

Republic of the Philippines
Province of Northern Samar
MUNICIPALITY OF SAN ROQUE
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OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 50 S, 2024

AN ORDINANCE PROHIBITING GAMBLING AND OTHER ILLEGAL GAMING IN THE MUNICIPALITY OF SAN ROQUE, NORTHERN SAMAR AND IMPOSING PENALTIES THEREOF AND FOR OTHER PURPOSES.

Authored by: SB Member Hilario John Francis L. Acebuche
Co-authored by: Unanimous

WHEREAS, the municipality of San Roque views gambling and illegal gaming as inimical to the welfare and morals of the people in the community;

WHEREAS, Presidential Decree (PD) No. 1602 (s 1978) defines illegal gambling activities and imposes penalties upon persons who take part in and knowingly permit illegal and unauthorized forms of gambling;

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, expressly empowered the local government units to promote general welfare, improve public morals, maintain peace and order, and preserve the comfort and convenience of its inhabitants;

WHEREAS, Section 458 (a)(1)(v) of Republic Act No. 7160 authorized the Sangguniang Bayan to enact ordinances intended to prevent, suppress, and impose appropriate penalties for gambling and other prohibited games of chance, and such other activities inimical to the welfare and morals of the inhabitants;

WHEREAS, given its regulatory powers in the exercise of its police power, the Municipality of San Roque is empowered to suppress or prohibit unauthorized game schemes in order to protect welfare of its inhabitants.

BE IT ENACTED, by the Sangguniang Bayan of San Roque, Northern Samar during its regular session duly assembled that:

SECTION 1. TITLE. This ordinance shall be known as the **“ANTI GAMBLING AND ILLEGAL GAMING ORDINANCE”** of the Municipality of San Roque, Northern Samar.

SECTION 2. PURPOSE. The purpose of this ordinance is to prohibit gambling and illegal gaming from proliferating in the Municipality as these acts are inimical to the welfare or morals of the people of the community and greatly influence the individual’s disregard for the value of dignified work, perseverance and thrift. This ordinance is enacted to comply with the provisions of RA 9287 amending Presidential Decree No. 1602 and Executive Order No. 13 and all other pertinent rules and regulations regarding illegal gambling and illegal number games under different Memorandum Orders of concerned national government agencies.

SECTION 3. SCOPE. These rules shall only apply to unauthorized game scheme, regardless of whether winning thereat is dependent upon chance or skill or both. It shall not apply to municipal, barangay, and community-organized games or games of chance operated by carnivals, or to those duly permitted and regulated by the Philippine Amusement and Gaming Corporation (PAGCor).

SECTION 4. DEFINITION OF TERMS. For the purpose of this Ordinance the following terms shall mean:

1. Card Games – are games that involve the use of playing cards or “inipis” such as but not limited to black jack, lucky nine, “pusoy” or Russian Poker, tong-its, monte, baccarat and the like.
2. Spider Fighting – a form of local entertainment using spiders in gaming.
3. Tupa – a traditional game or competition using husked coconuts as gaming materials.
4. Bettor (“Mananaya”, “Tayador” or variants thereof). Any person who places bets for himself/herself or in behalf of another person, or any illegal number game operations.
5. Collector or Agent (“Cabo”, “Cobrador”, “Coriador” or variants thereof). Any person who collects, solicits or produces bets in behalf of his/her principal for any illegal numbers game who is usually in possession of gambling paraphernalia.
6. Coordinator, Controller or Supervisor (“Engargado” or variants thereof). Any person who exercises control and supervision over the collector or agent.
7. 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.
8. Financiers or Capitalist. – Any person who finances the operations of any illegal numbers game.
9. Protector or Coddler. – Any person who lends or provides protection, or receives benefits in any manner in the operation of any illegal number game.

SECTION 5. GENERAL PROHIBITION ON GAMING. It shall be unlawful for any person considered as bettors, personnel or staff of an illegal numbers game operation, coordinator, controller or supervisor, maintainer, manager or operator, financier or capitalist, protector or coddler, to participate directly or indirectly in any game scheme or activity that involves placing money or any article of value as bets and where winning is dependent upon luck, skill or both.

