

SENATE

'19 AUG 27 P5:23

S.B. No. 971

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INTRODUCED BY: SENATOR EMMANUEL D. PACQUIAO

AN ACT
REDEFINING THE CRIME OF GAME-FIXING
AND PRESCRIBING STIFFER PENALTIES THEREFOR,
AMENDING FOR THIS PURPOSE PRESIDENTIAL DECREE NO. 483

EXPLANATORY NOTE

Presidential Decree No. 483 took effect in 1974, seeking to penalize betting, game-fixing or point shaving and machinations in sports contests. As early as that time, the State already recognized the ill effects of gambling in its various forms. The decree was seen as a protective measure particularly for the youth and for the society as a whole against unscrupulous people who employ fraudulent schemes that subvert the aims of real sportsmanship.

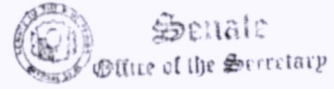
Almost half a century after, enterprising individuals motivated by greed still threaten to destroy the integrity of Philippine sports. No less than athletes have come forward in recent years attesting to this reality. Game-fixing and illegal gambling are still prevalent and have been rocking the foundations of both amateur and professional leagues. Thus, there is an urgent need to revisit the ruling law to decisively put a stop to this reprehensible act.

This bill seeks to redefine the crime of game-fixing and prescribe stiffer penalties to adapt to the changing needs of our time. Hence, urgent passage of this measure is earnestly sought.



EMMANUEL D. PACQUIAO


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1 **SECTION 1. Short title.** - This Act shall be known as the "Anti-Game Fixing Act".
2

3 **SECTION 2. Declaration of Policy.** - It is the policy of the State to promote the growth and
4 development of sports in the country and protect the youth from the influence of persons who,
5 through fraudulent schemes and machinations, engage in the practice of game fixing, point shaving
6 and other nefarious practices that subvert the spirit of sportsmanship and competitive sports among
7 Filipino athletes.
8

9 **SECTION 3. Game-Fixing.** Game Fixing refers to any act or series of acts, wherein any person
10 or persons, maliciously conducts or cause to be conducted any professional or amateur sports other
11 than on the basis of honest playing skill or ability of the players or participants.
12

13 It shall include any arrangement, agreement or scheme wherein the skill or ability of any player or
14 participant in a game, sport, race or sports competition shall be limited deliberately in order to
15 influence the process or to produce a predetermined result.
16

17 The payment or receipt of money or valuable consideration shall constitute a prima facie
18 evidence of game-fixing.
19

20 **SECTION 4. Other Forms of Game-Fixing.** - Game-fixing as defined in Section 3 hereof,
21 shall likewise include the following acts:
22

23 a. Point-shaving refers to any such arrangement, combination, scheme or agreement
24 by which the skill or ability of any player or participant in a game, race or sports competition to
25 make points or scores shall be limited deliberately in order to influence the result thereof in favor
26 of one or the other team, player or participant therein.

27 b. Game machination refer to any other fraudulent, deceitful, unfair or dishonest means,
28 method, manner or practice employed for the purpose of influencing the result of any game, race
29 or sports contest.
30

1 Game-Fixing in any of the forms defined in Sections 3 and 4 of this Act is hereby declared
2 unlawful.

3
4 **SECTION 5. Proposal, Attempt, and Conspiracy to Commit Game-Fixing.** A proposal,
5 attempt, or conspiracy to commit game-fixing shall be punishable with the same penalty
6 prescribed under this Act.

7
8 **SECTION 6. Covered Sports.** - As used in this Act, game-fixing may only be committed in the
9 following sports:

10
11 a. Professional sports shall refer to individual or team sports, games, contest, bouts,
12 tournament or competitions whereby the participating athlete is paid sums of money
13 or other forms of compensation as regular salary or prize for participation, which are
14 licensed, accredited and recognized by the Games and Amusements Board.

15
16 b. Amateur sports shall refer to individual or team sports, games, contests, bouts,
17 tournaments or competitions, including collegiate leagues conducted by the public or
18 private schools athletic associations, whereby the participant is engaged largely or
19 entirely without remuneration: Provided, however, the local government unit (LGU-
20)sponsored, sanctioned or organized sports events or competitions shall not be
21 covered in this Act.

