

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 8389



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

Illegal gambling has remained a multi-billion peso underground industry with patrons coming from all walks of life, cutting across sectors and social status. This is attributable to the fact that it comes in so many forms to cater to one's preference and budget.

Based on our country's experience, illegal-gambling activities, if left unchecked, breeds corruption and may mutate into other forms of organized crime, including drug-trafficking, illegal vices, money-laundering and kidnapping.

This measure seeks to amend RA 9827 by imposing an increase in the penalties carried out against various forms of illegal gambling. This bill does not only seek to penalize operators of illegal gambling but also those in government service who are working with them.

The social problems created by illegal gambling such as addiction, domestic violence, indebtedness and other forms of crimes resulting thereto outweigh its supposed alluring benefits. Thus, this measure aims to rid the country of all forms of illegal-gambling activities that contribute to moral decay and provide an economic support system that sustains other forms of illegal activity.

In view of the foregoing, swift passage of this measure is earnestly sought.


GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

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AN ACT
INCREASING THE PENALTIES FOR OTHER ILLEGAL GAMBLING
ACTIVITIES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9287,
ENTITLED "AN ACT INCREASING THE PENALTIES FOR ILLEGAL NUMBERS
GAMES, AMENDING CERTAIN PROVISIONS OF PRESIDENTIAL DECREE NO.
1602, AND FOR OTHER PURPOSES"

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

1 **SEC. 1.** Section 1 of Republic Act No. 9287 is hereby amended to read as follows:
2

3 "SECTION 1. *Declaration of Policy.*- it is the policy of the State to promote a
4 just and dynamic social order that will ensure the prosperity and independence
5 of the nation and free the people from poverty through policies that provide
6 adequate social services, promote full employment, a rising standard of living,
7 and an improved quality of life for all. It is likewise the policy of the State that
8 the promotion of social justice shall include the commitment to create
9 economic opportunities based on freedom of initiative and self-reliance.
10

11 Hence, the State hereby condemns the existence of illegal gambling
12 activities [such as illegal number games] as this has become an influential
13 factor in an individual's disregard for the value of dignified work,
14 perseverance and thrift since instant monetary gains from it are being equated
15 to success, thereby becoming a widespread social menace and a source of
16 corruption.
17

18 Towards this end, the State shall therefore adopt more, stringent
19 measures to stop and eradicate the existence of illegal [numbers games]
20 GAMBLING ACTIVITIES in any part of the country."
21

22 **SEC.2.** Section 3 of the same Act is hereby amended to read as follows:
23

24 "SEC.3. *Punishable Acts.*- Any person who participates in any illegal
25 [number games] GAMBLING ACTIVITY shall suffer the following penalties:
26

- 1 a) The penalty of imprisonment from thirty (30) days to ninety (90)
2 days, is such person acts as a bettor IN ANY ILLEGAL
3 GAMBLING ACTIVITY;
4
5 b) The penalty of imprisonment from six (6) years and one (1) day to
6 eight (8) years, if such person acts as a personnel or staff of an
7 illegal [numbers games] GAMBLING operation; The same penalty
8 shall likewise be imposed to any person who allows his vehicle,
9 house, building or land to be used in the operation of the illegal
10 [number games] GAMBLING ACTIVITY.
11
12 c) The penalty of imprisonment from eight (8) years and one (1) day
13 to ten (10) years, if such person acts as a collector or agent OF
14 ANY ILLEGAL GAMBLING ACTIVITY;
15
16 d) The penalty of imprisonment from ten (10) years and one (1) day to
17 twelve (12) years, if such person acts as a coordinator, controller or
18 supervisor OF ANY ILLEGAL GAMBLING ACTIVITY;
19
20 e) The penalty of imprisonment from twelve (12) years and one (1)
21 day to ten (10) fourteen (14) years, if such person acts as a
22 maintainer, manager or operator OF ANY ILLEGAL GAMBLING
23 ACTIVITY; and
24
25 f) The penalty of imprisonment from fourteen (14) years and one (1)
26 day to sixteen (16) years, if such person acts as a financier or
27 capitalist OF ANY ILLEGAL GAMBLING ACTIVITY;
28
29 g) The penalty of imprisonment from sixteen (16) years and one (1)
30 day to twenty (20) years, if such person acts as protector or coddler
31 OF ANY ILLEGAL GAMBLING ACTIVITY.
32

