

Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
20th City Council

PO20CC-162

67th Regular Session

ORDINANCE NO. SP- 2744, S-2018

AN ORDINANCE AMENDING ORDINANCE NO. SP-493, S-1997, OTHERWISE KNOWN AS "DECLARING UNLAWFUL THE SELLING AND/OR BUYING OF ADMISSION TICKETS OUTSIDE THE AUTHORIZED OFFICIAL BOOTH, OUTLET OR PLACE DESIGNATED FOR THE PURPOSE AND PROVIDING PENALTIES FOR VIOLATION THEREOF."

Introduced by Councilors ANTHONY PETER D. CRISOLOGO, JULIENNE ALYSON RAE V. MEDALLA and FRANZ S. PUMAREN.

Co-Introduced by Councilors Lena Marie P. Juico, Elizabeth A. Delarmente, Victor V. Ferrer, Jr., Oliviere T. Belmonte, Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Ramon P. Medalla, Ranulfo Z. Ludovica, Estrella C. Valmocina, Allan Benedict S. Reyes, Gian Carlo G. Sotto, Kate Abigail G. Coseteng, Eufemio C. Lagumbay, Marvin C. Rillo, Raquel S. Malañgen, Irene R. Belmonte, Marra C. Suntay, Hero Clarence M. Bautista, Jose A. Visaya, Karl Edgar C. Castelo, Godofredo T. Liban II, Allan Butch T. Francisco, Marivic Co-Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto, Donato C. Matias, Eric Z. Medina and Noe Lorenzo B. Dela Fuente III.

WHEREAS, Section 458 (a)(1)(v) of Republic Act No. 7160, also known as the Local Government Code of 1991, states in part that, the Sangguniang Panlungsod, may enact ordinances intended to prevent, suppress and impose appropriate penalties for xxx fraudulent devices and ways to obtain money or property, xxx and such other activities inimical to the welfare and morals of the inhabitants of the City;

WHEREAS, Ordinance No. SP-493, S-1997 penalizes "scalping" or the selling or offering for sale in Quezon City of athletic, boxing tickets and/or tickets for shows and other allied activities by persons engaged thereof, or by any other person, at prices above its official prices; the aforesaid ordinance fails to provide a proper method of implementation; ✓

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WHEREAS, scalping has been a very common practice among people desiring to earn quick money;

WHEREAS, scalping has become so rampant that no sports contest, concert, stage performance, theater showing and similar undertakings take place without the scalper's presence;

WHEREAS, in cases where the event is well-attended, patrons are forced to purchase their admission tickets from scalpers at exorbitant prices;

WHEREAS, such a practice is tantamount to a fraudulent means of making money, which should be suppressed and made illegal;

WHEREAS, Section 458 (a)(4)(i) of Republic Act No. 7160, also known as the Local Government Code of 1991, states in part that, the Sangguniang Panlungsod may declare, prevent or abate any nuisance.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. TITLE – This Ordinance shall be known as the “Anti-Scalping Ordinance of Quezon City”.

SECTION 2. SCALPING – The act of selling or reselling, or attempted selling or reselling, or act of soliciting or attempted soliciting of admission tickets at a price in excess of the original price that is printed on the face thereof, in whatever form or medium, outside the authorized official booth, outlet, or place duly designated for the purpose, or from unauthorized websites or online sources, in connection with any entertainment or sporting event, similar undertakings or activities, or any event requiring admission tickets.

SECTION 3. PROHIBITION – It shall be unlawful for any person to engage in any and all kinds of Scalping activities defined in Section 2 hereof, without the written permission of the owner, operator, or manager of the property or venue where the entertainment or sporting event is to be held or is being held, or of the event organizer. X

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It is likewise prohibited to sell or attempt to sell complimentary tickets regardless of amount or any form of payment, in kind or in cash. This prohibition shall equally apply to any person or entity buying admission tickets from persons engaged in Scalping activities.

