



Republic of the Philippines
SANGGUNIAN PANLUNGSOD
City of Mandaluyong
ORDINANCE NO. 567, S-2014

AN ORDINANCE REGULATING THE ESTABLISHMENT AND OPERATION
OF INTERNET CAFES, COMPUTER RENTAL SHOPS AND COMPUTER
GAMING CENTERS IN THE CITY OF MANDALUYONG AND
PROVIDING PENALTIES FOR VIOLATION THEREOF

BE IT ENACTED by the Sangguniang Panlungsod, in session assembled:

- SECTION 1. The establishment and operation of internet cafes, computer rental shops or computer gaming centers in the City of Mandaluyong is hereby regulated by the City Government and penalties for violation thereof are hereby provided.
- SECTION 2. DEFINITION OF TERMS.
- a. INTERNET – a vast computer network linking smaller computer networks worldwide. It includes commercial, educational, governmental and other networks, all of which use the same set or communications protocols.
 - b. LAN (Local Area Connection) refers to a group of computers with association devices that share a common communication line and typically share resources and data within a small geographic area.
 - c. SURFING – refers to the act of exploring a sequence of web sites in a random or unplanned manner.
- SECTION 3. COVERAGE. This Ordinance shall cover the following:
- a. Any business with more than one (1) computer unit, offering for a fee, services including but not limited to electronic mail, games, chatting, surfing, research and other services which requires the use of computers and access to the internet. These establishments are classified as internet cafes, computer rental shops or computer gaming centers.
 - b. Other business establishments which offer a combination of services such as food and internet, recreation and other similar business fusions requiring the use of computers and access to the internet such as cyber cafes, arcades, lounges and other similar establishment.
- SECTION 4. CLASSIFICATION OF COMPUTER: Computer shops are hereby classified as follows:
- a. INTERNET CAFES – is a place where one can use a computer with Internet access mostly for a fee, usually per hour or minute, sometimes one can have unmetered access with a pass for a day or month, etc. It may serve as a regular café as well, with food and drinks served.
 - b. COMPUTER RENTAL SHOP – refers to a business establishment with two (2) or more computer units that offer internet services, typing, printing, services and gaming shop or centers.
 - c. COMPUTER GAMING SHOP OR CENTERS – refers to an establishment with two (2) or more computers connected on a local area network that exclusively offer whether online game or LAN games.

SECTION 5. REQUIREMENTS: A Mayor's Permit shall only be granted to establishments located in the commercial, industrial or business districts in the City of Mandaluyong. At no instance shall the operation of establishments herein regulated be allowed in residential areas of the City.

In addition, to obtain a Mayor's Permit to establish and operate an internet café, computer rental shop or computer gaming center, the following documents must be submitted to the Business Permit and License Department, to wit:

- a. Barangay Business Clearance;
- b. Residence Certificate;
- c. Sanitary Permit from the City Health Office;
- d. Fire Safety Clearance from the Bureau of Fire Protection;
- e. Contract of Lease, Business Permit of Lessor (if leased);
- f. Additional documents as may be required by the Business Permit and License Department.

Existing internet cafés, computer rental shops or computer gaming centers located within residential areas, prior to the approval of Ordinance No. 461, S-2011, be allowed to renew its business permit, provided that they shall relocate their business in the commercial, industrial or business areas five (5) years counted from January 24, 2012, to January 23, 2017. Thereafter, no Mayor's Permit shall be outside of the areas enumerated above.

SECTION 6. BUILDING SPECIFICATIONS. Structures where Internet cafes, computer rental shops or gaming centers are being operated must comply with the following specifications:

- a. Proper ventilation (as specified by the City Engineer's Office);
- b. The front wall panel must be transparent and free from any obstruction to allow a clear view of interior of the establishment;
- c. Adequate lighting both inside and outside of the establishment;
- d. No enclosed cubicles.

