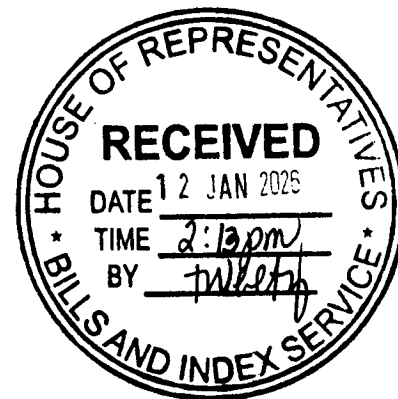


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
Regular Session
House Bill No. 7079



Introduced by REP. BENJAMIN C. AGARAO, JR.

AN ACT
PROHIBITING THE ADVERTISING, PROMOTION, AND MARKETING OF ONLINE
GAMBLING, PROVIDING FOR ENFORCEMENT MECHANISMS, PENALTIES, AND
FOR OTHER PURPOSES

EXPLANATORY NOTE

Online gambling has evolved into a highly accessible, mobile-first activity powered by social media reach, influencer marketing, and frictionless digital payments. This combination has materially increased exposure, particularly among young people, and has made gambling participation easier to initiate and harder to control.

Recent data show the rapid expansion of the gambling market, especially in electronic gaming. PAGCOR reported that gross gaming revenues continued to rise strongly, with electronic gaming playing a major role in overall growth¹.

Reuters likewise reported that industry-wide gross gaming revenues reached **₱410.5 billion in 2024**, with expectations of further growth in 2025.²

At the same time, the Philippines has one of the largest social media audiences in the region. DataReportal reported **86.75 million** social media user identities in the Philippines in early 2024.³

This environment allows gambling promotions to spread rapidly through paid advertisements, endorsements, referral codes, and algorithmically targeted content, often delivered repeatedly to users on their personal devices.

¹ PH Q2 GROSS GAMING REVENUES UP 32.32% TO PHP89.23 BILLION july-2024.pdf

² Philippines expects gambling revenues to jump again in 2025 after hitting record last year | Reuters

³ Digital 2024: The Philippines — DataReportal – Global Digital Insights

The risk is amplified by the broader shift to digital payments. The Bangko Sentral ng Pilipinas reported that **digital retail payments accounted for 57.4%** of total transaction volume in 2024.⁴

This makes it easier for consumers, including financially vulnerable households, to fund gambling activity instantly through e-wallets and other electronic channels, reducing friction and increasing the potential for impulsive and repeated betting.

International public health authorities warn that gambling can threaten health and drive poverty by diverting household spending from essential needs. The World Health Organization has highlighted gambling-related harms including mental health impacts and severe social consequences.⁵

The 2024 Lancet Public Health Commission likewise emphasized that online gambling's scale and marketing intensity, especially through digital platforms, contributes to widespread harm and exposes children and adolescents to frequent advertising.⁶

In light of these developments, the State has a compelling interest to protect the public, particularly minors and other vulnerable groups, from pervasive commercial promotion that normalizes gambling and encourages risky behavior. While gambling may be regulated as an activity, its **advertising and inducements** operate as accelerants of harm.

This measure therefore seeks to **prohibit the advertising and promotion of online gambling**, including paid endorsements, affiliate marketing, referral schemes, and other promotional content distributed through broadcast, print, and digital platforms. It provides clear enforcement mechanisms and proportionate penalties, while safeguarding legitimate expression such as bona fide news reporting, academic research, and public health advisories.

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



BENJAMIN C. AGARAO, JR.

⁴ 2024 REM Report

⁵ Gambling

⁶ The Lancet Public Health Commission on gambling - ScienceDirect

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

SECTION 1. Short Title. This Act shall be known as the “**Online Gambling Advertising and Promotion Prohibition Act.**”

SEC. 2. Declaration of Policy. It is the policy of the State to protect public welfare, uphold consumer protection, and safeguard minors and vulnerable persons from harmful commercial practices. The State recognizes that pervasive advertising and promotion of online gambling increases participation and may aggravate financial distress and gambling-related harms. Accordingly, the State shall prohibit the advertising, promotion, and marketing of online gambling and establish effective enforcement mechanisms while respecting lawful expression such as bona fide news reporting, academic research, and public advisories.

