

**[NTC MEMORANDUM ORDER NO. 01-02-2011,
February 18, 2011]**

INTERNET ACCESS THROUGH MOBILE PHONES

WHEREAS, the National Telecommunications Commission (Commission) is mandated by Republic Act No. 7925 (RA7925) to promote and protect consumers' welfare and interest;

WHEREAS, the rapid development in smart mobile phones has made easy and convenient to users of smartphones to access the internet;

WHEREAS, such convenience has caused billing problems to unknowing users; NOW, THEREFORE, pursuant to RA7925, Executive Order (EO) No. 546 series of 1979, and to promote and protect the welfare and interest of mobile phone users, the Commission hereby promulgates the following rules:

1. Dealers/Retailers of smartphones such as iphones and blackberry phones are hereby mandated to inform buyers of smartphones of the settings and capabilities of said phones specifically the settings on internet access and the charges for access to internet. Upon the request of the buyers, the internet access shall be disabled.
2. The mobile phone service providers shall:
 - 2.1 Inform their subscribers/users that there are charges for accessing the internet using their mobile phones. A notice shall be sent to subscribers/users attempting to access the internet through their mobile phones that access to internet shall be charged "x" amount per hour or per volume. The subscriber/ user has the option not to use the service;
 - 2.2 Provide internet access service only to subscribers/users who opted to avail of such service;
 - 2.3 Send reminders to subscribers/users who have consumed at least 50% of the credit limit through text messages;
 - 2.4 Send text messages to subscribers/users who have availed of roaming services informing their subscribers/users to access their websites for information on applicable service rates and roaming