

SANGGUNIANG PANLUNGSOD
GENERAL SANTOS CITY

COMMITTEE REPORT NO. 18-162

Submitted by the **COMMITTEES ON LAWS, RULES, AND REVIEW OF BARANGAY ORDINANCES AND ON GENDER EQUALITY, WOMEN, FAMILY, AND CHILDREN'S WELFARE & POPULATION MANAGEMENT**

Date of Hearing: May 26, 2017

RECOMMENDING APPROVAL FOR THIS ITEM

Author/Sponsro: Hon. Jose Edmar J. Yumang; **Co-Authors:** Hon. Rosalita T. Nuñez, Hon. Dominador S. Lagare, Jr., Hon. Elizabeth B. Bagonoc, Hon. Shandee Theresa O. Llido- Pestaño, Hon. Orlando R. Acharon, Hon. Lourdes F. Casabuena, and Hon. Vandyke B. Congson

MADAM PRESIDENT:

The above-mentioned committees, to which were referred the hereunder ordinance

TITLE	RECOMMENDATION
SPPO NO. 1718-0107: AN ORDINANCE REGULATING THE OPERATION OF INTERNET CAFÉS AND PESO NET IN THE CITY OF GENERAL SANTOS PROVIDING SAFEKEEPING GUIDELINES FOR MINORS, AND PENALTIES THEREFOR, AND FOR OTHER PURPOSES.	APPROVED ON COMMITTEE LEVEL- FOR SECOND READING

have considered the same and have the honor to report it back to the August Body with the foregoing recommendation.

Respectfully submitted:

ATTY. JOSE EDMAR J. YUMANG
City Councilor and Presiding Chairperson



MINUTES OF THE JOINT HEARING OF THE COMMITTEE ON LAWS, RULES, AND REVIEW OF BARANGAY ORDINANCES AND EXECUTIVE ORDERS AND COMMITTEE ON GENDER EQUALITY, WOMEN, FAMILY AND CHILDREN'S WELFARE & POPULATION MANAGEMENT OF THE 18TH SANGGUNIANG PANLUNGSOD OF THE CITY OF GENERAL SANTOS.

Friday, May 26, 2017
9:57 A.M. – 11:04 A.M.

Sangguniang Panlungsod, Session Hall, 2/F Legislative Building
Roxas Street corner City Hall Drive, General Santos City

MEMBERS/COUNCILORS PRESENT: CITY COUNCILOR JOSE EDMAR J. YUMANG (Chairperson – Committee on Laws), CITY COUNCILOR SHANDEE THERESA O. LLIDO-PESTAÑO (Chairperson-Committee on Gender) CITY COUNCILOR ELIZABETH B. BAGONOC, CITY COUNCILOR DOMINADOR S. LAGARE, JR., CITY COUNCILOR JOSE ORLANDO R. ACHARON, CITY COUNCILOR LOURDES F. CASABUENA

GUESTS/RESOURCE PERSONS: (SEE THE ATTACHED ATTENDANCE SHEET.)

AGENDUM

SPPO NO. 1718-0107: AN ORDINANCE REGULATING THE OPERATION OF INTERNET CAFÉS AND PESO NET IN THE CITY OF GENERAL SANTOS PROVIDING SAFEKEEPING GUIDELINES FOR MINORS, AND PENALTIES THEREFOR, AND FOR OTHER PURPOSES. (Hon. Jose Edmar J. Yumang-Author/Sponsor)

The hearing was presided and called to order by Hon. Jose Edmar J. Yumang. After acknowledging everyone's presence, he informed that some barangays already have an ordinance of this sort.

In answer to the query of Councilor Shandee Theresa Pestaño, Ms. Perlita P. Siangco of the CSWDO stated that there's no ordinance yet insofar as regulating the operation of billiard is concerned.

As they tackled the ordinance section by section, only the following sections had amendments:

Inasmuch as there was no short title, Hon. Bagonoc moved that Section I be instead read as: **SECTION 1. Short Title.– INTERNET CAFES AND PESO NET REGULATION ORDINANCE OF GENERAL SANTOS CITY (INTERPES ORDINANCE).** As seconded, the chair ruled the same approved, subject to style.

