

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

7 JUN 30 P 1:02

SENATE

RECEIVED BY: 

S. No. 53

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

RA 9287 primarily amends PD 1602 which imposes penalty to any person taking part in all forms of illegal gambling by exclusively increasing the penalties on jueteng, masiao and last two while leaving other enumerated illegal gambling activities with the same degree of penalties.

This proposed measure expands the limited coverage of RA 9287 by including altogether in the increased penalties all forms of illegal gambling enumerated in PD 1602 as well as other forms of illegal gambling that may be devised in order to elude prosecution.

More importantly, under this draft legislation, an inter-agency body to be known as the *Anti-Illegal Gambling Board (AGB)* shall be established in order to put in place a centralized and systematic scheme of apprehending and prosecuting violators of the law/s prohibiting illegal gambling. The AGB which shall have the sole authority to enforce all illegal gambling related activities will in effect remove from the Local Executives and the Philippine National Police the direct authority to go after illegal gambling operations.

This representation believes that the creation of the Anti-Illegal Gambling Board may serve an alternative to the ineffective decentralized means of handling illegal gambling in the country that pave the way to alleged exchange of payola money through channels from the local to national level.

I urge my colleagues for the immediate passage of this bill.


MANUEL "LITO" M. LAPID

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AN ACT
AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 9287
OTHERWISE KNOWN AS "AN ACT INCREASING THE PENALTIES OF
ILLEGAL NUMBERS GAMES", BY INCLUDING ALTOGETHER ALL FORMS
OF ILLEGAL GAMBLING, CREATING THE ANTI-ILLEGAL GAMBLING
BOARD, APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES

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

SECTION 1. – Sec. 2 of RA 9287 is hereby amended to read as follows:

*"Sec. 2. – Definition of Terms. As used in this Act, the following term shall
mean:*

*(a) Illegal Numbers Game. – Any form of illegal gambling activity which
uses numbers or **LETTERS** or combination thereof as factors in giving
out jackpots.*

*FOR PURPOSES OF THIS ACT ILLEGAL NUMBERS GAME SHALL
ALSO REFER TO ALL FORMS OF ILLEGAL GAMBLING SUCH AS BUT
NOT LIMITED TO GAMES OF COCKFIGHTING, JUETENG, MASIAO,
LAST TWO, LOTENG, JAI ALAI OR HORSE RACING TO INCLUDE
BOOKIE OPERATIONS AND GAME FIXING, NUMBERS, BINGO AND
OTHER FORMS OF LOTTERIES; CARA Y CRUZ, POMPIANG AND THE
LIKE; 7-11 AND ANY GAME USING DICE; BLACK JACK, LUCKY NINE,
POKER AND ITS DERIVATIVES, MONTE, BACCARAT, CUAJAO,
PANGGUINGUE AND OTHER CARD GAMES; PAIK QUE, HIGH AND*

OTHER MECHANICAL CONTRAPTIONS AND DEVICES; DOG RACING, BOAT RACING, CAR RACING AND OTHER FORMS OF RACES, BASKETBALL, BOXING, VOLLEYBALL, BOWLING, PINGPONG AND OTHER FORMS OF INDIVIDUAL OR TEAM CONTESTS TO INCLUDE GAME FIXING, POINT SHAVING AND OTHER MACHINATIONS; BANKING OR PERCENTAGE GAME, OR ANY OTHER SIMILAR GAME SCHEME AND ITS DERIVATIVES WHICH MAY BE DEVISED IN THE FUTURE, WHETHER UPON CHANCE OR SKILL

[(b) Jueteng. – xxx]

[(c) Masiao. – xxx]

[(d) Last Two. – xxx]

SECTION 2. –Sec. 5 of RA 9287 is hereby amended to read as follows:

“Sec. 5. – Liability of Government Employees and/or Public Officials. –

SECTION 3. – Insert a new Sec. 11, 12 and 13 in RA 9287 to read as follows:

“Sec. 11. Creation of Anti-Illegal Gambling Board– To carry out the above policy and counter the proliferation of illegal gambling as contained in this act, there is hereby created a body to be known as the Anti-Illegal Gambling Board, herein referred to as AGB. The personnel requirement of the Anti-Illegal Gambling Board shall be complemented by the organic personnel of the Games and Amusement Board.

Sec. 12. Composition of the Board. - The AGB shall be headed by the Chairman of the GAB, whose rank shall be equivalent to a Cabinet Secretary, and five (5) members. The members shall be composed of the following:

(1) The Chairman of the Philippine Charity Sweepstakes office or his duly designated representative;

- (2) *The Chairman of the Philippine Amusement and Gaming Corporation or his duly designated representative;*
- (3) *The Chairman of the Philippine Racing Commission or his duly designated representative;*
- (4) *The Secretary of the Department of Justice or his duly designated representative; and*
- (5) *The Chief of the Philippine National Police or his duly designated representative.*

"Sec. 13. Powers and Functions. - The Board shall have the following powers and functions:

- a.) Serve as the sole and central authority responsible to carry out the function of apprehending the violators of this Act;*
- b.) Call upon law enforcement agencies as well as local executives to assist in the implementation and enforcement of the provisions of this Act;*
- c.) To deputize, whenever necessary, provincial governors, city and municipal mayors, and law enforcement agencies to conduct operations such as investigation and apprehension concerning illegal numbers game operations and participation;*
- d.) Act as complainant in the criminal prosecution of violators of this Act;*
- e.) To come-up with a holistic program and approach to eliminate the existence of illegal gambling in the country.*
- f.) To exercise such other powers and functions as may be necessary or incidental to the attainment of the purposes of this act.*

Sec. 14. Enforcement - The AGB shall have the sole authority to enforce and apprehend violators of this Act, however it may solicit the assistance of local Government Units (LGUs), and may deputize other law enforcement agencies in

the government to perform enforcement functions for the AGU, such actions of the deputized enforcement agencies shall however be subject to the direction control and supervision of the AGU. Provided further, that a reportorial requirement shall be imposed upon any deputized operating agencies within 12 hours after such operations.

Sec. 15. Regional Offices of AGB – The AGB shall establish offices in different regions in the country as may be determined by the Chairman, based on his assessment where there is a rampant operation of illegal gambling.

The AGB Regional Offices shall be headed by a Regional Director who shall serve for a maximum term of three (3) years.

SECTION 4. Separability Clause. - If, for any reason, any provision of this Act is declared invalid or unconstitutional, the other sections or provisions not so declared shall remain in full force and effect.

SECTION 5. Repealing Clause. – Republic Act 9287, Presidential Decree No. 1602 is hereby amended and repealed, respectively. Anti-Illegal Gambling Unit of the Games and Amusement Board created under Administrative Order Nos. 222 and 226, are hereby abolished and other laws, rules, regulations, decrees, executive orders, and other issuance or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 6. Effectivity - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.