



COMMITTEE REPORT NO. 793

Submitted by the Committee on Youth and Sports Development on MAR 02 2021

Re: House Bill No. 8870

Recommending its approval in substitution of House Bills Numbered 1226 and 5281.

Sponsors: Representatives Faustino Michael T. Dy III, Enrico A. Pineda,
Michael Odylon L. Romero PhD, and Angelo Marcos Barba

Mr. Speaker:

The Committee on Youth and Sports Development to which were referred House Bill No. 1226, introduced by Reps. Enrico A. Pineda and Michael Odylon L. Romero PhD, entitled:

**AN ACT
REDEFINING THE CRIME OF GAME-FIXING AND PRESCRIBING STIFFER
PENALTIES THEREFOR**

and House Bill No. 5281, introduced by Rep. Angelo Marcos Barba, entitled:

**AN ACT
REDEFINING THE CRIME OF GAME FIXING AND PROVIDING
PENALTIES THEREFOR**

has considered the same and recommends that the attached House Bill No. 8870,
entitled:

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

be approved in substitution of House Bills Numbered 1226 and 5281 with Representatives Enrico A. Pineda, Michael Odylon L. Romero PhD, Angelo Marcos Barba, "Kuya" Jose Antonio R. Sy-Alvarado, John Marvin "Yul Servo" C. Nieto, Eric M. Martinez, Jericho Jonas B. Nograles, Alberto "Bobby" D. Pacquiao, Jumel Anthony I. Espino, Anthony Peter "Onyx" D. Crisologo, John Reynald M. Tiangco, Strike Revilla, Dale "Along" R. Malapitan, Faustino Michael Carlos T. Dy III, Sarah Jane I. Elago, Irene Gay F. Saulog, Aurelio "Dong" D. Gonzales Jr, Paul Ruiz Daza, Lucy Torres-Gomez, and Jose Singson, Jr. as authors thereof.

Respectfully submitted,

REP. FAUSTINO MICHAEL T. DY III

Chairperson

Committee on Youth and Sports Development

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session
HOUSE BILL NO. 8870
(In substitution of House Bills Numbered 1226 and 5281)

Introduced by Representatives Enrico A. Pineda, Michael Odylon L. Romero PhD, Angelo Marcos Barba, "Kuya" Jose Antonio R. Sy-Alvarado, John Marvin "Yul Servo" C. Nieto, Eric M. Martinez, Jericho Jonas B. Nograles, Alberto "Bobby" D. Pacquiao, Jumel Anthony I. Espino, Anthony Peter "Onyx" D. Crisologo, John Reynald M. Tiangco, Strike Revilla, Dale "Along" R. Malapitan, Faustino Michael T. Dy III, Sarah Jane I. Elago, Irene Gay F. Saulog, Aurelio "Dong" D. Gonzales Jr, Paul Ruiz Daza, Lucy Torres-Gomez, and Jose Singson, Jr.

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

4 *Be it enacted by the House of Representatives and Senate of the Philippines*
5 *assembled:*

6 **SECTION 1. Short Title.** - This Act shall be known as the "Anti Game-Fixing Act".

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

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

1 **SEC. 3. Game-Fixing.**- Game-fixing in any professional or amateur sports is hereby
2 declared unlawful.

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

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

13 **SEC. 4. Other Forms of Game-Fixing.**- Game-fixing shall likewise include the
14 following acts:

15 a. Point-shaving refers to any such arrangement, combination, scheme or
16 agreement by which the skill or ability of any player or participant in a game, race or
17 sports competition to make points or scores shall be deliberately limited to influence
18 the result thereof in favor of one or the other team, player or participant therein;

19 b. Game machinations refer to any other fraudulent, deceitful, unfair or dishonest
20 means, method, manner or practice employed for the purpose of influencing the result
21 of any game, race, or sports contest; and

22 c. The act of willfully abetting, aiding, or inducing any person to commit game-
23 fixing and profiting therefrom.

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

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

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

10 **SEC. 7. Penalties.** – The following penalties are hereby imposed on persons found
11 guilty of game-fixing as herein described:

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

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

22 c. The penalty of life imprisonment or a fine of not less than Ten million pesos
23 (P10,000,000.00) but not more than Fifty million pesos (P50,000,000.00) or
24 both at the discretion of the court, when the offender is a member of a
25 syndicate as defined in Section 5 of this Act;

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

- 1 1. If the offender is a public officer, whether elected or appointed. The
2 accessory penalty of perpetual disqualification from holding any public
3 office or employment shall likewise be imposed;
- 4 2. If the offender is the partner, president, director, manager, trustee, estate
5 administrator or officer of a partnership, corporation, association or any
6 juridical entity, who directly participated, consented or knowingly tolerated
7 the game-fixing shall be held criminally liable as a principal; and
8
- 9 3. If the offender is an alien, deportation shall be imposed only after the
10 service of sentence.
- 11 e. The liability of students who are minors found to have violated any of the
12 offense defined herein shall be limited only to administrative liability pursuant
13 to the disciplinary rules and regulations of the school or institution to which
14 they belong.

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

20 **SEC. 9. Perpetual Disqualification from Participation in Amateur and**
21 **Professional Sports.-** The following persons shall be perpetually disqualified to
22 participate in any competitive sport:

- 23 a) Those engaged in professional sports if convicted by final judgment of game-
24 fixing; and
- 25 b) Those engaged in amateur sports if convicted by final judgment for the
26 second time.

