

Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan

Office of the Sangguniang Bayan

Tigbauan Municipal Hall, Tigbauan, Iloilo 5021 Philippines
(033) 511-8530 sbtigbauan@yahoo.com



EXCERPT FROM THE MINUTES OF THE 43rd REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE TIGBAUAN COVERED GYM, TIGBAUAN, ILOILO ON OCTOBER 25, 2017 AT 2:00 O'CLOCK IN THE AFTERNOON

PRESENT:

MUNICIPAL OFFICIALS

Vice Mayor & Presiding Officer:

HON. VIRGILIO TERUEL

S.B. Members:

HON. DENNIS T. VALENCIA
HON. JOHN GERSHWIN C. TUERES
HON. ARIEL I. BERNARDO
HON. SUZETTE MARIE HILADO-BANNO
HON. NERI T. CAMIÑA
HON. JULIUS T. LEDESMA
HON. MA. GERRYLIN S. CAMPOSAGRADO
HON. JERRY T. TUARES

President, Liga ng mga Barangay

HON. RONNIE T. PAGUNTALAN

BOY & GIRL MUNICIPAL OFFICIALS

HON. JOSE CHRISTIAN TUVILLARA

HON. REGINE T. TORREMORO (*Temporary Pres. Officer*)
HON. QUEENIE JALBUNA (*Temporary Pres. Officer*)
HON. ANA ROSE A. BAYLOSIS
HON. ABIGUEL P. FALETE
HON. JOVIE AGUILANO
HON. SAMANTHA GWNYVIV SCARLETTE LIM
HON. ZENNY ROSE TAVARRA
HON. KIARA TAMAYO

HON. IRENE JEAN TIDULA

MUNICIPAL ORDINANCE NO. 2017-017

AN ORDINANCE REGULATING CERTAIN ACTS OF STL AUTHORIZED AGENT CORPORATION (AAC), ITS SALES REPRESENTATIVES AND SUPERVISORS AND THE BETTING PUBLIC IN THE MUNICIPALITY OF TIGBAUAN AND PROVIDING PENALTIES OR SANCTIONS FOR VIOLATION THEREOF.

Sponsor: VICE MAYOR ATTY. VIRGILIO T. TERUEL, *Chairman, Committee on Rules, Ordinances, Resolutions & Legal Matters*

Co-Sponsors: Hon. Jerry T. Tuares & Hon. Ariel Bernardo *Chairman, Committee on Games & Amusement*

Moved by: Hon. Jose Christian Tuvillara (*counterpart of Vice Mayor, Atty. Virgilio Teruel*)

Seconded by: Hon. Regine T. Torremoro (*counterpart of Hon. Dennis Valencia*), Hon. Ana Rose A. Baylosis (*counterpart of Hon. Ariel Bernardo*), Hon. Abiguel P. Falet (counterpart of Hon. Suzette Marie Hilado- Banno), Hon. Samantha Gwnyviv Scarlette Lim (*counterpart of Hon. Julius Ledesma*), Hon. Zenny Rose Tavarra (*counterpart of Hon. Ma. Gerrylin Santuyo-Camposagrado*), Hon. Kiara Tamayo (*counterpart of Hon. Jerry Tuares*) and Hon. Irene Jean Tidula (*counterpart of Hon. Ronnie Paguntalan*).

WHEREAS, under Republic Act No. 1169 (as amended), the Philippine Charity Sweepstakes Office (PCSO), as the principal government agency mandated to provide funds for health programs, medical assistance and services, and charities of national character, was authorized to hold and conduct lotteries and other similar activities;

WHEREAS, through PCSO Board Resolution No. 2433, Series of 2009, Small Town Lottery (STL) was declared as one of the regular products of the PCSO, and thereafter through Board Resolution No. 019, Series of 2016, the PCSO approved the expansion of STL operations in **provinces** and **cities**;

WHEREAS, under the 2016 Revised Implementing Rules and Regulations for the Small Town Lottery Operations of the PCSO, the STL shall be the only legal and authorized numbers game nationwide and shall be implemented locally all over the country through Authorized Agent Corporations (AAC), the only entities or persons authorized to operate and conduct STL in their areas of operation, **and the local government units (LGUs) are encouraged to support the STL operations to help raise revenues for the government and to eradicate illegal lotteries or numbers games;**

WHEREAS, the Provincial Government of Iloilo has approved the operation of the STL in the Province of Iloilo and STL operations are being conducted in this Municipality by an Authorized Agent Corporation (AAC);

WHEREAS, in order to support the STL operations in this Municipality, there is a need for the LGU to regulate certain acts and conducts of the AAC, its sales representatives and supervisors and the betting public towards eradicating unauthorized lotteries or numbers games and illegal gambling in general within its jurisdiction;

WHEREAS, the Local Government Code of 1991 (R.A. 7160) accords every local government unit the power and authority to promote the general welfare and protect public morals within its territorial jurisdiction;

NOW, THEREFORE, BE IT ENACTED, AS IT IS HEREBY ENACTED, BY THE SANGGUNIANG, THAT:

Section 1. Title. – This Ordinance shall be known as “*An Ordinance Regulating Certain Acts of STL Authorized Agent Corporation (AAC), its Sales Representatives and Supervisors and the Betting Public in the Municipality of Tigbauan and Providing Penalties or Sanctions for Violation Thereof*”.

