

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER No. 135

REGULATING THE ESTABLISHMENT, MAINTENANCE AND OPERATION OF FRONTONS AND BASQUE PELOTA GAMES (JAI ALAI).

By virtue of the powers vested in me by Commonwealth Act No. 601, entitled "An Act to regulate the establishment, maintenance and operation of places of amusements in chartered cities, municipalities and municipal districts," the following rules and regulations governing frontons and basque pelota games are hereby promulgated:

SECTION 1. *Definitions.*—Whenever used in this Order and unless the context indicates a different meaning, the following terms shall bear the meaning indicated herein:

(a) "Basque pelota game" shall include the pelota game with the use of pala, raqueta, cesta punta, remonte and mano, in which professional players participate.

(b) "Fronton" comprises the court where basque pelota games are played, including the adjoining structures used in connection with such games, such as the betting booths and galleries, totalizer equipment, and the grandstands where the public is admitted in connection with such games.

(c) "Pelotari" is a professional player engaged in playing basque pelota.

(d) "Professional player" is one who plays for compensation.

SEC. 2. *Supervision over the establishment and operation of frontons and basque pelota games.*—Subject to the administrative control and supervision of the Secretary of the Interior, city or municipal mayors shall exercise supervision over the establishment, maintenance and operation of frontons and basque pelota games within their respective territorial jurisdiction, as well as over the officials and employees of such frontons and shall see to it that all laws, orders and regulations relating to such establishments are duly enforced. Subject to similar approval, they shall appoint such personnel as may be needed in the discharge of their duties and fix their compensation which shall be paid out of the allotment of one-half per centum

(1½%) out of the total bets or wager funds set aside and made available for the purpose in accordance with section 19 hereof. The Secretary of the Interior shall have the power to prohibit or allow the operation of such frontons on any day or days, or modify their hour of operation and to prescribe additional rules and regulations governing the same.

SEC. 3. *Particular duties of city or municipal mayors regarding operation of basque pelota games and frontons.*—In connection with their duty to enforce the laws, orders, rules and regulations relating to frontons and basque pelota games, the city or municipal mayor shall require that such frontons shall be properly constructed and maintained in accordance with the provisions of Commonwealth Act No. 485; shall see that the proper sanitary accommodations are provided in the grandstands and other structures comprising such frontons; and shall require that such frontons be provided with a properly equipped clinic for the treatment of injuries to the pelotaris.

SEC. 4. *Permits.*—In the absence of a legislative franchise, it shall be unlawful for any person or entity to establish and/or operate frontons and conduct basque pelota games without a permit issued by the corresponding city or municipal mayor, with the approval of the provincial governor in the latter case. Any permit issued hereunder shall be reported by the provincial governor or city mayor, as the case may be, to the Secretary of the Interior.

SEC. 5. *License fees.*—The following license fees shall be paid:

(a) For each basque pelota fronton, five hundred pesos (P500) annually, or one hundred and twenty-five pesos (P125) quarterly.

(b) For pelotaris, judges or referees and superintendents (intendentes) of basque pelota game, eighteen pesos (P18) each annually.

The above license fees shall accrue to the funds of the city or municipality where the fronton is operated.

SEC. 6. *Location.*—Except in the case of any basque pelota fronton licensed as of December 8, 1941, no basque pelota fronton shall be maintained or operated within a radius of 200 lineal meters from any city hall or municipal building, provincial capitol building, national capitol building, public plaza or park, public school, church, hospital, athletic stadium, or any institution of learning or charity.

SEC. 7. *Buildings, sanitary and parking requirements.*—No permit or license for the construction or operation of a basque pelota fronton shall be issued without proper certificate of the provincial or city engineer and architect certifying to the suitability and safety of the building and of

the district or city health officer certifying to the sanitary condition of said building. The city or municipal mayor may, in his discretion and as circumstances may warrant, require that the fronton be provided with sufficient space for parking so that the public roads and highways be not used for such purposes.

