



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
20th City Council

PO20CC-247

75th Regular Session

ORDINANCE NO. SP- **2773**, S-2018

AN ORDINANCE REGULATING THE OPERATION OF GAMES OF CHANCE WITHIN THE TERRITORIAL JURISDICTION OF QUEZON CITY, ESTABLISHING THE CODE OF PRACTICE FOR GAMBLING AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

Introduced by Councilors **IVY XENIA LAGMAN, FRANZ S. PUMAREN, ALEXIS R. HERRERA, RAQUEL S. MALAÑGEN, MARVIN C. RILLO, AND GODOFREDO T. LIBAN II.**

Co-Introduced by Councilors **Oliviere T. Belmonte, Estrella C. Valmocina and Irene R. Belmonte.**

WHEREAS, Quezon City views gambling as generally inimical to the interest of the people;

WHEREAS, gambling is a significant public health concern due to the considerable financial, emotional and mental harm it can cause to individuals, families and communities;

WHEREAS, notwithstanding the adverse impact of gambling, Presidential Decree No. 1869, as amended by Republic Act No. 9487, allows certain games of chance as it provides additional sources of revenue for the government, provided that these are strictly managed and made subject to close scrutiny, regulation, supervision and control by the Government;

WHEREAS, Section 1 of Republic Act No. 9487, entitled "An Act Further Amending Presidential Decree No. 1869, otherwise known as PAGCOR Charter" requires the Philippine Amusement and Gaming Corporation (PAGCOR) to obtain the consent of the local government unit that has territorial jurisdiction over the area chosen as the site for any of its operations;

A *B* *C*

WHEREAS, Republic Act No. 309, as amended by Presidential Decree No. 420, otherwise known as the decree "Creating the Philippine Racing Commission," divided the jurisdiction over horse racing between the Philippine Racing Commission and the Games and Amusements Board – the former over the sports aspect and the latter over the betting aspect. The Decree reserved to the GAB the betting aspect evidently in deference to the sound check and balance. It is to be noted that the principle of check and balance had always been the effective deterrence to the commission of anomalies;





WHEREAS, under Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the local government of Quezon City is expressly vested with police power, to promote general welfare, improve public morals, maintain peace and order, and preserve the comfort and convenience of its inhabitants;

WHEREAS, under Section 458 (a)(1)(v) of Republic Act No. 7160, the City Council is authorized to enact ordinances intended to prevent, suppress and impose appropriate penalties for gambling and other prohibited games of chance, and such other activities inimical to the welfare and morals of the inhabitants of the city;

WHEREAS, under Section 458 (a)(3) of Republic Act No. 7160, the City Council has the authority to enact ordinances granting franchises and authorizing the issuance of permits or licenses upon such conditions and for such purposes intended to promote the general welfare of the inhabitants of the city;

WHEREAS, in the case of Roble Arrastre, Inc. vs. Hon. Altagracia Villaflor (G.R. No. 128509, August 22, 2006) and the similar case of United States vs. Salaveria (G.R. No. L-13678, November 12, 1918), the Supreme Court recognized the power of local government units, in the exercise of police power, to enact ordinances providing for conditions for the issuance of business permits or licenses, to be issued by the City Mayor pursuant to Section 455(b)(3)(iv) of Republic Act No. 7160;

WHEREAS, under Section 458 (a)(4)(vii) of Republic Act No. 7160, the City Council is also authorized to regulate the establishment, operation, and maintenance of any entertainment or amusement facilities, or require the suspension or suppression of the same, or prohibit certain forms of amusement or entertainment in order to protect the social and moral welfare of the community; †



WHEREAS, the power to "regulate" means the power to protect, foster, promote, preserve, and control, with due regard to the interests, first and foremost, of the public, then of the utility and of its patrons. (Phil. Assn. of the Service Exporters, Inc. v. Torres, G.R. No. 101279, August 6, 1992, 212 SCRA 298);

WHEREAS, the conservative and pivotal distinction between the power to tax and police power rests in the purpose for which the charge is made. If generation of revenue is the primary purpose and regulation is merely incidental, the imposition is a tax; but if regulation is the primary purpose, the fact that revenue is incidentally raised does not make the imposition a tax. (Progressive Dev. Corp. v. Quezon City, G.R. No. 36081, April 24, 1989, 172 SCRA 629; Gerochi, et al. v. Dept. of Energy, et al., G.R. No. 159769, July 17, 2007, Nachura, J);

WHEREAS, given its regulatory powers and the regulatory mechanism herein provided, the Quezon City Government is empowered to regulate establishments operating games of chance, in order to protect the welfare of its inhabitants, and to shelter its inhabitants from the adverse impact of gambling, including addiction, deterioration of family and social relationships, heavy indebtedness, and other mental health problems;

WHEREAS, as early as in the year 2014, the Quezon City Government enacted Ordinance No. SP- 2285, S-2014, entitled: An Ordinance Regulating the Operation of Electronic Games (E-Games), Bingo Games, and other Games of Chance, whether Manual, Mechanical, Electronic Internet Broadband or otherwise, Operating Within the Territorial Jurisdiction of Quezon City, and Providing Penalties for Violations Thereof;

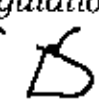
WHEREAS, effective interventions are needed to reduce the potential adverse impact of gambling activities on the citizens of Quezon City, families, and the broader social community.

NOW, THEREFORE,

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

Article I. General Principles

SECTION 1. TITLE - This Ordinance shall be known as the "Quezon City Gambling Regulatory Ordinance of 2018" and shall be enforced in conjunction with national laws, rules, and regulations. X



SECTION 2. DECLARATION OF PRINCIPLES - The Quezon City government views gambling as generally inimical to the interests of the people. It is a significant public health concern as it may result in compulsive gambling behavior or problem gambling, which in turn, causes considerable harm to individuals, families and communities. As such, it is the policy of the Quezon City Government to protect its citizens from the adverse effects of gambling, through the introduction of a broad range of strategies and policy interventions.

While the Quezon City Government views self-responsibility as important in preventing problem gambling, it is the responsibility of both the government and the operator to ensure that gambling-related harms are minimized. Towards this end, the Quezon City Government enjoins all operators of games of chance within its jurisdiction to adopt the principle of "duty of care," which calls for proactive prevention of problem gambling.

SECTION 3. DEFINITION OF TERMS.

