

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**EIGHTEENTH CONGRESS
First Regular Session**

HOUSE BILL NO. 5542



Introduced by Representative Florida P. Robes

EXPLANATORY NOTE

Article II, Section 13 of the 1987 Philippine Constitution provides:

“The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being.....”

The dawn of computer and of late, smartphones and electronic gadgets, has brought a myriad of benefits to all people from all walks of life. It has made the world smaller, brought people closer than ever before, and access to information so much easier with just one flick of the finger. In advanced and emerging economies alike, majority of young people own a smartphone and are more connected online than older generations. In the Philippines, more than 70 percent of those who own a smartphone are young people who spend at least five hours a day on the internet.

But with this dramatic increase in usage came the plethora of health hazards that has brought misery to people, adversely affecting the youth. Evidence have shown that unabated use of smartphone in young people had caused thumb arthritis, nerve and back pain, sleep deprivation, anxiety and depression which in extreme cases had led to suicide.

According to recent studies (Markely, 2018), reading on smartphones is worse for learning and comprehension. Other studies have also shown that smartphone addiction create ADHD –like symptoms in users which diminishes the happiness between social settings due to the constant flow of information to their phones and also disconnect the relation between parent and children. Indeed, mounting evidence have shown that overuse of smartphone had led to many psychological and physiological complications, causing mental health issues, interfering with education, diminishing academic performance, promoting cyberbullying and contributing to an increase in teenage anxiety, depression and suicide.

Dr. Jean Twenge, a professor of psychology at San Diego State University, published a book in 2017 entitled "iGen," which presented evidence of an increase in depression and suicide among American teenagers linked to increased mobile device screen time and social media use. According to Dr. Twenge, 8th grade pupils who spend 10 or more hours per week on social media are 56 percent more likely to describe themselves as unhappy than those who devote less time to social media. Moreover, teenagers who spend three hours per day or more on electronic devices are 35 percent more likely to demonstrate risk factors for suicide, such as suicidal ideation, and teenagers who spend five or more hours per day on their devices are 71 percent more likely to demonstrate a risk factor for suicide.

In May 2015, the London School of Economics and Political Science published a study which showed that test scores improved significantly at schools that banned mobile phone use. The said study concluded that "schools could significantly reduce the education achievement gap by prohibiting mobile phone use in schools."

In September 2018, France adopted a nationwide smartphone ban in all primary and middle schools in order to promote pupil achievement and healthy social development.

Medical experts have called on parents to push back the age at which their children get their first smartphones to 16 years because it is the age when they are deemed to have enough maturity for a supervised cellular phone use.

This bill seeks to ban mobile phone use in elementary and middle school for school-aged children fifteen years old and below. As a nation and responsible parents, we owe it to our future generation to shield them from unnecessary dangers and factors that hinder their full growth. And today's biggest danger is the growing addiction to smartphones and other electronic gadgets.

In view of the foregoing, the passage of this measure is urged.


FLORIDA P. ROBES

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

5542
House Bill No. _____

Introduced by Representative Florida P. Robes

AN ACT
BANNING THE USE OF MOBILE PHONES AND OTHER ELECTRONIC
GADGETS BY CHILDREN LESS THAN SIXTEEN YEARS OF AGE IN ALL
PUBLIC AND PRIVATE SCHOOLS AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. - This Act shall be known as the "Electronic Gadget-Free Schools Act".

SECTION 2. Declaration of Policy. - It is the policy of the State to promote and protect their physical, moral, spiritual, intellectual, and social well-being of our youth. Toward this end, policies must be established and strengthened to eliminate academic distractions and prevent them from developing addiction to mobile phones and other electronic gadgets, thus protecting them from the unwarranted effects of excessive online and gaming use.

SECTION 3. - Definitions. - For the purposes of this Act, the following terms shall mean:

- a. Mobile Devices - any form of portable electronic devices such as but not limited to smartphones, cellular phones, tablet computers, pocket personal computer (PC), palmtops, smartwatches and other similar devices which can send, receive and move data through the internet or wireless connection.
- b. Electronic Gadgets - any portable electronic device that can enable its user to make calls, stream video and/or play games such as but not limited to laptops, video game consoles, virtual reality headsets, smart glasses, wearable cameras and other similar contraptions.
- c. School premises - Any part of the school premises including playground, emergency exits, assembly area, and other such areas which the school has control and supervision.

SECTION 4. Extent of Coverage. – Students fifteen (15) years old and below are prohibited from using any mobile devices or electronic gadgets while inside the school premises. All mobile devices or gadgets brought inside the school sites must be surrendered to school authorities until dismissal except under exceptional circumstances.

SECTION 5. Exceptions. – Mobile devices or electronic gadgets shall not be used inside school premises by students fifteen (15) years old and below except under the following instances:

- a. In case of emergency, or in response to a perceived threat or danger;
- b. When the use of such mobile device or electronic gadget is required in a particular lesson, subject to limitations; and
- c. When the possession of a mobile device or electronic gadget is necessary for the health or well-being of a student as certified by a licensed physician;

SECTION 6. Enforcement. – The governing body of a school, the principal, teachers and employees are enjoined to implement the provisions of this Act to make sure that students covered by this Act do not use any mobile devices or electronic gadgets while inside the school premises or while they are under the supervision and control of the school.

SECTION 7. Older Students. – The governing body of a school may adopt a policy to likewise limit the use of mobile devices or gadgets by their students not covered by this Act while they are inside the school premises or while they are under the supervision and control of the school.

SECTION 8. Liabilities. – Violators of this Act shall be subject to appropriate sanctions as provided in the school's Student Code of Conduct or Manuals provided for under existing Rules and Regulators.

School administrators, teachers and instructors shall be held administratively liable for failure to implement the provisions of this Act in accordance with the rules and regulations of the Department of Education.

SECTION 9. Implementing Rules and Regulations (IRR). – To implement provisions of this Act, the Department of Education, in coordination with the Department of Health and representatives from the Parent-Teacher associations shall promulgate the rules and regulations within ninety (90) days after the effectivity of this Act.

SECTION 10. Separability Clause. – If any part or provision of the Act shall be held unconstitutional or invalid, other Provisions hereof which are not affected hereby shall continue to be in full force and effect.

SECTION 11. Repealing Clause. – All laws, decrees, rules and regulation inconsistent with the provision of this Act hereby repealed or modified accordingly.

SECTION 12. Effectivity. – This shall take effect after fifteen (15) days from its publication in two (2) national newspaper of general circulation.

Approved.