33 **SEC.3.** A new Section to be denominated as Section 3-A is hereby inserted after
34 Section 3 of the same Act and shall read as follows:
35

36 "SEC.3-A. *OTHER ILLEGAL GAMBLING ACTIVITIES.*- ANY PERSON,
37 WHO IN ANY MANNER, SHALL DIRECTLY OR INDIRECTLY TAKE
38 PART IN ANY ILLEGAL GAME OF COCKFIGHTING OR "TUPADA",
39 JAI ALAI OR HORSE RACING TO INCLUDE BOOKIE OPERATIONS
40 AND OTHER FORMS OF ILLEGAL LOTTERIES; CARA Y CRUZ OR
41 POMPIANG AND THE LIKE; SEVEN ELEVEN (7-11) AND ANY GAME
42 USING DICE; BLACK JACK, LUCKY NINE, "PUSOY"OR RUSSIAN
43 POKER, MONTE, BACCARAT, "SAKLA", CUAJAO, PANGGUINGUE
44 AND OTHER CARD GAMES; MAHJONG, DOMINO AND OTHER
45 GAMES USING PLASTIC TILES AND THE LIKE; SLOT MACHINES,
46 ROULETTE, PINBALL, FRUIT GAME AND OTHER MECHANICAL
47 CONTRAPTIONS AND DEVICES; DOG RACING, BOAT RACING, CAR
48 RACING AND OTHER FORMS OF RACES; GAME FIXING, POINT
49 SHAVING AND OTHER MACHINATIONS IN INDIVIDUAL OR TEAM
50 SPORTS CONTESTS; BANKING OR PERCENTAGE GAME, OR ANY

1 OTHER GAME OR SCHEME AND ITS DERIVATIVES, WHETHER
2 UPON CHANCE OR SKILL, WHEREIN WAGERS CONSISTING OF
3 MONEY, ARTICLES OF VALUE OR REPRESENTATIVE OF VALUE
4 ARE AT STAKE OR MADE, SHALL SUFFER THE PENALTIES
5 PRESCRIBED UNDER SECTION 3 OF THIS ACT: *PROVIDED*, THAT
6 GAMES OF CHANCE, GAMES OF CARDS, GAMES OF NUMBERS,
7 RACES, MECHANICAL CONTRAPTIONS AND DEVICES THAT ARE
8 LICENSED, REGULATED, OPERATED OR AUTHORIZED BY THE
9 PHILIPPINE AMUSEMENT AND GAMING CORPORATION,
10 PHILIPPINE RACING COMMISSION, OTHER REGULATORY BODIES,
11 AND LOCAL GOVERNMENT UNITS

12
13 AS PERMITTED UNDER EXISTING LAWS OR FRANCHISES SHALL
14 NOT BE COVERED BY THIS SECTION.”

15
16 **SEC.4.** Section 4 of the same Act is hereby amended to read as follows:

17 “SEC.4. *Possession of Gambling Paraphernalia or Materials.* The possession
18 of any gambling paraphernalia and other materials used in the illegal [numbers
19 game] GAMBLING operation shall be deemed prima fade evidence of any
20 offense covered by this Act.”

