

FIFTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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SENATE
OFFICE OF THE SECRETARY

10 JUL 12 PT 35

SENATE
S.B. No. 1218

RECEIVED BY: 

INTRODUCED BY SEN. MANNY VILLAR

EXPLANATORY NOTE

The computer and computer system, including internet access are key tools of learning among young students by facilitating research sharing, innovation and fast communication. It likewise provides instructional needs and develops learning abilities and skills of students.

At present, internet cafes, video and computer games shops proliferate within the vicinity of schools, public playgrounds, day care facilities and churches. While exposure to computer and the computer system is a valuable educational source for children and students, this has also resulted to their easy access to some obscene, sexually oriented and violent materials, thereby polluting their young minds and eventually damaging their future.

In order to address this problem, this proposed measure seeks to prohibit the operation and maintenance of video and computer game shops within a radius of five hundred (500) meters from schools, public playgrounds, day care facilities and churches. The owners or operators of internet cafes and other computer-related establishments near the places specified shall be required to post a specific schedule for the use of computers by children and young students. They shall also be required to provide a "lock out" or has the capability to "disable" the computer. Said computer establishments are required to have safety policies and technologies in place. In order not to disrupt the normal business operation, adult customers who want to access the "blocked site" may ask the computer establishment to unlock or disable the same.

In view of the foregoing, early passage of this bill is earnestly sought.


MANNY VILLAR

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**AN ACT
REGULATING THE OPERATION AND MAINTENANCE OF INTERNET CAFES,
VIDEO AND COMPUTER GAME SHOPS AND OTHER ESTABLISHMENTS,
PROVIDING COMPUTER SERVICES WITHIN THE VICINITY OF SCHOOLS, PUBLIC
PLAYGROUNDS, DAY CARE FACILITIES AND CHURCHES AND FOR OTHER
PURPOSES**

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

SECTION 1. It is hereby declared the policy of the State to protect and promote the physical, moral, intellectual and social well-being of the youth. Pursuant to this policy, it shall regulate the operation and maintenance of internet cafes, video and computer game shops and such other computer related services by prohibiting their operation within the radius of five hundred (500) meters from schools, public playgrounds, day care facilities and churches.

SECTION 2. No video and computer games shops shall be operated or maintained within the radius of five hundred (500) meters from schools, public playgrounds, day care facilities and churches.

In order to ensure compliance with this Section, video and computer games shops shall be required to install video monitoring systems within their establishments.

SECTION 3. Owners or operators of internet cafes and other establishments offering computer services located near schools, public playgrounds, day care centers and churches shall be required to provide a "lock out" and shall "disable" websites in internet that are inappropriate for children and students. They shall likewise be required to post a specific time schedule for the use of computers by children and young students: **Provided, however,** That they shall be allowed to use the same only upon presentation of their school identification cards and a school certification issued by the authorized school official to the necessity of the research work: **Provided, further,** That said computer establishments shall have safety policies and technologies in place: **Provided, finally,** That the owner of the establishments shall unlock or disable the filter upon request from adult customers.

SECTION 4. The local government units concerned shall deputize their personnel to render an on-the-spot inspection of internet cafes, video and computer game shops, and such other computer-related services operating near the vicinity of the schools, playgrounds, day care centers and churches within their respective units: **Provided, however,** That they shall review files and communications within the computer establishments to maintain system integrity and ensure that children and students are using the system in a considerate and responsible manner.

SECTION 5. Owners or operators of internet cafes, video and computer games shops and such other establishments offering computer services found to have violated

any provisions of this Act shall, upon conviction, be punished by imprisonment of one (1) year and/or a fine of One Hundred Thousand (P100,000) Pesos, or both at the discretion of the court: **Provided**, that, in case of subsequent conviction said establishment shall be closed and license permanently revoked.

SECTION 6. The Department of Interior and Local Government (DILG), in coordination with the Department of Justice (DOJ) and the Department of Health (DOH), shall formulate and issue such rules and regulations necessary for the proper implementation of the provisions of this Act.

SECTION 7. Separability Clause. - If any part or provision of this Act is held unconstitutional or invalid, the other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 8. Repealing Clause. - All laws, orders, rules or regulations which are inconsistent with or contrary to the provisions of this Act are hereby amended or repealed accordingly.

SECTION 9. EFFECTIVITY -This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,