- a. **AUTHORIZED AGENT CORPORATION (AAC)** - refers to a corporation or a cooperative duly registered with the SEC or with the Cooperative Development Authority (CDA), respectively that has applied, been duly qualified and expressly authorized by the PCSO to conduct STL in a particular area.
- b. **BARANGAY** - any barangay located in Quezon City, duly organized pursuant to the Local Government Code.
- c. **BINGO** - a game of chance played by forming patterns, out of randomly drawn numbers, on a pre-printed 5 by 5 matrix card, which may be printed on paper or card stock, or electronically represented.
- d. **CASINO** - a gambling establishment where several games of chance are available.
- e. **CHARITABLE CAUSE** - as used in the context of community organized bingo games, shall refer to any non-profit activity or advocacy aimed to benefit certain members of society other than the organizers of the bingo games operated by barangay officials, homeowners associations, senior citizens' organizations, peoples' organizations, school, religious or community organizations.
- f. **COCKPIT** - an enclosed establishment where cockfighting is conducted pursuant to applicable laws and regulations. ✕

- g. **CREDIT** – a contractual agreement whereby the borrower received money and agrees to repay the same at some future date. For purposes of this Ordinance, credit shall include credit card cash advances by credit card providers, through its own credit card facilities.
- h. **ELECTRONIC BINGO OR E-BINGO** - game of chance played using electronic gaming systems with bingo or bingo-styled cards and numbers randomly generated by a Random Number Generator (RNG) and displayed on an electronic screen. It is played through a player terminal, typically an electronic bingo machine. When a player completes any predetermined pattern or combination, the player wins the corresponding prize displayed in the pay table or the jackpot prize.
- i. **ELECTRONIC GAMES OR E-GAMES** – online-based casino terminals regulated by PAGCOR, including online sports betting.
- j. **EXCLUSION** – The process whereby a gambling customer applies to be prevented from entering gambling establishments for a specific duration of time.
- k. **GAMBLING** – refer to activities which involve wagering, odds and prizes. It means playing games of chance in casinos and gambling establishments and any variations thereof.
- l. **GAMBLING CUSTOMER** – a person who is in a gambling establishment for the purpose of playing or betting, or participating in games of chance in said establishment.
- m. **GAMBLING FACILITY** – The place or establishment wherein gambling operations is regularly conducted.
- n. **GAMBLING FLOOR** – the specific area in an establishment or building, whether enclosed or otherwise, where gambling activities are being conducted.
- o. **GAMBLING ESTABLISHMENT** – a place where games of chance are held.
- p. **GAMES OF CHANCE** – games, contests, schemes or devices in which: (i) a person stakes or risks something of value for the opportunity to win something of value; (ii) the rules of operation or play require an event the result of which is

determined by chance, outside the control of the contestant or participant; and (iii) Chance enters as an element that influences outcome in a manner that cannot be eliminated through the application of skill.

- q. **GAMING SUPPORT PROVIDER OF POGO** - refers to a company that produces proprietary products and services that may or may not be found in the gaming system of the licensee, but is an important part of the online gaming setup, e.g. payment solutions, player registration, rewards and marketing modules
- r. **HORSE RACING OUTLETS** - shall refer to race tracks constructed or conducting horse races with betting either on the results of the races or other forms of gaming derived therefrom, and either directly or by means of any mechanical, electrical, and/or computerized totalizator pursuant to applicable laws and regulations.
- s. **ILLEGAL MONEY LENDING ACTIVITIES** - means the act of lending money without authority from the Banko Sentral ng Pilipinas to act as a lending or financing institution.
- t. **INFORMAL SETTLERS** - shall refer to communities of individuals who own and occupy houses, structures, constructions and other encroachments on lands without the express consent of the landowner and who have no sufficient income for legitimate housing.
- u. **INSTITUTION OF LEARNING** - an institution offering primary, secondary, tertiary or vocational education, including tutorial and language schools.
- v. **OFFSHORE GAMING** - refers to the offering by a licensee of Philippine Amusement and Gaming Corporation (PAGCOR) authorized online games of chance via the internet using a network and software or program, exclusively to offshore authorized players excluding Filipinos abroad, who have registered and established an online gaming account with the licensee.
- w. **OPERATOR** - an individual or corporation, operating games of chance within or outside gambling facilities, whether or not possessing a license from PAGCOR, special permit or business permit.

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- x. *OFF-COCKPIT BETTING (OCB) - refers to authorized betting stations on cockfighting outside the cockpit arena.*
- y. *OFF-TRACK BETTING (OTB) - refers to authorized betting stations on horse racing outside the race track.*
- z. *PHILIPPINE OFFSHORE GAMING OPERATORS (POGO) - entities which provide and participate in offshore gaming services i.e., provide the game to players, takes bets, and pays players' winnings.*
- aa. *POGO GAMING AGENT - refers to the representatives in the Philippines of offshore-based licensees.*
- bb. *SERVICE PROVIDER OF POGO - entities who provide components of offshore online gaming operations, which include Gaming Software/Platform Provider, Business Process Outsourcing Provider, and Data/Content Streaming Provider.*
- cc. *PLACE OF WORSHIP - the establishment or location where a group of people (a congregation) comes together to perform acts of religious devotion. A venue that is used as a place of worship as its primary purpose.*
- dd. *PROBLEM GAMBLER - an individual affected by an uncontrollable urge to continue gambling without regard to consequences, to the point of no longer having normal control or rational judgment. Someone with a pattern of excessive gambling, impaired control over gambling behavior, significant negative consequences deriving from impaired control and persistence in excessive gambling despite negative consequences.*
- ee. *PROBLEM GAMBLING - an urge to continuously gamble despite harmful negative consequences. It includes, but is not limited to, the condition known as "Gambling Disorder" or "Compulsive Gambling," which is a progressive addiction characterized by increasing preoccupation with gambling, a need to bet more money more frequently, restlessness or irritability when attempting to stop, and loss of control manifested by continuation of gambling behavior in spite of mounting, serious and negative consequences.*

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- ff. **PUBLIC MARKETS** - shall refer to a market place dedicated to the service of the general public and is operated under government control and supervision as a public utility, whether it be owned by the government or any instrumentality thereof or by any private individual.
- gg. **RESPONSIBLE GAMBLING PROGRAM** - a program adopted by operators of games of chance in order to protect Gambling Customers from the adverse impact of gambling.
- hh. **RESETTLEMENT AREAS** - shall refer to areas identified by the national agency or by the local government unit with respect to areas within its jurisdiction, which shall be used for the relocation of the underprivileged and homeless.
- ii. **SMALL TOWN LOTTERY (STL)** - refers to the Philippine Charity Sweepstakes Office (PSCO) lottery conducted at the local level i.e. cities, provinces, etc., involving the collection of bets, issuance of tickets, conduct of draws, payments to winners and remittances as mandated by the 2016 Revised Implementing Rules and Regulations (IRR) for the STL Operations of the PCSO.
- jj. **SPECIAL PERMIT** - A permit issued by the Sangguniang Panlungsod, through a City Council Resolution as a prerequisite for the issuance of Business/Mayor's permit for the operation of games of chance within the territorial jurisdiction of Quezon City.
- kk. **SPORTS BETTING** - refers to another game offering under electronic games that may operate only through Sports Betting Stations.