Section 2. Purpose. – To promote the general welfare by regulating certain acts and conducts of the AACs, its sales representatives and supervisors and the betting public towards eradicating unauthorized lotteries or numbers games and illegal gambling in general within this Municipality.

Section 3. Coverage. – This ordinance shall apply to all persons, natural or juridical, whether resident or not, and in all places, found within the territorial jurisdiction of the Municipality of Tigbauan.

Section 4. Definition of Terms. As used in this Ordinance, the following terms and phrases are defined, and shall be interpreted in a manner consistent with the purpose and spirit of this Ordinance, to wit:

- a. **Authorized Agent Corporation (AAC)** – a corporation or cooperative registered with the Securities and Exchange Commission (SEC) or the Cooperative Development Authority (CDA), respectively, that has been qualified and authorized by the PCSO to conduct STL in a particular area;
- b. **Bet** - the consideration paid by a bettor to play/participate in a particular STL draw;
- c. **Bettor** – any person aged 18 years old and above who places bet for any STL draw;
- d. **Draw** – the procedures and activities of the lottery wherein the winning set/combination of numbers is determined;

e. **Illegal Numbers Game** – lottery games which are unauthorized or prohibited by law, or without legislative franchise or authority;

f. **Illegal Lottery and Numbers Game Operation** – any conduct or operation of any numbers game or any form thereof, such as but not limited to *jueteng, masiao, bookies operations, game fixing, and other forms of lotteries*, including the collection of bets for such illegal/unauthorized operation, and which are not authorized by the PCSO or any other government agencies;

g. **I.D.** – the Identification Card printed and duly authorized by the PCSO issued by the AAC to its sales representative, sales supervisors/managers and employees, indicating the individual's name, address, designation or position and signature, with his/her recent photograph;

h. **Lottery** – a game by which a person pays money for the chance to win through the conduct of draws and the prizes are distributed to the winners where the revenue/sales generated therefrom are allocated in accordance with R.A. 1169, as amended;

i. **PCSO** – refers to the Philippine Charity Sweepstakes Office, with the powers and functions provided for under R.A. 1169, as amended by Batas Pambansa Blg. 42 and P.D. No. 1157;

j. **Sales Representative (Kuridor)** – any person employed by the AAC tasked to collect bets and issue the corresponding tickets/receipts;

k. **Sales Supervisor or Manager (Mayor Kuridor)** – any person tasked to supervise Sales Representative;

l. **Small Town Lottery (STL)** – refers to the PCSO lottery conducted at the local level, i.e. cities, provinces, municipalities, etc. involving the collection of bets, issuance of tickets, conduct of draws, payments to winners and remittances;

m. **STL Station** – an extension office of the AAC located in its approved area of operation and authorized by the PCSO, for purposes of consolidating the sales collected by the substations, remittances of proceeds due to the PCSO, sell and pay winning STL tickets;

n. **STL Sub-Station** – a collection center strategically established in various locations inside a municipality or city and operating under the supervision of an STL Station for purposes of collecting bets from STL bettors and remitting its collection to the STL Station, information dissemination, and distribution of payouts to winning bettors;

o. **Ticket (Kuteho)** – refers to the official tickets printed and/or duly authorized by the PCSO, which shows the details of a bet for a specific draw in a particular area and serves as proof thereof;

Section 5. Prohibited Acts.

It shall be **unlawful** for any AAC sales supervisor or representative:

- a. to take any bet other than those intended for the STL, or otherwise act as a *front* for illegal lotteries or numbers game or any form thereof, such as but not limited to *jueteng, masiao, bookies operations, game fixing, and other forms of lotteries*, including the act of betting or participating in such illegal numbers game. Any person found in possession of a ticket, bet form or any

- b. paraphernalia not authorized by the PCSO for STL draw shall be *prima facie* presumed to have violated this provision;
- b. to take bets without PCSO-prescribed identification cards (ID) which must be strictly worn and prominently displayed when they are on duty;
- c. to allow, entice or tolerate a minor (below 18 years of age) or a mentally challenged person to place bet or otherwise participate in a particular STL draw, whether personally or through another person;
- d. to take bets within twenty (20) meters of government offices and facilities, barangay halls, schools, hospitals, health centers and clinics, church, centers of youth activity such as playgrounds, plaza, parks and sports arena and similar places, and within or inside public conveyances such as jeepneys, buses, tricycles and trisikads, whether mobile or stationary;
- e. to set up a betting table or any structure in any public place for the purpose of taking bets for an STL draw, except in the area designated by the Office of the Mayor for such purpose.

Section 6. Regulated Acts.

