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Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF BULALACAO

OFFICE OF THE SANGGUNIANG BAYAN

Municipal Building, Poblacion, Bulalacao, 5214, Oriental Mindoro

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BULALACAO, ORIENTAL MINDORO HELD ON MARCH 3, 2017 AT THE SANGGUNIANG BAYAN SESSION HALL.

PRESENT:

Hon. Ramon G. Magbanua	Presiding Officer
Hon. Dexter R. Gonzales	Sangguniang Bayan Member
Hon. Dennes M. Faner	Sangguniang Bayan Member
Hon. German S. Acosta	Sangguniang Bayan Member
Hon. Edezer F. Acheron	Sangguniang Bayan Member
Hon. Guillermo G. Salas, Jr.	Sangguniang Bayan Member
Hon. Edwin C. Acheron	Sangguniang Bayan Member
Hon. Teresita S. Bantugan	Sangguniang Bayan Member
Hon. Enrico C. Villas	Pangulo, Liga ng mga Barangay

ABSENT:

Hon. Elpidio N. Contreras, Jr.	Sangguniang Bayan Member - Leave
Hon. Tulay M. Caring	IPM Representative - Leave

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ORDINANCE NO. 17-03-180

AN ORDINANCE ADOPTING REPUBLIC ACT NO 9287 ENTITLED "AN ACT INCREASING THE PENALTIES FOR ILLEGAL NUMBERS GAMES, AMENDING CERTAIN PROVISION OF PRESIDENTIAL DECREE NO. 1602 AND FOR OTHER PURPOSES

**SPONSORS: SB MEMBER EDEZER F. ACERON
SB MEMBER DEXTER R. GONZALES**

CO-SPONSOR: SB MEMBER DENNES M. FANER

BE IT ORDAINED by the Sangguniang Bayan of Bulalacao, Oriental Mindoro:

SECTION 1. An Ordinance adopting Republic Act No. 9287 entitled "An Act increasing the penalties for illegal numbers games, amending certain provisions of Presidential Decree No. 1602 and for other purposes;

SEC. 2. Declaration of Policy. It is the policy of the State to promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all. It is likewise the policy of the State that the promotion of social justice shall include the commitment to create economic opportunities based on freedom of initiative and self-reliance.

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Hence, the State hereby condemns the existence of illegal gambling activities such as illegal number games as this has become an influential factor is an individual's disregard for the value of dignified work, perseverance and thrift since instant monetary gains from it are being equated to success, thereby becoming a widespread social menace and a source of corruption.

Towards this end, the State shall therefore adopt more stringent measures to stop and eradicate the existence of illegal numbers games in any part of the country.

SEC. 3. Definition of Terms. For the purpose of this Ordinance the following terms shall mean:

- a. **Illegal Numbers Game** – any form of illegal gambling activity which uses numbers or combinations thereof as factors in giving out jackpots.
- b. **Jueteng** – an illegal numbers game that involves the combination of thirty seven (37) numbers against thirty seven (37) numbers from number one (1) to thirty seven (37) or the combination of thirty eight numbers (38) on some areas, serving as a form of local lottery where bets are placed and accepted per combination and its variants.
- c. **Last Two** – an illegal numbers game where the winning combination is derived from the last two (2) numbers of the first prize of the winning sweepstakes ticket which comes out during the weekly draw of the Philippine Charity Sweepstakes Office (PCSO) and its variants.
- d. **Bettor** – (Mananaya, Tayador or variants thereof) – any person who places bets for himself or in behalf of another person, or any person other than the personnel or staff of any illegal numbers game operation.
- e. **Personnel or Staff of Illegal Numbers Game Operation** – any person who acts in the interest of the maintainer, manager or operator, such as but not limited to, an accountant, cashier, checker, guard, runner, table manager, usher, watchers, or any other personnel performing such similar functions in a building structure, vessel, vehicle or any other place where an illegal numbers game is operated or conducted.
- f. **Collector or Agent (Cabo, Cobrador, Coriador or variants thereof)** – any person who collects, solicits or produces bets in behalf of his principal for any illegal numbers game who is usually in possession of gambling paraphernalia.
- g. **Coordinator, Controller or Supervisor (Encargado or variants thereof)** – any person who exercise control and supervision over the collector or agent.
- h. **Maintainer, Manager or Operator** – any person who maintains, manages or operates any illegal number game in a specific area from whom the coordinator, controller or supervisor and collector or agent take orders.