SECTION 4. SCOPE - Unless otherwise provided herein, this Ordinance shall apply to all operators and/or owners of Bingo, Carnivals, Casino, E-Bingo, E-Games, Gaming Support Provider of POGO, Lotto Outlets, OCBs, OTBs, POGO, POGO Gaming Agent, Service Providers of POGOs, STL, and other games of chance regulated by the PAGCOR and PSCO. It also applies to gambling customers and other persons that are in gambling facilities, within the territorial jurisdiction of Quezon City. X

These rules shall not apply to barangay and community-organized bingo games with cumulative monetary and non-monetary prizes not exceeding One Hundred Thousand Pesos (P100,000.00), or games of chance operated by carnivals with cumulative monetary and non-monetary prizes not exceeding Thirty Thousand Pesos (P30,000.00).

ARTICLE II. GAMBLING REGULATORY ADVISORY COUNCIL

SECTION 1. GAMBLING REGULATORY ADVISORY COUNCIL (GRAC) - A Gambling Regulatory Advisory Council is hereby created to oversee the implementation of this Ordinance. The Gambling Regulatory Advisory Council shall be composed of the following:

The City Mayor	Chairperson
Chairperson of the Committee of Games and Amusements, Quezon City Council	Secretary
Majority Floor Leader of the City Council	Member
Minority Floor Leader of the City Council	Member
Head of Business Permits and Licensing Office	Member
Head of City Planning and Development Department	Member
Head of Department of Public Order and Safety	Member
City Treasurer	Member

Additional personnel may be appointed by the City Mayor, as Chairperson of the Gambling Regulatory Advisory Council, to ensure the effective and efficient performance of the duties and functions of the Advisory Council, such as, but not limited to:

- a. Gambling Operations Evaluator;
- b. Problem Gambling Coordinator and Helpline Manager.

SECTION 2. POWERS, DUTIES AND FUNCTIONS OF THE GAMBLING REGULATORY ADVISORY COUNCIL.

- a. Recommend the approval of fixed term special permit;
- b. Monitor compliance of Operators with the conditions of the special permit and seasonal permits;

- c. Enforce the provisions of this Ordinance, with the assistance of QCPD, PAGCOR and Operators. In this connection, the Gambling Regulatory Advisory Council is hereby authorized to request access to the premises of Operators or conduct random inspections for purposes of monitoring and evaluation, to request access to CCTV footage pursuant to Ordinance No. SP-2139, S-2012, and such data as may be specified in the conditions of the special permit of the Operator;
- d. Coordinate with the Operator and/or PAGCOR on exclusion of individuals;
- e. Evaluate and monitor the impact of gambling establishment in Quezon City and recommend policies to prevent problem gambling;
- f. Recommend adjustments in the QC Residents Gambling Fee if problem gambling is not curbed;
- g. Establish an anonymous helpline and e-mail for problem gambling; and
- h. Conduct information and education campaigns on problem gambling.

SECTION 3. APPROPRIATIONS - The funds necessary for the efficient and effective implementation of this Ordinance shall be taken from the Special Account created herein. Provided, that additional funds may be appropriated from the General Fund and other available funds of the City.

ARTICLE III. REGULATION OF GAMBLING OPERATIONS

SECTION 1. PRINCIPLE OF DUTY OF CARE - All Operators have an obligation to avoid acts or omissions that could be reasonably foreseen to injure or harm people. Operators must proactively take steps to prevent Problem Gambling and must omit from performing any act that will directly cause or exacerbate Problem Gambling. The goal of minimizing harm must be given equal, if not greater priority over revenue generation.

SECTION 2. SPECIAL PERMIT - There shall be two (2) types of Special Permit: *λ*

- a. *Short Term Special Permit* – a type of special permit allowing the seasonal operation of bingo games and games of chance operated by carnivals.
- b. *Fixed Term Special Permit* – a type of special permit allowing the operation of Bingo, Casino, E-Bingo, E-Games, Gaming Support Provider of POGOs, OCBs, OTBs, POGO, POGO Gaming Agent, Service Providers of POGOs, STL, and other games of chance on a regular basis.

Special permits are non-transferrable. Transfer of ownership of the gambling establishment shall not be recognized by the Quezon City Government and the operation by the new owner shall be considered a violation of this Ordinance.

SECTION 3. TERM OF SPECIAL PERMIT.

- a. *Short Term Special Permit* – Short term permits for the conduct of bingo games shall be limited to one (1) to three (3) days while short term permits for games of chance operated by carnivals shall be limited to fourteen (14) days. Short term permits shall have a validity of one (1) year, but such validity shall immediately expire upon the expiration of the allowed term.
- b. *Fixed Term Special Permit*
 - i. *Fixed Term Special Permits for Bingo, E-Bingo, E-Games, Gaming Support Provider of POGO, OCBs, Offshore Games, OTBs, POGO Gaming Agent, Service Providers of POGOs, STL, and other games of chance operating on a regular basis shall be valid for two (2) years from the date of approval and shall be renewed upon evaluation of the business operations of the Operator, during the years preceding the application for renewal.*
 - ii. *Fixed Term Special Permits for gambling establishments with a capitalization of at least One Billion Pesos (Php 1,000,000,000.00) shall follow the validity period of the license issued by the PAGCOR, and shall be renewed upon evaluation of the business operations of the Operator, during the years preceding the application for renewal, provided it will not exceed thirty (30) years.* x

SECTION 4. PERSONS WHO MAY APPLY FOR SPECIAL PERMITS -
The following persons may apply for a special permit:

- a. Natural persons, at least twenty-one (21) years old and Filipino citizen;
- b. Juridical persons duly registered with the Securities and Exchange Commission (SEC) or Department of Trade and Industry (DTI); and
- c. Community organizations duly accredited by the barangay, city or church where they belong.

