



4th SP
EXCERPT FROM THE MINUTES OF THE 110TH REGULAR SESSION AND 7TH ONLINE SESSION OF THE 4TH SANGGUNIANG PANLUNGSOD (SP) HELD AT THE CITY OF NAGA, CEBU ON SEPTEMBER 10, 2021.

PRESENT:

- | | |
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| HON. VIRGILIO M. CHIONG | - Vice Mayor /Presiding Officer |
| HON. JUSTINO L. DAKAY | - Majority Floor Leader |
| HON. SCOTT JUVENAL A. CHIONG | - Assistant Majority Floor Leader/Liga ng mga Barangay President |
| HON. AURELIO B. ALINSONORIN | - Sangguniang Panlungsod Member |
| HON. AFSHIN MARK K. SEÑOR | - Sangguniang Panlungsod Member |
| HON. CHARMAINE R. NAVARRO | - Sangguniang Panlungsod Member |
| HON. PORFERIO V. RESABA, JR. | - Sangguniang Panlungsod Member |
| HON. DOMINADOR A. LIBOR | - Sangguniang Panlungsod Member |
| HON. LUZMINDA R. LAPITAN | - Sangguniang Panlungsod Member |
| HON. LETECIA F. ABANGAN | - Sangguniang Panlungsod Member |
| HON. RAY A. MANABAT | - Sangguniang Panlungsod Member |
| HON. CLINT ISIDRO A. CHIONG | - Sangguniang Panlungsod Member |
| HON. JHUN MARK T. SISMAR | - SK Federation President |

ORDINANCE NO. 2021-74

Hon. Afshin Mark K. Señor - Sponsor
Chairperson, Committee on Games and Amusement



AMENDING SECTIONS 4 AND 5 OF ORDINANCE NO. 2013-003, TITLED: AN ORDINANCE PROHIBITING ALL FORMS OF ILLEGAL GAMBLING IN THE CITY OF NAGA AND PROVIDING PENALTIES THEREOF

The State condemns the existence of illegal gambling activities as a widespread social menace and source of corruption, as it has become an influential factor in an individual's disregard for the value of dignified work, perseverance and thrift.

On February 27, 2013, the Sangguniang Panlungsod (SP) of the City of Naga, Cebu enacted Ordinance No. 2013-003 to strengthen and intensify the campaign against all forms of illegal gambling and gaming within its territorial jurisdiction.

Its enactment is pursuant to Presidential Decree (PD) No. 1602 (s.1978) which explicitly defines illegal gambling activities and imposes penalties upon persons who take part in and knowingly permit illegal and unauthorized forms of gambling.

PD 1869 (s.1983), as amended, granted the Philippine Amusement and Gaming Corporation (PAGCOR) the privilege and right to operate and license gambling casinos, gaming clubs and other similar recreation or amusement places and gambling, whether on land or sea, within the territorial jurisdiction of the Philippines, while providing that its authority shall not extend to those authorized, licensed and regulated by, in and under existing franchises or other regulatory bodies, special laws, and local government units.

In this regard, this August Body deems it necessary to amend certain sections of this eight-year-old Ordinance to make it more sensible, realistic and applicable in terms of its local regulations, imposition of fines or penalties and filing of cases in court.

BE IT ORDAINED, as it is hereby **ORDAINED** by the Sangguniang Panlungsod of the City of Naga, Cebu, in a session duly assembled, that:

SECTION 1. RATIONALE. A perusal of Section 4 (Coverage) of Ordinance No. 2013-003 states that it covers any and all gambling activities not registered or affiliated with the PAGCOR. This Sanggunian likewise recognizes that any and all gambling activities, directly or indirectly related thereto, conducted without the issued Mayor's Business Permit shall be dealt with as illegal gambling.

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Moreover, the SP finds it justifiable to categorize the administrative penalties against the violators with first, second and third offenses, respectively, and with a reduced fine, instead of imposing one time hefty maximum fine of Five Thousand Pesos (P5,000.00).

The categorization of offenses is deemed fitting to warn erring individuals from committing a similar offense again and instill a sense of discipline, social responsibility and awareness against this social menace.

SECTION 2. AMENDMENT. Sections 4 and 5 of Ordinance No. 2013-003 are hereby amended to read as follows:

"SECTION 4. COVERAGE. This Ordinance shall cover any and all gambling activities not registered or affiliated with the Philippine Amusement Gaming Corporation (PAGCOR), including those similar gambling and gaming events, directly or indirectly related thereto, that may be conducted within the city's territorial jurisdiction without the issued Mayor's Business Permit."

"SECTION 5. PUNISHABLE ACTS AND ITS PENALTIES. Any person who participates in any illegal gambling activity shall pay the administrative fines, without prejudice to the penalties imposed by applicable laws and statutes against illegal gambling, enumerated hereunder as follows:

- a. 1st Offense - P 500
- b. 2nd Offense - P1,000
- c. 3rd Offense - P1,500"

SECTION 3 SEPARABILITY CLAUSE. If for any reason, any section or provision of this amended Ordinance is declared invalid or unconstitutional, the other sections or provisions not affected thereby shall remain valid and subsisting.

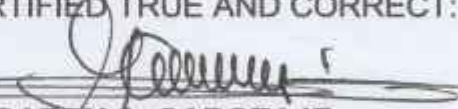
SECTION 4. REPEALING CLAUSE. All ordinances, resolutions, orders, issuances, rules, regulations, or parts thereof, which are inconsistent with any of the provisions of this Ordinance are hereby repealed, amended or modified accordingly.

SECTION 5. EFFECTIVITY. This Ordinance shall take effect upon its approval and compliance with all the pertinent requirements as provided for by law.


ENACTED BY THE SANGGUNIANG PANLUNGSOD, CITY OF NAGA, CEBU, in its Regular Session held on the 10th day of September 2021.

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CERTIFIED TRUE AND CORRECT:


GARRY A. CABOTAJE
Secretary to the Sanggunian

ATTESTED BY:


VIRGILIO M. CHIONG
Vice Mayor/Presiding Officer

APPROVED BY:


KRISTINE VANESSA T. CHIONG
City Mayor

9/14/2021