

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 6983



Introduced by **HONORABLE JOSEPH STO. NIÑO B. BERNOS**

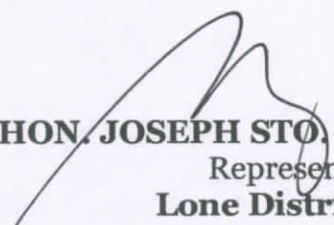
EXPLANATORY NOTE

Cockfighting is a traditional form of entertainment prevalent in various parts of the country even before the Spanish colonizers arrived in the country. It has become enmeshed with our culture that it has survived up to the present day as a form of recreation and as livelihood for some Filipinos, albeit complete with rules and regulations to regulate excesses not only of the bettors but also of those operating the cockpits. It has also contributed to innovations in science to make sure that the game fowl are in good form for the matches.

Despite the negative perception about cockfighting, the State strived to harness its potential, like any other gambling activities, as a revenue-generating activity to put it into good use. This Bill seeks to amend Presidential Decree No. 449, or the "Cockfighting Law of 1974," seeking to strengthen the role of the Games and Amusement Board (GAB) in regulating the cockfighting industry. Originally, the role of GAB in relation to cockfighting is limited only to licensing of officials and of international derbies. Through this Bill, the GAB aims to establish a set of uniform rules and regulations enforceable across all cockpits nationwide.

Furthermore, a new role is to be provided for GAB as the proliferation of Internet-based betting is slowly gaining ground in the country. It is not to censor online presence of betting sites, but to regulate an activity unsuitable for young people who are regular users of online platforms and to protect tech-based business entities who are vulnerable to cyber-attacks.

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


HON. JOSEPH STO. NIÑO B. BERNOS
Representative
Lone District, Abra

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AN ACT

**STRENGTHENING THE ROLE OF THE GAMES AND AMUSEMENT BOARD IN
THE OPERATION OF COCKFIGHTING IN THE PHILIPPINES, AMENDING
THE COCKFIGHTING LAW OF 1974 AND FOR OTHER PURPOSES**

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

Section 1. Short Title. This Act shall be known as the "Philippine Cockfighting Act".

Sec.2. Declaration of Policy. It is hereby declared a policy of the State to ensure maximum development and promotion of wholesome recreation and amusement to bring about the effective control and regulation of cockfighting towards its establishment as a national recreation, relaxation and source of entertainment; to provide additional revenue to fund government welfare programs; and, to remove and prevent excessive and unreasonable business operation and profit considerations in the management of cockpits, thereby preserving Philippine customs and traditions and thereby enhance our national identity.

Sec. 3. Definition of Terms. As used in this law, the following terms shall be understood, applied and construed as follows:

- a. *Bet Taker of Promoter* refers to a person who calls and takes care of bets from owners of both gamecocks and those of other bettors before he orders commencement of the cockfight and thereafter distributes won bets to the winners after deducting a certain commission.
- b. *Bettor* refers to a person who participates in cockfights and with the use of money or other things of value, bets with other bettors or through the bet taker or promoter and wins or loses his bet depending upon the result of the cockfight as announced by the Referee or Sentenciador. He may be the owner of fighting cock.
- c. *Cockfighting* shall embrace and mean the commonly known game or term "cockfighting derby, pintakasi or tupada", or its equivalent terms in different Philippine localities.
- d. *Gaffer (Taga Tari)* is a person knowledgeable in the art of arming fighting cocks with gaff or gaffs on either or both legs.
- e. *Referee (Sentenciador)* is a person who watches and oversees the proper gaffing of fighting cocks, determines the physical condition of fighting cocks while cockfighting is in progress, the injuries sustained by the cocks and their capability to continue fighting and decides and make known his decision by work or gestures and result of the cockfight by announcing the winner or declaring a tie or no contest game.
- f. *Zoning Law or Ordinance* refers to either both national or local, or city or municipal legislation which logically arranges, prescribes, defines and apportions a given political subdivision into specific land uses as present and future projection of needs warrant.

Sec. 4. Powers and Functions relative to Cockfighting. Except as otherwise devolved to the local governments pursuant to the Local Government Code, the supervision, regulation, and control of all other aspects of cockfighting shall be with the Games and Amusements Board. The Board shall have the power:

- a. To promulgate rules and regulations relative to the holding, methods, procedures, operations and conduct of cockfighting in general as well as accreditation of cockpit personnel and association of cockpit owners, operators and lessees, to elevate the standard of cockfighting;
- b. To establish uniform rules and regulations to govern actual cockfighting enforceable in all cockpits in the Philippines and to provide sanctions for violations thereof;
- c. To promulgate rules and regulations for the registration and effective identification of fighting cocks as well as the prevention of theft and fraudulent use thereof;
- d. To supervise and regulate the conduct of international derbies and to collect fees therefor;
- e. To regulate and supervise the live streaming or broadcasting of cockfights, and any and all betting on cockfighting through off-cockpit betting stations (OCBS) or through the telephone, internet and other electronic means such as short messaging service (SMS), mobile and desktop applications and similar platforms, and to collect fees amounting to three percent (3%) of the gross bets made through OCB's and the aforementioned platforms to defray the expenses of the Board;
- f. To prescribe policy guidelines for the issuance of permits by the Bureau of Animal Industry for the importation or entry of gamecocks into the country for breeding or competition purposes;
- g. To promulgate its own rules and procedures relative to the conduct of its own business;