27 The Philippine Sports Commission (PSC), Games and Amusements Board (GAB),
28 Department of Education (DepEd), Commission on Higher Education (CHED), and

1 other concerned agencies shall be served copies of the decision and order the
2 disqualification of a person from participating in whatever capacity in any sports in the
3 country.

4 **SEC.10. Roles of Concerned Agencies.** – The following agencies and
5 instrumentalities are mandated to perform the following tasks:

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

11 b) THE PSC shall remove athletes from the national team, including coaches and
12 other sports officials, ban athletes from participating in all PSC-organized and-
13 sanctioned amateur sports competitions, and disqualify athletes, coaches and officials
14 from being nominated for, or from receiving, any award pursuant to Republic Act No.
15 8757, otherwise known as the “Philippine Sports Hall of Fame Act”, or any award that
16 may be given in the future;

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

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

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

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

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

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

8 **SEC. 12. *Separability Clause.*** - If any part or provision of this Act is held invalid or
9 unconstitutional, the other provisions not affected thereby shall remain in full force and
10 effect.

11 **SEC. 13. *Repealing Clause.*** - The pertinent provisions on game-fixing, point-shaving
12 and game machinations in sports contests under Sections 1, 2, 3 and 4 of Presidential
13 Decree No. 483, as amended, and under Section 1 of Presidential Decree No. 1602,
14 are hereby repealed.

15 All other laws, executive orders, issuances, decrees, rules and regulations
16 inconsistent with or contrary to the provisions of this Act are deemed amended,
17 modified or repealed accordingly.

18 **SEC. 14. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication
19 in the *Official Gazette* or in a newspaper of general circulation.

20 *Approved,*

FACT SHEET

House Bill Number 8870

(In substitution of House Bills Numbered 1226 and 5281)

Approved by the Committee on Youth and Sports Development on November 25, 2020

AN ACT

PROHIBITING GAME-FIXING AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

Introduced by: Representatives Enrico A. Pineda, Michael Odylon L. Romero PhD, Angelo Marcos Barba, "Kuya" Jose Antonio R. Sy-Alvarado, John Marvin "Yul Servo" C. Nieto, Eric M. Martinez, Jericho Jonas B. Nograles, Alberto "Bobby" D. Pacquiao, Jumel Anthony I. Espino, Anthony Peter "Onyx" D. Crisologo, John Reynald M. Tiangco, Strike Revilla, Dale "Along" R. Malapitan, Faustino Michael Carlos T. Dy III, Sarah Jane I. Elago, Irene Gay F. Saulog, Aurelio "Dong" D. Gonzales Jr, Paul Ruiz Daza, Lucy Torres-Gomez, and Jose Singson, Jr.

*Committee Referral: COMMITTEE ON YOUTH & SPORTS DEVELOPMENT
Committee Chairperson: Rep. Faustino Michael T. Dy III*

OBJECTIVE:

To promote fair and competitive conduct of sports in the country by prescribing stiffer penalties for the crime of game-fixing.

KEY PROVISIONS:

- Expands the definition of game-fixing by including the acts of point-shaving and game-machinations;
- Considers the elements of "monetary gain" and "valuable consideration" as *prima facie* evidence of game-fixing;
- Defines game-fixing as committed by a syndicate when three (3) or more persons conspire or confederate with one another;
- Includes abetting, aiding, financially benefitting or attempting to commit game-fixing as other offenses;
- Penalizes game-fixing acts committed in both professional and amateur sports, including collegiate leagues;

- Prescribes the penalty of imprisonment from three (3) years and one (1) day to six (6) years or a fine of not less than One million (P1,000,000) to Five million (P5,000,000) pesos for any person found guilty of any offense defined in this Act;
- Provides stiffer penalties of imprisonment from six (6) years and one (1) day to twelve (12) years or a fine of not less than One million pesos (P1,000,000.00) but not more than Five million pesos (P5,000,000.00) when the offender is an athlete, promoter, referee, umpire, judge, coach in the game, race or sports competition;
- Prescribes life imprisonment or a fine of not less than Ten million pesos (P10,000,000.00) but not more than Fifty million pesos (P50,000,000.00) if the offender is a member of a syndicate;
- Imposes only administrative liability upon student violators who are minors;
- Penalizes even the mere proposal, attempt and conspiracy to commit game-fixing with imprisonment from one (1) year to three (3) years or a fine of not less than Five hundred thousand pesos (P500,000.00) but not more than One million pesos (P1,000,000.00);
- Imposes the penalty of perpetual disqualification from participation, in any capacity, in both amateur and professional sports upon those who found guilty of game-fixing;
- Mandates the Games and Amusement Board, Philippine Sports Commission, Department of Education, Athletic Associations, Schools, Philippine Olympic Committee and National Sports Associations to ensure strict enforcement of the accessory penalty; and
- Provides exemption from prosecution or punishment for those who shall disclose, testify or assist in the prosecution of game-fixing and all other punishable acts defined in the Act.

RELATED LAWS:

- Presidential Decree No. 483 (Penalizing Betting, Game-Fixing or Point Shaving and Machinations in Sports Contests); and
- Presidential Decree No. 1602 (Prescribing Stiffer Penalties on Illegal Gambling).