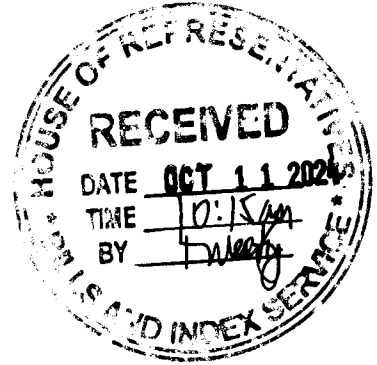




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 10987

Introduced by Representatives Aurelio “Dong” D. Gonzales, Jr. David “Jay-Jay” C. Suarez, Robert Ace S. Barbers, Dan S. Fernandez, Bienvenido M. Abante, Jr., Joseph Stephen “Caraps” S. Paduano, Romeo M. Acop, Johnny Ty Pimentel, Gerville “JinkyBitrics” R. Luistro, Ramon Rodrigo L. Gutierrez, Francisco Paolo P. Ortega V, Jefferson F. Khonghun, and Jonathan Keith T. Flores

EXPLANATORY NOTE

This bill seeks to prohibit all forms of offshore gaming operations in the country and provide penalties for violations thereof.

The Philippine Offshore Gaming Operators (POGOs) are entities that provide online gambling services to foreigners residing outside the Philippines and hire foreign employees. With the license issued by the Philippine Amusement and Gaming Corporation (PAGCOR), POGOs were allowed to establish hubs or self-contained complexes for their operations, with office and residential spaces, food establishments, wellness and recreational facilities and service shops intended to cater for all the basic needs of their foreign employees.

There are reports that various crimes are related to the operation of POGOs, and POGO hubs, being a self-contained area, are used to conceal these crimes. Several raids conducted by law enforcement agencies on illegal POGO hubs reveal cases of kidnapping, illegal detention, human trafficking, prostitution, and tortures. Further, the authorities suspect that illegal POGOs are likewise involved in cybercrime, investment scam, money laundering, tax evasion and other fraudulent practices.

In the recent joint committee hearing of the House Committees on Public Order and Safety and the Games and Amusements, the resource persons and witnesses testified and proved through videos that illegal activities and crimes are being committed in the POGO hubs.

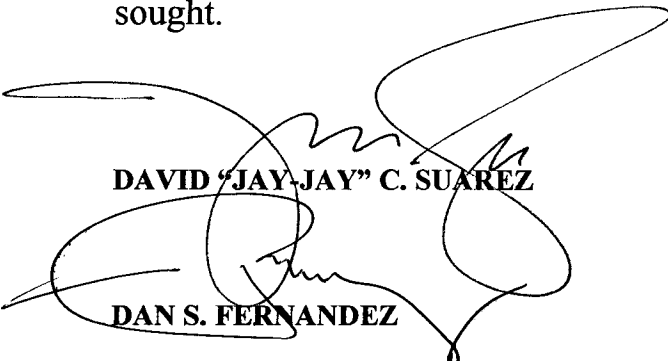
Moreover, besides the alarming illegal activities and crimes being perpetrated by POGOs, there is also a serious concern on national security. The Department of National Defense has reported the presence of international criminal syndicates posing as POGO hubs, which poses a threat to the country's national security.

The Department of Finance and National Economic Development Authority have recommended to President Ferdinand Romualdez Marcos Jr. to ban POGOs, and the Makati Business Club and the UP School of Economics fully support the recommendation citing that the contribution of POGO investments to the economy is minimal at 0.2% of GDP in 2023 compared to the social costs that directly affect economic growth. Crimes related to POGOs can hinder growth and affect investor perception.

Answering the clamor and call to ban POGOs, President Ferdinand Romualdez Marcos Jr., in his most recent State of the Nation Address, declared the immediate ban of POGOs, citing the association with other illicit activities such as financial scams, money laundering, prostitution, human trafficking, kidnapping, brutal torture, and murder. The President further said that the POGOs' grave abuse and disrespect to Philippines' system of law must stop.

