

THIRTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES }
First Regular Session

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SENATE

S. No. 751

RECEIVED BY: Osilo

INTRODUCED BY HON. MANUEL B. VILLAR, JR.

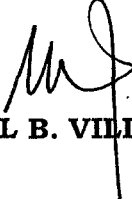
EXPLANATORY NOTE

As a gateway to the vast information highway, the Internet is widely used by students. It has been estimated that 70% of Internet users in the country are students.

Unfortunately however, the Internet has as much offensive materials as it has useful information. With the proliferation of pornography and violence in the cyberspace, the State is obliged to take steps to protect the Internet users, particularly the young ones.

Since limiting access is next to impossible, the government can start by regulating Internet access in all public and private libraries of educational institutions in the country.

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


MANUEL B. VILLAR, JR.

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AN ACT
REQUIRING LIBRARIES OF PRIVATE AND PUBLIC EDUCATIONAL INSTITUTIONS
WITH INTERNET ACCESS TO INSTALL A SOFTWARE TECHNOLOGY FOR
BLOCKING INTERNET WEBSITES DISPLAYING OBSCENE AND VIOLENT
MATERIALS PROVIDING PENALTIES THEREFORE AND FOR OTHER PURPOSES.

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

SECTION 1. *Title.* This Act shall be known as the "Students' Internet Protection Act of 2004".

SECTION 2. *Coverage.* All private and public school libraries with access to the Internet shall be covered by this Act.

SECTION 3. *Declaration of State Policies.* The state recognizes the vital role of the youth in nation building and shall promote and protect the physical, moral, spiritual, intellectual and social well-being.

SECTION 4. *Definition of Terms.* Whenever used in this Act, the following terms shall mean:

- a. Internet - the vehicle to the information highway which can be accessed through the use of a computer and other peripheral when connected by an internet service provider;
- b. Web site /IP Address- to any home page or Universal Record Locator (URL) of any entity which post text information, pictures, movie clips, sound or any other materials that can be seen or accessed over the internet;
- c. Blocking Software Technology - a computer software commercially available used for blocking or filtering web sites displaying obscene and violent pictures, video clips, sound, or any other form of literary documentation;
- d. Task Force - the Student Internet Protection Task Force

- e. *Obscene and Violent Internet Materials* - any inappropriate internet materials containing but not limited to indecent, immoral, violent, blasphemous and other categories as may be classified by the blocking software technology, that comes in the format of pictures, video clips, sound files and literary documentations which can be accessed in any web sites.

SECTION 5. *Installation of a Blocking Software Technology in Private and Public Educational Institutions* - Any provision of law to the contrary notwithstanding, all libraries in both private and public educational institutions, are required to install a blocking software technology, to be updated regularly as necessary, in their computer systems that have access to the internet.

SECTION 6. *Minimum Requirements for a Blocking Software Technology* - any computer software shall be used for blocking internet web sites containing obscene and adult materials if it satisfies the following minimum criteria:

- a. Should be able to block websites containing obscene and adult materials using contemporary Filipino cultural values as standard;
- b. Should be capable of blocking search requests from search engines containing words and phrases leading to web sites containing obscene and adult materials;
- c. Should support major internet standards that rates web sites such as but not limited to the following content coding mechanisms: SafeSurf, RSAC, IVSR, VSR and KidCode;
- d. Should be capable of updating its database list of web sites containing obscene and adult materials;
- e. Should be highly protected from end-user tampering; and
- f. Should be software upgradeable.

SECTION 7. *Student Internet Protection Task Force*- There shall be created a Student Internet Protection Task Force to be represented by 2 members each from the Department of Education Culture and Sports (DECS) and Commission on Higher Education (CHED), to enforce the provisions of this Act and within 15 days from its effectivity, promulgate the necessary implementing rules and regulations.

SECTION 8. *Powers and Functions of the Task Force* - The powers and functions of the task force for purposes of Sections 5 and 6 hereof shall include the following:

- a. To formulate rules and guidelines to implement the law;

- b. To ensure the proper enforcement and compliance of the law by conducting a quarterly on-site ocular inspection on all libraries of private and public schools with internet access;
- c. To screen and accredit the type of blocking software technology to be used by educational institutions as provided in Sec. 6 hereof, to be made in a quarterly basis;
- d. To recommend disciplinary actions against concerned officials of educational institutions, violating the provisions of this Act.

SECTION 9. *Non-compliance by Concerned Officials* - Heads of educational institutions who failed to comply with the provisions of this Act shall be charged administratively and shall pay a penalty fee of not more than P100,000 for the first offense and an addition of another P100,000 for every succeeding offense.

SECTION 10. *Repealing Clause*. - All laws, decrees, executive orders, rules and regulations, and other issuance inconsistent with the provisions of this act are hereby repealed or modified accordingly.

SECTION 11. *Separability Clause*. - If for any reason, any provision of this Act is declared invalid or unconstitutional, the remainder of this Act shall not be affected.

SECTION 12. *Effectivity*. - This Act shall take effect immediately upon publication in a newspaper of general circulation.

Approved,