

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

TWENTIETH CONGRESS  
Regular Session  
House Bill No: 1877



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Introduced by: Congressman BIENVENIDO M. ABANTE, JR.

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**AN ACT  
PROHIBITING ADVERTISEMENT AND PROMOTION OF ONLINE  
GAMBLING RELATED CONTENT PROVIDING PENALTIES THEREFOR AND  
FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

Given the harms caused by online gambling, and the risk of children becoming addicted, why is online gambling advertising still prevalent?

Kung bawal ang online gambling at masama ito para sa ating mga kababayan, bakit hayagan ang mga billboards, commercials, at online ads para sa online gambling sa ating bansa? Bakit natin ito hinahayaan?

The harms caused by online gambling are well documented and unimaginable for individuals and their families. Yet despite this - and despite widespread recognition that online gambling ads cause harm by promoting a harmful vice - it seems that our laws are not clear enough on the prohibition. Current rules on gambling advertising do not adequately reflect, nor prevent the potential for harm posed by gambling. Widespread across all platforms, expert evidence shows that advertising normalises gambling, fuels addiction and causes harm to many vulnerable Filipinos - in particular children, young people and those experiencing gambling addiction.

Ending gambling advertising and promotion would not mean an end to gambling. But banning the ads would stop gambling being so normalised, it would prevent gambling being promoted to children, and it would mean those people who are already experiencing addiction could listen to the radio, watch TV, go to the cinema or sports matches, and walk along the street without constantly seeing gambling ads. And, hopefully, it would save lives.

This Bill seeks to implement a comprehensive ban on online gambling advertisements across television, radio, online and print. This would be conducted via a three-year phase-in approach.

For these reasons, the swift passage of the attached bill is earnestly sought.



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

**SECTION 1. Short Title.** - This Act shall be known as the "**Online Gambling Advertising Ban**".

**SEC 2. Declaration of Policy.** It is the policy of the State to promote a just and dynamic social order that will ensure the prosperity and independence of the nation. Through policies that provide adequate social services, promote full employment, and a commitment to create economic opportunities, the State shall free the people from poverty.

The 1987 Constitution states that workers shall be entitled to security of tenure, humane conditions of work, and a living wage. They have the right to be treated with dignity. Towards this end, the State shall adopt measures to eliminate and prohibit all forms of online gambling activities as it undermines the value of an individual's dignified work by allowing reckless and risky expenditures at the possibility of instant monetary gain which have led many Filipinos to experience dire financial situations.

**SEC 3. Definition of Terms.** For purposes of this Act, the following terms are hereby defined as follows:

a.) "Internet" refers to an international computer network of interoperable packet switched data networks. It includes the electronic medium in which online communication takes place.

b.) "Bet" or "Wager" refers to taking or risking by any person of something of value upon the outcome of a contest of others, a sporting event, or a game subject to chance, upon an agreement or understanding that the person or another person will receive something of value in the event of a certain outcome.

c.) "Internet Gambling" or "Online Gambling" refers to placing, receiving, or otherwise knowingly transmitting a bet or wager by any means which involves the use, at least in part, of the Internet.

d.) "Person" - refers to an individual, partnership, corporation or any other business or legal entity.

e.) "Social media influencer" shall refer to a person who has built a large and engaged following on social media platform and has the ability to influence the opinion, behavior and decision of its audience or followers in connection with online gambling of any form.

f.) "Online content" refers to the textual, aural, or visual content published on a website including social media platforms;

g.) Internet Service Providers (IRP) refer to:

- (i) Any public or private entity that provides to users of its service the ability to communicate by means of a computer system; and
- (ii) Any other entity that processes or stores computer data on behalf of such communication service or its users.

**SEC 4. Prohibition on Online Gambling Ads.** - It shall be unlawful for any person, natural or juridical, to:

(a) cause the publication through print media, broadcast or posting online of any advertisement relating to online gambling, or to distribute information online, in whole or in part, on placing, receiving, or otherwise knowingly transmitting a bet or wager for online gambling;

(b) to cause the publication of commentaries on gambling activities through online platforms; and

(c) to advertise or publicize gambling activities online to an individual, group, or the general public, or promote awareness of the gambling activities.

**SEC 5. Liability of Internet Service Providers** - When an online content is prima facie found to be in violation of the provisions of this Act, the Internet Service Providers (ISPs) shall be held solidarily liable with the author or the person / entity that caused the publication of the online gambling advertisement.

**SEC 6. Penalties.** - Any person who shall publish any of the following prohibited online content mentioned in Section 4 of this Act shall be punished by imprisonment of not less than three (3) years nor more than five (5) years and a fine of not less than Five Hundred Thousand Pesos (Php500,000.00) nor more than Seven Hundred Pesos (Php700,000.00) at the discretion of the Court.

In case the prohibited act is committed by a corporation, the President, Vice President, Chairman of the Board, and Chief Operating Officer/General Manager of the corporation shall be held liable criminally for such act. In the case of a partnership, the managing partner shall be held criminally liable. In case of a single proprietorship, the owner-proprietor shall be held criminally liable.

In case the person liable for the violation is a foreign national, he shall, in addition to the penalty of imprisonment and fine imposed, be deported immediately after service of the penalty imposed and shall forever be barred from re-entering the Country.

Any person convicted for violation of any provision of this Act shall not be qualified for parole or probation.

**SEC 7. Jurisdiction.** - The Regional Trial Court of the place where the complainant resides or the place of first printing or publication of the advertisement (at the option of the complainant) shall have jurisdiction over any violation of the provisions of this Act.

**SEC 8. Implementing Rules and Regulations.** - Within thirty (30) days from the effectivity of this Act, the Department of Justice and, in consultation with the Department of Information and Communications Technology, shall promulgate the rules and regulations for the effective implementation of this Act.

**SEC 9. Separability Clause.** - If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

**SEC 10. Repealing Clause.** - All laws, decrees, orders, issuances, and rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**SEC 11. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

*Approved,*