Republika ng Pilipinas
Lungsod Quezon
SANGGUNIANG PANLUNGSOD
(City Council)

PO95-230

69th Regular Session

ORDINANCE NO. SP- 463, S-96

AN ORDINANCE REGULATING COCKFIGHTING AND THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF COCKPITS IN QUEZON CITY, THE HOLDING OF COCKFIGHTS AND DERBIES AND THE LICENSING OF OFFICIATING PERSONNEL THEREON.

Introduced by Councilors FRANZ S. PUMAREN, EUFEMIO C. LAGUMBAY and CESAR A. DARIO, JR.
Sponsored by Councilors Victor V. Ferrer, Jr., Alberto M. Galarpe, Emilio G. Tamayo, Winston "Winnie" T. Castelo, Enrico S. Serrano, Jorge L. Banal, Nanette Castelo Daza, Bayani V. Hipol, Ramon G. Mathay and Bonifacio M. Rillon.

SECTION 1. TITLE. - This ordinance shall be known as "The Cockfighting Regulations Ordinance of 1996".

SECTION 2. SCOPE. - This Ordinance shall govern the establishment, operation and maintenance of cockpits and the regulation of cockfighting in the City.

SECTION 3. DEFINITION OF TERMS. - For purposes of this Ordinance, the following terms shall be understood, applied and construed as follows:

(a) Cockfighting (sabong) shall embrace and mean the commonly known game or term "cockfighting derby", pintakasi, tupada, or its equivalent terms in different Philippine localities.

(b) Cockpit (Sabungan) - the properly enclosed or fenced premises or compound provided with one or more gates or doors for definite points of entrance and exit and licensed in accordance herewith for the holding of cockfighting derby, pintakasi, tupada or its equivalent terms in different Philippine localities.

(c) Cockfight (soltada) - the actual fight or physical combat of two (2) pitted or evenly matched gamecocks, where bets on either sides are laid.

(d) Local Derby means a cockfight promotion participated in by local participants.

(e) Regular Cockfight means a cockfight held on Sundays or legal holidays.

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(f) Special Cockfight means a cockfight held on days other than Sundays and legal holidays and for special purposes herein enumerated.

(g) Special Permit means a permit secured from the City Mayor to hold cockfighting on days other than Sundays and legal holidays.

(h) Pit Manager - a person who professionally, regularly and habitually manages a cockpit and cockfights therein held. He may or may not be the owner of the cockpit himself.

(i) Referee (Sentenciador) - a person who watches and oversees the progress of the cockfight and declares the result by announcing the winner or declaring a draw or no contest game.

(j) Bet Manager (Kasador) - a person who calls and takes care of bets from owner of both gamecocks and those of other bettors before he orders commencement of the cockfight and thereafter distributes winning bets to the winners after deducting the 10% "plasada".

(k) Bet Taker (Kristo) - a person who participates in cockfight and with the use of money or other things of value, bets with other bettors or through other bet takers and wins or loses his bets depending upon the result of the cockfight as announced by the referee or sentenciador.

(l) Gaffer (Mananari) - a person knowledgeable in the technique of arming fighting cocks with gaff or gaffs on either or both legs.

(m) Handler (Soltador) - a person who personally takes physical custody and control inside the arena of pitted gamecock and who actually releases the same for actual fight and combat in a cockfight.

(n) Promoter - a person licensed by the City government who is engaged in the convening, meeting holding and the celebration of a specially programmed and arranged cockfighting like local derbies and competitions, special matched encounters, pintakasi, and ordinary fights or hackfights.

(o) Gamecock refers to domesticated fowls, whether imported or locally bred, as well as the native fighting cock indigenous to the country, especially bred, trained and conditioned for actual cockfighting or for propagation breeding purposes for eventual use in cockfighting.

(p) Cocker (aficionado) - a person who participates and bets in cockfighting as a sport, amusement, recreation or form of relaxation.

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(q) Matchmaker - a person who matches the cocks during derby fights.

(r) Cashier - one who receives the payments in the cockpit.

(s) Doctor - one who gives first aid and treatment to wounded cocks.

(t) Breeder - a person engaged in gamefowl breeding for propagation or personal and/or commercial purposes for eventual use in cockfighting.

FRANCHISE APPLICATION

SECTION 4. LICENSING. - No cockpit shall be established, operated and maintained without first securing a franchise from the sangguniang panlungsod and which franchise shall be for a period of ten (10) years.

SECTION 5. Only Filipino citizens, resident of Quezon City and who are not otherwise disqualified to conduct business in the Philippines shall be allowed to establish, operate and maintain a cockpit in Quezon City.

In case of partnerships, cooperatives or corporations, the paid-up capitalization should be 100% Filipino-owned and they shall have been formed, organized and established under and by virtue of the laws of the Philippines.