Provided, that, natural persons and community organizations shall only be allowed to apply for short-term permits for bingo games.

SECTION 5. LOCATION OF GAMBLING OPERATIONS - No gambling facility shall be allowed to operate within a two hundred (200) meter radius from any place of worship or institution of learning, cockpits, public markets, as defined in this Ordinance.

No gaming establishment shall be allowed to operate within a five hundred (500) meter radius of another gaming establishment of the same type.


For lotto outlets, the same must be one hundred (100) meters away from institutions of learning and places of worship, except if the location is enclosed or a shopping center.

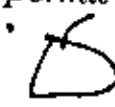
Existing operators who are not compliant with this distance requirement shall be exempt from compliance with this requirement during the subsistence of their current fixed term special permit; Provided, that the operator with the older date of establishment shall be obliged to transfer to another location.

This requirement shall not apply to POGOs, POGO Gaming Agents, Gaming Support Providers of POGO, Service Providers of POGO, and AAC.

SECTION 6. REQUIREMENTS FOR SHORT TERM SPECIAL PERMIT - The following documentary requirements must be submitted by the Operator to the Sangguniang Panlungsod for the issuance of a short term permit:

a. **BARANGAY AND COMMUNITY ORGANIZED BINGO**

- i. Application for short term special permit addressed to the City Mayor; 



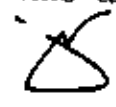




- ii. *Competent evidence of identity of the applicant. For natural persons, a government-issued document or identification card showing that applicant is a Filipino citizen and is at least twenty-one (21) years old. For juridical persons, the certificate of registration issued by either the Department of Trade and Industry (DTI) or the Securities and Exchange Commission (SEC). For homeowners association, senior citizens' organization, non-government organizations (NGOs), people's organization (POs), school, religious or community organizations, a certificate of accreditation from the barangay, city or church where they belong.*
- iii. *Barangay Council Resolution interposing no objection from the Barangay of the place where the gaming establishment intends to operate;*
- iv. *Project description, which shall also include a location or site map of gaming facilities and a certified list of monetary and non-monetary prizes to be given to winners;*
- v. *Memorandum of Agreement duly signed by the representatives of the activity organizers and target beneficiaries; and*
- vi. *Affidavit stating that, in the case of community organized bingo games, seventy percent (70%) of the proceeds shall go directly to the target beneficiaries, or, in the case of barangay organized bingo games, the proceeds shall go directly to the Barangay's general fund and shall be utilized for its development project subject to the usual accounting procedures.*

b. CARNIVAL GAMES

- i. *Application for short term special permit addressed to the City Mayor;*
- ii. *Competent evidence of identity of the applicant or certificate of registration issued by either the Department of Trade and Industry (DTI) or the Securities and Exchange Commission (SEC).*
- iii. *Letter of No Objection from the Office of the City Mayor issued by the Business Permits and Licensing Office (BPLO);*







- iv. *Barangay Council Resolution interposing no objection from the Barangay of the place where the gaming establishment intends to operate;*
- v. *Project description, including the time of operation and number of personnel;*
- vi. *Location or site map of gaming facilities;*
- vii. *Certified list of games to be operated.*
- viii. *Security plan.*

SECTION 7. GENERAL REQUIREMENTS FOR FIXED TERM SPECIAL PERMIT - *The following documentary requirements must be submitted by Operator of bingos, e-bingos, e-games, OCBs, and OTBs to the Sangguniang Panlungsod for the issuance of a fixed term special permit:*

- a. *Application form, signed and under oath addressed to the City Mayor, which shall indicate the type/s of gaming establishment that the operator intends to operate. In the case of e-games, the applicant must also indicate if a sports betting station will be operated in the premises;*
- b. *Certification from PAGCOR stating that the applicant is currently applying for the issuance or renewal of the license or, in the case of OTB, must be licensed by the Games and Amusement Board and duly authorized by either of the two (2) racing clubs allowing the OTB station.*
- c. *Competent evidence of identity of the applicant or certificate of registration issued by either the Department of Trade and Industry (DTI) or the Securities and Exchange Commission (SEC);*
- d. *Favorable recommendation from the Gambling Regulatory Advisory Council;*
- e. *Letter of No Objection from the Office of the City Mayor issued by the Business Permits and Licensing Office (BPLO);*

- f. Barangay Council Resolution interposing no objection from the barangay of the place where the gaming establishment intends to operate, and all other barangays and comment from the homeowner's association within a two hundred (200)-meter radius from the gambling establishment;
- g. Certificate of payment of taxes from the City Treasurer's Office;
- h. Project description;
- i. Location or site map of gaming facility;
- j. Business plan with projected income;
- k. Title to the property where the gambling establishment will be operated or lease contract, whichever is applicable;
- l. Floor plan of Gambling Facility showing restricted access of children from the gambling floor;
- m. Responsible Gambling Program;
- n. Disaster Risk Reduction Management Plan; and
- o. List of games intended to be offered, in case of casinos and e-games.

SECTION 8. REQUIREMENTS FOR POGOS, GAMING SUPPORT PROVIDERS AND SERVICE PROVIDERS OF POGOS - The following documentary requirements must be submitted by the POGO, Gaming Support Provider and Service Provider of POGO to the Sangguniang Panlungsod for the issuance of a fixed term special permit:

- a. Application form, signed and under oath addressed to the City Mayor;
 - b. Certification from PAGCOR stating that the applicant is currently applying for the issuance or renewal of the license;
 - c. Competent evidence of identity of the applicant or certificate of registration issued by either the Department of Trade and Industry (DTI) or the Securities and Exchange Commission (SEC);
 - d. Favorable recommendation from the Gambling Regulatory Advisory Council; 
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- e. Letter of No Objection from the Office of the City Mayor, issued by the Business Permits and Licensing Office (BPLO);
- f. Project description;
- g. Location or site map of the facility;
- h. Business plan with projected income;
- i. Title to the property where the establishment will be operated or lease contract, whichever is applicable.

