

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

NINETEENTH CONGRESS

First Regular Session

House Bill No. **4513**



Introduced by Hon. Faustino Michael T. Dy III

EXPLANATORY NOTE

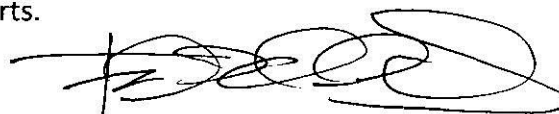
Sports have been for the longest time a very popular pastime for most Filipinos. It permeates the lives of every Filipino family, as it is present in school, the community, the workplace, etc.

The world stands still when legendary figures stand in the arena, ready to fight for the crown. Not too long ago, for over two decades, Manny Pacquiao's matches caused the commission of crimes to drop, traffic to be naught, and televisions tuned in, neighbors hearing neighbors' shouts when he lands a punch or receives one. Further than that, Lydia de Vega's victories caused Filipino hearts to swell, Efren Bata Reyes inspired many to play billiards in the hope of being able to copy his "magic tricks." Locally, fans cheer to their favorite basketball teams, cagers enjoy superstar status and lofty salaries.

As in most things, crafty individuals and syndicates find ways to sully good things. Game-fixing turned competitive sports into dirty business. What were otherwise honest competitions were treated like largesse by the unscrupulous.

It is lamentable that some can treat even sports like their veritable little kingdoms, to the detriment of individuals, the nation, and sports in general. This proposed measure seeks to expand the elements constituting the crime of game-fixing, and prescribe stiffer penalties to arrest the widespread illicit practice, and by so doing to promote the true spirit of sportsmanship.

Having been recognized as an important measure with its sponsorship by other, fellow lawmakers and its approval on third reading in several Congresses, this representation seeks the passage of this bill earnestly for the sake of returning decency and breathing life to the world of sports.



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AN ACT
PROHIBITING GAME-FIXING AND PROVIDING PENALTIES FOR
VIOLATIONS THEREOF

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

SECTION 1. *Short Title.* - This Act shall be known as the "Anti Game-Fixing Act".

SEC.2. *Declaration of Policy.* - It is the policy of the State to promote the growth and development of sports in the country and protect the youth from the influence of persons who, through fraudulent schemes, machinations and other nefarious practices, undermine the true spirit of sportsmanship and taint the fair and competitive conduct of sports in the country.

Towards this end, the State hereby declares game-fixing, point-shaving, and game machinations in any sports competition unlawful, and imposes severe penalties on these acts to discourage the commission thereof and to promote the values of excellence, fair play, and integrity in Philippine sports.

SEC. 3. *Game-Fixing.*- Game-fixing in any professional or amateur sports is hereby declared unlawful. Game-fixing refers to any arrangement, agreement, scheme, or act or series of acts, wherein any person or persons, maliciously conduct or cause to be conducted any professional or amateur sports other than on the basis of the honest playing skill or ability of the players or participants or even deliberately limiting the skill or ability of any player or participant in a game, race, or sports competition in order to influence the process or to produce a pre-determined result for purposes of gambling, betting, or as part of a scheme to defraud the public on the conduct and outcome of the game.

While proof of actual payment or receipt of money or any valuable consideration is not a requirement to constitute the crime of game-fixing, it shall, however, be deemed a *prima facie* evidence of its commission.

SEC. 4. *Other Forms of Game-Fixing.*- Game-fixing shall likewise include the following acts:

a. Point-shaving refers to any such arrangement, combination, scheme or

agreement by which the skill or ability of any player or participant in a game, race or sports competition to make points or scores shall be deliberately limited to influence the result thereof in favor of one or the other team, player or participant therein;

- b. Game machinations refer to any other fraudulent, deceitful, unfair or dishonest means, method, manner or practice employed for the purpose of influencing the result of any game, race, or sports contest; and
- c. The act of willfully abetting, aiding, or inducing any person to commit game-fixing and profiting therefrom.

SEC. 5. *Game-Fixing by Syndicate.* – Game-fixing is deemed committed by a syndicate if carried out by a group of three (3) or more persons conspiring or confederating with one another to perform the acts specified in Sections 3 and 4 of this Act.

SEC. 6. *Covered Sports.* – Game-fixing may be committed in professional or amateur sports. For purposes of this Act, professional sports shall refer to individual or team sports, games, contests, bouts, tournaments or competitions whereby the participating athlete is paid sums of money or other forms of compensation as regular salary or prize for participation.

Amateur sports shall refer to individual or team sports, games, contests, bouts, tournaments or competitions, including collegiate leagues conducted by the public or private school athletic associations, whereby the participant is engaged largely or entirely without remuneration.