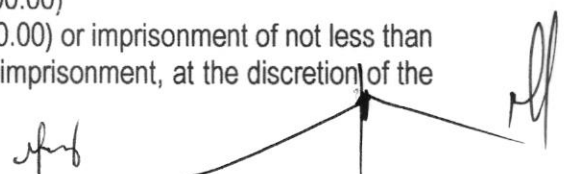
The same prohibition shall likewise be imposed to any person who allows his vehicle, house, building or land to be used in the operation of gambling and/or illegal games.

SECTION 6. PROHIBITED ACTS. The following acts of gambling or illegal gaming are prohibited: tupada, tupa, spider fighting, jueteng, bookies for jai alai or horse racing that usually involves game fixing and other lotteries, cara y cruz or pompiang, drop ball, card games, palk que, domino, mah-jong, high and low, slot machines, roulette, pinball and other mechanical game inventions or devices, dog racing, boat racing, car racing and other races, basketball, volleyball, boxing, billiards, seven-eleven, dice games and the like and other contests that include game fixing, point shaving and other machinations, banking on percentage game, or any other game or scheme, whether upon chance or skill or both, which do not have a franchise from any government agency duly empowered by law or its charter to license or authorize the conduct of such games.

SECTION 7. EXEMPTIONS. In accordance with existing laws, gambling may be allowed provided these are covered by franchises from the national government; authorized or licensed by government agencies duly empowered by law or their charters to license or authorize the conduct of such games or activities or is conducted in a manner that does not violate the terms and conditions duly prescribed by said government agencies.

SECTION 8. PENALTIES. In addition to the penalties applicable under national laws, rules and regulations, any person who violates the provisions of this Ordinance shall be fined as follows:

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| First Offense: | Five Hundred Pesos (P500.00) |
| Second Offense: | One Thousand Pesos (P1,000.00) |
| Third and Succeeding Offenses | Two Thousand Pesos (P2,000.00) or imprisonment of not less than three (3) months nor more than six (6) months, or both such fine and imprisonment, at the discretion of the court. |



SECTION 9. IMPLEMENTATION. The Philippine National Police shall issue the necessary citation tickets to violators of this Ordinance. Fines shall be paid to the Municipal Treasury based on the citation tickets submitted by the PNP.

SECTION 10. SEPARABILITY CLAUSE. If, for any reason, any provision, section, part or parts of this ordinance is declared not valid by a Court of Competent Jurisdiction or suspended or revoked by authorities concerned, such judgement shall not affect or impair the remaining provisions, sections or parts which shall continue to be in force and effect.

SECTION 11. REPEALING CLAUSE. The Municipal Ordinance No. 34, series of 2024, entitled An Ordinance Prohibiting Gambling and Other Illegal Gaming in the Municipality of San Roque, Northern Samar and Imposing Penalties Thereof and For Other Purposes is hereby repealed.

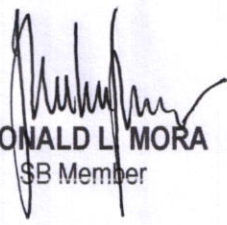
SECTION 12. EFFECTIVITY. This ordinance shall take effect on the day following its publication in a newspaper of general circulation within the municipality, or at the end of the period of posting for a minimum of three (3) consecutive weeks in prominent places in the municipal building, whichever occurs later.

DONE and APPROVED, this 15th day of July 2024 at Sangguniang Barangay Session Hall, 2nd Floor, Barangay Coroconog, San Roque, Northern Samar, Philippines.


JOCELYN U. CORSO
SB Member


DANTE C. TAN
SB Member


FREDDIE F. JARITO
SB Member


RONALD L. MORA
SB Member

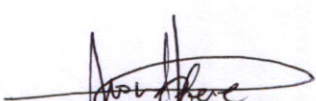

GIO S. GALVEZ
SB Member


HILARIO JOHN FRANCIS L. ACEBUCHE
SB Member

DEMETRIO S. AVALON, JR.
SB Member


DEODATO L. BANTILO
SB Member



FREDDIE F. JARITO
Ex-Officio Member/ABC President


REYMOND J. BERE
Ex-Officio Member/PPSK President


I HEREBY CERTIFY, as to the correctness of the foregoing ordinance.


MARIENEL B. AVALON
OIC - Secretary to the Sangguniang Bayan

ATTESTED:


ETHEL O. RAMIREZ
Municipal Vice Mayor/Presiding Officer

APPROVED:


MARIA ANA G. ABALON, MD, MPH
Municipal Mayor
12 31 JUL 2024