- a. The AAC shall secure a Mayor's Permit from the LGU not later than January 15 of each calendar year, subject to exemption from payment of taxes and fees as may be provided by existing laws, rules and regulations. The permit application shall be accompanied by a certified copy of its PCSO-STL Franchise;
- b. The AAC shall furnish the PNP Tigbauan Municipal Police Station with a copy of the updated list of its sales force and employees in the Municipality with their corresponding identification card numbers and specimen signatures every 15th day of the succeeding month;
- c. Every AAC sales representative and sales supervisor shall secure a Barangay Clearance and Police Clearance not later than January 15 of each calendar year, subject to exemption from payment of taxes and fees as may be provided by existing laws, rules and regulations;
- d. STL bets may be taken from 6:00 A.M. to 7:00 P.M. only;
- e. Results of the STL draw shall be displayed only at the AAC sub-stations center and duly designated betting areas;
- f. The AAC, its sales representatives and supervisor shall report immediately to the Office of the Mayor or the Chief of Police, PNP Tigbauan Municipal Police Station the conduct, presence or existence, of any illegal or unauthorized lottery or numbers game within its approved area of operation;
- g. No elected public official shall act or be allowed as STL sales representative or sales supervisor;

Section 7. Penalties and Sanctions:

A. For Violations of Section 5 (a) to (e):

First Offense - fine of P2,000.00 and/or imprisonment of one (1) day or both, at the discretion of the court;

Second Offense - fine of P2,500.00 and/or imprisonment of seven (7) days, or both, at the discretion of the court;

Third Offense - fine of P2,500.00 and/or imprisonment of fifteen (15) days, or both, at the discretion of the court;

B. For Violations of or Non-Compliance with Section 6 (a) to (g):

The local government unit of Tigbauan, through the Office of the Mayor, shall report the violation or non-compliance to the PCSO with a recommendation to suspend, cancel, revoke or terminate the STL Agency Agreement of the AAC.

If the violator is an elected public official, he/she shall be charged for an administrative offense as the evidence may warrant.

C. Liability under Other Laws:

The prosecution of any person for criminal liability under this Ordinance shall be without prejudice to his/her criminal liability under P.D. 1602, as amended, and other related laws.

Section 8. *Compromise Penalty.* - Before a formal charge is filed in court, any person apprehended for violation of Section 5 (a) to (e) of this Ordinance may seek a compromise by paying the corresponding fine with the Office of the Municipal Treasurer within twenty four (24) hours from time of apprehension; Provided, that on the third (3rd) violation, this provision can no longer be availed of.

Section 9. *Task Force.* – A Task Force shall be created to aid in the implementation, enforcement and monitoring of this ordinance, as well as to conduct awareness campaigns and information dissemination that will inform the constituents and train enforcement officers.

The Task Force chaired by the Municipal Mayor shall have the following as members:

1. Chief of Police, PNP Municipal Police Office – Vice Chairman;
2. Chairman, SB Committee on Peace and Order;
3. Chairman, SB Committee on Games and Amusements;
4. President, Municipal Liga ng mga Barangay;
5. Municipal Administrator;
6. Municipal Treasurer;
7. Business Permits and Licensing Officer;
8. Representative/s of DepEd and academic institutions;
9. Representative/s of civil society organizations (CSO);
10. Other member/s identified by the Chairman whose specific role and function in the LGU may serve to effectively implement this Ordinance.

The Task Force shall receive, review and process reports and complaints, serve notices and citations, and file appropriate charges for violations under this Ordinance; hold regular meetings; deputize enforcers; and take any action to ensure that the provisions of this Ordinance are properly enforced.

Section 10. *Repealing Clause.* - All municipal ordinances or parts of any municipal ordinance inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 11. *Separability Clause.* – If any provision of this Ordinance is held invalid, the other provisions not affected thereby shall continue to be effective and enforceable.

Section 12. *Effectivity Clause.* – This Ordinance shall take effect after ten (10) days from the date a copy hereof is posted in the bulletin board of the Municipal Hall and in at least two (2) other conspicuous places in the Municipality.

Enacted by **THE SANGGUNIANG BAYAN OF TIGBAUAN, ILOILO** in its Session on October 25, 2017.

CERTIFIED CORRECT:

MICA TAÑAGRAS
S.B. Secretary
(Counterpart of SB Sec. Marlene Nava)

ATTESTED:

QUEENIE JALBUNA
S.B. Member & Temp. Presiding Officer
(Counterpart of Hon. John Gershwin Tueres)

APPROVED:

JULIANA MARIE JULATON
Municipal Mayor
(Counterpart of Mayor Suzette T. Alquisada)

HON. VIRGILIO T. TERUEL, LAWYER
Municipal Vice Mayor

Sangguniang Bayan Members:

Hon. Dennis T. Valencia Hon. Suzette Marie Hilado-Banno, *M.D.* Hon. Ma. Gerrylin Santuyo-Camposagrado, *LLB,MPA*
Hon. John Gershwin C. Tueres, *LLB* Hon. Neri T. Camiña Hon. Jerry T. Tuares, *Civil Engineer*
Hon. Ariel I. Bernardo Hon. Julius T. Ledesma, *O.D.* Hon. Ronnie T. Paguntalan (LnB-Pres.)

"Public office is a public trust. Public Officials must at all times be accountable to the people."