



Republic of the Philippines  
**SANGGUNIANG PANLUNGSOD**  
City of Mandaluyong

ORDINANCE NO. 554, S-2014

**AN ORDINANCE REGULATING THE OPERATION OF COMMERCIAL  
BINGO IN THE CITY OF MANDALUYONG PRESCRIBING  
REQUIREMENTS AND THE IMPOSITION OF TAXES  
AND/OR LEVIES AND PENALTIES THERETO**

WHEREAS, under Presidential Decree No. 1869, it requires all persons primarily engaged in gambling authorized by the government to register and affiliate their businesses with the Philippine Amusement and Gaming Corporation (PAGCOR);

WHEREAS, under the aforesaid Decree, Philippine Amusement and Gaming Corporation (PAGCOR) was vested the authority to exercise regulatory powers with respect to operation, capitalization and organizational structure over businesses primarily engaged in gambling authorized by the government;

WHEREAS, under Section 458 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the Sangguniang Panlungsod has the authority to grant franchises, enact Ordinances authorizing the issuance of permits and licenses, levying taxes, fees and other charges;

WHEREAS, all laws, acts, charters, etc., which are inconsistent with Republic Act 7160 are impliedly repealed. Thus, with respect to City charters, the provisions thereof which are inconsistent with Republic Act No. 7160 are impliedly repealed, indicating that this Code is the primary law in reference to those charter;

WHEREAS, under this circumstance, the City Government through its Sangguniang Panlungsod is not precluded in regulating the operation of Commercial Bingo, prescribing requirements and the imposition of taxes and/or levies and penalties thereto.

NOW, THEREFORE, be it ordained by the Sangguniang Panlungsod of the City of Mandaluyong, in a session assembled, that:

CHAPTER I  
TITLE AND DEFINITION OF TERMS

ARTICLE I  
TITLE OF ORDINANCE

SECTION 1. This Ordinance shall be known and referred to as the "ORDINANCE REGULATING THE OPERATION OF COMMERCIAL BINGO IN THE CITY OF MANDALUYONG, PRESCRIBING REQUIREMENTS AND THE IMPOSITION OF TAXES AND/OR LEVIES AND PENALTIES THERETO".

ARTICLE 2  
DEFINITION OF TERMS

SECTION 2. When used in this Ordinance, the term:

- a. AMUSEMENT – a pleasurable diversion and entertainment. It is synonymous to relaxation, avocation, pastime or fun;

- b. AMUSEMENT PLACES – includes theaters, cinemas, concert halls, circuses and other places of amusement where one seeks admission to entertain oneself by seeing or viewing the show or performances or actively participating thereto;
- c. BUSINESS – a trade or commercial activity regularly engaged in as a means of livelihood or with a view to profit;
- d. FEE – a charge fixed by law or Ordinance for the regulation or inspection of a business or activity;
- e. FRANCHISE – a right or privilege affected with public interest which is conferred upon private persons or corporations, under such terms and conditions as the government and its political subdivisions may impose in the interest of public welfare, security and safety;
- f. CORPORATION – includes partnerships, no matter how created or organized, joint stock companies, joint accounts, associations, but does not include general professional partnerships;
- g. TAXES – money—paid to the government in return for its services and protection;
- h. LICENSE FEE – any amount of money fixed by law collected for the purpose of regulation;
- i. BINGO – a short form of game of chance played for prizes generally by using cards or sheets bearing numbers from 1 to 75 and with letters B, I, N, G, and O appearing in the order thereon;
- j. BINGO SESSION – a series of Bingo games where winning patterns and payouts/prizes for every game are predetermined therefore.

## CHAPTER II OPERATION OF COMMERCIAL BINGO

- SECTION 3. The authority to operate Commercial Bingo shall be in accordance with the rules and regulations as issued and/or promulgated by the Philippine Amusement and Gaming Corporation (PAGCOR) and the operation of Commercial Bingo shall not include the playing of games not related to or other than Bingo.
- SECTION 4. The Commercial Bingo shall be operated and conducted only within a venue or area classified as commercial pursuant to the Mandaluyong Tax Code and that of the City Zoning Ordinance.
- SECTION 5. All Commercial Bingo operators and those who desires to operate one within the City of Mandaluyong shall, prior to its operations, secure a franchise from the City, notwithstanding the issuance of a franchise from the Philippine Amusement and Gaming Corporation (PAGCOR), secure the necessary Mayor's Permit to operate, pay the required license fees pursuant to existing laws and in relation to the Mandaluyong Revenue Code.



