July 20, 2021

JOINT FOREIGN CHAMBERS RECOMMEND APPROVAL
OF
OPEN ACCESS IN DATA TRANSMISSION BILL

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The seven members of the Joint Foreign Chambers (JFC) express optimism that the Congress will approve the Open Access in Data Transmission bill during its Third Regular session. The legislation aims to bridge critical gaps in broadband infrastructure by attracting more firms to invest in the data transmission and broadband sector.

The House of Representatives has approved House Bill 8910 on second reading and is expected to approve the measure on 3rd reading upon resumption of session. However, the Senate counterpart bill remains pending in the Science and Technology Committee.

The JFC looks forward to any mention of the Open Access bill in the SONA and recommends that the measure be certified as urgent by the president to emphasize its importance to economic recovery and more competition and investment in broadband, especially in underserved areas throughout the Philippines.

Digital infrastructure in the country is not as good as infrastructure in competing countries in the region. World Economic Forum ratings, where the Philippines is usually behind Thailand, Malaysia, Indonesia, Singapore, and increasingly behind Vietnam indicate the Philippines has less robust and competitive digital infrastructure.

One major lesson of the ongoing pandemic is that developing competitive digital infrastructure is essential for better lives for everyone in the Philippines and certainly critical for investment, particularly foreign investment. Better education, employment, finance, governance, health, and a multitude of other essential activities of a strong economy.

The seven members of the Joint Foreign Chambers in the Philippines and eight Philippine groups included Open Access in a list of seventeen bills in letters sent recently to President Duterte, Senate President Sotto, and Speaker Velasco, encouraging passage during the 18th Congress.

The JFC welcomes the support of the Department of Information and Communications Technology, the *Bangko Sentral ng Pilipinas* and its Financial Inclusion Steering Committee, and the National Economic Development Agency for the measure.

Once passed into law, the Open Access bill will provide a competitive policy and regulatory framework that lowers the barriers and cost to enter the data transmission market. This will significantly improve data transmission services (faster internet speed and lower internet costs) throughout the country.

Without substantial new investment and competition in each of the four "miles" of the broadband sector, recovery from the pandemic will be slower and Filipinos will be less well served than their counterparts in ASEAN.

As was pointed out by experts at a recent Senate webinar the country has a broadband infrastructure gap and obstacles in outdated laws prevent the growth of Philippine Internet. "The Open Access in Data Transmission Act" is a curative law designed to address specific legal obstacles and bridge this infrastructure gap.

The proposed Open Access in Data Transmission Act is filed in the Senate under Senate Bill Nos. (SBN) 45 authored by Senate President Pro Tempore Ralph Recto and Sen. Grace Poe, and SBN 911, authored by Sen. Ramon "Bong" Revilla Jr.

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