SEC. 8. *Protest and complaint.*—Any person who believes that any basque pelota fronton is located or established in any place not authorized herein or is being operated in violation of any provision of this Order may file a protest or complaint with the city or municipal mayor concerned, and after proper investigation of such complaint the city or municipal mayor may take such action as he may consider necessary in accordance with the provisions of section 10 hereof. Any decision rendered on the matter by the city or municipal mayor shall be appealable to the Secretary of the Interior.

SEC. 9. *Persons prohibited admission.*—Persons under 16 years of age, persons carrying firearms or deadly weapons of any description, except government officials actually performing their official duties therein, intoxicated persons, and persons of disorderly nature and conduct who are apt to disturb peace and order, shall not be admitted or allowed in any basque pelota fronton: *Provided*, That persons under 16 years of age may, when accompanied by their parents or guardians, be admitted therein but in no case shall such minors be allowed to bet.

SEC. 10. *Gambling prohibited.*—No card games or any of the prohibited games shall be permitted within the premises of any basque pelota fronton; and upon satisfactory evidence that the operator or entity conducting the game has tolerated the existence of any prohibited game within its premises, the city or municipal mayor may take the necessary action in accordance with the provisions of section 11 hereof.

SEC. 11. *Revocation or suspension of permits and licenses.*—The city or municipal mayor, subject to the approval of the Secretary of the Interior, may suspend or revoke any license granted under this Order to any basque pelota fronton or to any official or employee thereof, for violation of any of the rules and regulations provided in this Order or those which said city or municipal mayor may prescribe, or for any just cause. Such suspension or revocation shall operate to forfeit to the city or municipality concerned all sums paid therefor.

SEC. 12. *Appeals.*—Any action taken by the city or municipal mayor under the provisions of this Order shall stand, unless modified or revoked by the Secretary of the Interior.

SEC. 13. *Books, records and accounts.*—The city or municipal mayor, or his duly authorized representative, shall have the power to inspect at all times the books, records and accounts of any basque pelota fronton. He may, in his discretion and as the circumstances may warrant, require that the books and financial or other statements of the person or entity operating the game be kept in such manner as he may prescribe.

SEC. 14. *Days and hours of operation.*—Except as may otherwise be provided herein, basque pelota games with betting shall be allowed every day, excepting Sundays, from 2 o'clock p. m. to not later than 11 o'clock p. m.

SEC. 15. *Pelotaris, judges, referees, etc. shall be licensed.*—No person or entity operating a basque pelota fronton, wherein games are played with betting, shall employ any pelotari, judge or referee, superintendent of games (intendente), or any other official whose duties are connected with the operation or supervision of the games, unless such person has been duly licensed by the city or municipal mayor concerned. Such license shall be granted upon satisfactory proof that the applicant is in good health, knows the rules and usages of the game, and is a person of good moral character and of undoubted honesty. In the case of pelotaris, such license shall be granted only upon the further condition that they are able to play the game with reasonable skill and with safety to themselves and to their opponents. The city or municipal mayor may further require other reasonable qualifications for applicants to a license, not otherwise provided herein. Such license shall be obtained yearly.

SEC. 16. *Installation of automatic electric totalizator.*—Any person or entity operating a fronton wherein betting in any form is allowed shall install in its premises within the period of one year from the date this Order takes effect, an automatic electrically operated indicator system and ticket selling machine, commonly known as totalizator, which shall clearly record each ticket purchased on every player in any game, the total number of tickets sold on each event, as well as the dividends that correspond to holders of winning numbers. This requirement shall, however, not apply to double events or forecast pools or to any betting made on the basis of a combination or grouping of players until a totalizator that can register such bets has been invented and placed on the market.