SECTION 9. REQUIREMENTS FOR AAC - The following documentary requirements must be submitted by the AAC to the Sangguniang Panlungsod for the issuance of a fixed term special permit:

- a. Application form, signed and under oath addressed to the City Mayor;
- b. Competent evidence of identity of the applicant or certificate of registration issued by either the Department of Trade and Industry (DTI) or the Securities and Exchange Commission (SEC);
- c. Favorable recommendation from the Gambling Regulatory Advisory Council;
- d. Letter of No Objection from the Office of the City Mayor, issued by the Business Permits and Licensing Office (BPLO);
- e. Project description;
- f. Location or site map of the facility;
- g. Title to the property where the establishment will be operated or lease contract, whichever is applicable.

SECTION 10. PROCEDURE FOR APPLYING FOR A FIXED TERM SPECIAL PERMIT.

- a. All applications shall be accepted at any time of the year. Applications for fixed term permits or renewals thereof shall be filed within sixty (60) days prior to the expiration of their existing special permit, along with the documentary requirements. †

- b. Upon receipt of the application, the City Mayor shall forward the same to the Gambling Regulatory Advisory Council for evaluation and recommend appropriate action thereto. The said application, if favorably considered by the Advisory Council, shall be returned to the City Mayor, through the Business Permits and Licensing Office, for the issuance of a Letter of No Objection if the City Mayor finds the application favorable to the city. The City Mayor may or may not endorse the said application to the City Council for further action.
- c. In case of favorable recommendation of the City Mayor, the application with a complete set of documentary requirements and Letter of No Objection shall be forwarded to the Chairperson of the Committee on Games and Amusement.
- d. The filed City Council Resolution for fixed term special permit shall be acted upon in accordance with the Quezon City Council's Internal Rules of Procedure.
- e. Gambling establishments with a capitalization of at least One Billion Pesos (Php 1,000,000,000.00) or more, operating within the territorial jurisdiction of Quezon City, are required to secure a Letter of No Objection from the Office of the City Mayor of which function shall be delegated to the Chief of the Business Permits and Licensing Office (BPLO) prior to the issuance of all permits and licenses by the Quezon City Government. For this purpose, the Office of the City Mayor, through the BPLO, shall issue the appropriate rules and regulations governing this paragraph not inconsistent with the purposes of this Ordinance.

SECTION 11. PROCEDURE FOR APPLYING FOR A SHORT TERM SPECIAL PERMIT.

- a. Seasonal operation of bingo games and other games of chance operated by carnivals and community based organizations. Applications for short term permits should be filed at least forty-five (45) days prior to the conduct of such games of chance. †

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- b. Upon the submission of the application for short term permit, the applicant shall attach therein all the documentary requirements stated in Section 6 of this Ordinance. The Majority Floor Leader through the Secretary to the Sanggunian, shall calendar the said request in the Agenda of the Quezon City Council under Informational Matters for referral to the Committee on Games and Amusement.
- c. The Committee on Games and Amusements shall thereafter conduct an inquiry on the veracity of the request and the completeness of the documents submitted. The Committee shall thereafter submit a Committee Report to the Committee on Laws, Rules and Internal Government, containing its recommendation on whether the grant of a short term special permit is warranted under each circumstance.
- d. In case of favorable action, the Majority Floor Leader shall direct the Secretary to the Sanggunian to include in the Agenda of the City Council the Committee Report mentioned in the preceding paragraph, subject to confirmation of the majority of the members of the Sangguniang Panlungsod present constituting a quorum.
- e. If favorably considered, the applicant may obtain a Certified Copy of such from the Secretary of the Sanggunian.
- f. The BPLO shall issue the corresponding permit to the applicant.

SECTION 12. GROUNDS FOR DENIAL, REVOCATION OR DENIAL OF RENEWAL OF SPECIAL PERMITS - The following shall cause the denial, revocation or denial of renewal of special permits:

- a. Failure to appear, without justifiable cause, by the Operator or authorized representative before the Committee hearing where the application is scheduled to be heard;
- b. Falsification, alteration or misrepresentation in the application or any documentary requirement;
- c. Prior operation of gambling establishment without obtaining the special permit; X

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- d. Prior operation of gambling establishment without obtaining a business permit;
- e. Prior operation of gambling establishment without securing a favorable barangay council resolution;
- f. Use of electronic gambling machines without the required approval from PAGCOR;
- g. In case of licensees of PAGCOR, revocation of license issued by PAGCOR or, in case of OTBs, cancellation of contract with franchised racing club;
- h. In case of renewal, violation of conditions stated in the special permit in prior years or, in the case of licensees of PAGCOR, violation of the applicable regulatory manual of PAGCOR, upon the determination of the Sangguniang Panlungsod.

SECTION 13. SPECIFIC CONDITIONS FOR BARANGAY OR COMMUNITY ORGANIZED BINGO - The following conditions shall be imposed on operators of barangay or community organized bingo games:

- a. Submission of activity report - In the case of community-organized bingo games, the organizers shall submit a report to the Committee within thirty (30) days from the date of conduct of bingo games, substantial proof that seventy percent (70%) of the proceeds were given to target beneficiaries. In the case of barangay-organized bingo, proof that the proceeds were remitted to the Barangay's general fund, as certified by the Barangay Secretary.
- b. Access to credit - Community organizers or the barangay shall not allow access to credit for participation in Bingo games.
- c. Prohibited persons under Article IV shall not be allowed to enter the gambling area, whether for purposes of viewing or participating in gambling activities.
- d. No other games of chance of any kind shall be permitted on the premises where the bingo games are held. *A*

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- e. The general supervision, management of peace and order, public safety and security, sanitation and environmental protection, and the accountability for any untoward incidents in the conduct of bingo games shall be the obligation of the Operator.
- f. Other conditions may be imposed by the Sangguniang Panlungsod, whenever appropriate.

SECTION 14. SPECIFIC CONDITIONS FOR THE CARNIVAL GAMES OF CHANCE - The following conditions shall be imposed on operators of games of chance in carnivals:

- a. Submission of activity report - Report on the amount collected to the Gambling Regulatory Advisory Council not later than three (3) months after the expiration of the allowed period to operate
- b. Access to credit - Community organizers or the barangay shall not allow access to credit for participation in Bingo games.
- c. Prohibited persons under Article IV shall not be allowed to enter the carnival, whether for purposes of viewing or participating in gambling activities.
- d. No other games of chance, other than those applied for, shall be permitted.
- e. The general supervision, management of peace and order, public safety and security, sanitation and environmental protection, and the accountability for any untoward incidents in the conduct of bingo games shall be the obligation of the Operator.

