-Over Data Allocation* refers to the unused internet data allocation per day,  
6 week or month, as the case may be, depending on the applicable Internet Data  
7 Package, which shall be carried over to the following day, week or month until  
8 it is fully consumed; and,

9 f. *Unlimited Internet Data Package* refers to an internet service package with no  
10 data cap

11 Sec. 4. *Coverage.* – All ISPs in the Philippines shall be covered by this Act.

12 Sec. 5. *Roll-Over Data Allocation Scheme.* – All ISPs are required to implement  
13 a Roll-Over Data Allocation Scheme for their subscribers as follows:

14 a. Postpaid Subscribers or Users:

15 The rolled-over data allocation shall be prioritized to be consumed in the preceding  
16 month: *Provided,* That the unused data every month will be rolled-over and  
17 accumulated up until the last month of the year: *Provided further,* That all unused  
18 data allocation for a year may be used and converted as rebates, that may be used  
19 by subscribers as payment for internet service in the succeeding year of subscription.

20 b. For Prepaid Subscribers or Users and Postpaid Subscribers who avail of internet  
21 data package promo offers:

22 i. Unused data allocation shall be rolled-over: *Provided,* That the  
23 subscriber or user renews the subscription right after the lapse of the  
24 offer duration.

25 ii. The unused data allocation of subscribers or users who fail to renew  
26 their subscription shall be reduced by twenty percent (20%) every day  
27 until the subscription is renewed.

28 iii. If after five (5) days, the subscription is not renewed, all unused data  
29 allocation shall be considered consumed.

30 Sec. 6. *Exemptions.* – Subscribers who availed and shall avail of any unlimited  
31 Internet data package with no data cap shall be exempted from this Act.

1            *Sec. 7. Penalties.* – Any ISP who fails to comply with any of the provisions of  
2 this Act, the following penalties shall be imposed:

- 3            a. A fine of Fifty thousand pesos (₱ 50,000.00) per violation per subscriber; and  
4            b. For repeated violations, aside from fine, revocation or cancellation of the  
5            license, registration or franchise of an ISP including the waiving of any pre-  
6            termination fees of affected subscribers.

7            *Sec. 8. Implementing Rules and Regulations (IRR).* – Within sixty (60) days  
8 from the effectivity of this Act, the Secretary of the Department of Information and  
9 Communications Technology (DICT), in coordination with the National  
10 Telecommunications Commission (NTC) and other concerned agencies, shall  
11 promulgate the rules and regulations and other issuances as may be necessary to  
12 ensure the effective implementation of this Act.

13            *Sec. 9. Separability Cause.* – Should any part or provision of this Act be  
14 declared unconstitutional or invalid, the remaining parts or provisions not affected  
15 thereby shall remain in full force and effect.

16            *Sec. 10. Repealing Clause.* – All laws, decrees, executive orders, issuances,  
17 rules and regulations contrary to, or inconsistent with, any of the provisions of this  
18 Act, are hereby deemed repealed, amended or modified accordingly.

19            *Sec. 11. Effectivity.* – This Act shall take effect fifteen (15) days after its  
20 complete publication in the Official Gazette or in two (2) newspapers of general  
21 circulation in the Philippines.

*Approved,*