SECTION 7. PROHIBITED ACTIVITIES. The following acts and activities are prohibited in any of the classifications of computer shops mentioned in Section 4 hereof:

- a. Perform any sexually-related acts in front of the computer video camera, camera equipped-mobile phones, webcam and other similar devices either for a fee or for consideration, promise or reward.
- b. Surf the internet in websites containing pornographic and lewd materials and other sites that promote prostitution.
- c. Produce, distribute and transmit images or visual representation depicting the prohibited acts specified in paragraph (a) hereof.
- d. Use, consume or trade prohibited drugs, intoxicating beverages, cigarettes within the premises.

- e. Gamble on-line or bet among customers inside the premises.
- f. For students of minor age, the following acts are prohibited:
 - f.1 Enter the establishment wearing school uniform except those doing research/school works in internet cafes or computer rentals shops during vacant/free school hours;
 - f.2 Enter the premises during school hours except students doing research/school works in internet cafes or computer rental shop during vacant period. Computer gaming shop are strictly prohibited from allowing the entry of student during school hours;
 - f.3 Enter the premises without identification cards (ID) and class schedule duly issued by the Registrar's Office.
- g. For both students and out-of-school of minor age, entering the premises from 10:00 PM to 4:00 AM is prohibited, unless accompanied by a parent or guardian.

SECTION 8. DUTIES AND RESPONSIBILITIES OF OWNERS OR MANAGERS OF INTERNET CAFES, COMPUTER RENTAL SHOPS OR COMPUTER GAMING CENTERS. Owners, managers and/or any persons in charge of internet cafes, or computer rental shops or computer gaming centers are mandated to undertake the following measures in their operations:

- a. Ensure strictly that customers comply with Section 7 hereof. The IDs and class schedules of students (minor) must be checked as basis for allowing/disallowing to enter the premises;
- b. Display necessary warning against access to pornographic and on-line gambling sites, "INTERNET PORNOGRAPHY AND ON-LINE GAMBLING ARE PROHIBITED";
- c. Install filtering software to remove access to all pornographic and on-line gambling sites.

SECTION 9. REGULAR INSPECTION. The Business Permit and License Department shall conduct regular inspection of the establishments herein allowed to be operated during business hours to ensure strict compliance with the provisions of this Ordinance.

SECTION 10. PENALTIES. In addition to the administrative penalty of cancellation or revocation of the Mayor's Permit issued under this Ordinance, a fine of not less than Five Hundred Pesos (P500.00) but not more than Five Thousand Pesos (P5,000.00) or imprisonment for a period of not less than one (1) month and one (1) day but not more than six (6) months shall be imposed upon the owner, manager and/or person in-charge of the establishment found violating the provision of this Ordinance.

If the offender is a corporation or partnership, the penalty above prescribed shall be imposed upon the President and/or the General Manager or the Managing Partner, as the case may be, of the erring entity.

The same penalty shall be imposed upon any person found performing any of the acts prohibited under Section 7 thereof.

The penalty provided above shall also be meted upon any official or employee of the City Government who issued or, in any manner, caused the issuance of a Mayor's Permit to operate any of the establishments herein regulated in areas classified as residential.

SECTION 11. NO CONTEST PROVISION. Any person cited for violation of this Ordinance who does not wish to contest the apprehension may opt to pay the minimum fine herein prescribed prior to the institution of formal charges.

SECTION 12. REPEALING CLAUSE. Ordinance Nos. 461, S-2011 and 492, S-2012 and all existing Resolutions, Ordinances or rules that are inconsistent with the provisions of this Ordinance are hereby repealed.

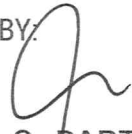
SECTION 13. EFFECTIVITY CLAUSE. This Ordinance shall take effect immediately upon approval.

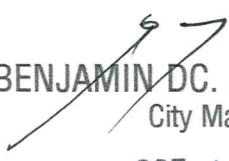
ENACTED on this 29th day of September, 2014 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ENACTED AND APPROVED BY THE SANGGUNIANG PANLUNGSOD OF MANDALUYONG IN REGULAR SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


JIMMY D. LACEBAL
Sanggunian Secretary

APPROVED:

PRESIDED BY: 
EDWARD G. BARTOLOME
Vice Mayor &
Presiding Officer


BENJAMIN DC. ABALOS, JR.
City Mayor

Date: OCT 15 2014