SECTION 15. SPECIFIC CONDITIONS FOR FIXED TERM SPECIAL PERMITS FOR BINGOS, CASINOS, E-BINGOS, AND E-GAMES - The following conditions shall be imposed on operators of bingos, casinos, e-bingos, and e-games:

- a. All entry points of the gambling floor shall have sufficiently visible signages indicating the appropriate QC Residents Gambling Fee and the allowed number of hours for playing time, if applicable. *

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- b. Prohibited persons and excluded persons under Article IV shall not be allowed to enter the gambling establishment, whether for purposes of viewing or participating in gambling activities. All entry points of the gambling floor shall have sufficiently visible signages indicating that prohibited persons shall not be allowed to play and that winnings may be forfeited.
- c. Persons wearing school uniforms shall not be allowed to enter the gambling floor.
- d. No credit will be extended by the gaming operators to players without premium accounts and to non-VIP customers.
- e. Banking units, commercial banking facilities and automated teller machines shall not be located inside the gambling area.
- f. Gambling floor shall not be accessible to children. Electronic gaming machines shall be located in such a manner as to prevent children from closely viewing the same.
- g. Only certified electronic gaming machines shall be allowed on the Gambling Floor.
- h. The Operator shall exert genuine efforts in creating awareness among its patrons about problem gambling. All Operators shall provide access to information on Problem Gambling on information or registration booths, and such other locations as may be necessary.
- i. All employees of the Operator shall be trained on Responsible Gambling and to detect Problem Gambling and to act appropriately in order to prevent the Problem Gambler from continuous play.
- j. Visibly intoxicated persons shall not be allowed to play.
- k. Persons known to the operator to be suffering from mental health problems shall not be allowed to play.
- l. Advertising materials published within Quezon City shall not: (1) portray, encourage or condone socially irresponsible

gambling behavior; (2) be directed at children or feature people who are or who appear to be 21 years of age; (3) suggest that gambling can be a solution to financial problems; and (4) suggest greater odds of winning than in reality; (5) imply that a player's skill can influence the outcome of the activity; and (6) include misleading statements about odds and prizes.

- m. All advertising billboards shall be placed within the gambling establishments only. The DPOS and barangay officials who has jurisdiction over the place where the noncompliant advertising materials are placed are hereby authorized to remove the same.
- n. The Responsible Gambling Program of the Operator shall comply with the Responsible Gaming Code of PAGCOR.
- o. The operator shall not allow residents of Quezon City to play without charging QC Residents Gambling Fee, as provided in Article IV of this Ordinance. All fees shall be remitted to the City Treasurer's Office within thirty (30) days from the end of each month. The Operator shall not, directly or indirectly, whether in cash, bonuses, rewards or other benefits, reimburse the fees in order to circumvent the QC Residents Gambling Fee requirement.
- p. The Operator shall comply with the exclusion program of PAGCOR and shall provide its gambling customers with access to information and education materials on exclusion in its information and registration booths. Upon the request of the Gambling Regulatory Advisory Council, the Operator shall upload applications for exclusion order from the Gambling Regulatory Advisory Council on its own database to ensure strict compliance. Excluded persons shall be denied entry from the gambling floor. It shall be the duty of the Operator to prevent excluded persons from entering its facility.
- q. The Operator shall allow members of the Gambling Regulatory Advisory Council to inspect the Gambling facility.
- r. The Operator shall submit, annually, the following information to the Gambling Regulatory Advisory Council: *A*



- (1) number of excluded persons in database; (2) number of excluded persons denied entry from the gambling facility; (3) number of prohibited persons denied entry from gambling facility; (4) number of Problem Gamblers detected by employees; (5) number of Problem Gamblers referred to helpline or recovery center; (6) number of Quezon City residents that played in the gambling establishment; (7) average hours of play of registered members; (8) average hours of play of registered members from Quezon City.
- s. The Operator shall take steps to ensure that illegal moneylenders are not operating in its facility. The Operator shall immediately inform the Quezon City Police District and Gambling Regulatory Advisory Council of the apprehension of a suspected illegal moneylender, and turnover the said illegal moneylender to the authorities.
 - t. There shall be a designated non-smoking gambling area where non-smokers are protected from the harms of tobacco smoke.
 - u. No person shall be allowed entry within the premises of any gaming establishment if he or she is wearing sando, slippers or short.
 - v. The special permit shall not be transferrable.
 - w. Operations shall not be allowed during Good Friday and Black Saturday.
 - x. The employees of the gambling establishments shall be trained to respond to emergency situations.
 - y. Other conditions may be imposed by the Sangguniang Panlungsod, whenever appropriate.

SECTION 16. SPECIFIC CONDITIONS FOR FIXED TERM SPECIAL PERMITS FOR E-GAMES - In addition to the conditions imposed under Article III, Section 13, the following conditions shall be imposed on operators of e-games, and shall be stated in its fixed term special permit:

- a. No cash, no play rule shall be strictly observed. ✕

- b. Each player shall be allowed only six (6) hours of playing time at any given twenty-four (24) hours.

SECTION 17. SPECIFIC CONDITIONS FOR FIXED TERM PERMITS FOR OCBS AND OTBS -The following conditions shall be imposed on Operators of OTBs:

- a. Prohibited persons and excluded persons under Article IV shall not be allowed to enter the gambling establishment, whether for purposes of viewing or participating in gambling activities. All entry points of the gambling floor shall have sufficiently visible signages indicating that prohibited persons shall not be allowed to play and that winnings may be forfeited.
- b. Persons wearing school uniforms shall not be allowed to enter the gambling floor.
- c. No credit will be extended by the gaming operators to players.
- d. Gambling floor shall not be accessible to children. Horse racing or cockfighting video feeds shall be located in such a manner as to prevent children from closely viewing the same.
- e. The Operator shall exert genuine efforts in creating awareness among its patrons about problem gambling. All Operators shall provide access to information on Problem Gambling on information or registration booths, and such other locations as may be necessary.
- f. Visibly intoxicated persons shall not be allowed to play.
- g. Persons known to the operator to be suffering from mental health problems shall not be allowed to play.
- h. No advertising billboard shall be located within two hundred (200) meters of any place of worship or institution of learning.
- i. The Operator shall allow members of the Gambling Regulatory Advisory Council to inspect the Gambling facility. /

