

AN ORDINANCE REGULATING THE OPERATION OF COMPUTER RENTAL SHOPS WITHIN THE CITY OF MANILA AND FOR OTHER PURPOSES.

Be it ordained by the City Council of Manila, in session, assembled, THAT:

SECTION 1. Declaration of Policy. - It is hereby declared the policy of the City Government of Manila to bring order to the operation of commercial establishments involved in certain computer-aided and electronic endeavors in the course of affirming the general welfare as provided in Sections 16 and 453 (a) of Republic Act No. 7160, otherwise known as the Local Government Code, by guiding schoolchildren and other minors away from certain forms of entertainment which are potentially detrimental to their intellectual and moral well-being.

SEC. 2. Definition of Terms. - As used in this Ordinance, the following terms are defined, thus:

- a) **"Computer Rental Shop"** shall refer to any establishment engaged in the business of renting out more than one micro-computer (generally known as a personal computer), whether or not with connection to the internet;
- b) **"Class Hours"** shall refer to the required time period for classes in any given school day that has to be attended by the student as prescribed by his school; and
- c) **"Minor"** any person below eighteen (18) years of age whether or not enrolled for schooling.

SEC. 3. Pursuant to Section 1, hereof, the following prohibitions shall be strictly complied with relative to the operation of computer rental shops within the City of Manila;

- a. No student belonging to the elementary and high school levels shall be allowed entry to any computer rental shop during class hours from Monday to Friday;
- b. No computer rental shop shall be established or maintained within a distance of twenty five (25) meters from the entrance and/or exit door of any elementary or high school institution;
- c. No pornography or gambling shall be accessed by any customer inside the business establishment. For this purpose, a prohibitive sign with the words "NO PORNOGRAPHY AND GAMBLING" boldly printed thereon shall be posted at the upper portion of every computer monitor;
- d. No minor shall be allowed access to computer rental shops beyond 10:00 p.m. of any given day, unless accompanied by a parent, adult family member or guardian during curfew hours; and
- e. No partition, enclosure or cubicle shall be constructed as to allow exclusive or private view of a computer monitor.





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SEC. 4. For the implementation of Section 3, hereof, all owners/proprietors and staff of computer rental shops shall:

- a) Post a signage of sufficient size at the entrance of their business premises with the printed words "ELEMENTARY AND HIGH SCHOOL STUDENTS NOT ALLOWED DURING CLASS HOURS";
- b) Positively determine the presence of elementary and high school students by their uniforms or similar clothing, study materials and other similar items, as well as their familiarity with regular customers;
- c) Provide transparency on the frontage of such establishments, as well as adequate standard lighting of the interior premises to allow unimpeded outside view of individual computer monitors; and
- d) Conduct random supervision on minors within their premises so that access shall be limited to education and/or wholesome gaming purposes.

SEC. 5. The Office of the Mayor shall formulate the necessary rules and guidelines for the efficient implementation of this Ordinance.

SEC. 6. Penalty Clause. - Any person who violates this Ordinance shall, upon conviction thereof, be punished as follows:

- a) For the First Offense – a fine of Two Thousand Pesos (PhP 2,000.00), or an imprisonment for a period not exceeding one (1) month, or both in the discretion of the court;
- b) For the Second Offense – a fine of Three Thousand Pesos (PhP 3,000.00), or an imprisonment for a period not exceeding six (6) months, or both such fine and imprisonment in the discretion of the court, and suspension of the business permit of the erring establishment for a period not exceeding one (1) month; and
- c) For the Third and subsequent Offenses – a fine of Five Thousand Pesos (PhP 5,000.00), or an imprisonment for a period not exceeding one (1) year, or both such fine and imprisonment in the discretion of the court, and cancellation of the business permit of the erring establishment.

PROVIDED, That if the violator or offender is a firm, company, association, corporation, or partnership, its manager, president or chairman of its board of directors, or managing partner shall suffer the penalty or penalties provided for herein as the case may be.

SEC. 7. Repealing Clause. - All Ordinances, Resolutions, Executive Orders and Administrative Orders, or parts thereof, which are inconsistent with any of the provisions of this Ordinance, are hereby repealed or modified accordingly.

