

**DEPARTMENT CIRCULAR NO. 94-277**

**Subject: INTERNATIONAL SATELLITE COMMUNICATIONS  
POLICY**

The 1987 Constitution fully recognizes the vital role of communications in nation building and provides for the emergence of communications structures suitable to the needs and aspirations of the nation.

It is the vision of the Government to become a newly industrialized country by the year 2000. Moreover, the Government's goal for the telecommunications sector is vigorous growth and development through democratization and intensified private sector participation in an environment of fair and healthy competition. The provision of modern, efficient and adequate telecommunication facilities and services is a catalyst towards the achievement and realization of this vision. One of the technologies that can contribute significantly to the provision of telecommunications links within the country and the rest of the world is satellite communications.

Today, the international satellite communications industry is encountering unprecedented changes. Challenges to the established order are being mounted by new competitors. In addition, innovative technological developments are pushing satellite services within reach of an increasing number of users. Hence administrations are now implementing structural alterations to cope with these phenomena.

Therefore, in keeping with stated Government policies, and to position the country so that it can make best use of the new satellite-based services and technologies being brought into use or planned for near-term implementation, it is appropriate at this time to take steps to broaden access to international satellite systems, in order to permit the public to experience the benefits to be derived from greater competition and new technologies.

Based on the foregoing, and pursuant to Executive Order No. 125-A which mandates the Department of Transportation and Communications (DOTC) to guide Government and private investments in the establishment, operation and maintenance of international switching systems for incoming and outgoing telecommunications, Executive Order No. 59 which prescribes the policy guidelines for compulsory interconnection of authorized public telecommunications carriers in order to create a universally accessible and fully integrated nationwide telecommunications network and thereby encourage greater private sector investment in telecommunications, and such other relevant laws as are now existing or to be issued, the DOTC hereby promulgates the following policy directives:

**ARTICLE I**  
**DEFINITION OF TERMS**

Section 1. The following definitions and those contained in Department Circular 93-273, shall apply within the context of this policy:

a) Direct Access: Any of a number of measures permitting direct dealings between authorized entities and international satellite systems providers at specified levels defined by the National Telecommunications Commission (NTC).

b) Fixed Satellite Service (FSS): A radiocommunications service between earth stations at specified fixed points when one or more satellites are used.

c) Mobile Satellite Service (MSS): A radiocommunications 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.

d) Satellite Newsgathering (SNG): The use of either transportable FSS earth stations or MSS earth stations to provide temporary communications services for news media organizations covering news events such as summit conferences or disasters.

**ARTICLE II**  
**INTERNATIONAL FIXED SATELLITE SYSTEMS**

Sec. 2. Enfranchised telecommunications entities duly authorized by the NTC to provide international telecommunications services shall be allowed direct access to all international fixed satellite systems.

Sec. 3. Broadcast service providers shall be allowed to use any enfranchised international telecommunications entities duly authorized by the NTC to access international fixed satellite systems to provide broadcast services. Direct access by the broadcast service providers to international fixed satellite systems to provide broadcast services may be allowed subject to the rules, regulations and authorizations issued by the NTC.

**ARTICLE III**  
**INTERNATIONAL MOBILE SATELLITE SYSTEMS**

Sec.4. The Government may allow direct access to international mobile satellite services provided by international mobile satellite systems



for maritime aeronautical and land mobile uses, subject to the rules, regulations and authorizations issued by the NTC.

Sec.5 The Government shall recognized authorizations and certifications of foreign-registered mobile units designed to access international mobile satellite systems, subject to procedures set by the NTC, based on the principle of reciprocal recognition for Philippine-registered mobile units. Requests for use in the Philippine of foreign-registered mobile units from countries that do not provide reciprocal recognition to Philippine-registered mobile units may be granted on a case to case basis after prior authorization from the NTC.

#### **ARTICLE IV SATELLITE NEWSGATHERING**

Sec.6 The Government shall take permissive approach to the use of SNG earth stations owned or operated by foreign news media organizations, for a limited period of time to be defined by the NTC.

Sec.7 Foreign news media organizations requesting permission to bring SNG earth stations into the Philippines shall be granted a special permit, subject to procedures set by the NTC, based on the principle of reciprocal SNG access for Philippine news media organizations. SNG access for news media organizations from countries that do not allow reciprocal SNG access to Philippine news media organizations may be allowed entry on a case to case basis after prior authorization from the NTC.

#### **ARTICLE V POLICY IMPLEMENTATION**

Sec. 8. The NTC shall within forty five (45) days from the effectivity date of this Circular, perform the following:

- a) promulgate procedures, rules and regulations implementing the policies hereof, and the appropriate sanctions in compliance thereof.
- b) establish streamlined procedures to respond to request from foreign news media organizations seeking to bring SNG earth stations into the country.

**ARTICLE VI**  
**FINAL PROVISIONS**

Sec. 9 All existing department orders, circulars, memorandum, issuances and/or rules and regulations inconsistent with the Circular are hereby repealed or modified accordingly.

Sec. 10 This Circular shall take effect fifteen (15) days after its publication in the Official Gazette or any newspaper of general circulation, provided further, that at least three (3) certified copies thereof shall be filed with the University of the Philippines Law Center.

Pasig, Metro Manila, Philippines, July 1, 1994.

(SGD.) JESUS B. GARCIA  
Secretary