

MALACAÑAN PALACE  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 320  
REGULATING THE MAINTENANCE AND OPERATION OF  
RACE TRACKS AND HORSE RACING

By virtue of the powers vested in me under Commonwealth Act Numbered Six hundred and one, entitled "An Act to regulate the establishment, maintenance and operation of places of amusement in chartered cities, municipalities and municipal districts," the following rules and regulations are hereby promulgated to govern the maintenance and operation of race tracks and horse racing:

1. *Board on Races.*—There is hereby created a Board on Races to consist of a Chairman and two members, who shall not be appointed by the President for such term and at such rate of compensation as he may determine and shall be removable at his pleasure. For administrative purposes, the Board on Races is hereby placed under the Department of Interior.
2. *Powers and duties.*—The Board on Races shall, subject to the approval of the Secretary of Interior, have the power to prescribe additional rules and regulations, not inconsistent herewith to govern the operation of race tracks and the conduct of horse racing. It shall be its duty to enforce the laws, rules and regulations relating to horse races; to require that race tracks be properly constructed and maintained; that adequate sanitary accommodations be provided in the tracks, grandstands, stables and other structures of racing clubs; that there be an equipped emergency clinic for the care and treatment of injuries and ailments of jockeys and track personnel; it shall prohibit the use of improper devices, drugs, stimulants or other means, so as to artificially enhance the speed of horses or materially harm their condition; it shall have supervision over all race track or racing club officials or employees authorized or required to be appointed under this Order; and it shall exercise such other powers and perform such duties, as may hereafter be prescribed by law or regulations.
3. *Horse racing; license required.*—It shall be unlawful for any person, race track, racing club, or any other entity to hold or conduct any horse racing, wherein betting in any form is allowed, unless duly licensed therefor by the Board on Races. Every license issued shall specify the person, race track, racing club, or entity to which the same is issued, the place, enclosure or track where the races are to be held, and the days upon which the same will be permitted. Such license may be suspended or revoked by the Board on Races for any just cause.
4. *Jockeys, starters, etc.; license required.*—No person, race track, racing club, nor any other entity holding horse racing shall employ any jockey, handicapper, starter, weigher or any other official performing duties directly connected with the running of races, unless such person or track official has been duly licensed by the Board on Races. Such license shall be obtained from the Board yearly and shall, however, be subject to withdrawal or revocation in any case where the Board shall have reason to believe that any of the aforesaid persons is incompetent, or is guilty of any dishonest or fraudulent practice, or has violated any law, rule or regulation on horse racing.
5. *Automatic electric totalizator.*—No person, race track, racing club, nor any other entity holding horse racing whose total betting on any race day exceeds fifty thousand pesos, shall be allowed

to hold races, unless such person, race track, racing club or entity is provided with an automatic, electrically operated public indicator system and ticket selling machines, by means of which every ticket purchased on every horse in any race, shall be automatically and instantaneously recorded by electrical impulse on prominently displayed bulletin board, each figure, letter or symbol of which shall be readable from a distance.

6. *Official starters.*—Every person, race track, racing club, or any other entity holding horse racing shall appoint official starters for the races. The stewards of the day shall designate a starter from among those appointed by the club to officiate in each race.

7. *Stewards; judges.*—There shall be at least three stewards for each racing day, who may also act as the judges of finish. They shall have the necessary powers to supervise the conduct of the races, and to enforce the rules and regulations applicable on all questions and matters arising during the racing day. It shall be their duty to see, before allowing the program of races to begin, that a license therefor has been duly secured; to determine and decide the win, place, and show horses in each race; to render the decision in all events in the order the winning horses shall have crossed the tape line, and in case of closely contested events as shown by the photo-finish picture, which in all such cases shall be taken; to apply and to enforce the penalties provided against offending jockeys, trainers, horse owners, track employees or other persons, who in any way perform duties connected with the races; and to perform such other duties as may be prescribed by the Board on Races.

8. *Handicappers.*—Every person, race track, racing club, or any other entity holding horse racing shall have a Committee of Handicappers to consist of at least three members. It shall be the duty of the Committee of Handicappers to keep a complete and up-to-date record of all registered horses, their owners, color, height, and such other characteristics as will aid in their proper identification; the particular group or class to which each horse belongs, together with the weight each carried in the previous races participated in. The handicappers shall prepare the program of races, taking into consideration past performances and condition of each horse, and shall so group and so handicap them as to nearly as it is practicable equalize the winning chances of all the entries in each race, all in accordance with such rules and regulations as the Board on Races may prescribe.

9. *Field inspectors.*—The Board on Races shall appoint not more than six field inspectors during each racing day to watch the events of the day. They shall be assigned various places throughout the race track. It shall be their duty to carefully observe and detect anomalies and irregularities of any nature that may be committed during the progress of a race, or at the starting or finishing of a race; and to detect any fraudulent or dishonest deals, transactions or acts that may be committed in the race tracks. They shall report immediately any such anomalies, irregularities or fraudulent or dishonest acts, which they may discover, to the stewards of the day, who shall promptly take such action as the circumstances may warrant. Their salaries or compensation, which shall be fixed by the Board, shall be paid by the person, race track, racing club or entity concerned from the special fund provided in paragraph 18 hereof.