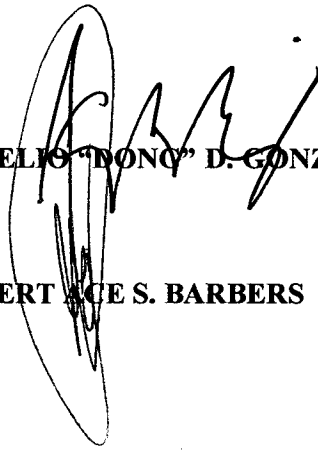
While banning the conduct of POGO and POGO-related activities and services comes with potential economic losses, allowing them to proliferate comes with the long-term and much higher cost to public safety and institutional integrity. It is necessary to enact a law to ensure that anti-POGO measures are institutionalized, thus, this proposed measure.

In view of the foregoing, the immediate approval of this bill is earnestly sought.



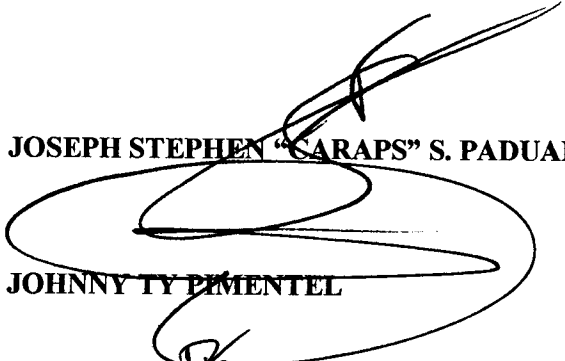
DAVID "JAY-JAY" C. SUAREZ

DAN S. FERNANDEZ

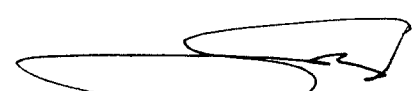


AURELIO "DONO" D. GONZALES, JR.

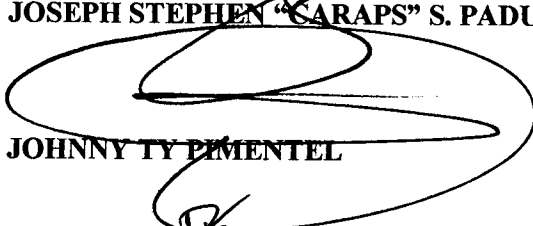
ROBERT ACE S. BARBERS



JOSEPH STEPHEN "CARAPS" S. PADUANO



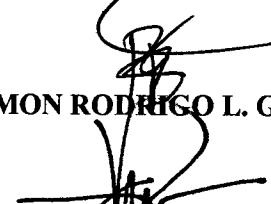
BIENVENIDO M. ABANTE, JR.



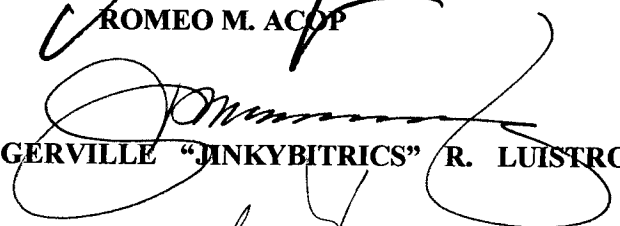
JOHNNY TY PIMENTEL



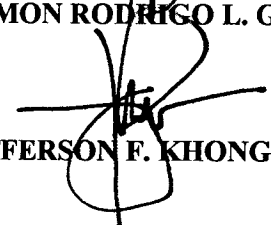
ROMEO M. ACOP



RAMON RODRIGO L. GUTIERREZ



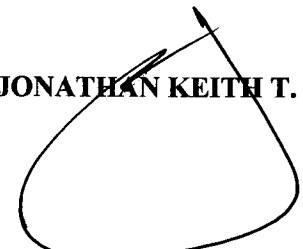
GERVILLE "JINKYBITRICS" R. LUISTRO



JEFFERSON F. KHONGHUN



FRANCISCO PAOLO P. ORTEGA V



JONATHAN KEITH T. FLORES



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AN ACT
PROHIBITING ALL FORMS OF OFFSHORE GAMING OPERATIONS
IN THE COUNTRY AND PROVIDING PENALTIES FOR VIOLATION
THEREOF