SEC. 17. *Supervision over sale of betting tickets and payment of dividends.*—For the purpose of verifying the accuracy of reports in connection with the sale of betting tickets and the computation of dividends awarded to win-

ners on each event, as well as other statements with reference to the betting in the games played, the city or municipal mayor shall assign such number of auditing officers and checkers as may be necessary for the purpose. These auditing officers and checkers shall be placed in the ticket selling booths, dividend computation booths and such other parts of the fronton, where betting tickets are sold and dividends computed. It shall be their duty to check up and correct any irregularity or any erroneous report or computation that may be made by officials of the fronton, in connection with the sale of tickets and the payment of dividends.

SEC. 18. *Wager tickets and dividends.*—The face value of the wager tickets for any event shall not exceed ₱5 whether for “win” or “place”, or for any combination or grouping of winning numbers. The face value of said tickets, as the case may be, shall be the basis for the computation of the dividends and such dividends shall be paid after eliminating fractions of ten centavos (₱0.10); for example: if the resulting dividend is ₱10.43, the dividend that shall be paid will be only ₱10.40.

SEC. 19. *Distribution of wager funds.*—The total wager funds or gross receipts from the sale of the betting tickets shall be apportioned as follows: a commission not exceeding ten and one-half per centum (10½%) on the total bets on each game or event shall be set aside for the person or entity operating the fronton and four and one-half per centum (4½%) of such bets shall be covered into the National Treasury for disposition as may be authorized by law or executive order; and the balance or eighty-five per centum (85%) of the total bets shall be distributed in the form of dividends among holders of “win” or “place” numbers or holders of the winning combination or grouping of numbers, as the case may be: *Provided, however,* That of the ten and one-half per centum (10½%) representing the commission of the person or entity operating the fronton, an amount equivalent to one-half per centum (½%) of the total bets or wager funds shall be set aside and made available to cover the expenses of the personnel assigned to supervise the operation of basque pelota games and frontons, including payment of salaries of such personnel, purchase of necessary equipment and other sundry expenses as may be authorized by competent authority.

SEC. 20. *Supervision over the conduct of games; enforcement of rules and regulations.*—The city or municipal

mayor is authorized to place within the premises of the fronton such number of inspectors and agents as may be deemed necessary to supervise the conduct of the games, to see that the rules of the games are strictly enforced, and to carry out the provisions of this Order as well as such other regulations as may hereafter be prescribed.

SEC. 21. *Rules governing the games and personnel of the fronton.*—The rules and regulations that have been adopted by any fronton to govern the operation of its games and the behavior, duties and performance of the officials and personnel connected therewith, such as pelotaris, judges, referees or superintendents of games (intendentes) and others, shall be the recognized rules and regulations of such fronton until the same are altered or repealed by the Secretary of the Interior; and any fronton may introduce any type or form of games or events, provided they are not contrary to the provisions of this Order or any rule or regulation hereafter issued by the Secretary of the Interior.

SEC. 22. *Regulations governing pelotaris.*—Any rule or regulation adopted by any established fronton governing the conduct or performance of pelotaris to the contrary notwithstanding, the following regulations shall be observed:

(a) The pelotaris who are participating in the games shall not be allowed to communicate, talk or make signs with any one in the public or with any official or employee of the fronton during the games, except with the judges or referees or the superintendent (intendente) in charge of the games;

(b) The program of games or events, as well as the lineup or order of playing of the pelotaris in each event shall be determined by the superintendent of the games (intendente), subject to the approval of the city or municipal mayor, or his authorized representatives;

(c) Pelotaris shall be in good physical condition before participating in any game and shall be laid off from playing at least two days in a week. Every pelotari shall once a month secure a medical certificate from a government physician to be designated by the city or municipal mayor concerned certifying to his physical fitness to engage in the games; and

(d) The amount of dividends computed for any event shall not be posted within the view of the pelotaris participating in the event until after the termination of said event.

Done in the City of Tagaytay, this 4th day of May, in the year of Our Lord, nineteen hundred and forty-eight, and of the Independence of the Philippines. the second.

ELPIDIO QUIRINO

President of the Philippines

By the President:

EMILIO ABELLO

Executive Secretary
