

PRESIDENTIAL DECREE NO. 1802 - CREATING THE PHILIPPINE GAMEFOWL COMMISSION

WHEREAS, Cockfighting as a Filipino heritage has developed to the extent that there is a need to reconcile the interest of Filipino gamefowl breeders and the interest of promoters/operators of international cockfight derbies who make use of imported gamefowls;

WHEREAS, a recognition of the entertainment and attraction to tourism aspects of cockfighting must be coupled with continuous government regulation of such sport;

WHEREAS, there is need to consolidate in one agency the authority, functions and responsibilities pertinent to the regulation of the various aspects of cockpit operation, cockfighting and gamefowl breeding governments as provided for the Revised Penal Code and various ordinances and national agencies as provided for in their enabling acts and statutes;

WHEREAS, in keeping with the multifaceted reforms and changes, there was a need to amend Sections 2285 and 2286 of the Revised Administrative Code through the promulgation of Presidential Decree No. 449;

WHEREAS, in furtherance of the avowed policies of the government on cockfighting as contained in Presidential Decree No. 449, there is need to incorporate relevant details which are not explicitly provided in Executive Order No. 636;

WHEREAS, under Presidential Decree No. 1416, the President is empowered to undertake such organizational and related improvements as may be appropriate in the light of changing circumstances and new developments.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

Section 1. Creation of the Philippine Gamefowl Commission. — There is hereby created under the Office of the President, the Philippine Gamefowl Commission, hereinafter referred to as the Commission, which shall be composed of nine (9) members, as follows: the Director of Animal Industry, the Chairman of the Games and Amusement Board; a representative of the Ministry of Local Government and Community Development; a representative of the Ministry of Tourism; a representative of the Ministry of Finance; and four (4) other members from the private sector to be appointed by the President, one of whom shall be a representative of a nationwide recognized cockpit owners/operators association.

The President shall designate the chairman of the Commission from among its members.

Section 2. Powers and Functions of the Commission. — The Commission shall have the following powers, functions and duties:

- a) Promulgate and enforce rules and regulations relative to the holding of cockfight derbies and cockfights in the Philippines including the frequency sites, conduct and operation of such derbies and cockfights;**
- b) Issue licenses for the holding of international derbies;**
- c) Prescribe policy guidelines for the issuance of permits by the Bureau of Animals Industry for the importation or entry of gamecocks into the country for breeding or competition purposes;**
- d) Fix and periodically revise whenever necessary subject to the approval of the Ministry of Finance, the rates of license fees and other levies that may be imposed on local derbies and cockfights and international cockfight derbies, cockpit personnel and employees;**

- e) To promulgate rules and regulations relative to the holding, methods, procedures, operations and conduct of cockfighting in general as well as accreditation of cockpit personnel and association of cockpit owners, operators and lessees, to elevated the standard of cockfighting;
- f) To promulgate its own rules and procedures relative to the conduct of its own business;
- g) To appoint an Executive-Director, subordinate officials and other personnel of the Commission and fix their compensation;
- h) To establish uniform rules and regulations to govern actual cockfighting enforceable in all cockpits in the Philippines and to provide sanctions for violation thereof;
- i) To deputize any government office, entity, agency and public officer in the implementation of all laws, decrees, letters of instructions, general orders pertinent to cockfighting rules and regulations issued by the Commission;
- j) To initiate, undertake, hear and decide any investigation for any violation of this Decree, rules and regulations of the Commission and in connection therewith, to issue subpoena and subpoena duces tecum;
- k) To perform such duties and exercise such powers as may be necessary or incidental to achieve the objectives of this Decree;
- l) To perform such other functions as may be authorized by law.

Section 3. The terms defined in Presidential Decree No. 449 and Executive Order No. 636 are herein deemed incorporated.

Section 4. City and Municipal Mayors with the concurrence of their respective Sangguniang Panlungsod or Sangguniang Bayan, shall have the authority to license and regulate regular cockfighting, under the supervision of the City Mayor and the Provincial Governor, as the case may be. (See PD 1802-A)

Section 5. Such amount as may be necessary for the operating expenses of the Commission for the current and immediately following calendar year is hereby authorized to be appropriated out of the appropriations for the Commission shall be included in the general appropriations act.

Section 6. Penal Provision. — Punishable offenses as provided for in P.D. 449 shall remain punishable under this Decree and any violation of the rules and regulations forthwith to be issued by this Commission shall be treated in accordance with the penal sanctions provided therein.

Section 7. Repealing Clause. — All laws, specifically the provisions of the Customs and Tariff Code allowing auction of illegally imported gamecocks, decrees, charters, executive orders, administrative orders, proclamations, rules and regulations of parts thereof that are in conflict with this Decree are hereby repealed or modified accordingly.

Section 8. Effectivity. — This Decree shall take effect immediately.

Done in the City of Manila, this 16th day of January, in the year of Our Lord, nineteen hundred and eighty-one.