

EXECUTIVE ORDER NO. 467

PROVIDING FOR A NATIONAL POLICY ON THE OPERATION AND USE OF INTERNATIONAL SATELLITE COMMUNICATIONS IN THE COUNTRY

WHEREAS, the State, recognizing the vital role of communications in nation building, is committed to promote the establishment of communications structures responsive to information technology of the country;

WHEREAS, the provision of modern, efficient, and adequate satellite telecommunications facilities and services will promote the pole vaulting strategy of the government to lurch the country as a telecommunications hub in the Asia-Pacific region by the 21st century;

WHEREAS, there is a need to broaden the access by authorized entities to international satellite systems and services and thereby, accelerate the attainment of the development thrusts for the local telecommunications sector;

NOW, THEREFORE, I FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the adoption as a national policy, of the following policy guidance in the operation and use of satellite communications in the country.

Section 1. Policy Guidance. The following guidance and regulations shall govern the operation and use of the following satellite telecommunications facilities and services in the country:

a. **Access to International Fixed Satellite Systems.** Enfranchised telecommunications entities duly authorized by the National Telecommunications Commission (NTC) to provide international telecommunications services shall be allowed direct access to all international fixed satellite systems. Broadcast service providers may also be allowed to directly access international fixed satellite systems subject to NTC rules, regulations and authorizations.

b. **Access to International Mobile Satellite Systems.** Direct access to international mobile satellite services shall be allowed for maritime, aeronautical and land mobile uses, subject to NTC rules and regulations. For this purpose, the DOTC/NTC shall recognize the authorization and/or certification of foreign-registered mobile units designed to access international mobile satellite systems, provided they are consistent with said NTC rules and regulations.

c. **Use of Satellite Newsgathering (SNG) Earth Stations.** The government shall take a permissive approach on the use and operation of SNG earth stations owned or operated by foreign news media organizations, for a limited period of time as defined by NTC. Foreign news media organizations wanting to bring SNG earth stations into the country shall secure a special NTC permit.

d. **Operation and Use of Global Mobile Personal Communication by Satellite (GMPCS).** The government shall allow the operation and use of GMPCS to contribute to the attainment of universal access, subject to NTC rules and regulations. In this connection, GMPCS systems shall be required to interconnect with existing terrestrial systems in a non-discriminatory manner in accordance with the provisions of Executive Order No. 59 (Guidelines for Compulsory Interconnection of Authorized Public Telecommunications Carriers) and its Implementing Guidelines.

e. **Provision of Direct to Home TV Services.** The government shall allow the reception of Direct to Home TV signals from content providers utilizing international satellite systems, provided the video programs thereto are authorized by appropriate government agency(ies). Equipment for the reception of Direct to Home TV signals shall be provided by duly authorized entities. Moreover, uplink centers for transmission or retransmission in the Philippines, subject to existing laws and procedures formulated by the NTC.

Section 2. Policy of Terms. The NTC, in coordination with the concerned agencies and sectors, shall formulate and adopt, not later than forty-five days from the effectivity of this order, the necessary implementing rules and regulations for the implementation of the above policy guidance, including the monitoring system for their implementation.

Section 3. Definition of Terms. For the purpose of this Order and in the implementation of the above policy guidance, the following definitions shall apply:

a. Direct Access - any one of a number of measures permitting direct dealings between authorized entities and international satellite system providers at specified levels as defined by the NTC.

b. **Direct Home (DTH) TV** - a broadcasting system wherein television programs are transmitted directly to home/user receivers via satellite, thus making the reception cover not only individual(s) in their homes but other places as well.

c. **Fixed Satellite Service** - a radio communications service between earth stations at given points, when one or more satellites are used; the given position may be specific point or any fixed points within specified areas.

d. **Global Mobile Personal Communications by Satellite** - a satellite system providing telecommunications services directly to end-users anywhere in the globe from a constellation of satellites.

e. **Mobile Satellite Service** - a radio communications service between mobile earth stations and one or more space stations, or between space stations used by this service, or between mobile earth stations by means of one or more space stations.

f. **Satellite Newsgathering** - the use of either transportable, "Fixed Satellite Services" earth stations or "Mobile Satellite Service" earth stations to provide temporary communications services for news media organizations covering news events such as summits, conferences or disasters.

Section 4. Policy Review. The DOTC, in consultation with the concerned agencies and sectors, shall regularly review the responsiveness of the above policy, shall regularly review the responsiveness of the above policy guidance and based on this, submit policy recommendations to the office of the President.

Section 5. Repealing Clause. All executive orders, administrative orders and other executive issuance's inconsistent herewith are hereby repealed, modified or amended accordingly.

Section 6. Effectivity. This Order shall take effect immediately.

DONE in the City of Manila, this 17th day of March in the year of our Lord, Nineteen Hundred and ninety-eight.

By the President:

ALEXANDER P. AGUIRRE
Executive Secretary