



Republic of the Philippines
MUNICIPALITY OF PANIQUI
Province of Tarlac

OFFICE OF THE SANGGUNIANG BAYAN

EXCEPRTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF PANIQUI, TARLAC HELD ON SEPTEMBER 27, 2010 AT THE SB SESSION HALL

PRESENT: Hon. Genevieve S. Linsao – *Vice Mayor/Presiding Officer*
Hon. Jayrold Z. Roxas, *member*
Hon. Christian Alfred F. Cuchapin, *member*
Hon. Evelyn S. David, *member*
Hon. Rosauro V. Tayag, *member – Majority Floor Leader*
Hon. Godofredo G. Tangonan, Jr., *member*
Hon. Dante P. Belarmino, *member*
Hon. Gerardo N. Tiangsing, *member*
Hon. William M. Ibay, Sr., *member*

ABSENT: Hon. Pedro S. Simbre (ABC Pres)-*Ex-officio member* – On Official Business
Hon. Jaydee D. Abraham (SK Fed Pres.)-*Ex-officio member*

RESOLUTION NO. 088 – 2010

WHEREAS, Section 447, par. A, sub-par. 3 (V) of R.A. 7160 otherwise known as the Local Government Code of 1991 expressly provides that the Sangguniang Bayan, being the legislative body of the municipal government, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality's inhabitants pursuant to Section 16 of this Code in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code, shall xxx grant franchise, enact ordinances authorizing the issuance of permits and licenses, or enact ordinances levying taxes, fees and charges upon such conditions and for such purposes intended the general welfare of the inhabitants;

WHEREAS, this Sangguniang Bayan deems it proper and necessary to enact this Ordinance in order to ensure an orderly conduct of cockfighting when if absent is always causing disarray among the participating aficionados;

WHEREAS, by virtue of which, it would guarantee the true and orderly conduct of the game within the municipality, considered to be the oldest sport of the Philippines, thereby affording a wholesome entertainment to regular aficionados, and visitors most especially tourists and visiting Balikbayans;

NOW THEREFORE, on motion of Councilor Christian Alfred F. Cuchapin, duly seconded by councilor Rosauro V. Tayag, RESOLVED, to approve an ordinance providing the rules and regulations for the holding of cockfighting in the municipality of Paniqui, Tarlac and for other purposes.

RESOLVED FURTHER that this resolution be enacted into an ordinance to wit,

ORDINANCE NO. 2010-011

AN ORDINANCE PROVIDING THE RULES AND REGULATIONS FOR THE HOLDING OF COCKFIGHTING IN THE MUNICIPALITY OF PANIQUI, TARLAC AND FOR OTHER PURPOSES.

Be it ordained by the Sangguniang Bayan of the Municipality of Paniqui, Tarlac in session assembled, that:

ARTICLE I
TITLE AND SCOPE

Section 1. Title – This Ordinance shall be known and cited as: “THE COCKFIGHTING ORDINANCE OF THE MUNICIPALITY OF PANIQUI, TARLAC”

Section 2. Coverage – This Ordinance shall govern the establishment, operation, maintenance and ownership of cockpit and the conduct of cockfighting within the Municipality of Paniqui, Tarlac.

Section 3. Purpose – This Ordinance is enacted for the following purposes:

3.1 - To ensure an orderly conduct of cockfighting when if absent is always causing disarray among the participating aficionados;

3.2 - To provide a wholesome entertainment to regular aficionados, and visitors most especially tourists and visiting Balikbayans;

3.3 - To generate more revenues for the municipal government through the enforcement of proper taxes due to all concerned parties.

ARTICLE II DEFINITION OF TERMS

Section 4. Definition of Terms – As used in this Ordinance, the following terms shall mean:

4.1 Cockpit – an enclosed building usually in a circular or hexagonal shape area where battles of gamecocks are being undertaken;

4.2 Cockfighting – shall mean the commonly known game or term cockfighting, derby, pintakasi, or its equivalent terms in different Philippine localities;

4.3 Bet-takers – refers to a person or persons charged in handling of bets during cockfights, or one who collects losing bets and distributes them to winning betters after deducting their commissions. They are otherwise known as “KRISTOS” and classified as follows:

4.3a Regular Bet-takers – those who are regularly employed by the owner-operator of the cockpit and hence, receive a commission as such; and

4.3b Ordinary bet-takers – those who are not employed by the owner-operator and who always stays outside the cockpit arena but nevertheless governed by the regulations of the management of the cockpit;

4.3c Bettors – those persons who arrive at the agreement that the one prove wrong in the outcome of the cockfight must pay what was stipulated;

4.3d Promoters – a person or group of persons who by means of a written or verbal invitation to cockfighting aficionados initiate the holding of hackfights or derbies.

