

# [ PRESIDENTIAL DECREE NO. 449, May 09, 1974 ]

## COCKFIGHTING LAW OF 1974

**WHEREAS**, cockfighting has been and still is a popular, traditional and customary form of recreation and entertainment among Filipinos during legal holidays, local fiestas, agricultural, commercial and industrial fairs, carnivals or expositions;

**WHEREAS**, by reason of the aforestated meaning and connotation of cockfighting in relation to Filipino customs and traditions, it should neither be exploited as an object of commercialism or business enterprise, nor made a tool of uncontrolled gambling, but more as a vehicle for the preservation and perpetuation of native Filipino heritage and thereby enhance our national identity.

**NOW, THEREFORE, I, FERDINAND E. MARCOS**, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and order to be part of the laws of the land, the following:

**SECTION 1. Title.**—This Decree shall be known as the "Cockfighting- Law of 1974".

**SEC. 2. Scope.**—This law shall govern the establishment, operation, maintenance and ownership of cockpits.

**SEC. 3. Declaration of Policy.**—It is hereby declared a policy of the government to insure within the framework of the New Society maximum development and promotion of wholesome recreation and amusement to bring about the following goals:

- a. To effectively control and regulate cockfighting towards its establishment as a national recreation, relaxation and source of entertainment;
- b. To provide additional avenue for our tourism program; and
- c. To remove and prevent excessive and unreasonable business operation and profit considerations in the management of cockpits and, instead preserve Philippine customs and traditions and thereby enhance our national identity.

**SEC. 4. Definition of terms.**—As used in this law, the following terms shall be understood, applied and construed as follows:

- a. *Cockfighting*.—shall embrace and mean the commonly known game or term "cockfighting derby, pintakasi or tupada", or its equivalent terms in different Philippine localities.
- b. *Zoning Law or Ordinance*.— Either or both national or local city or municipal legislation which logically arranges, prescribes, defines and apportions a given political subdivision into specific land uses as present and future projection of needs warrant.
- c. *Bet Taker or Promoter*.—A person who calls and takes care of bets from owners of both gamecocks and those of other betters before he orders commencement of the cockfight and thereafter distributes won bets to the winners after deducting a certain commission.
- d. *Gaffer (Taga Tari)*.—A person knowledgeable in the art of arming fighting cocks with gaff or gaffs on either or both legs.
- e. *Referee (Sentenciador)*.—A person who watches and oversees the proper gaffing of fighting cocks, determines the physical condition of fighting cocks

while cockfighting is in progress, the injuries sustained by the cocks and their capability to continue fighting and decides and make known his decision by word or gestures the result of the cockfight by announcing the winner or declaring a tie or no contest game.

- f. *Bettor*—A person who participates in cockfights and with the use of money or other things of value, bets with other bettors or through the bet taker or promoter and wins or losses his bet depending upon the result of the cockfight as announced by the Referee or Sentenciador. He may be the owner of fighting cock.

**SEC. 5. Cockpits and Cockfighting: In General:**

- a. *Ownership, Operation and Management of Cockpits*.—Only Filipino citizen not otherwise inhibited by existing laws shall be allowed to own, manage and operate cockpits. Cooperative capitalization is encouraged.
- b. *Establishment of Cockpits*.—Only one cockpit shall be allowed in each city or municipality, except that in cities or municipalities with a population of over one hundred thousand, two cockpits may be established, maintained and operated.
- c. *Cockpits Site and Construction*.—Cockpits shall be constructed and operated within the appropriate areas as prescribed in the Zoning Law or Ordinance. In the absence of such law or ordinance, the local executives shall see to it that no cockpits are constructed within or near existing residential or commercial areas, hospitals, school buildings, churches or other public buildings. Owners, lessees, or operators of cockpits which are now in existence and do not conform to this requirement are given three years from the date of effectivity of this Decree to comply herewith. Approval or issuance of building permits for the obstruction of cockpits shall be made by the city or provincial engineer in accordance with their respective building codes, ordinances or engineering laws and practices.
- d. *Holding of Cockfights*.—Except as provided in this Decree, cockfighting shall be allowed only in licensed cockpits during Sundays and legal holidays and during local fiestas for not more than three days, it may also be held during provincial, city or municipal agricultural, commercial or industrial fair, carnival or exposition for a similar period of three days upon resolution of the province, city or municipality where such fair, carnival or exposition is to be held, subject to the approval of the Chief of Constabulary or his authorized representative: *Provided* that, no cockfighting on the occasion of such a fair, carnival or exposition shall be allowed with the month of a local fiesta or for more than two occasions a year in the same city or municipality: *Provided, further*, That no cockfighting shall be held on December 30 (Rizal Day), June 12 (Philippine Independence Day) November 30 (National Heroes Day), Holy Thursday, Good Friday, Election or Referendum Day and during Registration Days for such election or referendum.
- e. *Cockfighting for Entertainment of Tourists or for Charitable Purposes*.—Subject to the preceding subsection hereof, the Chief of Constabulary or his authorized representative may also allow the holding of cockfighting for the entertainment of foreign dignitaries or for tourists, or for returning Filipinos, commonly known as "Balikbayan", or for the support of national fund-raising campaigns for charitable purposes as may be authorized by the Office of the President, upon resolution of a provincial board, city or municipal council, in licensed cockpits or in playgrounds or parks: *Provided*, That this privilege shall be extended for