

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



23 APR 26 P12:34

SENATE
Senate Bill No. 2100

RECEIVED BY:

A handwritten signature in black ink, appearing to be "R. Tulfo", written over a horizontal line.

Introduced by: **Senator Raffy T. Tulfo**

**AN ACT PROHIBITING ANTI GAME-FIXING AND PROVIDING PENALTIES
VIOLATIONS**

EXPLANATORY NOTE

Sports is a way of life and is part of our country's culture. More than 75% of Filipinos are avid fans of basketball. It was even reported that we had zero crimes when the nation stood still during the 7 hour fight between Manny Pacquiao and Oscar de la Hoya in 2008. Legendary Filipino athletes like Lydia De Vega and Efren Bata Reyes have indeed brought pride and honor to our country. It is the policy of the state to promote sports programs to encourage not only discipline and determination but also nationalism in our country. Hence, the proposed measure bill seeks to provide a clear definition of illegal acts of game-fixing with the imposition of heavier penalties.

The passage of this measure is thus earnestly sought.

A large, handwritten signature in black ink, appearing to be "Raffy T. Tulfo", written over the printed name and title.

RAFFY T. TULFO

Senator

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REG. NO. 21

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**AN ACT PROHIBITING ANTI GAME-FIXING AND PROVIDING PENALTIES
VIOLATIONS**

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 Act".

2

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

8

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

1
2 **Sec. 3. *Game-Fixing.*** - Game-fixing in any professional or amateur sports is hereby
3 declared unlawful. Game-fixing refers to any arrangement, agreement, scheme, or act or
4 series of acts, wherein any person or persons, maliciously conduct or cause to be
5 conducted any professional or amateur sports other than on the basis of the honest
6 playing skill or ability of the players or participants or even deliberately limiting the skill
7 or ability of any player or participant in a game, race, or sports competition in order to
8 influence the process or to produce a pre-determined result for purposes of gambling,
9 betting, or as part of a scheme to defraud the public on the conduct and outcome of the
10 game.

11
12 While proof of actual payment or receipt of money or any valuable consideration
13 is not a requirement to constitute the crime of game-fixing, it shall, however, be deemed
14 a prima face evidence of its commission.

15
16 **Sec. 4. *Other Forms of Game-Fixing.*** - Game-fixing shall likewise include the following
17 acts:

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

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

30

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

6

7 Amateur sports shall refer to individual or team sports, games, contests, bouts,
8 tournaments or competitions, including collegiate leagues conducted by the public or
9 private schools athletic associations, whereby the participants are engaged largely or
10 entirely without remuneration.

11

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

14

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

20

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

25 c. The penalty of life imprisonment or a fine of not less than Ten million pesos
26 (P10,000,000.00) or both at the discretion of the court, when the offender is a member
27 of a syndicate as defined in Section 5 of this Act;

28

29 d. The maximum penalty provided under this Act shall be imposed:

30

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

4 2. If the offender is the partner, president, director, manager, trustee, estate,
5 administrator or any juridical entity, who directly participated, consented or
6 knowingly tolerated the game-fixing shall be held criminally liable as a principal;
7 and

8 3. If the offender is an alien, deportation shall be imposed only after the service
9 of sentence.

10
11 e. The liability is an alien, deportation shall be imposed only after the service of sentence.
12

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

18
19 **Sec. 9.** *Perpetual Disqualification from Participation in Amateur and Professional Sports.*

20 - The following persons shall be perpetually disqualified to participate in any competitive
21 sport:

22 a. Those engaged in professional sports if convicted by final judgment or game-
23 fixing; and

24 b. Those engaged in amateur sports if convicted by final judgment for the second
25 time. The Philippine Sports Commission (PS), Games and Amusement Board
26 (GAB), Department of Education (DepEd), Commission on Higher Education
27 (CHED), and other concerned agencies shall be served copies of the decision and
28 order the disqualification of a person from participating in whatever capacity in
29 any sports in the country.
30

1 **Sec. 10. Roles of Concerned Agencies.** - The following agencies and instrumentalities are
2 mandated to perform the following tasks:

3
4 a. The GAB shall revoke the license of professional athletes and other sports officials. The
5 provisions of this Act notwithstanding, the Games and Amusement Board, may in a
6 separate administrative proceeding, suspend or revoke the professional license of any
7 person found guilty of violation of other applicable laws, rules and regulations;

8
9 b. The PSC shall remove athletes from the national team, including coaches and other
10 sports officials, ban athletes from participating in all PSC-organized and sanctioned
11 amateur sports competitions, and disqualifying athletes, coaches and officials from being
12 nominated for, or from receiving, any award pursuant to Republic Act No. 8757, otherwise
13 known as the "Philippine Sports Hall of Fame Act", or any award that may be given in the
14 future;

15
16 c. The DepEd shall ban primary and secondary level student-athletes including coaches
17 and officiating staff, from participating in the Palarong Pambansa and other DepEd-
18 sponsored, sanctioned or organized sports events or competitions;

19
20 d. The Philippine Olympic Committee and the National Sports Associations shall remove
21 athletes, coaches and other sports officials from their respective rosters;

22
23 e. Athletic associations shall disqualify athletes, coaches and other sports officials from
24 participating in any inter-school athletic programs and competitions; and

25 f. Schools shall disqualify athletes, coaches and other sports officials from representing
26 the school in any sports event.

27
28 The concerned agencies shall coordinate and monitor the strict implementation of the
29 accessory penalty provided under Section 9.

30

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

6
7 **Sec. 12. *Separability Clause.*** - If any portion or provision of this Act is declared
8 unconstitutional or invalid, the portions or provisions which are not affected shall continue
9 to be in full force and effect.

10
11 **Sec. 13. *Repealing Clause.*** - The pertinent provisions on game-fixing, point-shaving and
12 game machinations in sports contests under Section 1, 2, 3 and 4 of Presidential Decree
13 No. 483, as amended, and under Section 1 of Presidential Decree No. 1602, are hereby
14 repealed. All other laws, executive orders, issuances, decrees, rules and regulations
15 inconsistent with or contrary to the provisions of this Act are deemed amended, modified
16 or repealed accordingly.

17
18 **Sec. 14. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in
19 the Official Gazette or in at least two (2) newspaper of general circulation in the
20 Philippines.

Approved,