SEC. 3. Definition of Terms. As used in this Act, the following terms are hereby defined as follows:

a) **Online Gambling** refers to any game of chance, betting activity, or wagering activity conducted, offered, facilitated, or participated in through the internet or digital networks, including through websites, applications, software, social media, messaging platforms, or any similar digital means, whether lawful or unlawful, licensed or unlicensed.

b) **Advertisement** refers to any commercial communication, in any form or medium, that is intended or likely to promote, directly or indirectly, online gambling or an online gambling operator, platform, or product, including but not limited to paid placements, display ads, video ads, native ads, audio ads, in-app ads, brand placements, and sponsored content.

c) **Promotion** refers to any act intended to increase participation in online gambling, including campaigns, events, contests, sponsorships, endorsements, referral programs, affiliate marketing, and distribution of promotional materials.

d) **Inducement** refers to any incentive designed to encourage a person to begin, continue, or increase online gambling participation, including but not limited to free credits, “free bets,” matched deposits, signup bonuses, cashback offers, rebates, vouchers, prizes, “risk-free” bets, loyalty points, or any similar reward or benefit.

e) **Sponsorship** refers to any financial or in-kind support, partnership, or branding arrangement that associates a person, event, organization, team, program, activity, or content with online gambling, including naming rights and logo placement.

f) **Influencer Endorsement** refers to any recommendation, testimonial, or promotion made by an individual who has an audience or following, whether on social media or other platforms, where consideration is provided directly or indirectly, including through monetary payment, free goods, commissions, affiliate income, or any other benefit.

g) **Affiliate Marketing / Referral Program** refers to any arrangement where a person earns a fee, commission, or benefit for directing traffic, users, or customers to an online gambling platform, including through referral codes, tracked links, or similar mechanisms.

h) **Platform** refers to any internet-based service that hosts, displays, distributes, recommends, curates, or monetizes content, including social media platforms, streaming services, search engines, ad networks, content networks, and application marketplaces.

i) **Intermediary** refers to any entity that enables access to, distribution of, or monetization of content, including platforms, ad networks, advertising agencies, demand-side and supply-side advertising platforms, publishers, and application marketplaces.

j) **Internet Service Provider (ISP)** refers to any entity that provides internet access or connectivity and does not, in the ordinary course, curate or publish content.

k) **Direct Marketing** refers to any targeted communication sent to individuals to promote online gambling, including but not limited to SMS, email, push notifications, chat messages, and direct messages.

l) **Child or Minor** refers to a person below eighteen (18) years of age.

SEC. 4. Prohibited Acts. It shall be unlawful for any person, natural or juridical, to:

a) **Advertise** online gambling in any medium, including television, radio, print, out-of-home, and digital channels;

b) **Promote or market** online gambling, including through sponsorships, brand placements, endorsements, influencer marketing, affiliate marketing, referral programs, and similar arrangements;

c) **Offer, publish, or disseminate inducements** to participate in online gambling, including bonuses or “free credits,” whether directly by an operator or through any third party;

d) **Provide direct marketing** of online gambling to any person through SMS, email, push notifications, direct messages, or similar means;

e) **Develop, sell, broker, or distribute advertising services** primarily intended to advertise or promote online gambling, including media buying, ad placement, influencer brokering, or affiliate network services for online gambling campaigns;

f) **Facilitate paid placements** for online gambling advertisements, including through ad networks, application marketplaces, or other intermediaries, whether the operator is licensed or unlicensed; and

g) **Target minors** or place online gambling advertisements in a manner likely to be seen by minors, including by using child-directed content, youth-oriented influencers, or placements primarily directed to children.

SEC. 5. Exemptions and Protected Communications. This Act shall **not** apply to:

a) **Bona fide news reporting, commentary, or editorial content** that does not contain paid placement, inducements, referral codes, affiliate links, sponsorship, or other consideration intended to promote online gambling;

b) **Academic, research, and educational materials** presented in good faith;

c) **Government advisories, public health messages, and enforcement notices** intended to prevent harm, warn consumers, or inform the public;

d) **Legal and regulatory communications** necessary for proceedings, compliance, or public record; and

e) **Internal communications** within government agencies for lawful regulatory functions. For avoidance of doubt, any content that includes **consideration** or is designed to **induce** participation in online gambling shall not be deemed protected under this Section.