SECTION 6. AGE LIMIT. The operator of Commercial Bingo doing business within the territorial jurisdiction of the City of Mandaluyong by virtue of a franchise granted by Philippine Amusement and Gaming Corporation (PAGCOR) and the business permit and license issued by the City Government is enjoined not to allow individuals eighteen (18) years old and below, whether or not accompanied by their parents or guardian, to play and win conventional bingo games while inside their Bingo Hall. The operator shall provide for space and wholesome entertainment or activities, other than the playing of conventional bingo games, to those excepted individuals while inside their bingo hall. Moreover, students in uniform shall not be allowed to enter the bingo hall.

For electronic bingo, individuals below twenty-one (21) years old are strictly prohibited to play.

SECTION 7. VALIDITY AND/OR EFFECTIVITY OF FRANCHISE. The franchise or operator of said Commercial Bingo shall be granted authority to operate which will be valid for five (5) years from the issuance thereof. Thereafter, all Commercial Bingo operators after the approval and immediately upon the effectivity of this Ordinance shall pay a franchisee tax to the City Treasurer which is payable on a yearly basis at the rate of fifty (50%) percent of one (1%) percent of the gross annual receipts which shall include both cash and sales on account realized the preceding calendar year within the territorial jurisdiction of the City of Mandaluyong pursuant to Section 4 of Ordinance No. 253, S-2002.

SECTION 8. All records of Commercial Bingo operators shall be made available to the City Business Permits and License inspectors for regular and random inspections to ensure that such operators complied with their obligations to the City Government and that such operators are mandated to report of their operations and financial statements including any transactions entered into by them.

SECTION 9. The franchisee operating a Commercial Bingo has no right to assign the franchise granted unto it by the City Government or otherwise, transfer it in any manner or sell, lease, license or permit others to use it.

### CHAPTER III PENALTY IMPOSED TO FRANCHISEE IN CASE OF VIOLATION OF THIS ORDINANCE

SECTION 10. Any violation of the terms and conditions prescribed in the grant of franchise and that of the terms and conditions prescribed in the Mayor's Permit shall be punished by imprisonment of not less than six (6) months but not exceeding one (1) year or a fine of One Thousand Pesos (P1,000.00) but not more than Five Thousand Pesos (P5,000.00) or both at the discretion of the Court without prejudice to the imposition of other administrative sanctions or penalties as may be warranted by the premises.

NB: a. SECTION 6. AGE LIMIT was taken from Section 1 Ordinance No. 284, S-2004  
b. SECTION 7. VALIDITY was taken from Section 1 Ordinance No. 408, S-2004

CHAPTER IV  
SEPARABILITY CLAUSE

SECTION 11. If for any reason or reasons, any part or provision of this Ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

CHAPTER V  
REPEALING CLAUSE

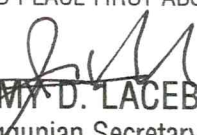
SECTION 12. Ordinance Nos. 196, S-1998, 281, S-2004; 284, S-2004 and 408, S-2008 and other Ordinances inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

CHAPTER VI  
EFFECTIVITY OF THIS ORDINANCE

SECTION 13. This Ordinance shall take effect immediately upon approval.

ENACTED on this 17<sup>th</sup> day of September, 2014 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE  
WAS ENACTED AND APPROVED BY THE SANGGUNIANG  
PANLUNGSOD OF MANDALUYONG IN A SPECIAL SESSION  
HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.

  
JIMMY D. LACEBAL  
Sanggunian Secretary

PRESIDED BY:

APPROVED.

  
ANTONIO DS. SUVA  
Councilor &  
Acting Presiding Officer

  
BENJAMIN DC. ABALOS, JR.  
City Mayor

Date: OCT 02 2014

NB: This Ordinance repeals Ordinance No. 189, S-1998; No. 281, S-2004; and No. 408, S-2008 which were originally enacted on September 27, 1998; May 26, 2004; July 28, 2004 and August 20 2008, respectively.