



**Senate**  
**Office of the Secretary**

**TWENTIETH CONGRESS OF THE ]**  
**REPUBLIC OF THE PHILIPPINES ]**  
***First Regular Session* ]**

**25 AUG -7 P1 26**

**SENATE**

RECEIVED BY: \_\_\_\_\_

**S.B. No. 1094**

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**Introduced by SEN. WIN GATCHALIAN**

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

**EXPLANATORY NOTE**

Active digitalization efforts from the government, coupled with the rapid evolution of the digital landscape in the Philippines beginning from the height of the COVID-19 pandemic, have significantly transformed how Filipinos perform day-to-day activities. As online learning, work-from-home arrangements, digital payments, and even online government transactions become more prevalent and popular, internet connectivity becomes even more of a necessity to everyone.

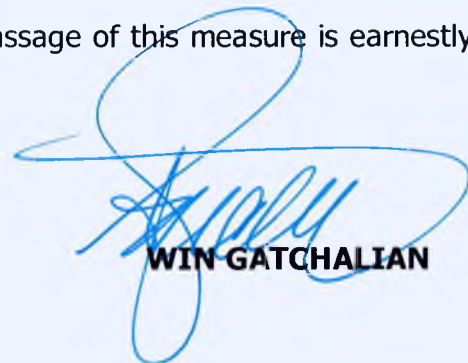
While the Philippines has seen considerable improvement in terms of internet connectivity, with the country ranking sixth (6<sup>th</sup>) in the ASEAN in terms of internet penetration and speed in 2024, a considerable improvement from its previous 9<sup>th</sup> ranking, the country still needs to catch up with global standards in connectivity. In the 2024 report of the ICT Development Index of the United Nations, the Philippines scored 74.4 in terms of universal and meaningful connectivity, an improvement of 14 percentage points compared to 2023. Despite this considerable improvement,

however, the Philippines remains below the world average score of 74.8 and was ranked the fifth lowest in the East and Southeast Asia region.<sup>1</sup>

Considering the vital role of information and communications technology in nation building, as well as the undeniable role of internet connectivity in facilitating universal access to vital products and services, this proposed measure seeks to improve internet accessibility and affordability for Filipinos by directing all internet service providers (ISPs) to implement a roll-over data allocation scheme for their subscribers.

Through this bill, unused data allocation for both postpaid and prepaid subscribers shall be carried over to the following day, week, or month until it is fully consumed, depending on the applicable internet data package. A mandatory roll-over data allocation scheme will allow internet subscribers to fully consume the data allocation in their internet data package, in accordance with their particular data needs and usage. This is especially helpful for subscribers who may not have access to, or be able to afford, higher internet data packages which allow for roll-over of unused data allocation.

In view of the foregoing, the immediate passage of this measure is earnestly sought.



**WIN GATCHALIAN**

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<sup>1</sup> Raffy Ayeng, *Phil seen to rank ASEAN's 3<sup>rd</sup> strongest in internet connectivity in 2028*, Daily Tribune, at <https://tribune.net.ph/2024/07/13/phil-seen-to-rank-aseans-3rd-strongest-in-internet-connectivity-in-2028> (last visited June 26, 2025).



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

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

1       **SEC. 1. Title.** – This Act shall be known as the "Roll-Over Internet Act".

2       **SEC. 2. Declaration of Policy.** – The State recognizes the vital role of  
3 information and communications technology in nation building. The State shall  
4 implement measures for the regulation of internet service providers (ISPs) and  
5 ensure that the interest and welfare of the people and the consuming public  
6 are protected and upheld.