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

1 SECTION 1. ***Short Title.*** – This Act shall be known as the “*Anti-Offshore*
2 *Gaming Operations Act.*”

3 SEC. 2. ***Declaration of Policy.*** – It is the policy of the State to maintain
4 peace and order, protect life, liberty and property, and promote the general
5 welfare for the enjoyment by all the people of the blessings of democracy.
6 Towards this end, the State shall ensure the development and preservation of the

1 moral values, human dignity and social well-being of the people by eradicating
2 criminality and corruption and prohibiting any activity, including illegal activities
3 related to offshore gaming operations, where the social and economic costs
4 outweigh the economic benefits.

5 SEC. 3. ***Prohibited Acts.*** – It is unlawful for any person or entity to offer
6 or conduct any offshore gaming operation in the country which includes any of
7 the following acts:

8 (a) Facilitate offshore gaming through any means or device;

9 (b) Accept any form of betting for offshore gaming operations;

10 (c) Operate as a service provider of any component of offshore gaming
11 operations such as:

12 (1) Cater to the various needs of offshore gaming players through
13 direct contact and interaction by any means of communication;

14 (2) Develop or improve the business processes of any offshore
15 gaming operator;

16 (3) Offer or maintain information technology (IT) technical support,
17 including the installation and configuration of computer systems,
18 placement and management of player accounts and any other form of IT
19 technical support services that facilitate offshore gaming operations;

20 (4) Supply propriety products for offshore gaming operators either as
21 gaming systems such as sportsbook for sports betting or games itself such
22 as random number generator-based games for online casinos;

1 (5) Live-stream any offshore gaming activity; or

2 (6) Market or advertise any offshore gaming products and customer
3 relations.

4 (d) Construct or maintain any operation hub or a structural complex that
5 houses the operations, and logistical, administrative and support services for
6 offshore gaming;

7 (e) Establish any gaming laboratory or provide services as a gaming
8 laboratory;

9 (f) Possess any offshore gaming paraphernalia; and

10 (g) Aid, protect or abet the conduct of any of the above-mentioned acts.

11 For purposes of this Act, *offshore gaming operation* refers to the offering or
12 conducting of online games of chance or sports betting through the internet using
13 a network and software or program exclusively to offshore players or players
14 located outside of the Philippines.

15 **SEC. 4. *Revocation of License or Franchise.*** – Any provision of existing
16 laws to the contrary notwithstanding, all licenses or franchises issued to any
17 person or entity, including gaming agents and service providers, by the Philippine
18 Amusement and Gaming Corporation (PAGCOR), Cagayan Economic Zone
19 Authority (CEZA), Aurora Pacific Economic Zone and Freeport Authority
20 (APECO) and Authority of the Freeport Area of Bataan (AFAB), to conduct
21 offshore gaming operation in the country are hereby deemed withdrawn, revoked
22 or cancelled.

1 The PAGCOR, CEZA, APECO, AFAB and other regulatory government
2 agencies authorized to operate and license gambling casinos, gaming clubs and
3 other similar recreation or amusement places and gaming pools are prohibited to
4 issue any license or permit for offshore gaming operations.

5 **SEC. 5. *Cancellation of Visas and Employment Permits.*** – All visas
6 issued by the Bureau of Immigration and alien employment permits issued by the
7 Department of Labor and Employment (DOLE) to foreign workers employed by
8 offshore gaming operators are declared cancelled. The Bureau of Immigration
9 and DOLE are prohibited from processing any visas and alien employment
10 permits related to offshore gaming operations.

