

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

TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. 11402



Introduced by **ANG PROBINSYANO**
Party-List Representative Alfred Delos Santos

EXPLANATORY NOTE

It is an understatement when one says that technology has impacted our lives. Breakthroughs in communications technology, computing, and entertainment have significantly improved our lives and has enabled many individuals to pursue aspirations that were never thought of to be possible. As technology became faster, smaller, and cheaper more people have come into contact with it.

With the rise of the internet and technology, internet cafes also sprouted one after the other. These internet cafes became community hubs in which this groundbreaking technology is made more accessible to the general populace. It is not far off to say that internet cafes are of vital importance in the daily lives of the people.

Thus, it is the duty of the State to enact standards and regulations to see to it that these community hubs continue to perform their stated functions for the general populace in a safe and orderly manner; and to ensure that these facilities are used responsibly towards meaningful ends.

In view of the foregoing, the passage of this measure is urgently sought.


ALFRED C. DELOS SANTOS
Representative, Ang Probinsyano Partylist

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AN ACT
SETTING MINIMUM STANDARDS FOR THE OPERATION OF
INTERNET CAFES

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

SECTION 1. *Short Title.* – This Act shall be known as the “Internet Café Regulation Act.”

SECTION 2. *Declaration of Policy.* – It is hereby declared the policy of the State to protect and advance the right of consumers and service providers to a safe and robustly-regulated information technology sector. By institutionalizing regulation in the operation of public internet cafés, the State allows users, community-members, and café operators alike to enjoin in a safe and thriving industry.

SECTION 3. *Coverage.* – All Local Government Units are mandated to enforce the provisions of this Act and all Internet Cafes and similar establishments providing for computer services shall be covered under this Act.

SECTION 4. *Adequate Facilities for Internet Cafes.* – Owners or operators and other establishments offering computer services shall be required to provide the following in order to continue and maintain their operations for their clientele:

- (a) A system, program, or application, that would allow the owner or operator to monitor the time spent in front of the computer, per client;
- (b) Sufficient ventilation such as windows or air vents, or if needed, air-conditioning; and

- (c) A comfort room/lavatory which has a closed-flush toilet and would be regularly cleaned.

SECTION 5. *Other Regulations.* – In addition to the aforementioned requirements, all operators or owners of internet cafes shall also be mandated to apply the following regulations in the conduct of their business:

- (a) A computer may be rented for only six (6) hours per person in one session; and
- (b) Students in basic and secondary education shall not be allowed to rent a computer for the purpose of playing games during the hours of 09:00 in the morning until 4:00 in the afternoon during weekdays, excluding holidays and other special days of observation.

SECTION 6. *License to Operate.* – All internet cafes, and other similar establishments offering computer services shall be required to pay a license fee to operate. The Local Government Units shall implement the necessary guidelines in the issuances of these licenses to operate.

The local government units concerned shall deputize personnel to render an on-the-spot inspection of internet cafes, computer shops, and similar establishments offering computer services. Provided, however, that they shall review files and communications with computer establishments to maintain system integrity and ensure responsible use of computer services.

SECTION 7. *Penalties.* – Owners or operators of internet cafes, and other similar establishments offering computer services who have been found to have violated any of the provisions of this Act, shall upon conviction, be punished by imprisonment of one (1) year and/or a fine of Twenty Thousand Pesos (P20,000.00); provided that in case of subsequent conviction said establishment shall be closed and license permanently revoked.

SECTION 8. *Implementing Rules and Regulations.* – The DILG in coordination with the LGUs and shall promulgate the necessary implementing rules and regulations within sixty (60) days from the effectivity of this Act.

SECTION 9. *Separability Clause.* – If any provision or part of this Act is held invalid or unconstitutional, the remaining provisions or parts unaffected shall remain in full force and effect.

SECTION 10. *Repealing Clause.* – All laws, executive orders, presidential decrees or issuances, letters of instruction, administrative orders, rules, and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 11. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,