

**[ REPUBLIC ACT NO. 9368, January 14, 2007 ]**

**AN ACT GRANTING THE MINDANAO JOCKEY AND COUNTRY CLUB, INC., A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A RACETRACK FOR HORSE RACING IN DAVAO CITY**

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

SECTION 1. *Nature and Scope of Franchise.* - Any provision of law to the contrary notwithstanding, there is hereby granted to the Mindanao Jockey and Country Club, Inc., a corporation duly organized and registered under the laws of the Philippines, hereinafter referred to as the grantee, a franchise to construct, operate and maintain one racetrack in Davao City, establish such branches thereof for booking purposes anywhere in the Philippines, and hold or conduct horse races with bettings on the results of races, either directly or by means of any mechanical, electrical and/or computerized totalizator, and to do and carry out all such acts, deeds and things as may be necessary to give effect to the foregoing: *Provided*, That the establishment of off-track betting stations anywhere in the country shall be subject to the approval/consent of the local government units where the off-track betting station shall be established, and in case of a municipality or component city, approval or consent of the provincial government shall likewise be obtained.

SEC. 2. *Authority of the Philippine Racing Commission and the Games and Amusement Board (GAB).* - The races to be conducted by the grantee shall be under the supervision and regulation of the Philippine Racing Commission, which shall enforce the laws, rules and regulations governing horse racing, including the framing and scheduling of races, the construction and safety of racetracks, the allocation of prizes for winning horses and the security of racing. All racing officials and personnel of the grantee shall be duly licensed by the Philippine Racing Commission pursuant to Presidential Decree No. 420, as amended: *Provided*, That the personnel directly involved in betting shall be licensed by the GAB, and the GAB shall continue to supervise and regulate the betting in horse races as provided in Sections 6, 11, 15, 18 and 24 of Republic Act No. 309 or the Act to Regulate Horse Racing in the Philippines, as amended.

SEC. 3. *Term of Franchise.* - This franchise shall be for a term of twenty-five (25) years from the date of effectivity of this Act unless sooner revoked or cancelled. The grantee shall secure from the Department of Environment and Natural Resources, the Department of Land Reform and such other government agencies concerned the necessary environmental compliance certificate and other permits for the construction of its racetrack within three years from the effectivity of this Act. The grantee shall commence operation within three years from the start of such construction.

SEC. 4. *Computerized and/or Mechanical Devices.* - The grantee shall provide and operate, and is hereby authorized to do and carry out all such acts, deeds and things as may be necessary for the effective conduct of the business under this franchise, and to achieve an orderly, clean and honest horse racing in the conduct thereof, the grantee shall in particular, provide and operate any mechanical, electrical and/or computerized devices, equipment and facilities, including, but not limited to:

- a. Photo patrol and/or other electronic devices or camera;
- b. Automatic starter;
- c. Photo finish devices;
- d. Facilities or devices for tattoo branding of horses for proper identification;
- e. Facilities, laboratories and instruments for testing drugs;
- f. Weighing machines and devices for measurement of horses;
- g. Electric and/or computerized totalizator;
- h. Machines directly connected to a computer in a display board for the sale of tickets including those sold in off-track betting stations;
- i. Modern sound system and loud speaker facilities;
- j. Modern telecommunications, and broadcasting equipment and facilities, whether at the grantee's tracks or offtrack betting stations, for receiving and transmitting, whether live or otherwise, messages, signals and pictures by any means now known or which in the future may be developed for the reception and transmission of messages, signals and pictures relating to the betting system, the actual conduct of horse races, the announcements of winning numbers and dividends paid or to be paid thereon, and any other form of information relating to the conduct and promotion of horse races within or outside the Philippines;
- k. Continuous and back-up power supply, and such other instruments, devices, equipment, facilities and systems;
- l. Facilities that will bring safety, security, comfort and convenience to the public; and
- m. Such other facilities, devices and instruments that will ensure clean, honest and orderly racing, betting on horse races. In case of failure to provide and install any of the abovementioned equipment or facilities within the three-year period, the Philippine Racing Commission shall forthwith suspend and prohibit the holding of races by the grantee until such time as the said equipment or facilities are provided and installed.

The GAB shall assign its auditors and/or inspectors to supervise and regulate the placing of bets, the proper computation of dividends and the distribution of wager funds.

SEC. 5. *Offering, Taking or Arranging Bets for Races.* - The grantee or its duly authorized agent may offer, take or arrange bets for races conducted in or outside the Philippines, in person or by any electronic or other means of processing transactions, anywhere in the Philippines, whether within or outside the place, enclosure, or track where horses are held, in on-track or off-track betting stations, a day in advance of and/or during scheduled races held or conducted within or outside the Philippines. No other entity or person other than the grantee or its duly authorized agents or licensees shall offer, take or arrange any bets on any horse participating in any race conducted by the same, or maintain or use a totalizator or any other device, method or system to bet on any horse within its premises or