

Republic of the Philippines
Province of Cagayan
TUGUEGARAO CITY

NINTH CITY COUNCIL

COMMITTEE REPORT NO. 132-2024

April 19, 2024

Submitted by:

COMMITTEE OF THE WHOLE

HON. BIENVENIDO C. DE GUZMAN II	-	City Vice Mayor/Chairman
HON. MARK ANGELO B. DAYAG	-	Member
HON. MARIA ROSARIO B. SORIANO	-	Member (Via Zoom)
HON. RONALDO S. ORTIZ	-	Member
HON. MARC ALDOUS C. BACCAY	-	Member (Via Zoom)
HON. IMOGEN CLAIRE M. CALLANGAN	-	Member
HON. JUDE T. BAYONA	-	Member
HON. KARINA S. GAUANI-VIERNES	-	Member (Via Zoom)
HON. ARNEL T. ARUGAY	-	Member
HON. GRACE B. ARAGO	-	Member (Via Zoom)
HON. TIRSO V. MANGADA	-	Member (Via Zoom)
HON. RESTITUTO C. RAMIREZ	-	Ex-Officio Member
HON. CERENE PEARL T. QUILANG	-	Ex-Officio Member

ABSENT:

HON. MARY MARJORIE P. MARTIN-CHAN	-	Member
HON. GILBERT S. LABANG	-	Member

GUESTS/RESOURCE PERSONS:

ATTY. GLENN MACABABBAD	-	Macababbab Law Offices
MS. EVELYN CANAPI	-	Asst. City Treasurer

SUBJECT: CONTINUING INQUIRY IN AID OF LEGISLATION ON THE USE OF BETTING MACHINE BY DUPAYA RECREATION CENTER, INC., AND TO DISCUSS THE POSSIBLE VIOLATIONS OF CITY ORDINANCE NO. 41-08-2022

FOR THE PRESIDING OFFICER:

The Committee of the Whole met and deliberated on the information on the use of betting machine on the operations during regular days and special derbies of Dupaya Recreation Center, Inc. located at Leonarda, Tuguegarao City, Cagayan. The matter regarding the use of betting machine was brought to the attention of the members of the Sangguniang Panlungsod, Ninth (9th) City Council during its regular sessions.

The meeting on the subject matter also stemmed from the continued failure and deliberate refusal of Ms. Elizabeth Dupaya to appear in the regular session of the sangguniang panlungsod despite several letters of invitation sent to her.

Atty. Glenn M. Macababbad appeared as counsel for Ms. Elizabeth Dupaya who is equipped with appropriate Special Power of Attorney (SPA).

Ms. Evelyn Canapi, Assistant City Treasurer appeared for and in behalf of the City Treasurer Mr. Buenaventura Lagundi.

Mr. Buenaventura Lagundi informed the body that Dupaya Recreation Center, Inc. is using betting machine. He stated that he prohibited his employees assigned to monitor the conduct of cockfighting operation of the Dupaya Recreation Center, Inc. from collecting amusement tax or any fee from the use of betting machine for lack of legal basis. He informed the Body that the collections by the city government from the amusement taxes have declined due to the use of betting machine by Dupaya Recreation Center, Inc.

Other proofs of using betting machine are videos taken in the premises during derbies and documents presented by the management admitting use of the same.

FINDINGS:

It should be noted that the Committee of the Whole submitted its Report dated January 29, 2024 with the recommendation as follows:

“After thorough discussions, the Committee of the Whole recommends the following:

1. *To issue FINAL NOTICE with stern warning to Dupaya Recreation Center, Inc. to strictly adhere to the provisions of existing Law and City Ordinances relative to cockfighting operation. Any violation of the same after receipt of said notice shall be ground for any and all appropriate legal action by the Sangguniang Panlungsod;*
2. *To revert to the use of registered human bet takers (Kristos) and to stop the use of betting machine in soliciting bets from cock fighting aficionados;*
3. *xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx*
4. *xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx and*
5. *To furnish Ms. Elizabeth G. Dupaya and the Law Office of Atty. Glenn M. Macababbad of the copies of this Committee Report which shall serve as Final Notice with Stern Warning and for their compliance of documentary requirements based on the manifestations of the members”.*

When asked for clarification, Atty. Glenn Macababbad stated that he heard some information but did not personally saw the use of betting machine by Dupaya Cockpit.

When asked also, Ms. Canapi informed the body that as per report of personnel from the City Treasurer’s Office that Dupaya Cockpit is using betting machine. She stated that the City Treasurer’s Office cannot collect amusement tax or any fee from the use of betting machine for lack of legal basis. She informed the Body that for several instances where the Dupaya Cockpit conducted regular and special cockpit and derby, there are no collections by the city government from the amusement taxes due to the use of betting machine.

Atty. Glenn M. Macababbad made a suggestion that if an amendment to City Ordinances on the operation of cockpit in Tuguegarao City which will legalize the use of betting machine, it may be applied retroactively.

The members asserted that Dupaya Recreation Center, Inc. should adhere to traditional calling (kristo) and should not engage into the use of betting machine in its operation as there is no law which allows the use of the same.

Hon. Ortiz stressed that since there is no law allowing the use of betting machine, the use of the same is prohibited. Hence, Dupaya Recreation Center, Inc. should revert to traditional betting through human bet takers (kristo).


RECOMMENDATION:

After thorough discussions, the Committee of the Whole recommends the passage of appropriate resolution urging the City Mayor Hon. Maila Rosario S. Ting-Que to (1) implement the Ordinance on the operation of cockpit in the Tuguegarao City; (2) implementing the recommendations stated in Committee Report No. 033-2024 enjoining Dupaya Recreation Center, Inc. from using Betting Machine in all its operation in the conduct of regular special derbies; (3) implementing the provisions of City Resolution granting Dupaya Recreation Center, Inc. to conduct special derbies in designated dates.

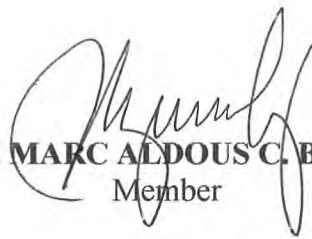
Respectfully submitted:



HON. BIENVENIDO C. DE GUZMAN II
Chairman-Presiding Officer




HON. TIRSO V. MANGADA
Member



HON. MARC ALDOUS C. BACCAY
Member



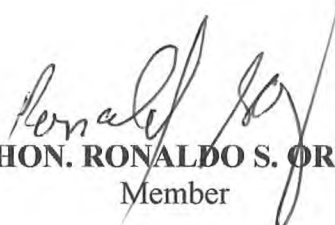
HON. MARK ANGELO B. DAYAG
Member *abstain*



HON. MARIA ROSARIO B. SORIANO
Member



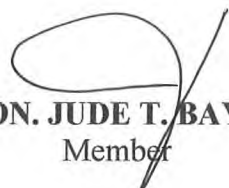
HON. GRACE B. ARAGO
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HON. RONALDO S. ORTIZ
Member




HON. IMOGEN CLAIRE M. CALLANGAN
Member



HON. JUDE T. BAYONA
Member



HON. KARINA S. GAUANI-VIERNES
Member



HON. ARNEL T. ARUGAY
Member

HON. CERENE PEARL T. QUILANG
Member *abstain*

HON. RESTITUTO C. RAMIREZ
Member

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SO RECOMMENDED.

Respectfully submitted:


HON. BIENVENIDO C. DE GUZMAN II
City Vice Mayor/Chairman

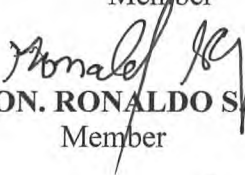
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