4.3e Gaffer or “taga-tari” – refers to an individual who is capable of arming a fighting cock with a sharp metal spur fastened to the leg of a gamecock; more often to its left leg;

4.3f Referee or Sentenciador – the person officially designated by the management of the cockpit arena who endorses the rules and regulation of cockfighting itself and decides and proclaims the winning cock;

4.3g “Taga-gamot” – refers to an individual who, by customs and traditions, attend to the medical needs of a wounded gamecock;

4.3h Sultador – the owner of the gamecock himself or any person designated by him to release the gamecock for the fight;

4.3i Breeders – those engaged in the activity of producing game fowls for commercial purposes; and

4.3j Derby – a pre-scheduled cockfighting with the corresponding minimum weights and bets. It is either 2-cock; 3-cock; 4-cock; 5-cock; 6-cock; 8-cock, stag derby and international derby with specific regulations to be met and executed by participants.

**ARTICLE III
IMPOSITION OF FEES**

Section 5. Imposition of Fees. – There shall be collected an annual license fee from among those mentioned in Section 4 hereof, in accordance with the following rates, to wit:

5.1 Bet-takers:

5.1a OrdinaryP 100.00

5.1b Regular..... P 150.00

5.2 Promoters – two and a half (2½%) percent from the gross proceeds/receipts of the gate on any given hack fight or derby promoted;

5.3 Gaffer or “Taga-tari” – P 250.00 per annum;

5.4 Referee or “Sentenciador” – P250.00 per annum;

5.5 Taga gamot – P250.00 per annum;

5.6 For every scheduled cockfight day, the manager, operator, maintainer, or owner of cockpit shall pay a fee of **One Thousand (P1000.00) pesos** for its cockfight day payable on or before the scheduled cockfight day.

5.7 Special Permit Fees shall likewise be paid for the following:

5.7a International Derby – P 8,000.00

5.7b Special cockfight – P 1,100.00

5.7c Two-Cock Derby – P 1,200.00

5.7d Three-Cock Derby – P 1,300.00

5.7e Four-Cock Derby – P 2,000.00

5.7f Five-Cock derby or over – P 3,000.00

5.8 For every “sultada” for derby to be collected from winning cocks owner be remitted to the Municipal Treasury by the cockpit owner or operator. (**Sultada Fee –P50.00**).

Section 6. Time of Payment – The fees mentioned in the immediately preceding section shall be paid to the Municipal Treasurer or his duly designated representatives after fifteen (15) days from the effectivity of this Ordinance and at every expiration of licenses thereafter. A grace period of ten (10) days is granted under this section for failure to pay at the expiration date, or due date.

Section 7. Surcharge for late payment – Failure to pay the prescribed fees under Section 6 hereof during the period stipulated shall subject the person concerned to a surcharge of **25%** of the original amount due.

**ARTICLE IV
ADMINISTRATIVE PROVISIONS**

Section 8. Administrative Provisions – The following shall be the administrative provisions of this Ordinance:

8.1 Only licensed gaffers, bet-takers, referees and promoters including tagatari, gaffer shall be allowed to participate in the cockfight for any given cockfight or derby including Sundays’ regular cockfighting. Licensed persons under this section are those who have substantially complied with the payment of corresponding fees stated under Section 5 of this Ordinance.

8.2 During hackfights or derbies including Sunday's regular cockfighting, only the sultadors and referees or sentenciadors are allowed to remain inside the arena in order to ensure that there will be no obstructions to be encountered during the fight. Sultadors or any persons are strictly prohibited from giving any undue influence to the referee/sentenciador from conducting and deciding the outcome of the fight. They are instead, required to maintain position at any corners of the arena in order not to disrupt and confuse the decision of the referee, thereby attaining an orderly outcome of the game for the benefit and satisfaction of all.

8.3 Losing betters – an owner of gamecock shall effect to winners without any unnecessary delay or upon demand by winners or its management. Losing betters found betting without sufficient fund thereof shall be punished in accordance with Section 12 hereof.

8.4 Promoters of hackfights and derbies are required to secure a permit from the Sangguniang Bayan before engaging into the activity at least fifteen (15) days before, except, when the holding of the derby falls on Sundays.

8.5 The Chief of Police of the Municipality shall assign one (1) element in complete uniform of his unit inside the arena for assistance. Further, he is also required by virtue of this Ordinance, to assign four (4) elements of his unit during Sundays' regular cockfighting, including any promoted hackfight and derby to see to it that peace and order situation is properly observed and maintained. Furthermore, he is also empowered or his duly authorized representatives to inspect license of persons mentioned under Section 1 hereof for purpose of compliance of this Ordinance and finally, shall have the right to prohibit or deny participation of those persons who failed to comply with the provisions of this Ordinance particularly Section 3 of Article II. A police officer assigned in the arena is not, however, allowed to participate in any cockfighting activity.

