

MALACAÑANG

M a n i l a

PRESIDENTIAL DECREE No. 871 January 6, 1976

**PLACING PROFESSIONAL BASKETBALL GAMES AND OTHER
PROFESSIONAL GAMES UNDER THE SUPERVISION AND REGULATION
OF THE GAMES AND AMUSEMENTS BOARD**

WHEREAS, the development, promotion and maintenance of desirable moral, social and cultural values is one of the objectives of the New Society;

WHEREAS, professional basketball has remained the most popular spectator sports in our country;

WHEREAS, there have been changes of game-fixing or point shaving and "play for play" in local basketball circles;

WHEREAS, the necessity of distinguishing clearly the status of amateurism as opposed to professionalism has given birth to the Philippine Basketball Association which seeks to establish and maintain a professional basketball league;

WHEREAS, there is urgent need for governmental supervision and regulation on the operation and conduct of professional basketball games and other professional games as well as the participants therein to insure integrity and provide ample protection to all concerned at all times;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

Section 1. *Supervision and regulation.* The supervision and regulation of professional basketball games and other professional games in the Philippines shall be vested in the Games and Amusements Board.

Section 2. *Powers and duties of the Board.* The Board shall, subject to the approval of the Executive Secretary, have the power:

(a) To prescribe additional rules and regulations not inconsistent herewith to govern the operation and conduct of professional basketball games and other professional games existing or which may hereafter be authorized by law, decree, executive order or other issuances;

(b) To enforce the laws, decrees, executive orders, rules and regulations, relating to professional basketball games and other professional games;

- (c) To approve or disapprove the rules and regulations issued by persons, entities or associations relative to the operation and conduct of professional basketball games or other professional games;
- (d) To exercise supervision over all officials, employees and persons connected with professional basketball games and other professional games;
- (e) To issue licenses or permits to conduct professional basketball games or other professional games and collect fees for the issuance thereof;
- (f) To suspend or revoke any such license or permit for failure to comply with and/or for violation of the provision of this decree, or any law, executive order, rule or regulation promulgated hereunder;
- (g) To order the temporary suspension of any license or permit issued pursuant to this decree or the rules and regulations promulgated hereunder, whenever such action is necessary for the best interest of the professional games under the supervision of the Board;
- (h) To appoint personnel as it shall deem necessary in the exercise and performance of its powers and duties and fix their salaries or compensation, and/or to employ the services by contract or otherwise, consultant or any local or foreign expert or technical personnel to provide technical and necessary assistance, conduct seminars and training relative to professional basketball games and other professional games and pay reasonable emoluments for their services;
- (i) To order the suspension of any game in case of violation or non-compliance with the provisions of this decree or the rules and regulations promulgated hereunder;
- (j) To consider, investigate, decide and settle all questions, matters, controversies or disputes arising out of or connected with professional games or other professional games under its supervision in accordance with the rules and procedures it may adopt;
- (k) To designate any of its officers to conduct hearing or investigation of any case pending before it;
- (l) To summon parties, issue subpoena or require the production of such books, papers, contracts, records or other documents as may be necessary for the just determination and adjudication of any matter under investigation;
- (m) To inspect the books, records and accounts of any person, entity or association conducting or authorized to conduct professional basketball games or other professional games and require that the books and financial or other

statement of such person, entity or association shall be kept in such manner as it may prescribe; and

(n) To perform such other duties and exercise all other powers incidental or necessary for the attainment of the purposes of the Board and proper enforcement of the provision of this decree.

Section 3. *Permit.* It shall be unlawful for any person, entity or association to conduct professional basketball games or other professional games without permit duly issued by the Board. Every permit issued shall specify the person, entity or association to which it was issued, the place where and the date when the games are to be held.

Section 4. *License* No person, entity or association may employ any player, referee, scorer, timekeeper or other persons performing duties connected with professional basketball games or other professional games, unless such person has been duly licensed by the Board. 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 guilty of any dishonest or fraudulent practice, or has violated any law, decree, executive order, rule or regulation on professional basketball games or other professional games, or for any just cause.

Section 5. *Assignment of officials.* At each professional basketball games or other professional game, the Board shall assign among the duly licensed officials, referees, timekeepers, or scorers and other officials to officiate thereat and only the officials so designated shall have authority to perform their respective functions.

Section 6. *Duty of person, entity or association conducting professional games.* It shall be the duty of the person, entity or association conducting professional basketball games, or other professional games, to see that peace and order is maintained in the premises of the place where the games are being conducted and that the rules and regulations governing the same are properly observed.

Section 7. *License fee.* The following license fee shall be paid:

- (a) For professional basketball teams, P100.00 each annually;
- (b) For coaches P50.00 each annually;
- (c) For players P50.00 each annually;
- (d) For players P50.00 each annually;
- (e) For referees P50.00 each annually;
- (f) For timekeepers, scorers and such other persons who in the judgment of the Board should be licensed, P20.00 each annually.

The above license fees shall accrue to the funds of the Board.

Section 8. *Admission receipts and other income.* The Board shall, through its duly authorized representatives, supervise the sale of admission tickets for any professional basketball games or other forms of professional games. All tickets, except complimentary tickets, shall state the price, name of person, entity or association conducting the professional basketball games or other professional games, team names and the date of the games printed plainly thereon. No ticket shall be sold for more than the price as printed thereon and any change in ticket prices or the date of the games shall be subject to the approval of the Board.

Any person, entity or association conducting professional basketball games or other professional games shall set aside and remit to the Board three per cent (3%) of the gross gate receipts and income from television, radio and motion picture rights if any, which shall be available to defray the expenses of the personnel of the Board assigned to supervise the games and for such other expenses in other activities of the Board. Provided, however, That all professional basketball games conducted by the Philippine Basketball Association shall only be subject to amusement tax of five per cent of the gross receipts from the sale of admission tickets.

Section 9. *Civil Service Law and WAPCO coverage.* Appointments to positions with duties and functions pertaining to the supervision and regulation of professional basketball games and other professional games shall be subject to the provisions of the Civil Service Laws and rules, but shall however be exempted from the coverage of Wage and Position Classification Office.

Section 10. *Appeals, orders, rulings and decisions of the Board.* Orders, rulings and decisions of the Board on matters connected with or arising out of basketball may be appealed to the Office of the President, whose decision shall be final, within seventy-two (72) hours from receipts of the order, ruling or decision appealed from.

Section 11. *Forfeiture of sums paid to the Board.* All sums paid to the Board in payment of license or permit fees required under the provisions of this decree or the rules and regulations promulgated hereunder shall be deemed forfeited upon the cancellation or revocation of such license or permit.

Section 12. *Separability clause.* If any provision or part of this decree is declared unconstitutional, such declaration shall not invalidate the other provisions hereof.

Section 13. *Repealing clause.* Any law, decree, executive order of administrative order or regulations inconsistent herewith are hereby repealed or modified accordingly.

Section 14. *Effectivity.* This decree shall take effect immediately.

Done in the City of Manila, this 6th day of January, in the year of Our Lord, nineteen hundred and seventy-six.