11 **SEC. 6. *Penalties.*** – Any person or entity who violates Section 3 of this
12 Act shall be punished as follows:

13 (a) First offense: Imprisonment of not less than four (4) years but not more
14 than six (6) years and a fine of not less than One hundred thousand pesos
15 (P100,000.00) but not more than Five hundred thousand pesos (P500,000.00);

16 (b) Second offense: Imprisonment of not less than six (6) years but not
17 more than eight (8) years and a fine of not less than Five hundred thousand pesos
18 (P500,000.00) but not more than One million pesos (P1,000,000.00); and

19 (c) Third and succeeding offenses: Imprisonment of not less than eight (8)
20 years but not more than ten (10) years and a fine of not less than Five million
21 pesos (P5,000,000.00) but not more than Ten million pesos (P10,000,000.00).

22 If the offender is a corporation or association, the president, manager,

1 managing partner or any officer of the corporation or association who directly
2 participated in the violation of Section 3 of this Act shall be held liable.

3 If the offender is an alien, the guilty alien shall be deported immediately
4 after service of sentence and payment of fines without further proceedings by the
5 Bureau of Immigration.

6 **SEC. 7. *Liability of Government Employees and Public Officials.*** – If the
7 prohibited act is committed by a public officer, the public officer shall, in addition
8 to the penalties provided for in this Act, be dismissed from employment and be
9 disqualified from re-employment in any government office. In addition, all
10 retirement benefits of such public officer shall be forfeited in favor of the
11 government.

12 **SEC. 8. *Prosecution of Other Offenses.*** – Except for specific violations
13 and prosecution under other laws which already provided specific penalties,
14 prosecution or conviction under this Act is without prejudice to prosecution and
15 punishment under the Revised Penal Code or to the existing laws.

16 **SEC. 9. *Forfeiture of Properties.*** – Upon conviction, all buildings or other
17 structures or facilities, materials, equipment and instrument used directly or
18 indirectly in violation of this Act, and the proceeds of such illegal offshore
19 gaming operation, except when such properties are owned by innocent third
20 persons, shall be confiscated and forfeited in favor the government and may be
21 disposed of in accordance with existing laws, rules and regulations.

22 **SEC. 10. *Implementing Rules and Regulations.*** – Within ninety (90) days

1 from the effectivity of this Act, the Chairperson of PAGCOR shall, in
2 coordination with the Secretaries of Justice, Labor and Employment, the Interior
3 and Local Government, Information and Communications Technology and heads
4 of the Cagayan Economic Zone Authority, Aurora Pacific Economic Zone and
5 Freeport Authority and Authority of the Freeport Area of Bataan, issue the
6 necessary rules and regulations, including the closure and winding down of
7 businesses and corporations related to offshore gaming operations effective
8 December 31, 2024, cancellation of visas of foreign nationals, and interventions
9 for affected Filipino workers, for the effective implementation of this Act.

10 SEC.11. ***Collection of Unpaid Taxes.*** – Notwithstanding the closure, all
11 POGOs, support providers, local gaming agents, and business process
12 outsourcing providers shall be required to settle all taxes and other fees due to the
13 government. Failure to pay tax shall be subject to the appropriate penalties and
14 sanctions under the National Internal Revenue Code.

15 SEC. 12. ***Separability Clause.*** – If any provision of this Act is declared
16 unconstitutional, the remainder of this Act or any provisions not affected shall
17 remain in full force and effect.

18 SEC.13. ***Repealing Clause.*** Executive Order No. 13, Series of 2017,
19 entitled “Strengthening The Fight Against Illegal Gambling And Clarifying The
20 Jurisdiction And Authority Of Concerned Agencies In The Regulation And
21 Licensing Of Gambling And Online Gaming Facilities, And For Other Purposes”
22 and Republic Act No. 11590, entitled “An Act Taxing Philippine Offshore

1 Gaming Operations, Amending for The Purpose Sections 22, 25, 27, 106, 108,
2 And Adding New Sections 125-A And New Sections 125-A And 228(G) Of the
3 National Internal Revenue Code Of 1997, As Amended, And for Other
4 Purposes,” are hereby repealed.

5 All other laws, orders, issuances, rules and regulations inconsistent with
6 the provisions of this Act are repealed or modified accordingly.

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

Approved,