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- j. The Operator shall submit, annually, the following information to the Gambling Regulatory Advisory Council: (1) number of prohibited persons denied entry from gambling facility; (2) number of Problem Gamblers detected by employees; (3) number of Problem Gamblers referred to helpline or recovery center; (4) number of Quezon City residents that played in the gambling establishment.
- k. The Operator shall take steps to ensure that illegal moneylenders are not operating in its facility. The Operator shall immediately inform the Quezon City Police District and Gambling Regulatory Advisory Council of the apprehension of a suspected illegal moneylender, and turnover the said illegal moneylender to the authorities.
- l. No person shall be allowed entry within the premises of any gaming establishment if he or she is wearing sando, slippers or short.
- m. The special permit shall not be transferrable.
- n. Operations shall not be allowed during Good Friday and Black Saturday.
- o. OTBs shall comply with all the requirements prescribed by GAB provided under Resolution No. 02-42 as amended by Resolution No. 05-87, Series of 2005.
- p. OCBs and OTBs shall be located strictly within enclosed premises.
- q. Other conditions may be imposed by the Sangguniang Panlungsod, whenever appropriate.

SECTION 18. SPECIFIC CONDITION FOR POGO -The POGOs shall make sure that online games are exclusively offered to offshore authorized players and shall exclude Filipinos abroad:

SECTION 19. SPECIFIC CONDITION FOR STL AND LOTTO OPERATORS - Minors shall not be permitted to purchase STL tickets and other PCSO lottery products.

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SECTION 20. EFFECT OF VIOLATION OF CONDITIONS OF SPECIAL PERMITS - Any violation of the conditions of the special permit shall be considered as a ground for revocation or denial of its renewal, and a ground for denial of the business permit.

SECTION 21. EFFECT OF FAILURE TO OBTAIN SPECIAL PERMIT - No business permit shall be issued to any person engaged in the operation of a gambling establishment who fails to present a special permit upon application for the issuance or renewal of business permit.

The City Government reserves the right to immediately close all gambling establishments who are operating without a special permit, business permit, and/or license from PAGCOR, and those who are operating games of chance other than those for which the special permit was issued.

SECTION 22. REQUIREMENTS FOR ISSUANCE OF BUSINESS PERMIT FOR OPERATORS COVERED BY FIXED TERM PERMITS - The documentary requirements set forth under this Ordinance for the issuance of fixed term permits shall also be required for the issuance of a Business Permit by the Office of the City Mayor, in addition to existing requirements under ordinances and laws. No business permit shall be issued to banks intending to operate within the gambling floor of a gambling establishment, in violation of this Ordinance.

SECTION 23. COMPLAINTS AGAINST OPERATORS - Complaints against any Operator shall be received by the Gambling Regulatory Advisory Council for investigation or referral to the appropriate government agency for resolution.

SECTION 24. PENALTIES - In addition to or aside from the penalty under applicable national laws, rules and regulations, violated by the grantee of franchise of any of the above regulations as well as any of the provisions hereof shall be punished as follows:

- a. Any person who shall Operate gambling facilities or games of chance without the required special permit and/or business permit shall be penalized with a fine of Five Thousand Pesos (P5,000.00) and/or imprisonment of one (1) year, or both, at the discretion of the court. The same penalty shall be imposed on the owner of the establishment or facility who knowingly allowed the operation of games of chance without the required special permit. x

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- b. Any person who shall make any false representation in the required application form and other documentary requirements shall be penalized with a fine of Five Thousand Pesos (P5,000.00) and/or imprisonment of one (1) year, or both, at the discretion of the court.
- c. Any person who shall conduct illegal money lending activities within the gambling floor shall, in addition to such penalties imposed by law and other ordinances, be penalized with a fine of Five Thousand Pesos (P5,000.00) and/or imprisonment of one (1) year, or both, at the discretion of the court.
- d. Any person who shall Operate games of chance other than those specifically allowed under this Ordinance, and those allowed by law, shall be penalized with a fine of Five Thousand Pesos (P5,000) and / or imprisonment of one (1) year, or both, at the discretion of the court.

SECTION 25. FEES AND CHARGES - All gambling establishments covered by this Ordinance shall be required to pay a license fee annually equivalent to three percent (3%) of gross receipts, and such other taxes, fees and charges imposed in the Quezon City Revenue Code of 1993, as amended, or other ordinances and regulations promulgated by the Quezon City Government.

ARTICLE IV. PREVENTION OF PROBLEM GAMBLING

SECTION 1. QC RESIDENTS GAMBLING FEE - All Quezon City Residents intending to play in gambling establishments, including casinos, e-games, and e-bingos within the jurisdiction of Quezon City shall be required to pay the following amount for every consecutive period of twenty-four (24) hours:

- a. For Casinos - in the amount of One Thousand Five Hundred Pesos (P1,500.00);
- b. For E-games - in the amount of Five Hundred Pesos (P500.00). In case of establishments offering both e-games and e-bingos, the QC Residents Gambling Fee shall be Five Hundred Pesos (P500.00);
- c. For E-bingos - in the amount of One Hundred Pesos (P100.00).

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In the case of gambling establishments offering annual membership, the fee shall be in the amount of Thirty Thousand Pesos (P30,000.00). All QC Residents Gambling Fee to be collected shall be remitted to the City Treasurer's Office and shall be used for the management and operation of the Responsible Gambling helpline and treatment of problem gambling.





For purposes of determining whether the gambling customer is a Quezon City Resident, the gambling establishment shall, before providing the gambling customer with a membership or registration form, converting cash to chips, or at any time during play, require the gambling customer to present two (2) valid government-issued identification cards with address.

SECTION 2. SPECIAL ACCOUNT - All fees, fines and other charges collected under this Ordinance shall be deposited to a special account to be used exclusively to support the implementation of this Ordinance.

SECTION 3. PROHIBITED PERSONS - The following persons are not allowed to play in gambling establishments:

- a. Government officials and employees and their spouses and children including Quezon City Government officials and employees;
- b. Members of the Armed Forces of the Philippines or the Philippine National Police;
- c. Persons under 21 years of age or students of any school, college or university in the Philippines.

SECTION 4. EXCLUSION - All persons in the National Database of Restricted Persons of PAGCOR, and those persons who submitted applications for self-exclusion, shall be prohibited from entering gambling facilities.