SEC. 8. Separability Clause. - If, for any reason or reasons, any part or provision of this Ordinance shall be held to be invalid or unconstitutional, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

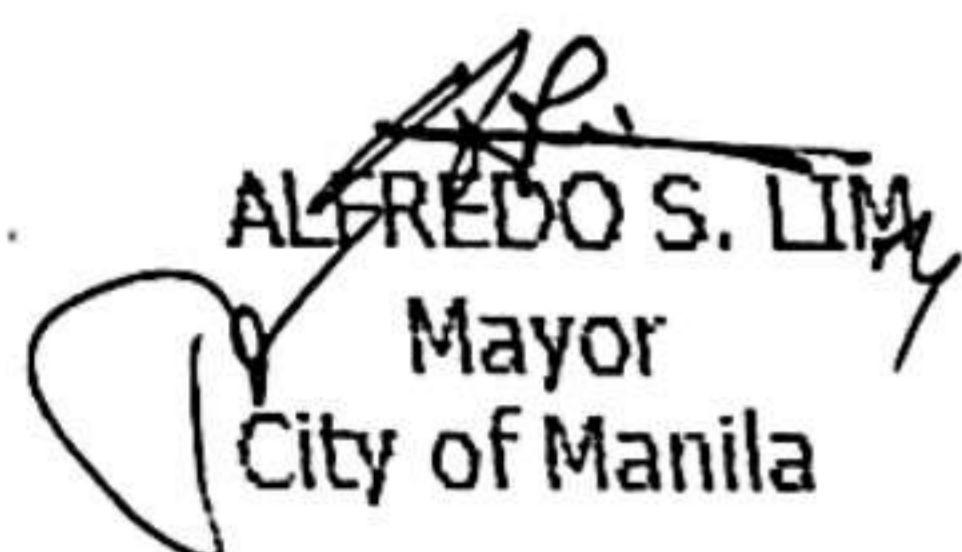


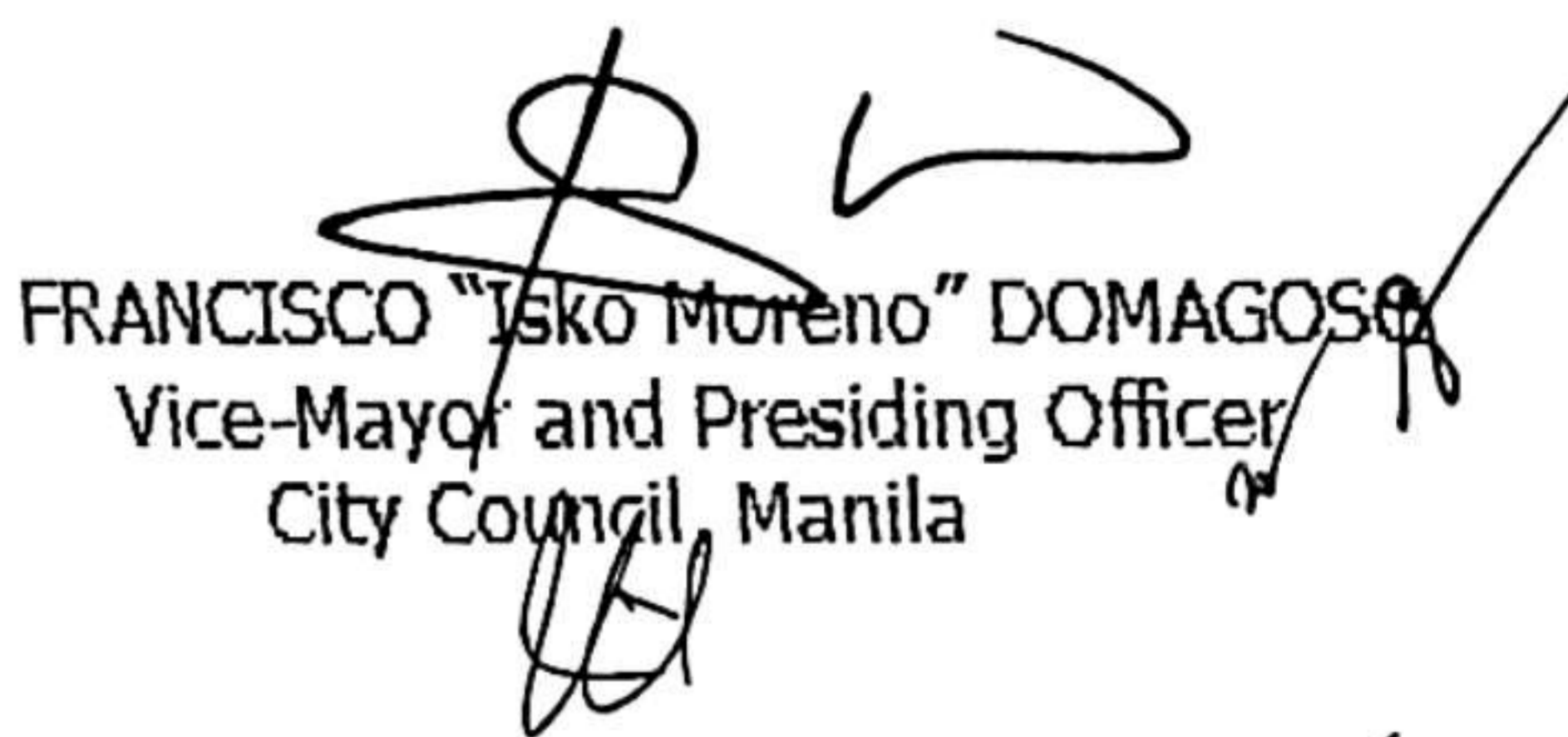
SEC. 9. Effectivity Clause. - This Ordinance shall take effect upon its approval.