7       **SEC. 3. Definition of Terms.** – As used in this Act:

- 8       (a) *Data Capping* refers to the limit of bandwidth allocation an ISP is  
9       offering to its subscriber per day, week, or month;
- 10       (b) *Internet Data Package* refers to the internet service packages,  
11       plans, or promos offered by ISPs with maximum limits on the  
12       open access data volume an end user may avail per set period of  
13       the package;
- 14       (c) *Internet Service Provider* refers to any service-based operator  
15       whose services involve the combination of computer processing,

1 information storage, protocol conversion, and transmission to  
2 enable subscribers to access internet content and services as well  
3 as multimedia services and its transmission of data through digital  
4 subscriber line (DSL), fixed wireless broadband, cable broadband,  
5 fiber-optic or fiber-to-the-home (FTTH) and mobile data to enable  
6 subscribers to access internet content and services, as well as  
7 multimedia services;

8 (d) *Offer Duration* refers to the length of time a subscriber or user is  
9 allowed to use an internet data package service and promos;

10 (e) *Roll-Over Data Allocation* refers to the unused internet data  
11 allocation per day, week, or month, as the case may be,  
12 depending on the applicable internet data package, which shall  
13 be carried over to the following day, week, or month until it is  
14 fully consumed; and

15 (f) *Unlimited Internet Data Package* refers to an internet service  
16 package with no data cap.

17 **SEC. 4. Coverage.** – All ISPs in the Philippines shall be covered by this  
18 Act.

19 **SEC. 5. Roll-Over Data Allocation Scheme.** – All ISPs are required  
20 to implement a Roll-Over Data Allocation Scheme for their subscribers as  
21 follows:

22 (a) *For postpaid subscribers or users:* The rolled-over data allocation  
23 shall be prioritized to be consumed in the succeeding month:  
24 *Provided,* That the unused data every month shall be rolled-over  
25 and accumulated up until the last month of the year: *Provided,*  
26 *further,* That all unused data allocation for a year may be used  
27 and converted as rebates that may be used by subscribers as  
28 payment for internet service in the succeeding year of  
29 subscription.

30 (b) *For prepaid subscribers or users and postpaid subscribers who*  
31 *avail of internet data package promo offers:*

- 1                   (1)    Unused data allocation shall be rolled over: *Provided*, That  
2                               the subscriber or user renews the subscription right after  
3                               the lapse of the offer duration;  
4                   (2)    The unused data allocation of subscribers or users who fail  
5                               to renew subscription shall be reduced by twenty percent  
6                               (20%) every day until the subscription is renewed; and  
7                   (3)    If after five (5) days, the subscription is not renewed, all  
8                               unused data allocation shall be considered consumed.

9                   **SEC. 6. Exemptions.** – Subscribers who availed and shall avail of any  
10   unlimited internet data package with no data cap shall be exempted from this  
11   Act.

12                  **SEC. 7. Penalties.** – Any ISP who fails to comply with Section 5 of this  
13   Act shall be subject to the following penalties:

- 14                  (a)    A fine of Fifty thousand pesos (Php 50,000.00) per violation per  
15                               subscriber; and  
16                  (b)    For repeated violations, in addition to fine, revocation or  
17                               cancellation of the license, registration or franchise of an ISP,  
18                               including the waiving of any pre-termination fees of the affected  
19                               subscriber.

20                  **SEC. 8. Implementing Rules and Regulations.** – Within sixty (60)  
21   days from the effectivity of this Act, the Secretary of the Department of  
22   Information and Communications Technology (DICT), in coordination with the  
23   National Telecommunications Commission (NTC) and other concerned  
24   agencies, shall promulgate the rules and regulations and other issuances as  
25   may be necessary to ensure the effective implementation of this Act.

26                  **SEC. 9. Separability Clause.** – Should any part or provision of this Act  
27   be declared unconstitutional or invalid, the remaining parts or provisions not  
28   affected thereby shall remain in full force and effect.

1           **SEC. 10. *Repealing Clause.*** – All laws, decrees, executive orders,  
2   issuances, rules, and regulations which may be inconsistent with any of the  
3   provisions of this Act, are hereby deemed repealed, amended, or modified  
4   accordingly.

5           **SEC. 11. *Effectivity.*** – This Act shall take effect fifteen (15) days after  
6   its publication in the Official Gazette or in a newspaper of general circulation.

7           *Approved,*