Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

13th Congress
First Regular Session

HOUSE BILL NO. 767



Introduced by Congressman Abayon

EXPLANATORY NOTE

Illegal gambling is a non-productive undertaking of a person and is one of the primary causes of crimes, poverty and broken social relationships. It has permeated all classes in society. It has addicted people and made them less productive in their hope of winning one time and losing all the time. . It has caused further degradation of the morals of our society.

Some gambling operations are financed by men in uniform, oftentimes in cahoots with politicians, or vice-versa. In many places, law enforcement and government officials have interlocking directorates, with the first as the dominant partner, throwing a protective blanket around the lucrative but socially-pernicious enterprise.

Under existing laws, penalties are lighter and fines are only a token portion of the gambling lord's daily rake. In order to deter or eliminate gambling operations totally, the attached bill seeks to impose stiffer penalties to maintainers, financiers, employees and protectors of illegal gambling to make more effective in combating this social menace which dissipate the energy and resources of our people.

Hence, approval of the attached measure is earnestly requested.

HARLIN CAST. ABAYON

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AN ACT
INCREASING THE PENALTIES IMPOSED FOR ILLEGAL GAMBLING AND A HIGHER PENALTY IF THE OFFENDER IS A POLICE OR MILITARY OFFICER, OR A LOCAL GOVERNMENT OFFICIAL, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 1602.

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

SECTION 1. Sections 1, 2 and 3 of Presidential Decree No. 1602 are hereby amended to read as follows:

"SECTION 1. *Penalties*. - The following penalties are hereby imposed:

"(a) The penalty of prision correccional in its MAXIMUM [medium] period AND [or] a fine ranging from FIFTY [one] thousand to ONE HUNDRED [six] thousand pesos, and in case of recidivism, the penalty of prision mayor in its MAXIMUM [medium] period AND [or] a fine ranging from ONE HUNDRED [ten] thousand to TWO HUNDRED [ten] thousand pesos shall be imposed upon:

(1) Any person other than those referred to in the succeeding sub-sections who in any manner, shall directly or indirectly take part in any illegal or unauthorized activities or games of cockfighting, jueteng, jail-alai or horse racing to include bookie operations and game fixing, numbers, bingo and other forms of lotteries; cara y cruz, pompiang and the like; 7-11 and any game using dice; black jack, lucky nine, poker and its derivatives, monte, baccarat, cuejo, pangguingue and other card games; paik que, high and low, mahjong, domino and other games using plastic tiles and the like; slot machines, roulette, pinball and other mechanical contraptions and devices; dog racing,

boat racing, car racing and other forms of races; basketball, boxing, volleyball, bowling, pingpong and other forms of individual or team contests to include game fixing, point shaving and other machinations; banking or percentage game, or any other game or scheme, whether upon chance or skill, wherein wagers consisting of money, articles of value or representative of value are at stake or made;

"(2) Any person who shall knowingly permit any form of gambling referred to in the preceding subparagraph to be carried on in inhabited or uninhabited place or in any building, vessel or other means of transportation owned or controlled by him. If the place where gambling is carried on has a reputation of a gambling place or that prohibited gambling is frequently carried on therein, or the place is a public or government building or barangay hall, the malefactor shall be punished by prision correccional in its maximum period and a fine of ONE HUNDRED [six] thousand pesos.

"(b) The penalty of prision MAYOR [correccional] in its MEDIUM [maximum] period AND [or] a fine of ONE HUNDRED [six] thousand pesos shall be imposed upon the maintainer or conductor of the above gambling schemes.[;] IF THE SCOPE OF HIS GAMBLING OPERATION IS PROVINCE/REGION WIDE, THE PRISON TERM TO BE IMPOSED SHALL BE PRISION MAYOR IN ITS MAXIMUM PERIOD AND A FINE OF FIVE HUNDRED THOUSAND PESOS.

"(c) The penalty of prision mayor in its MAXIMUM [medium] period with temporary absolute disqualification AND [or] a fine of TWO HUNDRED [six] thousand pesos shall be imposed if the maintainer, conductor or banker of said gambling schemes is a government official, POLICE OR MILITARY OFFICER or where such government official, POLICE OR MILITARY OFFICER is the player, promoter, referee, umpire, judge or coach in case of game-fixing, point-shaving and machination.

"(d) The penalty of prision correccional in its medium period AND [or] a fine ranging from TEN THOUSAND [four hundred] to FIFTY [two] thousand pesos shall

be imposed upon any person who shall, knowingly and without lawful purpose in any hour of any day, possess any lottery list, paper or other matter containing letters, figures, signs or symbols pertaining to or in any manner used in the games of jueteng, jai-alai or horse racing bookies, and similar games of lotteries and numbers which have taken place or about to take place.

"(e) The penalty of PERPETUAL [temporary] absolute disqualification shall be imposed upon any barangay official who, with knowledge of the existence of a gambling house or place in his jurisdiction fails to abate the same or take action in connection therewith..

"(f) The penalty of prision correccional in its maximum period AND [or] a fine ranging from five [hundred] THOUSAND to TEN [two] thousand pesos shall be imposed upon any security officer, security guard, watchman, private or house detective of hotels, villages, buildings, enclosures and the like which have the reputation of a gambling place or where gambling activities are being held.

"SEC. 2. *Informer's reward.* - Any person who shall disclose information that will lead to the arrest and final conviction of the malefactor shall be rewarded twenty-FIVE percent of the cash money or articles of value confiscated or forfeited in favor of the government.

"SEC. 3. *Repealing Clause.* – Provisions of Art. 195-199 of the Revised Penal Code, as amended, Republic Act No. 3063, Presidential Decrees Numbered 483, 449, 510, 1306 and 1602, letters of instructions, laws, executive orders, rules and regulations, city and municipal ordinances which are inconsistent with this ACT [decree] are hereby repealed OR MODIFIED ACCORDINGLY."

SEC. 2. This Act shall take effect upon its approval.

Approved,