Enacted by the City Council of Manila at its regular session held today, September 2, 2008

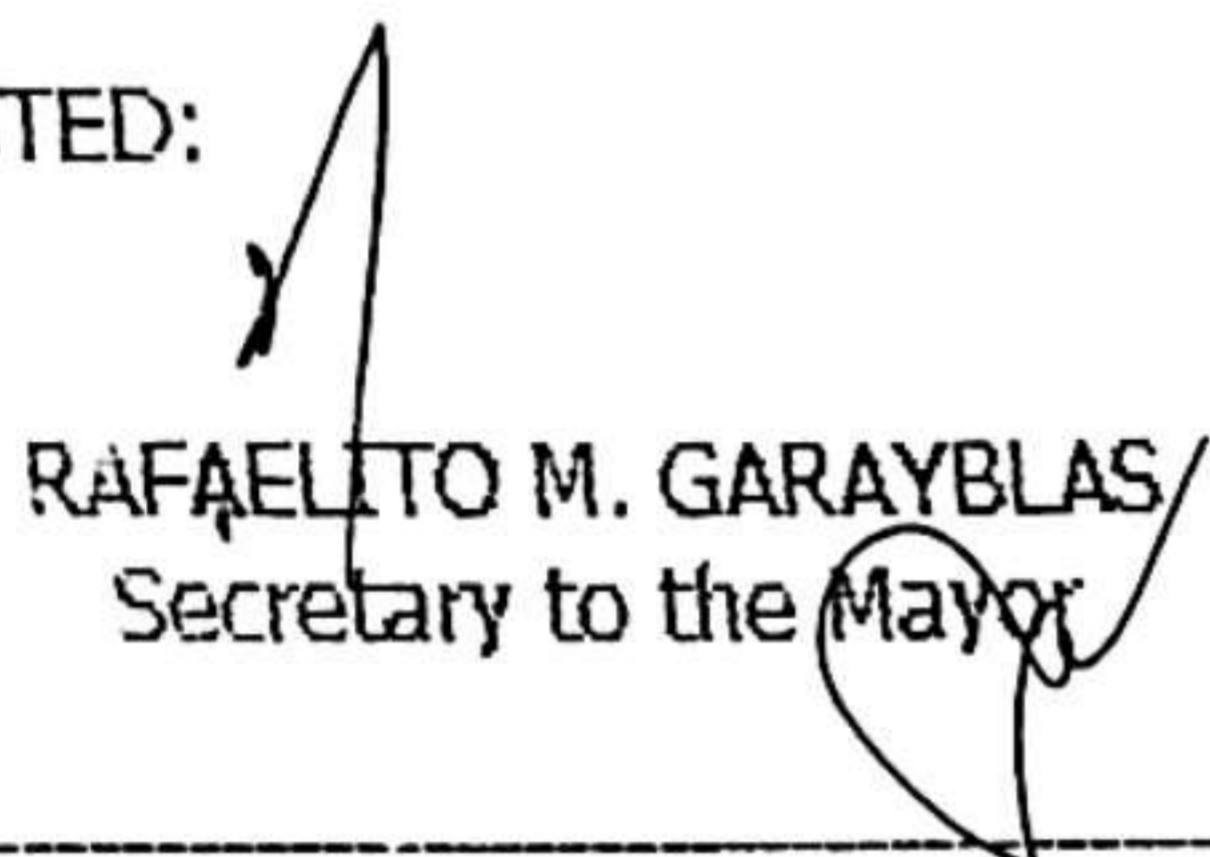
Approved by His Honor, the Mayor, on

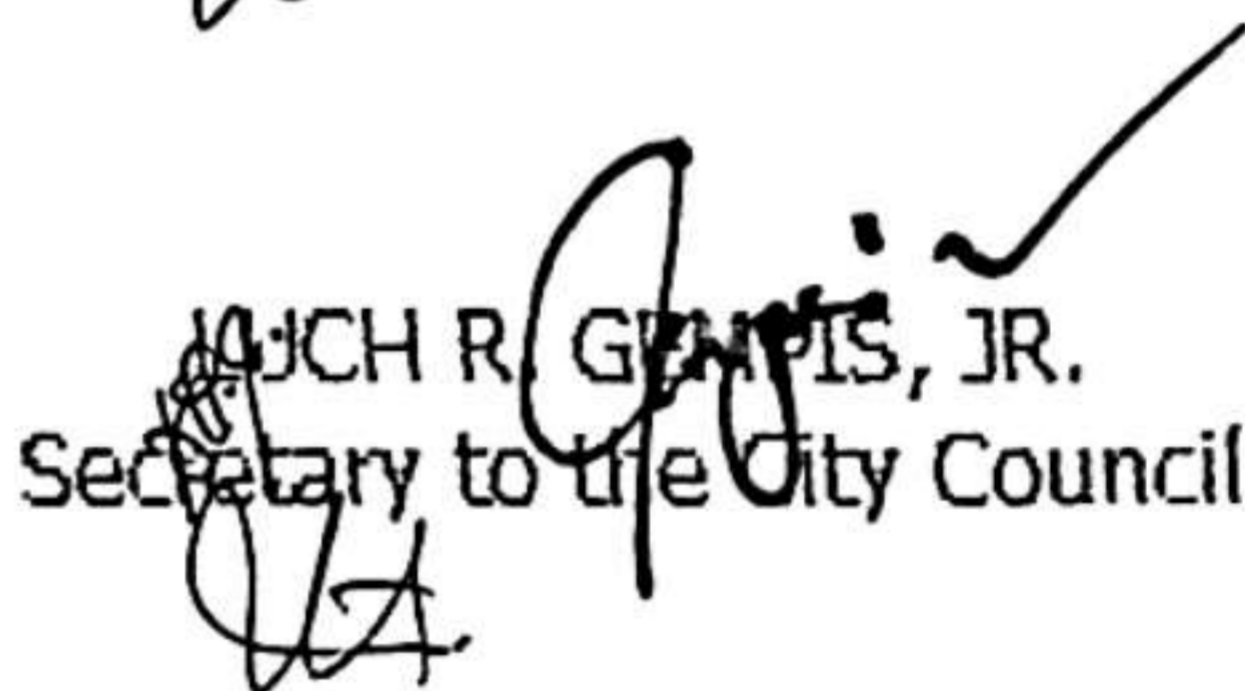
APPROVED:


ALFREDO S. LIM
Mayor
City of Manila


FRANCISCO "Isko Moreno" DOMAGOSO
Vice-Mayor and Presiding Officer
City Council, Manila

ATTESTED:


RAFAELITO M. GARAYBLAS
Secretary to the Mayor


MARCH R. GEMPIS, JR.
Secretary to the City Council

PRINCIPAL AUTHORS: HON. VICTORIANO A. MELENDEZ and HON. MA. SHEILAH H. LACUNA-PANGAN

CO-AUTHORS: Hon. Dennis B. Alcoreza, Hon. Jocelyn B. Dawis-Asuncion, Hon. Rafael P. Borromeo, Hon. Joel R. Chua, Hon. Louisito N. Chua, Hon. Ernesto M. Dionisio, Jr., Hon. Corazon C. Gernale, Hon. Cristina A. Isip, Hon. Ma. Lourdes M. Isip-Garcia, Hon. Arlene W. Koa, Hon. Marion M. Lacson, Hon. Danilo Victor H. Lacuna Jr., Hon. Moises T. Lim, Hon. Numero G. Lim, Hon. Carlo Vincent V. Lopez, Hon. Edward V.P. Maceda, Hon. Ramon D. Morales, Hon. John Marvin C. Nieto, Hon. Erick Ian O. Nieva, Hon. Jocelyn J. Quintos, Hon. Ernesto F. Rivera, Hon. Monina U. Silva, Hon. Josefina M. Siscar, Hon. Rolando Y. Sy, Hon. Amalia A. Tolentino, Hon. Luis C. Uy, Hon. Roderick D. Valbuena, Hon. Rolando M. Valeriano, Hon. Ivy A. Varona, Hon. Luciano M. Veloso, Hon. Abelardo C. Viceo, Hon. Raymundo R. Yupangco, Hon. Salvador H. Lacuna, Hon. John Russel Benedict M. Ibay, HON. MANUEL M. ZARCAL, Majority Floor Leader and HON. FRANCISCO "Isko Moreno" DOMAGOSO, Vice-Mayor and Presiding Officer

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