- i. Financier or Capitalist – any person who finances the operation of any illegal numbers game.
- j. Protector or Coddler – any person who lends or provides protection or receives benefits in any manner in the operation of any illegal numbers game.

SEC. 4. Punishable Acts. Any person who participates in any illegal numbers game shall suffer the penalty of not less than Five Hundred Pesos (PhP500.00) but not more than Two Thousand Five Hundred Pesos (PhP2,500.00) or an imprisonment of six (6) months or both such fine and imprisonment at the discretion of the Court.

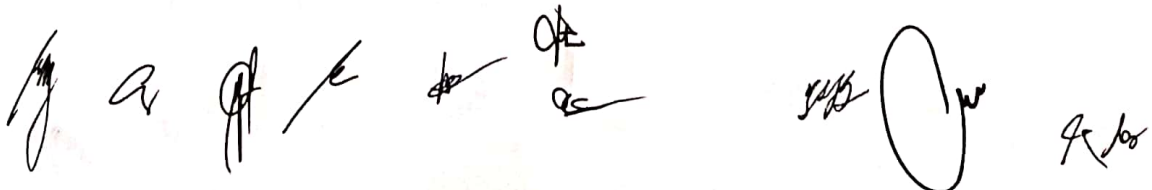
SEC. 5. Possession of Gambling Paraphernalia or Materials – The possession of any gambling paraphernalia and other materials used in the illegal numbers game operation shall be deemed prima facie evidence of any offense covered by this Ordinance.

SEC. 6. Liability of Government Employee and/or Public Officials – If the collector, agent, coordinator, controller, supervisor, maintainer, manager, operator, financier or capitalist of any illegal numbers games is a government employee and/or public official, whether elected or appointed shall suffer the penalty of six (6) months imprisonment and a fine of not more than Two Thousand Five Hundred Pesos (PhP2,500.00) or both such fine and imprisonment as the discretion of the Court and perpetual absolute disqualification from public office.

- a. In addition to the penalty provided in the preceeding section, the accessory penalty of perpetual disqualification from public office shall be imposed upon any local government official who having knowledge of the existence of the operation of any illegal numbers games in his jurisdiction, fails to abate or to take action, or tolerates the same in connection therewith.
- b. In case of failure to apprehend perpetrators of any illegal numbers game, any law enforcer shall suffer an administrative penalty of suspension or dismissal, as the case may be to be imposed by appropriate authority.

SEC. 7. Liability of Parents/Guardians – The penalty of imprisonment of six (6) months and a fine of not more than Two Thousand Five Hundred Pesos (PhP2,500.00) shall be imposed upon any parent, guardian or person exercising moral authority or ascendancy over a minor, ward or incapacitated person, and not otherwise falling under any of the foregoing subsections, who induces or causes such minor, ward or incapacitated person to commit any of the offenses punishable in this Ordinance. Upon conviction, the parent, guardian or person exercising moral authority or ascendancy over the minor, ward or incapacitated person shall be deprived his authority over such person in addition to the penalty imposed.

SEC. 8. Recidivism – The penalty next higher in degree as provided for under Section 3 hereof shall be imposed upon a recidivist who commits any of the offenses punishable in this Ordinance.

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SEC. 9. Immunity from Prosecution – Any person who serves as a witness for the government or provides evidence in a criminal case involving any violation of this Ordinance or who voluntarily or by virtue of a subpoena testificandum or duces tecum, produces, identifies or gives testimony shall be immune from any criminal prosecution, subject to the compliance with the provisions of Presidential Decree No. 1732, otherwise known as Decree Providing Immunity from Criminal Prosecution to Government Witnesses and the pertinent provisions of the Rules of the Court.

SEC. 10. Prosecution, Judgement and Forfeiture of Property. Any person may be charged with or convicted of the offenses covered by this Ordinance without prejudice to the prosecution of any act or acts penalized under the Revised Penal Code or existing laws.