The chair acting on another motion, duly seconded ruled the succeeding sections to be adjusted accordingly.

APPROVED ON COMMITTEE LEVEL, SUBJECT TO STYLE

Section 4. Establishing of Internet Café and Peso Net.

As amended, it shall read as: *No internet café or peso net shall be established within 200 meters from any public or private **primary and secondary** educational institution.*

APPROVED AS AMENDED

When queried, Ms. Delima of the CSWDO stated that the basis of the required distance of 200 meters away from the school campus is the Executive Order 149 of the former City Mayor Rosalita T. Nuñez. Councilor Elizabeth B. Bagonoc added that the Child Welfare Code which she authored that became Comprehensive Children Welfare Code likewise stipulated the same. Thus, she said the aforementioned executive order was not the only basis but as well as the ordinance itself of the city prescribing the prohibition of internet cafés within 200 meters away from schools in which Councilor Pestaño concurred.

At this instance, Hon. Lagare moved to delete the word "**of**" after the phrase "***or peso net found violating.***" As seconded, the same was ruled approved.

APPROVED AS AMENDED

Section 5. Safekeeping Guidelines for Minors.

In letter "a," the words, "**peso net**" was inserted after the words, "***internet café***". The same was ruled approved.

APPROVED

Concerning letters "c" and "g" of the same section, Hon. Lagare moved to delete **letter "g"** as he considered it a catch-all provision. As seconded, the same was ruled approved.

APPROVED AS AMENDED, SUBJECT TO STYLE

Section 8. Penalties.

As to the suggestion that minors should also give their penalty counterpart of P500, somebody opposed since he believed that it's the owner's responsibility to prohibit minors from entering internet cafes during school hours as stipulated in the proposed ordinance. The chair then remarked that the ordinance has a comprehensive/holistic approach since all sectors have a shared responsibility. He also said that legally, minors can only be counseled but cannot be penalized. The profit orientation of the operators should not supersede their responsibility as an owner, but they also have to protect the interest and welfare of the children.

Thereafter, Hon. Bagonoc moved to include in letter d, the words, "**Comprehensive Child Welfare Act**" before "***Article 59 and 60 of Presidential Decree No. 603.***" As seconded, the same was ruled approved.

Regarding those operating without a business permit, Ms. Geraldine Zamora of the Permits and License Division appealed that as a way of helping them, any owner found violating the same should be reported to their office so that they can inspect the concerned establishment and they can require the owner to process his/her business permit within thirty (30) days from the day he/she was caught violating otherwise the violating establishment be padlocked.

APPROVED AS AMENDED, SUBJECT TO STYLE

The chair acting on the motion of Hon. Bagonoc, duly seconded ruled the proposed ordinance approved as amended, subject to style and further ruled to calendar the same in the next regular session with City Councilors Rosalita T. Nuñez, Dominador S. Lagare, Jr., Elizabeth B. Bagonoc, Shandee Theresa O. Llido- Pestaño, Orlando R. Acharon, Lourdes F. Casabuena, and Vandyke B. Congson as the co-authors.

APPROVED AS AMENDED ON COMMITTEE LEVEL, SUBJECT TO STYLE

There being no more matter to take up, the hearing was declared adjourned at, 11:04 o'clock in the morning.

HEARING – ADJOURNED

Prepared by:

JULIET A. DELA TORRE
Stenographic Reporter III

JOYCE A. CORUÑA
Stenographic Reporter IV

Edited by:

Noted by:

CARMELITA A. GENOTA
Stenographic Reporter III

LOLITA P. PEDRO
Division Chief, Journal &

Minutes

ATTESTED:

ATTY. JOSE EDMAR J. YUMANG
*City Councilor & Chairperson, Committee on Laws, Rules
Review of Brgy. Ordinances & Executive Orders*

SHANDEE THERESA O. LLIDO-PESTAÑO
City Councilor & Chairperson, Committee on Gender Equality,

Women, Family & Children's Welfare & Population Management