- h. To deputize any government office, entity, agency and public officer in the implementation of all laws, decrees, letters of instructions, general orders pertinent to cockfighting and rules and regulations issued by the Board;
- i. To initiate, undertake, hear and decide any investigation for any violation of this Decree, rules and regulations of the Board and in connection therewith, to issue subpoena and subpoena duces tecum;
- j. To establish regional offices in such number and location as it will allow it to perform the duties stated herein; and
- k. To perform such other functions as may be authorized by law.

Sec. 5. Cockpits and Cockfighting. In General:

- a. *Ownership, Operation and Management of Cockpits.* Only Filipino citizens not otherwise inhibited by existing laws shall be allowed to own, manage and operate cockpits. Cooperative capitalization is encouraged.
- b. *Establishment of Cockpits.* Only one (1) cockpit shall be allowed in each city or municipality, except that in cities or municipalities with a population of over one hundred thousand (100,000), two (2) cockpits may be established, maintained and operated, which shall be licensed as such by the Local Government units in accordance with the Local Government Code.
- c. *Additional cockpits.* Upon study and recommendation by the Board, a third and final cockpit may be licensed by the local government units that have a population of more than three hundred thousand (300,000).
- d. *Studio Cockpits.* Upon study and recommendation by the Board, the local government units may authorize the establishment of one (1) studio cockpit, or one that holds cockfights solely for live streaming or broadcasting and is not open to the general public, per city or municipality. Said studio cockpit

may hold cockfights every day, provided that no cockfighting shall be held on December 30 (Rizal Day), June 12 (Philippine Independence Day) November 30 (National Heroes Day), Holy Thursday, Good Friday, Election or Referendum Day and during Registration Days for such election or referendum.

- e. The Board may authorize the establishment of OCBS anywhere in the Philippines, subject to compliance with the terms and conditions set by the Board including distance from other OCBS and from places of worship and educational institutions.
- f. No OCBS shall be established and operated, nor any betting through the telephone, the internet and other electronic means such as short messaging service (SMS) mobile and desktop applications and similar platforms be conducted, without the appropriate permits issued by the Board.
- g. *Cockpits Site and Construction.* Cockpits shall be constructed and operated within the appropriate areas as prescribed in Zoning Law or Ordinance. In the absence of such law or ordinance, the local executives shall see to it that no cockpits are constructed within or near existing residential or commercial areas, hospitals, school buildings, churches or other public buildings. Owners, lessees, or operators of cockpits which are now in existence and do not conform to this requirement are given three (3) years from the date of effectivity of this Act to comply herewith. Approval or issuance of building permits for the construction of cockpits shall be made by the city or provincial engineer in accordance with their respective building codes, ordinances or engineering laws and practices.
- h. *Holding of Cockfights.* Cockfighting shall be allowed only in licensed cockpits during Fridays, Saturdays, Sundays and legal holidays and during local fiestas

for not more than three (3) days. It may also be held during provincial, city or municipal, agricultural, commercial or industrial fair, carnival or exposition for a similar period of three (3) days upon resolution of the province, city or municipality where such fair, carnival or exposition is to be held, Provided, further, that no cockfighting shall be held on December 30 (Rizal Day), June 12 (Philippine Independence Day) November 30 (National Heroes Day), Holy Thursday, Good Friday, Election or Referendum Day and during Registration Days for such election or referendum.

- i. Other games during cockfights proscribed. No gambling of any kind shall be permitted on the premises of the cockpit or place of cockfighting during cockfights. The owner, manager or lessee off such cockpit and the violators of this injunction shall be criminally liable.

Sec. 6. Cockfighting Officials. Gaffers, referees or bet takers or promoters of local cockfights shall not act as such in any cockfight herein authorized, without first securing a license from the city or municipality where they reside. Gaffers, referees or bet takers or promoters who shall engage in a cockfight held in a different municipality or city and or in international derbies shall secure a license from the Board. In both cases, the Board shall maintain a register of all such gaffers, referees or bet takers.

Sec. 7. Government Share. For each cockfighting event, whether local or international, there shall be collected from the cockpit operator an amount equivalent to three percent (3%) of all gate receipts collected at the entrance gate. The cockpit operator shall also pay the equivalent of three percent (3%) of all center bets or plazada it collects from every cockfight.

Sec. 8. *Separability Clause.* If any part or provision of this Act shall be held to be unconstitutional, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Sect. 9. *Repealing Clause.* The provisions of Presidential Decree No. 449, entitled "Cockfighting- Law of 1974", and all other- laws, presidential decrees, executive orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Sec. 10. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in one (1) newspaper of general circulation.

Adopted,