Finally, it shall be unlawful for any person or entity to finance, manage or operate Scalping activities.

SECTION 4. PENALTIES – Any person found guilty of the acts prohibited in Section 3 hereof, shall be penalized by a fine of Five Thousand Pesos (PhP5,000.00) or imprisonment of one (1) year, or both, at the discretion of the Court.

Any person who, on at least two (2) occasions, has been arrested and/or formally charged with and/or prosecuted for violation of this Ordinance and/or of Ordinance No. SP-493, S-97, shall give rise to the disputable presumption that the he/she has committed Scalping for a third time, and if adjudged guilty after trial, will be automatically sentenced to both one (1) year imprisonment and fine of Five Thousand Pesos (Php5,000.00).

SECTION 5. POSTING – Any official ticketing booth that sells or resells admission tickets shall put up a clear signage in a conspicuous place warning ticket buyers of the prohibition against Scalping and the act of buying admission tickets from persons engaged in Scalping activities, as well as the imposable penalties if found guilty.

SECTION 6. IMPLEMENTATION – The owner, operator, or manager of the property on which the entertainment or sporting event is to be held, including their respective personnel, as well as the personnel of the event organizer, or any concerned citizen may report to the nearest police station/precinct, local barangay or assigned security force unit the presence of Scalping activities conducted by any person or organization

The local barangay officials and/or law enforcers, and the security guards/personnel assigned to man and secure the venue where a particular entertainment or sporting event is held, are hereby authorized to arrest any person/members of organization who are in violation of Section 3 of this ordinance and to turn them over to the custody of the police. ✕

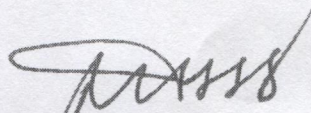
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SECTION 7. IMPLEMENTING RULES AND REGULATIONS –
Within ninety (90) days from the approval of this Ordinance, the Quezon City Police District (QCPD), Department of Public Order and Safety (DPOS), Barangay and Community Relations Department (BCRD) as well as the Business Permits and Licensing Office (BPLO) shall formulate and issue the appropriate rules and regulations necessary for the effective and efficient implementation of any and all provisions of this Ordinance.

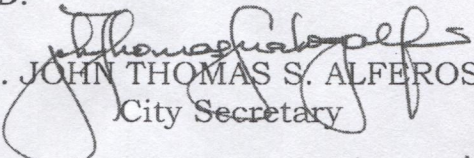
SECTION 8. SEPARABILITY CLAUSE – Should any provision of this Ordinance be declared contrary to law, public policy or good morals, the provision, sections or parts thereof not affected thereby shall continue to be in full force and effect.

SECTION 9. EFFECTIVITY – This Ordinance shall take effect immediately upon its approval.

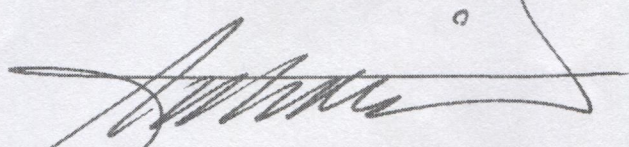
ENACTED: August 6, 2018.


RODERICK M. PAULATE
President Pro-Tempore
Acting Presiding Officer

ATTESTED:

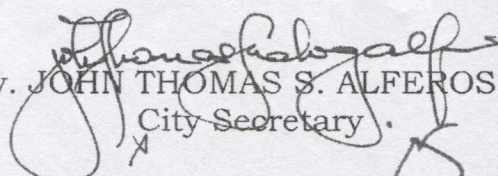

Atty. JOHN THOMAS S. ALFEROS III
City Secretary

APPROVED: 05 SEP 2018


HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on August 6, 2018 and was PASSED on Third/Final Reading on August 20, 2018.


Atty. JOHN THOMAS S. ALFEROS III
City Secretary