8.6 No person shall be allowed to bring in his guns of any caliber, or any deadly weapons, except those who are duly authorized personalities with the corresponding mission order, license and permit to carry outside of residence.

Section 9. Cockpits and Cockfighting, in general.

9.1 Ownership, operation and management of cockpit. Only Filipino citizens not otherwise disqualified by existing laws shall be allowed to own, manage and operate a cockpit within the territorial jurisdiction of this municipality. Cooperative capitalization is encouraged.

9.2 Holding of cockfights – cockfighting shall be allowed only in licensed cockpit during Sundays except on LEGAL HOLIDAYS and during local fiestas except during Holy Thursday; Good Friday; election or referendum day and during registration days for such election or referendum.

9.3 Cockfighting for entertainment and charitable purposes – Subject to the preceding sub-section hereof and sub-section 8.4 of section 8, cockfighting or derby may be allowed for the entertainment of foreign dignitaries, or for tourists or for returning Filipinos, commonly known as "Balikbayans" or for the support of national fund raising campaign for charitable purposes.

9.4 Other games during cockfighting prescribed – No gambling of any kind shall be permitted within the premises of the cockpit arena during cockfights. The owner, manager, or lessee or operator of the cockpit and the participants thereof shall be criminally liable under Section 12 hereof.

Section 10. Licensing of Cockpits – Subject to the provisions of RA 7160 otherwise known as the Local Government Code of 1991, specifically under Section 447 (a) (3) (v), the Sangguniang Bayan is duly authorized to issue a license for the establishment, operation and maintenance of cockpits and regulate cockfighting and commercial breeding of gamecocks.

ARTICLE IV MISCELLANEOUS PROVISION

Section 11. No person below 18 years of age shall be allowed to participate in cockfights being held in all cockfighting arenas in the Municipality of Paniqui, Tarlac.

**ARTICLE V
PENAL PROVISIONS**

Section 12. Penalty Provision – The following penalties shall be imposed on any or all violators of this Ordinance:

12.1 For First Offense – a fine of **P 1,000.00** and or imprisonment of (1) week or both at the discretion of the proper court;

12.2 For Second Offense – a fine of **P 2,500.00** and or imprisonment of one (1) month or both at the discretion of the proper court;

12.3 For Third Offense – a fine of **P 5,000.00** and or imprisonment of three (3) months or both at the discretion of the proper court;

12.4 Perennial violators of this Ordinance after due notice and hearing shall suffer the penalty of **one (1) month to six (6) months** suspension from engaging in the cockfighting in addition to the aforementioned penalties.

In the case of cockpit owners, any violation of the provisions of this Ordinance shall mean the penalty of one(1) month to six(6) months suspension from operating the cockfighting business in addition to the aforementioned penalties.

The officers of juridical persons/corporate entities such as the president, general manager and other persons shall be liable in their personal capacity and shall be sanctioned in accordance to the provision imposing penalties to natural persons.

In case of juridical persons, the latter is under obligation to notify its employees about the violation of this Ordinance shall not be affected and shall therefore, be in full force and effect.

Section 13. Repealing Clause – Local Ordinances, Resolutions, Orders, Rules and Regulations that are inconsistent with this Ordinance are hereby repealed, modified or amended accordingly.

Section 14. Separability Clause – If any provision of this Ordinance is declared unconstitutional and or illegal, the remainder of this Ordinance shall not be affected and shall therefore, be in full force and effect.

Section 15. Effectivity Clause – This Ordinance shall take effect immediately upon satisfaction of its required publication for three consecutive issues in a newspaper of general circulation in the Province of Tarlac and the posting of the same in conspicuous places of the municipal hall.

ENACTED by the affirmative votes of Hon. Christian Alfred F. Cuchapin-*Author*; Rosauro V. Tayag, *Co-Author*; Hon. Evelyn S. David; Hon. Godofredo G. Tangonan, Jr.; Hon. Dante P. Belarmino; Hon. Gerardo N. Tiangsing; Hon. William M. Ibay, Sr.; **Abstain** Hon. Jayrold Z. Roxas.

I HEREBY CERTIFY to the correctness of the foregoing.

BETTY A. SAGABAEN
OIC- Secretary to the Sanggunian

ATTESTED:

GENEVIEVE SOCORRO S. LINSAO
Vice Mayor /Presiding Officer

APPROVED:

MIGUEL C. RIVILLA
Municipal Mayor