10. *Track auditors.*—For the purpose of supervising and verifying the accuracy of reports of any person, race track, racing club, or any other entity holding races, with respect to the totalizer receipts or the total amount of wager made on each racing event, the dividends awarded for winning horses, whether win, place, or show on each event, and other matters referring to financial computations or statements, the Board on Races shall appoint such number of auditing officers as may be necessary to be placed in the offices and tracks of the person, race track, racing club, or entity concerned. It shall be the duty of said auditing officers to report to the Board any irregularities or erroneous computations, which they may discover in connection with reports or the dividends awarded on each racing event. Their salaries or rate of compensation, which shall be fixed by the

Board, shall be paid by the person, race track, racing club, or entity concerned from the special fund provided in paragraph 18 hereof.

11. *Jockeys; qualification.*—No person, race track, racing club, nor any other entity holding horse racing shall allow a person to ride as jockey, unless such person possesses the qualifications to be prescribed by the Board on Races. The Board may, however, permit gentlemen or lady riders without license in special events.

12. *Jockeys to be held in assigned enclosure.*—Before the start of the races in any day, all the jockeys that are registered to ride during that day, shall be quartered in an assigned enclosure of the race track apart from the public. They shall not be allowed to communicate with any person or persons in the race track, except with authorized officials or representatives of the person, race track, racing club, or any other entity holding horse racing concerned or the officials of the Board on Races. They shall be allowed to come out of the enclosure only at the time of riding in a race, and shall be kept there until after they have run their last race of the day.

13. *When two or more horses of one owner are entered in same race; "field" entry.*—When two or more horses belonging to one owner or are trained or cared for in one stable are entered in the same race, such horses shall be considered as an "entry" only and paired in the betting as one horse, so that if any of the said horses wins, the holders of tickets for the "entry" shall be entitled to the dividend. No horse may participate in a race unless it carries a number and tickets are offered for sale on such a horse. The handicappers at their discretion may group two or more horses participating in a race in a "field", when such horses belong to different owners or are cared for or trained in different stables. Such horses shall be grouped in the betting as one horse and when any of such horses wins, all holders of the "field" tickets shall be paid the dividend corresponding to the "field."

14. *Wager and dividends.*—The face-value of totalizator tickets for wager may be fifty centavos, one peso, two pesos or five pesos, whether for win, place, or show. The face-value of said tickets, as the case may be, shall be the basis for the computation of dividends, and such dividends shall be paid after eliminating fractions of ten centavos: for example, if the resulting dividend is ₱10.98, the dividend that shall be paid will be only ₱10.90. If no ticket has been sold on a winning horse, whether for win, place, or show, the dividends corresponding to such race shall be paid out to the holders of tickets sold on the horses that finished dead heat, or on the horse that finished next to that on which not a single ticket was sold: *Provided*, That the owner of said winning horse shall be entitled to the corresponding stake or prize.

15. *Daily-double events; selection of.*—Every person, race track, racing club or any other entity holding horse racing may hold one daily-double event in the morning and another in the evening on each racing day. The two races constituting the morning daily-double event shall be drawn by lot by the Board on Races from the last five races, which shall be for a distance of at least three-fourths of a mile each, appearing in the official program of the morning races. The drawing of the morning daily-double event shall be made not before 9 o'clock a. m. The two races constituting the evening daily-double event shall, in the same manner, be drawn by a lot by the Board on Races from the five races, which shall be for a distance of at least three-fourths of a mile each, preceding the last three races in the official program of the evening. The drawing of the evening daily-double event shall be made not before 4 o'clock p. m. No person, race track, racing club, nor any other entity holding horse racing shall permit more than fourteen horses to run in a daily-double race. No tickets for the daily-double races shall be sold outside of the race tracks.

16. *Daily-double races; announcement before starting.*—Before starting the first race of a daily-double event, the person, race track, racing club, or any other entity holding the races shall announce through loud speakers, the names of jockeys mounting each horse, the weights on each horse, the

number of tickets sold on each horse, and the total number of tickets sold on the race. The same process shall be repeated before starting the second race of a daily-double event, except that in this case, the number of tickets sold on each horse of the second race, coupled with the winning horse of the first race, shall be announced, instead of the tickets sold on each horse of the second race. The person, race track, racing club, or any other entity holding a daily-double race shall submit to the auditors of the Board on Races the stubs of tickets sold and such other information on the betting as may be required for verification.

17. *Hour of running daily-double races; posting of ticket sales.*—The first race of the morning, daily-double event shall be run not later than 12.30 o'clock p.m. and the second race not later than half an hour immediately following. The first race of the evening daily-double event shall be run not later than 9 o'clock p. m. and the second race not later than half an hour immediately following. The sale of tickets for the daily-double races shall commence immediately after the Board on Races has announced to the public the two races constituting each daily-double event. The number of tickets sold on each horse in two races of each daily-double event, and the totals thereof shall be posted at conspicuous bulletin boards at an interval of thirty minutes from the time the sale of tickets begins. This information shall also be given to the public through loud speakers. The closing of the sale of tickets for each event shall be properly announced by the ringing of a bell after which no more tickets shall be sold.