SECTION 6. Cockpits shall be constructed and operated only within the appropriate areas as prescribed by zoning laws and applicable ordinances. No cockpit shall be established maintained and/or operated within the radius of two hundred (200) lineal meters from any existing hospital, school building, church or other public buildings. Approval or issuance of building permit for the construction or renovation/improvement of cockpits shall be made by the City Building Official in accordance with the provisions of the National Building Code and other existing ordinances, rules and regulations.

SECTION 7. REQUIREMENTS FOR LICENSING OF COCKPITS. The following requirements must be fully complied with before a license may be issued:

A. New licenses. Every application for new license to operate or to maintain a cockpit shall be submitted to the Office of the Mayor accompanied by the following:

1. Location and vicinity plan of the cockpit;

2. Cockpit building plan/design duly approved by the City Building Official accompanied with a certification made under oath by the applicant that the cockpit was constructed in accordance with such approved plan/design in the area allowed by the zoning law/ordinance; a certification by

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the City Building Official that the location/site of the cockpit is beyond the radius of 200 lineal meters from any existing hospital, school buildings, churches, or other public buildings.

3. Official receipts showing payments of city taxes, fees and other levies prescribed by existing ordinances.

4. A health certificate for organic employees.

B. Annual Renewal. Every application for the annual renewal of a license to operate or manage a cockpit shall be submitted to the Office of the City Mayor not later than January 31st of each year, and shall be accompanied with the following:

1. Official receipts showing payments of prescribed city taxes, fees and other levies.

2. In case the cockpit was constructed more than 10 years before the date of renewal application, a certification from the City Building Official to the effect that such cockpit is free from material, structural or other physical hazards or defects.

REGISTRATION

Sec. 8. REGISTRATION OF COCKPITS - All cockpits shall be registered with the Office of the City Mayor and shall be allowed to operate provided the required permit shall have been obtained annually, not later than January 31st of the incoming year and the taxes and fees therefor paid.

An application for the issuance of a registration certificate should submit the following documents:

a. An applicant stating therein the name of the cockpit, the name of the owner/owners, the name of the operator/manager, the name of the licensee, and the postal address of the above-mentioned persons;

b. A copy of the legislative franchise granted to the owner and/or operator of the cockpit;

c. A copy of the location and vicinity plan of the cockpit;

d. a copy of the cockpit building plan;

e. a certified copy of the city license;

f. a copy of the health certificate of organic employees;

g. a copy of the current Mayor's permit;

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h. two (2) perspective photographs of the cockpits; and

i. a list of all duly licensed personnel and copy of their respective licenses.

SECTION 9. REGISTRATION OF COCKFIGHTING OFFICIALS. - The following cockfighting officials are required to register with the Office of the Mayor before they may be allowed to exercise their powers and perform their functions as such officials:

a. Promoter

b. Pit Managers

c. Referees (Sentenciador)

d. Bet Managers (Kasador)

e. Bet Takers (Kristo)

f. Gaffers (Mananari)

g. Matchmakers

h. Cashier

i. Handler

j. Doctor

Mayor's Permit which is renewable every year on or before 31st of the incoming year shall be secured by the said officials before being allowed to exercise their profession or

The permit or license issued may be revoked by the Mayor at any time when public interest so demands.

OPERATION

SECTION 10. BUSINESS PERMIT OF COCKPITS. The City Mayor shall have the authority to issue the permit required under this Ordinance subject to the limitations herein provided.

SECTION 11. LICENSED COCKPITS. Cockfights shall be held only in cockpits duly franchised and granted a permit by the Office of the Mayor through the Business Permits and Licensing Division pursuant to the provisions of this Ordinance.

SECTION 12. BARANGAY SPONSORED COCKFIGHTS. Cockfights may be sponsored by the Barangay subject to the following terms:

(a) It shall be held on the ocassion of the Barangay's foundation day anniversary.

(b) It shall be held one week before the date of the foundation anniversary and only for a maximum of two (2) days subject to Section 14 hereof.

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(c) The proceeds shall go directly to the Barangay, 40% thereof shall go to the Sangguniang Kabataan for the implementation of its sports development program.

(d) The Sangguniang Barangay shall approve with a two-thirds vote a resolution sponsoring the cockfight.

(e) The Barangay Resolution shall be submitted to the Sangguniang Panlungsod 90 days before the intended playdate and confirms the same through a resolution.

(f) The Philippine National Police (CPDC) shall be notified of the playdate one month before the same.

