



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 2002-054

AN ORDINANCE REVISING ORDINANCE NO. 94-031 ENTITLED: "AN ORDINANCE PROVIDING SIMPLER AND STIFFER PENALTIES FOR PARTICIPATION OR INVOLVEMENT IN THE ILLEGAL NUMBERS GAME OF JUETENG", BY INCREASING THE PENALTIES FOR VIOLATIONS THEREOF AND ADDING NEW SECTIONS THERETO:-

Author: Hon. John G. Bongat

Be it ordained by the Sangguniang Panlungsod of the City of Naga, that:

SECTION 1. - TITLE. - This Ordinance shall be known as "AN ORDINANCE REVISING ORDINANCE NO. 94-031 ENTITLED: 'AN ORDINANCE PROVIDING SIMPLER AND STIFFER PENALTIES FOR PARTICIPATION OR INVOLVEMENT IN THE ILLEGAL NUMBERS GAME OF JUETENG', BY INCREASING THE PENALTIES FOR VIOLATIONS THEREOF AND ADDING NEW SECTIONS THERETO".

SECTION 2. - SCOPE. - This Ordinance shall cover the violation herein defined within the territorial jurisdiction of the City of Naga.

SECTION 3. - PURPOSE. - To repress the evils which undermine the social, moral and economic growth of our society, it becomes necessary, considering the lessons of the past and prevailing circumstances, to meet the demands of deterrence with a simpler and stiffer scheme of penalties for the commission of the prohibited numbers game.

SECTION 4. - DEFINITION OF TERMS. - The terms used for the purpose of this ordinance shall mean:

- a. JUETENG - refers to a scheme for the distribution of prizes by chance or through any unlawful machination among persons who have paid or agreed to pay valuable consideration for a chance to obtain or win a prize through lottery of number combinations or any other means;
- b. BETTING - refers to the act of betting money or any object or article of value or representative of value upon the result of a jueteng number combination;
- c. JUETENG OPERATOR - refers to any person or group of persons who shall act, directly or indirectly, as maintainer, conductor, banker or supporter of jueteng;
- d. MAINTAINER - refers to any person who sets up and furnishes the means with which to carry on the illegal game of jueteng;
- e. CONDUCTOR - refers to any person who manages or carries on the illegal game of jueteng;

- f. **BANKER** - refers to any person who keeps the money from which the jueteng winner is to be paid;
- g. **SUPPORTER** - refers to any person who cooperates in the conduct or maintenance of any jueteng operation by way of previous and/or simultaneous acts.

SECTION 5. - VIOLATIONS AND PENALTIES. - The following shall be considered as illegal acts or violations of this ordinance and shall be penalized in the following manner:

- a. Any person who shall take part in the game of jueteng as bettor shall be penalized both with imprisonment of three (3) months and a fine of four thousand (P4,000.00) pesos;
- b. The penalty of imprisonment for a period of one (1) year and a fine of five thousand (P5,000.00) pesos shall be imposed upon any person who, knowingly and without lawful purpose in any hour of any day, shall have in his/her possession any lottery list, paper, or other matter containing letters, figures, signs or symbols which pertain to or in any manner used in the game of jueteng;
- c. The penalty of imprisonment for a period of one (1) year and a fine of five thousand (P5,000.00) pesos shall be imposed upon:
 - i. Any jueteng operator, whether as maintainer, conductor, banker or supporter;
 - ii. Any city or barangay official, PNP official or personnel, official or personnel of any government office or agency concerned with the enforcement and administration of laws and regulations against illegal gambling, or member of the Bgy. Tanod Brigade who, with knowledge of the existence of a gambling house, place or any vehicle or vessel found within the territorial jurisdiction of the City of Naga which is used in *jueteng* operation/s, shall fail to take action in connection therewith or report the same to authorities for appropriate action, as the case may be;
 - iii. Any person who shall knowingly allow or permit any form of *jueteng* activity or operation to be conducted or maintained in an inhabited or uninhabited place or in any building, vessel or other means of transportation owned or controlled by him.

The penalties provided herein shall be served simultaneously with and the fines inclusive of those provided by existing laws of national application; and, nothing in this Section shall be construed as in any manner lessening penalties and/or fines provided by said laws.

SECTION 6. - SPEEDY TRIAL. - With all due regard to the requirement of due process, violations of this ordinance shall be speedily investigated and subject to summary proceedings and/or continuous trial in order to achieve its purpose.

SECTION 7. - IDENTITY OF THE OFFENDER. - It is hereby imposed a duty of the apprehending and/or investigating officer/s to exercise utmost diligence to ascertain the true identity and other personal circumstances of the offender.

SECTION 8. - INCENTIVES. - A system of incentives is hereby provided to assure effective enforcement:

- a. Any person, including but not limited to members of the Barangay Tanod Brigade, who shall aid, provide information to or tip the authorities leading to the apprehension of person/s referred to in Section 5 hereof shall receive the cash equivalent of thirty percent (30%) of the fine imposed thereon;
- b. Officers and members of the Philippine National Police who shall be directly involved in any apprehension which is carried out with utmost prudence and care to respect the human rights of those arrested or apprehended, shall likewise receive the cash equivalent of thirty percent (30%) of the fine imposed thereon and a special citation and commendation therefore;
- c. In addition to the above incentives, any person who shall disclose information that will lead to the arrest and final conviction of the malefactor shall be rewarded twenty percent (20%) of the cash money or articles of value confiscated or forfeited in favor of the government.

SECTION 9. - TRUST FUND. - Any and all sums of money which shall accrue to the city government by reason of this ordinance whether as fines or confiscated bets or winnings shall be placed in a trust fund which shall be devoted solely for the livelihood projects designed to alleviate the condition of the poor in the city which is reported to be the root cause of the illegal numbers game.

SECTION 10. - REPEALING CLAUSE. - Any Ordinance or part thereof which are inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 11. - EFFECTIVITY. - This ordinance, as revised, shall take effect upon its approval and publication in a local newspaper of general circulation.

ENACTED: August 7, 2002.

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

JOSE C. RAÑOLA, M.D.
City Councilor/Acting City Vice Mayor
& Presiding Officer

GIL A. DE LA TORRE
Board Secretary II
& Secretary Designate

APPROVED:

JESSE M. ROBREDO
City Mayor