



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

23 JAN -9 P4 :38

SENATE

RECEIVED BY:

S. No. 1641

Introduced by Senator Jinggoy Ejercito Estrada

**AN ACT
PROHIBITING GAME-FIXING AND PROVIDING PENALTIES FOR
VIOLATIONS THEREOF**

EXPLANATORY NOTE

The Constitution recognizes the importance of sports as it prescribes the State to give priority to it to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development. Moreover, it instructs the State to encourage sports programs, league competitions and amateur sports to foster self-discipline, teamwork and excellence for the development of a healthy and alert citizenry.

Sports figure prominently in the Filipino way of life. In almost every barangay, there is a makeshift basketball court, wherein players hone their skills and develop camaraderie along with other positive attributes. In every fiesta celebration, there will certainly be sporting events which not only unite the people but also instill unto participants values of perseverance, resilience and discipline, among others. The younger generation looks up to basketball superstars and sports champions as their idols and heroes, whom they aspire to become someday. It is therefore imperative that the true spirit of fair play and athletic excellence be upheld, and the integrity of sports activities be preserved and be protected against dishonesty and corrupt practices.

This proposed measure aims to define game-fixing and declare such as unlawful. It also prescribes severe penalties, including life imprisonment, payment of hefty fines, and perpetual disqualification from participation in amateur and professional sports, for violators thereof.

It must be noted that during the pandemic, it was observed that incidents of match-fixing rose and that syndicates behind such illegal operations “diversified” into new areas which targeted vulnerable teams, players and officials who suffered financially because of the implementation of novel Coronavirus restrictions.

A version of this measure was already approved on Third and Final Reading by the House of Representatives on two occasions – during the Seventeenth and Eighteenth Congresses – but stalled before the Senate Committee on Sports.

The immediate passage of this legislation is earnestly sought.



JINGGOY EJERCITO ESTRADA

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

1 Section 1. *Short Title.* – This Act shall be known as the "*Anti Game-Fixing*
2 *Act.*"

3 Sec. 2. *Declaration of Policy.* – It is the policy of the State to promote the
4 growth and development of sports in the country and protect the youth from the
5 influence of persons who, through fraudulent schemes, machinations and other
6 nefarious practices, undermine the true spirit of sportsmanship and taint the fair and
7 competitive conduct of sports in the country.

8 Towards this end, the State hereby declares game-fixing, point-shaving, and
9 game machinations in any sports competition unlawful, and imposes severe
10 penalties on these acts to discourage the commission thereof and to promote the
11 values of excellence, fair play, and integrity in Philippine sports.

12 Sec. 3. *Game-Fixing.* – Game-fixing in any professional or amateur sports is
13 hereby declared unlawful. Game-fixing refers to any arrangement, agreement,
14 scheme, or act or series of act, wherein any person or persons, maliciously conduct
15 or cause to be conducted any professional or amateur sports others than on the
16 basis of the honest playing skill or ability of the players or participants or even
17 deliberately limiting the skill or ability of any player or participant in a game, race, or

1 sports competition in order to influence the process or to produce a pre-determined
2 result for purposes of gambling, betting, or as part of a scheme to defraud the public
3 on the conduct and outcome of the game.

4 While proof of actual payment or receipt of money or any valuable
5 consideration is not requirement to constitute the crime of game-fixing, it shall
6 however, be deemed a *prima facie* evidence of its commission.

7 *Sec. 4. Other Forms of Game-Fixing.* – Game-fixing shall likewise include the
8 following acts:

9 a) Point-shaving refers to any such arrangement, combination, scheme, or
10 agreement by which the skill or ability of any player or participant in a
11 game, race or sports competition to make points or scores shall be
12 deliberately limited to influence the result thereof in favor of one or the
13 other team, player or participant therein;

14 b) Game machinations refer to any other fraudulent, deceitful, unfair, or
15 dishonest means, method, manner or practice employed for the purpose
16 of influencing the result of any game, race or sports contest; and

17 c) The act of wilfully abetting, aiding, or inducing any person to commit
18 game-fixing and profiting therefrom.

19 *Sec. 5. Game-Fixing by Syndicate.* – Game-fixing is deemed committed by a
20 syndicate if carried out by a group of three (3) or more persons conspiring or
21 confederating with one another to perform the act specified in Sections 3 and 4 of
22 this Act.

23 *Sec. 6. Covered Sports.* – Game-fixing may be committed in professional or
24 amateur sports. For purposes of this Act, professional sports shall refer to individual
25 or team sports, games, contests, bouts, tournaments or competitions whereby the
26 participating athlete is paid sums of money or other forms of compensation as
27 regular salary or prize for participation.

28 Amateur sports shall refer to individual or team sports, games, contests,
29 bouts, tournaments or competitions, including collegiate leagues conducted by the
30 public or private school athletic associations, whereby the participant is engaged
31 largely or entirely without remuneration.

1 *Sec. 7. Penalties.* – The following penalties are hereby imposed on persons
2 found guilty of game-fixing as herein described.