SEC. 6. Duties of Platforms and Intermediaries; Notice-and-Action; Safe Harbor.

a) **Notice-and-Action.** The Department of Information and Communications Technology (DICT), in coordination with the lead regulator designated under this Act, shall establish a standard notice-and-action procedure allowing authorized government agencies to notify platforms and intermediaries of content or accounts that violate Section 4.

b) **Obligation to Act.** Upon receipt of a valid notice, a platform or intermediary shall, within a reasonable period not exceeding **seventy-two (72) hours**, take appropriate action which may include removal, disabling access, demonetization, suspension of the relevant account, and preservation of evidence, subject to due process mechanisms under the IRR.

c) **Safe Harbor.** A platform or intermediary that acts expeditiously and in good faith under this Section shall not be held liable for user-generated content it did not create, sponsor, or solicit.

d) **No General Monitoring Duty.** Nothing in this Act shall be construed to impose a general obligation on platforms, intermediaries, or ISPs to monitor all content, provided that they comply with valid notices under this Act.

e) **ISPs.** ISPs shall not be held criminally liable solely for providing access or connectivity. However, ISPs may be required, pursuant to lawful orders and in accordance with the IRR, to assist in blocking specific URLs, domains, or endpoints used primarily for unlawful advertising distribution, subject to proportionality and due process.

SEC. 7. Administrative Enforcement; Cease-and-Desist Orders; Coordination.

a) The DICT, in coordination with the appropriate gambling regulator and relevant agencies, is hereby authorized to issue **administrative cease-and-desist orders**, takedown directives, and other enforcement actions necessary to implement this Act.

b) The DICT may coordinate with the National Telecommunications Commission (NTC), Department of Trade and Industry (DTI), Department of Health (DOH), National Privacy Commission (NPC), law enforcement agencies, and other concerned bodies for effective implementation.

c) The IRR shall provide procedures for **appeals**, **rectification**, and **evidence preservation**, including protections against abuse and safeguards for lawful expression.

SEC. 8. Penalties.

a) **Administrative Penalties.** Without prejudice to criminal liability, the following administrative penalties may be imposed for violations of Section 4, depending on the gravity, scale, and recurrence of the offense:

1. **First violation:** Fine of **₱300,000.00 to ₱1,000,000.00** and immediate takedown/demonetization;
2. **Second violation:** Fine of **₱1,000,000.00 to ₱3,000,000.00** and suspension of advertising privileges or relevant account/channel for a period to be determined in the IRR;
3. **Third and subsequent violations:** Fine of **₱3,000,000.00 to ₱10,000,000.00** and longer suspension or disqualification from providing advertising/marketing services related to regulated content, as may be applicable.

b) **Criminal Penalties.** Any person who willfully commits any prohibited act under Section 4 in a manner that is:

1. **Large-scale or organized,**
2. **Repeated after administrative action, or**
3. **Involves targeting minors,**

shall suffer the penalty of **imprisonment of three (3) years to six (6) years** and a fine of **₱1,000,000.00 to ₱5,000,000.00**, at the discretion of the court based on the circumstances.

c) **Aggravating Circumstances.** The maximum penalties shall be imposed when the offense involves:

1. use of inducements;
2. systematic targeting of minors;
3. deceptive claims such as “guaranteed winnings” or similar misrepresentations;
4. use of bots, fake accounts, or coordinated inauthentic behavior to amplify promotions; or
5. monetization through affiliate commissions at scale.

d) **Juridical Persons.** If the offender is a corporation, partnership, association, or similar entity, the penalty shall be imposed upon the responsible directors, officers, employees, agents, or persons who knowingly authorized, directed, or participated in the unlawful act, without prejudice to the imposition of administrative penalties upon the entity.

e) **Foreign Offenders.** If the offender is a foreign national, deportation shall be ordered after service of sentence, and the offender shall be barred from re-entry, subject to applicable laws.

f) **Forfeiture.** Proceeds, commissions, or other benefits derived from prohibited advertising and promotional activities may be subject to forfeiture in favor of the government in accordance with law.

SEC. 9. Appropriations. Such sums as may be necessary for the initial implementation of this Act shall be charged against the current appropriations of the implementing agencies. Thereafter, the amount necessary for continued implementation shall be included in the annual General Appropriations Act.

SEC. 10. Implementing Rules and Regulations. Within **ninety (90) days** from the effectivity of this Act, the DICT, in coordination with the appropriate gambling regulator and in consultation with the NTC, DTL, DOH, NPC, DOJ, and other concerned agencies, shall promulgate the Implementing Rules and Regulations (IRR).

SEC. 11. Separability Clause. If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected thereby shall remain in full force and effect.

SEC. 12. Repealing Clause. All laws, decrees, executive orders, rules and regulations, and other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 13. Effectivity. This Act shall take effect **fifteen (15) days** after its complete publication in the Official Gazette or in a newspaper of general circulation.