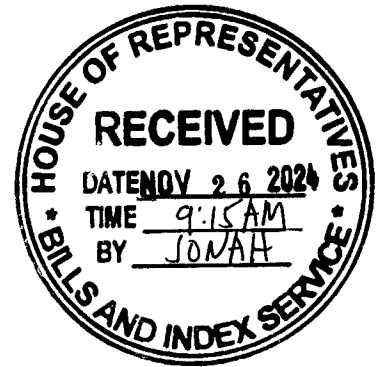


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 11138



Introduced by REP. EMILIO BERNARDINO L. YULO

EXPLANATORY NOTE

Presidential Decree No. 449, also known as the Cockfighting Law of 1974, as amended, by Presidential Decrees Nos. 1802 and 1802-A establishes strict regulations regarding the holding of cockfights in the Philippines. Under Sec. 5(d) of P.D. 449, cockfighting is permitted only in licensed cockpits during Sundays, legal holidays, and local fiestas for a period not exceeding three days. Additionally, cockfighting may be conducted during provincial, city, or municipal agricultural, commercial, or industrial fairs, carnivals, or expositions for a similar period of three days, subject to approval by the local government unit and the Chief of Constabulary or his authorized representative. The law also prohibits cockfighting 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 elections or referendum.

Despite established laws, issues remain with enforcing this law, particularly in local government units where accredited cockpits are either inaccessible or located far away from barangays. These logistical issues limit the ability of local communities to engage in traditional cockfighting activities during local fiestas, which are significant to their cultural and social celebrations.

This proposed measure seeks to address these challenges by amending Sec. 5(d) of Presidential Decree No. 449 to allow cockfighting during local barangay fiestas in temporary designated areas. The amendments give the Barangay Chairperson the authority to issue permits for special cockfighting events, provided that the official dates of the fiesta are certified.

This bill likewise seeks to resolve the issue of traditionally permitted tupada during barangay fiestas, which are often held outside licensed cockpits and in other public areas. Apparently, these activities violate the strict letter of PD 449, as cockfights are allowed only in licensed cockpits. This legislation will grant the Barangay Chairperson the authority to issue permits, thereby strengthening the regulatory framework for special cockpits and cockfighting activities at the barangay level. This devolution of authority will ensure more effective control and enforcement of regulations during special cockfighting events.

In view of the urgency of the issues involved in cockfighting and its legal framework, the immediate passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'Emilio', with a large, stylized flourish at the end.

REP. EMILIO BERNARDINO L. YULO

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HOUSE BILL NO. 11138

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AN ACT
FURTHER AMENDING PRESIDENTIAL DECREE NO. 449, ALSO KNOWN AS
THE COCKFIGHTING LAW OF 1974, AS AMENDED, AND PRESIDENTIAL
DECREE NO. 1802-A, EMPOWERING THE BARANGAY CHAIRPERSON IN THE
LOCAL GOVERNMENT UNITS IN THE REGULATION OF COCKFIGHTING
DURING BARANGAY FIESTAS

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

SECTION 1. Section 5(d) of Presidential Decree No. (PD) 449 is hereby amended to read as follows:

"Section 5. Cockpits and Cockfighting: In General:

"(a) x x x;

"(b) x x x;

"(c) x x x;

"(d) Holding of Cockfights.—Except as provided in this Decree, cockfighting shall be allowed only in licensed cockpits during Sundays and legal holidays and during local fiestas for not more than three 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 days upon resolution of the

province, city or municipality where such fair, carnival or exposition is to be held, subject to the approval of the Chief of Constabulary or his authorized representative: Provided that, no cockfighting on the occasion of such a fair, carnival or exposition shall be allowed with the month of a local fiesta or for more than two occasions a year in the same city or municipality: 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.

HOWEVER, DURING BARANGAY FIESTAS, SPECIAL COCKFIGHTS MAY BE ALLOWED FOR A PERIOD NOT TO EXCEED THREE (3) DAYS, AND MAY BE HELD EITHER IN A LICENSED COCKPIT OR IN ANY SECURE PLACE IN THE SAID BARANGAY IDENTIFIED AS SUITABLE FOR COCKFIGHTING, AND WHICH GUARANTEES THE SAFETY OF THE SPECTATORS, BETTORS, COCKFIGHTING OFFICIALS AND THE PUBLIC; PROVIDED, THAT NO SPECIAL COCKFIGHT MAY BE HELD MORE THAN ONCE EVERY CALENDAR YEAR IN A BARANGAY OR ON THE DAYS IN WHICH COCKFIGHTING IS PROHIBITED AS STATED IN THIS ACT; PROVIDED, FURTHER, THAT WHERE THE VENUE IS OTHER THAN A LICENSED COCKPIT, THE BARANGAY CHAIRPERSON SHALL SPECIFY THE PRECISE AREA IN THE BARANGAY WHERE THE COCKFIGHTING SHALL BE HELD, FOLLOWING THE CERTIFICATION OF THE OFFICIAL FIESTA DATES; AND PROVIDED, FINALLY, THAT THE BARANGAY IN WHICH THE SPECIAL COCKFIGHT IS HELD, MAY IMPOSE SUCH TAXES OR FEES AS MAY BE IN ACCORDANCE WITH LOCAL REVENUE LAWS, RULES AND REGULATIONS;

“(e) x x x; and

“(f) X X X.

SEC. 2. Section 4 of Presidential Decree No.(PD) 1802-A, is hereby amended to read as follows:

"Sec. 4. City and Municipal Mayors with the concurrence of their respective "Sanggunians" shall have the authority to license and regulate regular cockfighting pursuant to the rules and regulations promulgated by the Commission and subject to its review and supervision, EXCEPT IN CASES OF SPECIAL COCKFIGHTS DURING BARANGAY FIESTAS WHERE THE VENUE IS OTHER THAN A LICENSED COCKPIT. IN SUCH CASES, THE BARANGAY CHAIRPERSON SHALL CERTIFY THE PRECISE AREA WHERE THE COCKFIGHTING SHALL BE HELD, FOLLOWING THE CERTIFICATION OF THE OFFICIAL FIESTA DATES."

SEC. 3. The Department of Interior and Local Government (DILG), in consultation with the concerned barangays in local government units, shall form a technical working group to develop a comprehensive framework and establish the necessary rules and regulations, for the effective implementation of this Act.

SEC. 4. All laws, executive orders, presidential decrees, rules and regulations or parts thereof which are in conflict or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 5. In the event that any provision of this Act is declared unconstitutional, the validity of the other provisions shall not be affected by such declaration.

SEC. 6. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,