



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



Thirteenth Congress
Third Regular Session

HOUSE BILL NO. 5656

Introduced by Honorable Catalino V. Figueroa

EXPLANATORY NOTE

This bill seeks to penalize franchisers, owners, licensees or operators of gaming establishments who permit minors to be present in their establishments or betting stations.

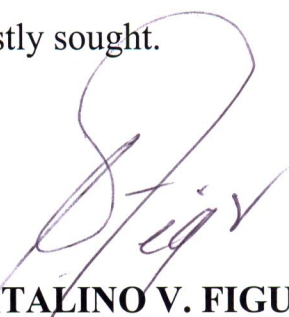
It is a declared policy of the State to ensure that laws prohibiting minors to be exposed, more so to engage in gambling, must be properly enforced and that gambling entities must be required to exhibit a high degree of social responsibility.

The proliferation of gaming establishments such as bingo for commercial purposes, lotto, horse racing betting stations, cockfighting arenas and casinos have rendered a large percentage of youths vulnerable to gambling. Recent studies show that some students gamble regularly, while as many as 85 percent have tried their luck at any form of gambling. It is a known fact that exposure to gambling hinders the normal development of children and contributes to their moral degeneration.

Although gambling for youth remains illegal on government-regulated gaming activities, the willingness of gaming operators to turn a blind eye to juvenile gambling, given the large revenues generated, results in children and adolescents to become heedless to the dangers of this habit. The

gambling industry as a whole has evidently not been able to sort itself out voluntarily. Thus, the government must impose tough sanctions to force the pace of prohibiting minors from engaging in gambling activities. This bill will definitely protect children and create new obligation on gaming entities to do what they can to stop children from gambling.

Approval of this bill is earnestly sought.



CATALINO V. FIGUEROA



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AN ACT
PENALIZING FRANCHISERS, OWNERS, LICENSEES AND
OPERATORS OF GAMING OR SIMILAR ESTABLISHMENTS
WHO ALLOW MINORS TO ENTER THEIR ESTABLISHMENTS
OR BETTING STATIONS.

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

SECTION 1. a) Any franchiser, owner, licensee or operator of any gaming establishment who is found guilty of knowingly allowing a minor to be present at any facility when the gambling activity is taking place or allows such minor to place a wager or buy a lottery ticket shall be punished by *arresto mayor* and a fine of twenty thousand pesos (P20,000.00) with subsidiary imprisonment in case of insolvency, at the discretion of the court.

If the offender is a corporation, firm, partnership, or association, the penalty shall be imposed upon the guilty officer or officers, as the case may be, and if such guilty officer or officers are foreign nationals, in addition to the penalty prescribed, he or they shall be deported without further proceedings on the part of the Bureau of Immigration.

For purposes of this Act, gaming establishment means any building, room, enclosure, vehicle, vessel or other place, whether open or enclosed, used or intended to be used for professional gambling, such as, but not limited to, casinos, commercial bingo, lotto, horse racing, off betting stations and cockfighting arenas: *Provided*, That games played as parlor games or for home entertainment, social games solely for prizes of minimal value or traditional forms of gaming engaged in by individuals as a part of, or in connection with celebrations, private and non-commercial gaming and are not played in places habitually used for gambling shall be exempted from this Act.

b) Any person who has been convicted of a violation of this Act may, upon any subsequent violation, be prosecuted as a persistent offender and on conviction may be subjected to the penalty of the next higher degree. In addition, the franchise, license or permit issued for the operation of such gaming establishment shall be revoked. No franchise, license or permit so

revoked shall be reissued for such gaming or similar establishment for a period of one (1) year thereafter.

c) Any person who deliberately misrepresents the age of any minor to be eighteen (18) or above with the intention of bringing said minor inside the premises of any gaming establishment shall be punished by *prision correccional* in its minimum period.

SEC. 2. No billiard or pool establishment shall allow the use of any billiard or pool table for gambling purposes. Any franchiser, owner, licensee or operator of such establishment who knowingly tolerates or condone gambling activity in the presence of a minor shall be held liable under this Act and shall be penalized under Section 1 (a) hereof.

SEC. 3. Except for Section 2 hereof, a person charged with an offense under this Act may, for his defense, prove that he took all reasonable steps to determine the individual's age and believed that the individual was not a minor.

SEC. 4. The Department of Interior and Local Government shall, within sixty (60) days after the effectivity of this Act, issue the necessary rules and regulations for the effective implementation of this Act.

SEC. 5. This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,