

23 FEB -9 P2:00

SENATE
S. No. 1855

RECEIVED BY: 

Introduced by Senator MARK A. VILLAR

AN ACT
PROHIBITING GAME-FIXING AND PROVIDING PENALTIES FOR
VIOLATIONS THEREFOR

EXPLANATORY NOTE

Sports in the Philippines is an important part of the country's culture. The country had already produced numerous champions that placed the Philippines as a leading nation in various sports categories. In 2022 alone, the Philippines made its mark globally for several sports categories such as in lawn tennis, figure skating, gymnastics, chess etc. These achievements in Sports displayed the Filipino traits of hard work and perseverance.

However, there are people who, for profit, take advantage of the love of Filipinos to sports. This illegal act known as game-fixing, taints the spirit of Filipino sportsmanship. Through this unscrupulous means, the Filipino people who put their hopes on athlete to win believing in the spirit of fair play, is violated. Ultimately, the real victim in game-fixing is not those who put out their bets, but the Filipino athletes and their belief to Philippine sportsmanship.

The 1987 Constitution, Art. II, Sec. 17 provides that the State shall give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development.

To enforce this constitutional mandate, this bill seeks to provide a cleared definition of the illegal act of game-fixing. In further amending Presidential Decree No. 483, this bill will expand the covered sports against game-fixing thereby including electronic sports herein. The bill also seeks to provide a higher penalty for the said offense.

For this purpose, immediate passage of this bill is earnestly sought.



MARK A. VILLAR

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



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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 acts, wherein any person or persons, maliciously conduct
15 or cause to be conducted any professional or amateur sports other than on the basis

1 of the honest playing skill or ability of the players or participants or even deliberately
2 limiting the skill or ability of any player or participant in a game, race, or sports
3 competition in order to influence the process or to produce a pre-determined result
4 for purposes of gambling, betting, or as part of a scheme to defraud the public on
5 the conduct and outcome of the game.

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

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

- 11 a. Point-shaving refers to any such arrangement, combination, scheme or
12 agreement by which the skill or ability of any player or participant in a
13 game, race or sports competition to make points or scores shall be
14 deliberately limited to influence the result thereof in favor of one or the
15 other team, player or participant therein;
- 16 b. Game machinations refer to any other fraudulent, deceitful, unfair or
17 dishonest means, method, manner or practice employed for the purpose
18 of influencing the result of any game, race, or sports contest; and
- 19 c. The act of willfully abetting, aiding, or inducing any person to commit
20 game-fixing and profiting therefrom.

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

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

30 Amateur sports shall refer to individual or team sports, games, contests,
31 bouts, tournaments or competitions, including collegiate leagues conducted by the

1 public or private schools athletic associations, whereby the participants is engaged
2 largely or entirely without remuneration.

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

- 5 a. The penalty of imprisonment from three (3) years and one (1) day to six
6 (6) years, or a fine of not less than One million pesos (P1,000,000.00) but
7 not more than Five million pesos (P5,000,000.00), or both at the discretion
8 of the court shall be imposed upon any person, other than those referred
9 to in sub-paragraphs b, c, d, and e, found guilty of any offense defined
10 herein;
- 11 b. The penalty of imprisonment from six (6) years and one (1) day to twelve
12 (12) years or a fine of not less than One million pesos (P1,000,000.00) but
13 not more than Five million pesos (P5,000,000.00), or both at the discretion
14 of the court, when the offender is an athlete, promoter, referee, umpire,
15 judge, or court;
- 16 c. The penalty of life imprisonment or a fine of not less than Ten million
17 pesos (P10,000,000.00) or both at the discretion of the court, when the
18 offender is a member of a syndicate as defined in Section 5 of this Act;
- 19 d. The maximum penalty provided under this Act shall be imposed:
 - 20 1. If the offender is a public officer, whether elected or appointed. The
21 accessory penalty of perpetual disqualification from holding any
22 public office or employment shall likewise be imposed;
 - 23 2. If the offender is the partner, president, director, manager, trustee,
24 estate, administrator or any juridical entity, who directly
25 participated, consented or knowingly tolerated the game-fixing shall
26 be held criminally liable as a principal; and
 - 27 3. If the offender is an alien, deportation shall be imposed only after
28 the service of sentence.
- 29 e. The liability is an alien, deportation shall be imposed only after the
30 service of sentence.

31 *Sec. 8. Proposal, Attempt, Conspiracy to Commit Game-Fixing.* – The penalty
32 of imprisonment from one (1) year to three (3) years, or a fine of not less than Five

1 hundred thousand pesos (P500,000.00) but not more than One million pesos
2 (P1,000,000.00) or both, at the discretion of the court shall be imposed upon any
3 person who proposes, attempts, or conspires to commit game-fixing.

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

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

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

- 17 a. The GAB shall revoke the license of professional athletes and other sports
18 officials. The provisions of this Act notwithstanding, the Games and
19 Amusement Board, may in a separate administrative proceeding, suspend
20 or revoke the professional license of any person found guilty of violation of
21 other applicable laws, rules and regulations;
- 22 b. The PSC shall remove athletes from the national team, including coaches
23 and other sports officials, ban athletes from participating in all PSC-
24 organized and sanctioned amateur sports competitions, and disqualifying
25 athletes, coaches and officials from being nominated for, or from
26 receiving, any award pursuant to Republic Act No. 8757, otherwise known
27 as the "Philippine Sports Hall of Fame Act", or any award that may be
28 given in the future;
- 29 c. The DepEd shall ban primary and secondary level student-athletes
30 including coaches and officiating staff, from participating in the *Palarong*
31 *Pambansa* and other DepEd-sponsored, sanctioned or organized sports
32 events or competitions;

- 1 d. The Philippine Olympic Committee and the National Sports Associations
2 shall remove athletes, coaches and other sports officials from their
3 respective rosters;
- 4 e. Athletic associations shall disqualify athletes, coaches and other sports
5 officials from participating in any inter-school athletic programs and
6 competitions; and
- 7 f. Schools shall disqualify athletes, coaches and other sports officials from
8 representing the school in any sports event.

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

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

16 Sec. 12. *Separability Clause.* – If any portion or provision of this Act is
17 declared unconstitutional or invalid, the portions or provisions which are not affected
18 shall continue to be in full force and effect.

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

25 Sec. 14. *Effectivity.* - This Act shall take effect fifteen (15) days after its
26 publication in the Official Gazette or in at least two (2) newspaper of general
27 circulation in the Philippines.

Approved,