21
22 **SEC.5.** Section 5 of the same Act is hereby amended to read as follows:

23
24 “Sec. 5. *Liability of Government Employees [and/] or Public Officials, - a)* If
25 the collector, agent, coordinator, controller, supervisor, maintainer, manger,
26 operator, financier or capitalist of any illegal [numbers game], GAMBLING
27 ACTIVITY is a government employee [and/] or public official, whether
28 elected or appointed shall suffer the penalty of twelve (12) years and one (1)
29 day to twenty (20) years and a fine ranging from Three million pesos
30 (P3,000,000.00) to Five million pesos (5,000,000.00) and perpetual absolute
31 disqualification from public office.

32
33 xxx

xxx

xxx”

34
35 **SEC.6.** Section 9 of the same Act is hereby amended to read as follows:

36
37 “SEC.9. *Prosecution, Judgement and Forfeiture of Property.-* Any person
38 may be charged with or convicted of the offenses covered by this Act without
39 prejudice to the prosecution of any act or acts penalized under the Revised
40 Penal Code or existing laws.

41
42 xxx

xxx

xxx

43
44 Upon conviction, all proceeds, gambling paraphernalia and other
45 instruments of the crime including any real or personal property used in any
46 illegal [numbers game] GAMBLING operation shall be confiscated and
47 forfeited in favor of the State. All assets and properties of the accused either
48 owned or held by [him/her] THE OFFENDER in [his/her] THE
49 OFFENDER’S name or in the name of another, person found to be manifestly
50 out of proportion to [his/her] THE lawful income OF THAT PERSON shall be

1 *prima facie* presumed to be proceeds of the offense and shall likewise be
2 confiscated and forfeited in favor of the State.”
3

4 **SEC.7** Section 11 of the same Act is hereby amended to read as follows:
5

6 “**SEC.11. Informer’s Reward.-** Any person who, having knowledge or
7 information of any offense committed under this Act and who shall disclose
8 the same which may lead to the arrest and final conviction of the offender,
9 may be rewarded a certain percentage of the cash money or articles of value,
10 confiscated or forfeited in favor of the government, which shall be determined
11 through a policy guideline promulgated by the Department of Justice (DOJ) in
12 coordination with the Department of THE Interior and Local Government
13 (DILG) and the National Police Commission (NAPOLCOM): *PROVIDED*,
14 THAT SAID REWARD SHALL BE AT LEAST THIRTY-FIVE PERCENT
15 (35%) OF THE CASH MONEY OR ARTICLES OF VALUE
16 CONFISCATED OR FORFEITED IN FAVOR OF THE GOVERNMENT.
17

18 The DILG, the NAPOLCOM and the DOJ shall provide for a system
19 of rewards and incentives for law enforcement officers and for local
20 government officials for the effective implementation of this Act. THE DILG,
21 NAPOLCOM AND DOJ SHALL ALSO CONDUCT ANNUAL MORAL
22 RECOVERY AND VALUES ENHANCEMENT SEMINARS FOR LOCAL
23 GOVERNMENT OFFICIALS AND LAW ENFORCERS UNDER THEIR
24 RESPECTIVE JURISDICTIONS.
25

26 **SEC. 8. Implementing Rules and Regulations. -** Within thirty (30) days from the
27 approval of this Act, the Secretary of the Interior and Local Government and the Secretary of
28 Justice shall jointly promulgate the rules and regulations necessary to ensure the efficient and
29 effective implementation of this Act.
30

31 **SEC.9. Separability Clause.-** If any portion or provision of this Act is declared
32 unconstitutional, the remainder of this Act or any provision not affected thereby shall remain
33 in force and effect.
34

35 **SEC.10. Repealing Clause.-** The pertinent provisions of PD No. 1602, as amended,
36 in so far as they are inconsistent herewith, are hereby expressly amended or modified
37 accordingly. The provisions of other laws, decrees, executive orders, rules and regulations
38 inconsistent with this Act are hereby repealed, amended or modified accordingly.
39

40 **SEC.11. Effectivity.-** This Act shall take effect after fifteen (15) days following the
41 completion of its publication either in the Official Gazette or in newspaper of general
42 circulation in the Philippines.

Approved,