- a. Mandatory exclusion of all beneficiaries of QC government. All persons receiving aid from the Quezon City Government, in the form of financial assistance, scholarship, referral to hospitals, and the like, and their parents and/or spouses, shall be required to accomplish self-exclusion forms, which shall be uploaded by all Operators of gambling establishment within the jurisdiction of Quezon City to their own database and submitted to PAGCOR.   
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- b. *Mandatory exclusion of all officials and employees of Quezon City Government. All officials and employees of the Quezon City Government shall be required to accomplish self-exclusion forms, which shall be uploaded by all Operators of gambling establishments within the jurisdiction of Quezon City to their own database and submitted to PAGCOR.*
- c. *Self or Family Exclusion. Persons or family members who need assistance in applying for self-exclusion or exclusion of a family member, may seek assistance from the Gambling Regulatory Advisory Council.*

SECTION 5. MINORS - Minors shall not be permitted to access or loiter on the gambling floor. Any minor found on the gambling floor, whether unaccompanied or otherwise, shall be requested to exit the gambling floor. The Operator shall take steps in ensuring that minors are prevented from accessing the gambling floor and/or closely viewing gambling activities.

SECTION 6. BENEFICIARIES OF QUEZON CITY GOVERNMENT - Beneficiaries of the Quezon City Government that have signed and submitted the self-exclusion form shall be barred from entering gambling establishments. Any beneficiary found to have entered a gambling establishment may be denied aid in the future, unless said beneficiary undergoes a seminar on Problem Gambling or treatment for Problem Gambling.

SECTION 7. PENALTY FOR FALSE REPRESENTATION TO GAIN ACCESS OR AVOID QC RESIDENTS GAMBLING FEE - Any person who shall make false representations to gain access to the gambling floor or to avoid the payment of the fee imposed in this Ordinance on Quezon City Residents shall be penalized with a fine of Five Thousand Pesos (P5,000.00) and/or imprisonment of one (1) year, or both, at the discretion of the court.

SECTION 8. PENALTY FOR ALLOWING MINORS ON THE GAMBLING FLOOR - Parents of minors and Operators who shall allow minors inside the gambling floor shall be penalized with a fine of Five Thousand Pesos (P5,000.00) and/or imprisonment of one (1) year, or both, at the discretion of the court. #

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ARTICLE V. TREATMENT OF PROBLEM GAMBLING

SECTION 1. PROBLEM GAMBLING HELPLINE - The Gambling Regulatory Advisory Council shall establish a Problem Gambling Help Line which shall be confidential, and which shall be operated 24/7. Operators of the helpline shall be trained to communicate with Problem Gamblers.

SECTION 2. INFORMATION AND EDUCATION CAMPAIGN - The Gambling Regulatory Advisory Council shall conduct information and education campaigns on Responsible Gambling. Before the operation of gambling establishment within a 1 km radius of an institution of learning, the Gambling Regulatory Advisory Council shall mandate the affected institutions of learning to conduct a seminar on Problem Gambling.

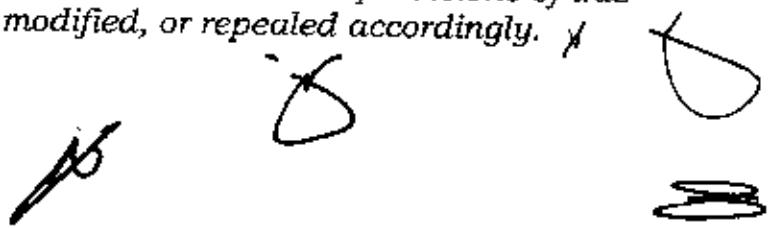
SECTION 3. CONTINUOUS MONITORING AND EVALUATION OF IMPACT TO QUEZON CITY RESIDENTS ON PROBLEM GAMBLING - The Gambling Regulatory Advisory Council shall regularly collect data from gambling establishments in order to monitor and evaluate the impact of operations of gambling establishments on the residents of Quezon City and the community. When it is evident, from the data collected that the operations of gambling establishments have significant deleterious effects on the affected community, the Gambling Regulatory Advisory Council shall recommend the denial of the renewal of special permits, or a temporary ban on new gambling establishments until corrective actions are taken, or such other policy recommendations as appropriate.

SECTION 4. ASSISTANCE TO PROBLEM GAMBLERS FOR TREATMENT IN ACCREDITED FACILITY - The Gambling Regulatory Advisory Council shall assist problem gamblers seeking assistance for treatment for Problem Gambling, by referring them for exclusion or treatment in accredited facilities.

ARTICLE VI. MISCELLANEOUS PROVISIONS

SECTION 1. IMPLEMENTATION - Within sixty (60) days from the effectivity of this Ordinance, the Gambling Regulatory Advisory Council shall promulgate the Implementing Rules and Regulations of this Ordinance for its effective, consistent, and strict implementation.

SECTION 2. REPEALING CLAUSE - All other Ordinances, Executive Orders or parts thereof which are inconsistent with the provisions of this Ordinance are hereby amended, modified, or repealed accordingly. ✓


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SECTION 3. SEPARABILITY CLAUSE - If any part or provision of this Ordinance is declared unconstitutional or invalid, the same shall not affect the validity and effectivity of the other parts or provisions of this Ordinance.

SECTION 4. TRANSITORY PROVISIONS - The provisions of this Ordinance shall only be applied to existing gambling facilities upon their renewal of special permits and business permits.

SECTION 5. EFFECTIVITY CLAUSE - This Ordinance shall take effect ten (10) days after its publication in a newspaper of general circulation and posted in at least three (3) conspicuous places in Quezon City, in compliance with Section 59, Chapter 3, Title II, Book 1 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, as amended.


ENACTED: October 1, 2018.


MA. JOSEFINA G. BELMONTE
City Vice Mayor
Presiding Officer

ATTESTED:

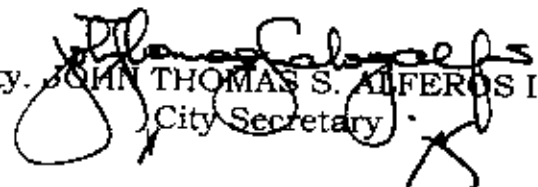

Atty. JOHN THOMAS S. ALFEROS III
City Secretary

APPROVED: 03 DEC 2018


HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on October 1, 2018 and was PASSED on Third/Final Reading on October 15, 2018.


Atty. JOHN THOMAS S. ALFEROS III
City Secretary