



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 11

**CREATION OF AN OVERSIGHT COMMITTEE FOR THE ENTRY OF
A NEW MAJOR PLAYER IN THE PUBLIC TELECOMMUNICATIONS
MARKET**

WHEREAS, it is the objective of this Administration to ensure reliable, inexpensive and secure telecommunications services in the country;

WHEREAS, telecommunications is an essential infrastructure to a country's economic development and competitiveness;

WHEREAS, based on the Global Information Technology Report 2016 of the World Economic Forum, the Philippines has one of the most expensive telecommunications services in South East Asia, with an affordability level for entry-level broadband services higher than the threshold set by the United Nations Broadband Commission;

WHEREAS, the International Telecommunications Union, the specialized agency of the United Nations for information and communications technologies (ICT), ranks the Philippines as one of the lowest among the members of the Association of South East Asian Nations in its ICT Development Index 2017;

WHEREAS, the entry of a new major player in the telecommunications market is a matter of paramount national interest which shall redound to the benefit of the public by ensuring genuine competition in the country's telecommunications industry;

WHEREAS, there is a need to ensure that the entry of a new major player in the telecommunications market shall be undertaken in an integrated and transparent manner;

WHEREAS, Section 5 of Republic Act (RA) No. 7925 or the "Public Telecommunications Policy Act of the Philippines" mandates the National Telecommunications Commission (NTC), as the principal administrator of said law, to do the following:

- a. Adopt an, among others, administrative process which would facilitate the entry of qualified service providers and adopt a pricing policy which would generate sufficient returns to encourage them to provide basic telecommunications services in unserved and underserved areas;

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- b. Promote consumers welfare by facilitating access to telecommunications services whose infrastructure and network must be geared towards the needs of individual and business users; and
- c. Protect consumers against misuse of a telecommunications entity's monopoly or quasi-monopolistic powers by, but not limited to, the investigation of complaints and exacting compliance with service standards from such entity;

WHEREAS, under Section 5 of RA No. 10844, otherwise known as the "Department of Information and Communications Technology (DICT) Act of 2015", the DICT shall be the primary policy, planning, coordinating, implementing, and administrative entity of the Executive Branch of the government that will plan, develop, and promote the national ICT development agenda;

WHEREAS, Section 15 of the same law provides that the NTC shall be an attached agency of the DICT for policy and program coordination; and

WHEREAS, Section 17, Article VII of the 1987 Constitution provides for the President's power of control over executive departments, bureaus and offices;

NOW THEREFORE, I, RODRIGO ROA DUTERTE, President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. Creation of an Oversight Committee for the Entry of a New Major Player in the Public Telecommunications Market. An Oversight Committee for the Entry of a New Major Player in the Public Telecommunications Market (*hereinafter* "Oversight Committee") is hereby created, and shall be composed of representatives of the following agencies:

- a. DICT, as Chairperson;
- b. Department of Finance, as Vice-Chairperson;
- c. Office of the Executive Secretary; and
- d. National Security Adviser.

The DICT shall provide the necessary secretariat support to the Oversight Committee.

SECTION 2. Powers and Functions of the Oversight Committee. The Oversight Committee shall have the following powers and functions:

- a. Assist NTC in the formulation of the Terms of Reference (TOR) for the selection and assignment of radio frequencies, pursuant to the DICT Memorandum Circular No. 001-08, to ensure consistency with the objectives of this Order;
- b. Oversee compliance of the NTC and other implementing agencies with the provisions of the aforementioned TOR;
- c. Ensure timely implementation pursuant to the timeline established by the DICT and NTC;

- d. Call upon other government agencies for assistance as the circumstances and exigencies may require; and
- e. Exercise such incidental powers as may be necessary for the proper exercise of its powers and functions herein provided.

SECTION 3. Support of Concerned Government Agencies. For the effective implementation of this Order, all concerned government agencies are hereby directed to provide the necessary support and assistance to the NTC and the Oversight Committee by, among others, streamlining and expediting their respective procedures for the issuance of the permits, licenses and/or certificates necessary for the rolling out of the plans, facilities and other infrastructure that may be required for the operation of the new major player, strictly in accordance with the provisions of RA No. 9485 or the "Anti-Red Tape Act of 2007".

SECTION 4. Sunset Clause. Except for purposes of winding up its operations, the Oversight Committee shall be *functus officio* within thirty (30) calendar days from the selection and assignment of the frequencies subject of the above-mentioned TOR, to a new major player in the public telecommunications market.

SECTION 5. Separability. If any section or part of this Order is held unconstitutional or invalid, the other sections or provisions not otherwise affected shall remain in full force and effect.

SECTION 6. Repeal. All orders, proclamations, rules, regulations or parts thereof, which are inconsistent with this Order are hereby revoked, amended or modified accordingly.

SECTION 7. Effectivity. This Order shall take effect immediately.

DONE, in the City of Manila, this **6th** day of **April**, in the year of Our Lord, Two Thousand and Eighteen.

[Handwritten Signature] 

By the President:

[Handwritten Signature]
SALVADOR C. MEDIALDEA
 Executive Secretary *[Handwritten mark]*



REPUBLIC OF THE PHILIPPINES
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