SEC. 7. *Penalties.* – The following penalties are hereby imposed on persons found guilty of game-fixing as herein described:

- a. The penalty of imprisonment from three (3) years and one (1) day to six (6) years, or a fine of not less than One million pesos (P1,000,000.00) but not more than Five million pesos (P5,000,000.00), or both at the discretion of the court shall be imposed upon any person, other than those referred to in sub-paragraphs b, c, d, and e, found guilty of any offense defined herein;
- b. The penalty of imprisonment from six (6) years and one (1) day to twelve (12) years or a fine of not less than One million pesos (P1,000,000.00) but not more than Five million pesos (P5,000,000.00), or both at the discretion of the court, when the offender is an athlete, promoter, referee, umpire, judge, or coach;
- c. The penalty of life imprisonment or a fine of not less than Ten million pesos (P10,000,000.00) but not more than Fifty million pesos (P50,000,000.00) or both at the discretion of the court, when the offender is a member of a syndicate as defined in Section 5 of this Act;

- d. The maximum penalty provided under this Act shall be imposed:
 - 1. If the offender is a public officer, whether elected or appointed. The accessory penalty of perpetual disqualification from holding any public office or employment shall likewise be imposed;
 - 2. If the offender is the partner, president, director, manager, trustee, estate administrator or officer of a partnership, corporation, association or any juridical entity, who directly participated, consented or knowingly tolerated the game-fixing shall be held criminally liable as a principal; and
 - 3. If the offender is an alien, deportation shall be imposed only after the service of sentence.
- e. The liability of students who are minors found to have violated any of the offense defined herein shall be limited only to administrative liability pursuant to the disciplinary rules and regulations of the school or institution to which they belong.

SEC. 8. *Proposal, Attempt, and Conspiracy to Commit Game-Fixing.* - The penalty of imprisonment from one (1) year to three (3) years, or a fine of not less than Five hundred thousand pesos (P500,000.00) but not more than One million pesos (P1,000,000.00), or both, at the discretion of the court shall be imposed upon any person who proposes, attempts, or conspires to commit game-fixing.

SEC. 9. *Perpetual Disqualification from Participation in Amateur and Professional Sports.*- The following persons shall be perpetually disqualified to participate in any competitive sport:

- a. Those engaged in professional sports if convicted by final judgment of game-fixing; and
- b. Those engaged in amateur sports if convicted by final judgment for the second time. The Philippine Sports Commission (PSC), Games and Amusements Board (GAB), Department of Education (DepEd), Commission on Higher Education (CHED), and other concerned agencies shall be served copies of the decision and order the disqualification of a person from participating in whatever capacity in any sports in the country.

SEC.10. *Roles of Concerned Agencies.* – The following agencies and instrumentalities are mandated to perform the following tasks:

- a. The GAB shall revoke the license of professional athletes and other sports officials. The provisions of this Act notwithstanding, the Games and Amusements Board may, in a separate administrative proceeding, suspend or revoke the professional license of any person found guilty of violation of other applicable laws, rules and regulations;
- b. The PSC shall remove athletes from the national team, including coaches and other sports officials, ban athletes from participating in all PSC-organized and-sanctioned amateur sports competitions, and disqualify athletes, coaches and

officials from being nominated for, or from receiving, any award pursuant to Republic Act No. 8757, otherwise known as the "Philippine Sports Hall of Fame Act", or any award that may be given in the future;

- c. The DepEd shall ban primary and secondary level student-athletes including coaches and officiating staff, from participating in the *Palarong Pambansa* and other DepEd-sponsored, sanctioned or organized sports events or competitions;
- d. The Philippine Olympic Committee and the National Sports Associations shall remove athletes, coaches and other sports officials from their respective rosters;
- e. Athletic associations shall disqualify athletes, coaches and other sports officials from participating in any inter-school athletic programs and competitions; and
- f. Schools shall disqualify athletes, coaches and other sports officials from representing the school in any sports event.

The concerned agencies shall coordinate and monitor the strict implementation of the accessory penalty provided under Section 9.

SEC. 11. *Witness Protection.* - Any person who voluntarily discloses the commission of game-fixing, or testifies, or assists in the prosecution thereof, shall be exempt from any liability for game-fixing, and may be admitted to the Witness Protection Program under Republic Act No. 6981, otherwise known as the "Witness Protection, Security and Benefit Act".

SEC. 12. *Separability Clause.* - If any part or provision of this Act is held invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

SEC. 13. *Repealing Clause.* - The pertinent provisions on game-fixing, point-shaving and game machinations in sports contests under Sections 1, 2, 3 and 4 of Presidential Decree No. 483, as amended, and under Section 1 of Presidential Decree No. 1602, are hereby repealed. All other laws, executive orders, issuances, decrees, rules and regulations inconsistent with or contrary to the provisions of this Act are deemed amended, modified or repealed accordingly.

SEC. 14. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,