3 a) The penalty of imprisonment from three (3) years and one (1) day to six
4 (6) years, or a fine of not less than One million pesos (P1,000,000.00) but
5 not more than Five million pesos (P5,000,000.00), or both at the discretion
6 of the court shall be imposed upon any person, other than those referred
7 to in subparagraphs b, c, d, and e, found guilty of any offense defined
8 herein;

9 b) The penalty of imprisonment from six (6) years and one (1) day to twelve
10 (12) years or a fine not less than One million pesos (P1,000,000.00) but
11 not more than Five million pesos (P5,000,000.00), or both at the discretion
12 of the court when the offender is an athlete, promoter, referee, umpire,
13 judge, or coach;

14 c) The penalty of life imprisonment or a fine of not less than Ten million
15 pesos (10,000,000.00) but not more than Fifty million pesos
16 (P50,000,000.00), or both at the discretion of the court, when the
17 offender is a member of a syndicate as defined in Section 5 of this Act;

18 d) The maximum penalty provided under this Act shall be imposed:

19 1) If the offender is a public officer, whether elected or appointed. The
20 accessory penalty of perpetual disqualification from holding any public
21 office or employment shall likewise be imposed;

22 2) If the offender is the partner, president, director, manager, trustee,
23 estate administrator or officer of a partnership, corporation, association
24 or any juridical entity, who directly participated, consented or
25 knowingly tolerated the game-fixing shall be held criminally liable as a
26 principal; and

27 3) If the offender is an alien, deportation shall be imposed only after the
28 service of sentence.

29 e) The liability of students who are minors found to have violated any of the
30 offense defined herein shall be limited only to administrative liability
31 pursuant to the disciplinary rules and regulations of the school or
32 institution which they belong.

1 *Sec. 8. Proposal, Attempt, and Conspiracy to Commit Game-Fixing.* – The
2 penalty of imprisonment from one (1) year to three (3) years, or a fine of not less
3 than Five hundred thousand pesos (P500,000.00) but not more than One million
4 pesos (P1,000,000.00), or both at the discretion of the court shall be imposed upon
5 any person who proposes, attempts, or conspires to commit game-fixing.

6 *Sec. 9. Perpetual Disqualification from Participation in Amateur and*
7 *Professional Sports.* – The following persons shall be perpetually disqualified to
8 participate in any competitive sport:

9 a) Those engaged in professional sports if convicted by final judgment of
10 game-fixing; and

11 b) Those engaged in amateur sports if convicted by final judgment for the
12 second time. The Philippine Sports Commission (PSC), Games and
13 Amusements Board (GAB), Department of Education (DepEd), Commission
14 on Higher Education (CHED), and other concerned agencies shall be
15 served copies of the decision and order the disqualification of a person
16 from participating in whatever capacity in any sports in the country.

17 *Sec. 10. Roles of Concerned Agencies.* – The following agencies and
18 instrumentalities are mandated to perform the following tasks:

19 a) The GAB shall revoke the license of professional athletes and other sports
20 officials. The provisions of this Act notwithstanding, the GAB may, in a
21 separate administrative proceeding, suspend or revoke the professional
22 license of any person found guilty of violation of other applicable laws,
23 rules and regulations. GAB shall also institute measures and mechanisms,
24 through employment of proven technologies and establishment of linkages
25 and partnerships with other government authorities, private sector, sports
26 associations, and other stakeholders, to monitor and detect suspicious
27 activities and unfair practices indicative of game-fixing.

28 b) The PSC shall remove athletes from the national team, including coaches
29 and other sports officials, ban athletes from participating in all PSC-
30 organized and –sanctioned amateur sports competitions, and disqualify
31 athletes, coaches, and officials from being nominated for, or from
32 receiving, any award pursuant to Republic Act No. 8757, otherwise known

1 as the "Philippine Sports Hall of Fame Act," or any award that may be
2 given in the future;

3 c) The DepEd shall ban primary and secondary level student-athletes
4 including coaches and officiating staff, from participating in the *Palarong*
5 *Pambansa* and other DepEd –sponsored, sanctioned or organized sports
6 officials from their respective rosters;

7 d) Athletic associations shall disqualify athletes, coaches, and other sports
8 officials from participating in any inter-school athletic programs and
9 competitions; and,

10 e) Schools shall disqualify athletes, coaches, and sports officials from
11 representing the school in any sports event.

12 The concerned agencies shall coordinate and monitor the strict
13 implementation of the accessory penalty provided under Section 9.

14 Sec. 11. *Witness Protection.* – Any person who voluntarily discloses the
15 commission of game-fixing, or testifies, or assists in the prosecution thereof, shall be
16 exempt from any liability for game-fixing, and may be admitted to the Witness
17 Protection Program under Republic Act No. 6981, otherwise known as the "Witness
18 Protection, Security, and Benefit Act."

19 Sec. 12. *Separability Clause.* – If any provision of this Act is declared invalid
20 or unconstitutional, the remaining provisions not affected thereby shall continue to
21 be in full force and effect.

22 Sec. 13. *Repealing Clause.* – The pertinent provisions on game-fixing, point-
23 shaving and game machinations in sports contests under Sections 1, 2, 3, and 4 of
24 Presidential Decree No. 483, as amended, and under Section 1 of Presidential
25 Decree No. 1602, are hereby repealed. All other laws, executive orders, issuances,
26 decrees, rules and regulations or part thereof inconsistent with this Act are hereby
27 amended, modified or repealed accordingly.

28 Sec. 14. *Effectivity.* – This Act shall take effect fifteen (15) days following the
29 completion of its publication in the *Official Gazette* or in a national newspaper of
30 general circulation.

Approved,