22
23 **SECTION 7. Penalties.** - The following penalties are hereby imposed on the acts of gam e-
24 fixing as herein described:

25
26 a. The penalty of imprisonment from three (3) years to six (6) years or a fine of not
27 less than One Million pesos (P1,000,000.00) but not more than Five million pesos
28 (P5,000,000.00), or both at the discretion of the court shall be. imposed upon any
29 person found guilty of any offense defined herein;

30
31 b. The penalty of imprisonment from six (6) years to twelve (12) years or a fine of
32 not less than One million pesos (P1,000,000.00) but not more than Five million pesos
33 (P5,000,000.00), or both at the discretion of the court, when the offender is an
34 athlete, promoter, referee, umpire, judge, coach in the game, race or sports
35 competition, or any other sports official;

36
37 c. The maximum penalty provided shall be imposed upon any person who pays or
38 receives money or any other valuable consideration in furtherance of the crime of
39 game-fixing.

40
41 *Provided,* That if the offender is a public officer, whether elected or appointed, an additional
42 penalty of perpetual disqualification from holding any public office or employment shall be
43 imposed: *Provided further,* That if the violation is committed by a partnership, corporation,
44 association or any juridical entity, the partner, president, director, manager, trustee, estate
45 administrator, or officer, who consents to or knowingly tolerates such violation, shall be held

1 criminally liable as a principal: *Provided finally*, That if the offender is an alien, the same
2 penalties shall be applied and the offender shall be deported only after service of sentence.

3
4 **SECTION 8. Perpetual Disqualification from Participation in Amateur and**
5 **Professional Sports.** The following persons shall be perpetually disqualified to participate in
6 any capacity in any sports in the country:

- 7
8 a. Those engaged in professional sports if found guilty of game-fixing; and
9
10 b. Those engaged in amateur sports if found guilty of game-fixing for the
11 second time

12
13 The Philippine Sports Commission, Games and Amusements Board, Department of Education,
14 Commission on Higher Education, and other concerned agencies shall be served copies of the
15 decision and order disqualifying a person from participation in any capacity in any sports in the
16 country.

17
18 **SECTION 9. Roles of Concerned Agencies.** -The following agencies and instrumentalities
19 shall be tasked to do the following in implementing Section 8 of this Act:

- 20
21 a. Game and Amusements Board shall revoke the license of professional athletes and
22 other sports officials;
23 b. Philippine Sports Commission shall remove athletes from the national team,
24 c. including coaches and other sports officials, and ban athletes from
25 participating in any amateur sports competitions locally and abroad;
26 d. Department of Education shall ban primary and secondary student-athletes
27 including coaches and officiating staff, from participating in Palarong Pambansa
28 and other DepEd-sponsored, sanctioned or organized sports events or competitions;
29 e. Philippine Olympic Committee/ National Sports Associations shall remove
30 f. athletes, coaches and other sports officials from their respective rosters;
31 g. Athletic associations shall disqualify athletes, coaches and other sports officials
32 from participating in any inter-school athletic programs and competitions; and
33 h. Schools shall disqualify athletes, coaches and other sports officials from
34 representing the school to any sports events.

35
36 The concerned agencies shall coordinate and monitor the strict implementation of the accessory
37 penalty provided under Section 8.

38
39 **SECTION 10. Immunity from Prosecution and Punishment.** - Any person who voluntarily
40 discloses, testifies, or assists in the prosecution of any of the offenses penalized herein shall be
41 exempted from prosecution or punishment prescribed herein: *Provided*, That any person who has
42 witnessed or has knowledge or information on the commission of a crime and has testified or is
43 testifying or about to testify before any judicial or quasi-judicial body, or before any
44 investigating authority, may be admitted into the "Witness Protection, Security and Benefit Act"
45 as provided under Republic Act No. 6981.

1 **SECTION 11. Separability Clause.** - If any part or provision of this Act is held invalid or
2 unconstitutional, the other provisions not affected thereby shall remain in full force and effect.
3

4 **SECTION 12. Repealing Clause.** - The provisions on game-fixing, point-shaving and game
5 machinations in sports contests under Sections 1 to 4 of Presidential Decree No. 483, as
6 amended, pertinent provisions of Section 1 of Presidential Decree No. 1602, and all other laws,
7 executive orders, issuances, decrees, rules and regulations inconsistent with or contrary to the
8 provisions of this Act are deemed amended, modified or repealed accordingly
9

10 **SECTION 13. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in
11 the Official Gazette or in a newspaper of general circulation.
12

13
14 Approved,