18. *Totalizator receipts or wager funds; how distributed.*—The total wager funds or gross receipts from the sale of totalizator tickets shall be apportioned as follows: eighty-seven and one-half per centum shall be distributed in the form of dividends among holders of win, place and show horses, as the case may be, in the regular races; twelve and one-half per centum shall be set aside as the commission of the person, race track, racing club, or any other entity conducting the races, which shall include the amounts for the payment of authorized stakes or prizes for win, place and show horses, and authorized bonuses for jockeys; and in the case of daily-double races, the gross receipts derived from the total sale of daily-double tickets shall be apportioned in the same manner as provided hereinabove, except that the eighty-seven and one-half per centum of the gross receipts from the total sale of daily-double tickets shall be distributed in the form of dividends among the holders of the winning combination of horses, that is, the two horses that won first place in the two races, instead of among holders of win, place and show horses, as in the case of regular races: *Provided, however,* That of the twelve and one-half per centum representing the commission of the person, race track, racing club, or any other entity holding horse racing an amount equivalent to one-half per centum of the total wager funds or gross receipts from the sale of tickets shall be set aside by the person, race track, racing club, or any other entity holding horse racing as a special fund to cover the expenses of the Board on Races and its personnel, as well as other expenditures authorized under this Order, said expenses to be apportioned by the Board among the different persons, race tracks, racing clubs, or other entities holding horse racing, and any unexpended balance of this fund at the end of each year shall revert to the general fund of the person, race track, racing club, or entity concerned.

19. *Races shall be run promptly.*—The races listed in the official program shall be run promptly at an interval of not more than thirty minutes from the running of the first race in the morning.

20. *Appeal from the decision of the Board on Races.*—Any action of the Board on Races under the provision of paragraphs three and four of this Executive Order may be appealed to the Secretary of the Interior whose decision shall be final.

21. *Persons prohibited from engaging in betting.*—Racing clubs, race tracks, persons or entities holding horse races, and their officials, including stewards, judges, handicappers, jockeys and starters,

shall not be permitted to participate, directly or indirectly, in betting on races conducted in their own race tracks; and members of the Board on Races, including officials of such Board, on any race.

22. *Persons prohibited admission.*—Minors under eighteen years of age, except when accompanied by their parents or guardians, persons carrying deadly weapons or firearms of any description, except government officials or officials of the race track or racing club or of the Board on Races, in the performance of their official functions, and intoxicated persons, shall not be admitted or allowed to remain in a race track during a racing day. Minors shall in no case be allowed to bet.

23. *Board on Races; other personnel.*—The Board on Races shall appoint such other assistants, agents and other personnel as it shall deem necessary; and it shall fix, subject to the approval of the President, their salaries, or rate of compensation.

24. *Books, records and accounts.*—The Board on Races or its duly authorized representatives shall have the power to inspect at all times the books, records and accounts of any person, race track, racing club, or any other entity holding horse racing. It may require that the books and financial or other statements of such person, race track, racing club, or any other entity holding horse racing shall be kept in such manner as it may prescribe.

25. *Issuance of tax certificate.*—No city or municipal official in charge of the collection of license fees on race tracks and horse racing shall collect such fees and issue a tax certificate, unless the applicant submits a license of permit in writing from the Board on Races, authorizing such applicant to operate a race track or conduct horse racing on the days specified in the license or permit.

26. *License fees.*—(a) A race track licensed to conduct horse racing shall pay a minimum annual fee of ₱2,000.

(b) For the privilege of holding or conducting races a person, race track, racing club, or any other entity conducting horse racing shall pay a city or municipal license fee of ₱600 for each day of racing: *Provided*, That the national tax of ₱300 shall also be paid for each day of racing as provided in the National Internal Revenue Code.

(c) Jockeys, handicappers and starters of races shall each pay an annual license fee of ₱12.

(d) Horse owners shall pay a fee of ₱1 for each horse running on each race in a licensed race track: *Provided*, That the person, race track, racing club, or any other entity conducting the races shall collect the sum referred to herein and shall deliver the same to the city or municipal treasurer, submitting a list of all the horses that have actually run in each race during the racing day.

(e) Any city or municipal council desiring to impose higher fees than those herein provided may do so upon approval of the President.

Done at the City of Manila, this twenty-seventh day of January, in the year of Our Lord, nineteen hundred and forty-one, and of the Commonwealth of the Philippines, the sixth.

MANUEL L. QUEZON  
*President of the Philippines*

By the President:  
JORGE B. VARGAS  
*Secretary to the President*

*Source: Presidential Museum and Library*

Office of the President of the Philippines. (1941). [*Executive Order Nos.: 248 - 399*]. Manila: Presidential Museum and Library.