SECTION 13. REGULAR COCKFIGHTS. Regular cockfights shall be held only during Sundays and legal holidays; provided, however, that no cockfights shall be held on:

1. New Year's Day (January 1)
2. Holy Thursday
3. Good Friday
4. Philippine Independence Day (June 12)
5. All Soul's Day (Nov. 1)
6. Christmas Day (Dec. 25)
7. Rizal Day (Dec 30)
8. Election/Referendum Day
9. Registration Day on such election/referendum

Such regular cockfights are deemed included in the business permit to operate issued by the Business Permits and Licensing Offices and the same may be held without prior consent of the Sangguniang Panlungsod.

SECTION 14. SPECIAL COCKFIGHTS. The City Mayor may issue special permits for special cockfights to be participated in the main by cockers through invitations on certain days upon previous application duly approved by the Sangguniang Panlungsod in a resolution adopted for the following purposes, to wit,

1. For the entertainment of foreign dignitaries or for tourists or for returning Filipinos (Balikbayans)
2. For the support of national and local fund raising campaigns for charitable purposes.

The authority to hold special cockfights should always be covered by the resolution of the Sangguniang Panlungsod and the Mayor's permit.

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SECTION 15. COMPLAINTS AND PROTESTS. The Games and Amusement Board shall have jurisdiction to receive and investigate complaints and protests related to the operation and management of cockpits or the conduct of cockfights and for violations of this Ordinance. The complaints or protest must be in writing and under oath. The Office of the Mayor shall, upon approval of this Ordinance, promulgate the rules and procedures governing the disposition of such cases.

SECTION 16. OTHER GAMBLING GAMES PROHIBITED. No gambling of any kind shall be permitted within the premises of the cockpit or place of cockfighting during cockfights. The owner, manager or lessees of such cockpits and the violators of this section shall be prosecuted and held criminally liable under existing laws.

SECTION 17. PROHIBITION AGAINST MINORS. No person less than 18 years of age shall be allowed inside the premises of the cockpits during cockfights. The operator, manager or licensee shall be responsible for strict compliance with these rules and violation thereof is punishable by suspension or cancellation of license to operate cockpits without prejudice to criminal prosecution under existing ordinance or laws.

SECTION 18. ANTI-FRAUD MEASURES. The Office of the City Mayor shall adopt such measures as may be necessary to obviate the use of fraudulent means or manipulation in all aspects of cockfighting.

SECTION 19. RULES AND REGULATIONS. The City Mayor shall promulgate the rules and regulation for the effective and proper implementation of this Ordinance within twenty (20) days from the effectivity hereof.

SECTION 20. PENAL PROVISION.

a. Any person who shall operate any cockpit or promote, hold or stage cockfights without first securing the permit required under this Ordinance shall, upon conviction, be penalized with a fine of P5,000.00 or imprisonment of one (1) year, or both, at the discretion of the Court. In cases where they shall be convicted for the second and subsequent offenses, they shall be subjected to the same imprisonment.

b. Any person who shall officiate or act as cockfighting official without securing a permit shall be penalized, upon conviction, with a fine in the sum of not less than Two Thousand Pesos (P2,000.00) but not more than Five Thousand Pesos (P5,000.00) or suffer imprisonment of not less than one (1) month but not more than three (3) months, or both, at the discretion of the Court. Provided, that if convicted for the second time, a fine of not less than Three Thousand Pesos (P3,000.00) but not more than Five Thousand Pesos (P5,000.00) or imprisonment of not less than three (3) months but not more than six (6) months shall be imposed. Upon conviction for the third time, a fine of not less than Five Thousand Pesos (P5,000.00) and imprisonment of six (6) months shall be imposed.

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SECTION 21. TRANSITORY PROVISIONS. All cockpits established, maintained and operated prior to the passage of this Ordinance shall comply with all the requirements provided for herein. Otherwise, failure to do so will result in revocation of licenses and/or business permit to operate a cockpit.

SECTION 22. In aid of further legislation and in order to monitor the operation of cockpits:

a) the City Treasurer is hereby mandated to submit to the City Council, and the incumbent head of the Games and Amusement Committee, a summary of all taxes and fees paid by each cockpit operating within the City.

b) the Business Permit and Licensing Office is hereby mandated to submit to the incumbent head of the Games and Amusement Committee, a list of all applicants for franchising, registration and those granted Mayor's Permit by their office.

SECTION 23. REPEALING CLAUSE. All ordinances not consistent with the provisions of this Ordinance are hereby repealed.

All other laws governing cockfighting namely, PD 449, PD 483 and PD 1602, as amended by LOI 816, Sections 195-199 of the Revised Penal Code, and PD 1802 shall remain applicable and must be construed in harmony with the provisions of this Ordinance.

SECTION 24. EFFECTIVITY. This Ordinance shall take effect immediately upon approval.

ENACTED: October 3 1996.

MOISES S. SAMSON
Majority Floor Leader
Acting Presiding Officer

ATTEST BY:

EUGENIO M. JURILLA
City Secretary

APPROVED:

ISMAEL A. MATHAY, JR.
City Mayor

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