During the pendency of the case, no property or income used or derived therefrom which may be confiscated and forfeited shall be disposed, alienated or transferred and the same shall be in custodia legis and no bond shall be admitted for the release of the same.

The trial prosecutors shall avail the provisional remedies provided for under the Revised Rules on Criminal Procedure.

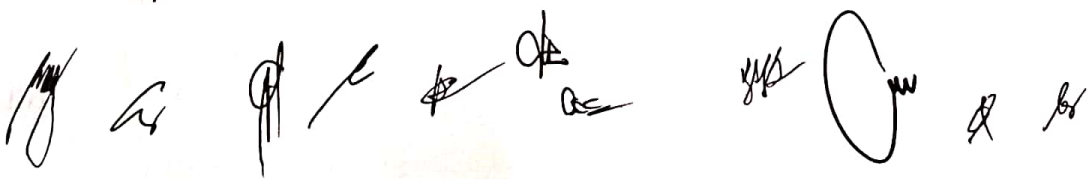
Upon conviction, all proceeds, gambling paraphernalia and other instruments of the crime including any real or personal property used in any illegal numbers game operation shall be confiscated and forfeited in favor of the Municipality. All assets and properties of the accused either owned or held by him in his name or in the name of another person found to be manifestly out of proportion to his lawful income shall be prima facie presumed to be proceeds of the offense and shall likewise be confiscated and forfeited in favor of the Municipality.

SEC. 11. Witness Protection – Any person who provides material information, whether testimonial or documentary, necessary for the investigation or prosecution of individuals committing any of the offenses under Section 3, 4, 5 and 6 herein shall be placed under the Witness Protection Program pursuant to Republic Act No. 6981.

SEC. 12. Informer's Reward – Any person who having knowledge or information of any offense committed under this Ordinance and who shall disclose the same which may lead to the arrest and final conviction of the offender, may be rewarded a certain percentage of the cash money or articles of value confiscated or forfeited in favor of the government, which shall be determined through a policy guideline promulgated by the Department of Justice (DOJ) in coordination with the Department of Interior and Local Government (DILG) and the Philippine National Police (PNP) and with the Local Government Unit concerned.

The DILG, the PNP and the DOJ shall provide for a system of rewards and incentives for law enforcement officers and for local government official for the effective implementation of this Ordinance.

SEC. 13. Implementing Rules and Regulations. Within sixty (60) days from the effectivity of this Ordinance, the Municipal Mayor through the PNP and in consultation with other concerned government agencies, non-government organizations and the private sector shall formulate the Implementing Rules and Regulations (IRR) necessary for the effective implementation of this Ordinance.

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SEC. 14. Separability Clause. If any provision of this Ordinance is declared unconstitutional or unlawful, the remaining provisions shall remain legal and in full force.

SEC. 15. Repealing Clause. All Ordinance inconsistent hereof are hereby repealed or modified accordingly.

ENACTED this 3rd day of March, 2017. Bulalacao, Oriental Mindoro.


HON. DEXTER R. GONZALES
SB Member


HON. DENNES M. FANER
SB Member



HON. GERMAN S. ACOSTA
SB Member


HON. EDEZER F. ACERON
SB Member



HON. GUILLERMO G. SALAS, JR.
SB Member


HON. EDWIN C. ACERON
SB Member

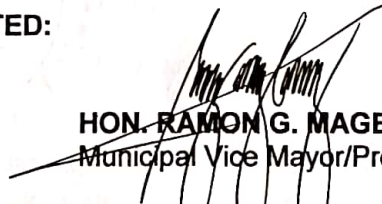

HON. TERESITA S. BANTUGAN
SB Member


HON. ENRICO C. VILLAS
Pangulo, Liga ng mga Brgy.

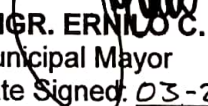
CERTIFIED TRUE AND CORRECT:


BERNADETTE M. SAPUNGAN
Temporary Secretary to the Sanggunian

ATTESTED:


HON. RAMON G. MAGBANUA
Municipal Vice Mayor/Presiding Officer

APPROVED:


ENGR. ERNILO C. VILLAS
Municipal Mayor
Date Signed: 03-23-2017

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