

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Fifteenth Congress

First Regular Session

HOUSE BILL NO. 2340

Introduced by Hon. MARY MITZI "MITCH" L. CAJAYON

EXPLANATORY NOTE

The Philippines ranks top among countries in Asia where cyber cafes and internet cafes are extremely popular and access to internet services such as web mail, e-mail and instant messaging access, multiplayer or network gaming, file downloading and encoding, are easily made available to the public in exchange for a fee.

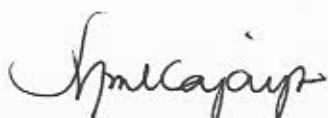
Owners and operators of internet cafes and cyber cafes, with their lax procedures and user registration, risk themselves to cybercrime offenders and law violators. Cyber crimes such as fraud, trafficking in child pornography and intellectual property, identity theft, or violating privacies are becoming more and more rampant with the easy accessibility of internet services.

Also, cybercafés and internet cafes have been popular targets of thieves, and there are instances that such offenders gain entry and knowledge of an establishment by posing as customers, since most of the time, identification is never required from any individual who might wish to avail of the internet services they offer.

This Act seeks to make mandatory the registration of all computer users who will avail of the services offered by internet cafes and cyber cafes. The integrity of the information provided by a customer shall be confirmed by presenting a valid ID which may be in the form of Professional Regulations Commission (PRC) ID, Land Transportation Office (LTO) Driver's License, Passport, Tax Identification Number (TIN) ID, Postal Identification or School ID that is valid for the current semester.

A client shall be refused access to the internet services offered if he fails to present a valid identification. Aside from protecting and safeguarding the integrity of public computer networks, internet café owners and internet café operators, local ordinances on multiplayer or network gaming among school children will also be reinforced by this proposed Act.

In view of the foregoing, approval of the bill is earnestly sought.


MARY MITZI "MITCH" CAJAYON

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AN ACT

**MAKING MANDATORY THE REGISTRATION OF COMPUTER USERS IN
INTERNET CAFES AND OTHER SIMILAR ESTABLISHMENTS**

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

SECTION 1. *Declaration of Policy.* It shall be the policy of the State to protect and safeguard the integrity of public computers networks, internet café owners and internet café operators from cyber crime offenders by making mandatory the registration of all computer users who will avail of their services.

SECTION 2. *Definition of Terms.* - For purposes of this Act, the following terminologies shall be construed as:

- a. "Registration" refers to the act of registering the name and age of the computer user and determining the credibility of the information that the user has provided by presenting a valid identification.
- b. "Valid Identification" refers to the proof or evidence of identity. Valid identification may include the following:
 - (1) Professional Regulations Commission (PRC) ID
 - (2) Land Transportation Office (LTO) Driver's License
 - (3) Passport, Tax Identification Number (TIN) ID
 - (4) Postal Identification
 - (5) School ID that is valid for the current semester
- c. "Public Computer Network" refers to computers that are connected to a telecommunications system for the purpose of communicating, research and sharing resources.
- d. "Internet Cafe" refers to a place where one can use a computer with Internet access for a fee, usually per hour or per minute.
- e. "Services" refer to web mail, e-mail and instant messaging access, multiplayer or network gaming, file downloading and encoding.
- f. "Cyber crime" refers to any use of a computer as an instrument to further illegal ends such as committing fraud, human trafficking, child pornography, intellectual property violation, identity theft, or violation of privacy.

SECTION 3. *Making Mandatory Computer User Registration.* In the failure of a computer user to present a valid ID prior to availing of the services provided by internet cafes, the administrator of the said internet café will not

extend the client access to the services they offer. There must be an announcement posted on the establishment that computer user registration is required and that they do not honor clients who do not have valid identification.

SECTION 4. *Compliance and Monitoring.* Local Government Units (LGUs) shall regularly conduct inspections in all internet cafés and cyber cafés under their territorial jurisdictions through duly designated persons.

SECTION 5. *Penalties.* – The following penalties shall apply to the owner, president, manager, or the most senior officers of any establishment or business entity who violates the provision of Section 3 of this Act:

a. On the first offense, a fine of not less than Ten Thousand Pesos (Php10,000.00) but not more than Twenty Thousand Pesos (Php20,000.00) shall be imposed.

b. On the second offense, a fine of not less than Twenty Thousand Pesos (Php20,000.00) but not more than Forty Thousand Pesos (Php40,000.00) shall be imposed.

On the third offense, in addition to a fine of not less than Forty Thousand Pesos (P40,000.00) but not more than Fifty Thousand Pesos (Php50,000.00), the business permits and licenses to operate shall be cancelled or revoked.

SECTION 6. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,