


FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

7 OCT -1 1966

SENATE
S. No. 1661

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

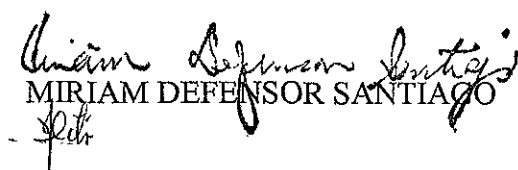
The Constitution, in its Article II on Declaration of Principles and State Policies, states:

Section 17. The State shall give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development.

In recent years, boxing has become one of the most popular sports in our country as the best Filipino boxers competing in international matches caught wide media attention. In Asia, professional records of Filipino boxers have paralleled, if not surpassed, those of Thailand and Japan, while in the rest of the world, they have competed against Mexico and other Latin American countries known as breeding grounds of ring warriors. All these show that Filipino boxers indeed possess physical strength, skills, and talents, which if given the proper support of the State, will potentially place them in top ranks.

Boxing has attracted many youths especially those who are from poor families. To them, boxing has become a means of livelihood to escape from poverty. And because of lack of proper guidance, there are some unscrupulous individuals acting as promoters and managers, take advantage of them, both physically and financially.

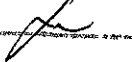
This bill aims for that State protection they need and for the establishment of an agency that will steer their talents and skills towards proper direction, with the end in view of making our country stand among the rest in this arena of sports.


MIRIAM DEFENSOR SANTIAGO

FOURTEENTH CONGRESS OF THE REPUBLIC)
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7 OCT -1 2016

S. No. SENATE
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1 AN ACT
2 TO STRENGTHEN THE COUNTRY'S STANDING
3 IN BOXING SPORTS, ENSURE THE WELFARE OF ITS BOXERS,
4 AND PROVIDING FUNDS THEREFOR

5 *Be it enacted by the Senate and House of Representative of the Philippines in*
6 *Congress assembled:*

7 SECTION 1. *Short Title.* – This Act shall be known as the “Boxers’ Welfare Act
8 of 2007”.

9 SECTION 2. *Statement of Policy.* – The State shall promote excellence in the
10 sports of boxing by establishing a national integrated system for search and recruitment,
11 and providing for the welfare of its Filipino boxers, coaches and trainers, competing for
12 the country.

13 SECTION 3. *Definition of Terms.* – For purposes of this Act, the following terms
14 shall be defined as follows:

15 (A) Administration – means the Philippine Boxing Administration;

16 (B) Boxer – means an individual who fights in a professional boxing match;

17 (C) Boxer registry – means any entity certified by the Philippine Boxing
18 Administration for the purposes of maintaining records and identification of boxers;

19 (D) Licensee – means an individual who serves as a trainer, second, or cutman for
20 a boxer;

21 (E) Manager – means a person who receives compensation for service as an agent
22 or representative of a boxer;

1 (F) Matchmaker – means a person that proposes, selects, and arranges the boxers
2 to participate in a professional boxing match;

3 (G) Professional boxing match - means a boxing contest held in the Philippines
4 between individuals for financial compensation. Such term does not include a boxing
5 contest that is regulated by an amateur sports organization;

6 (H) Promoter-The term “promoter” means the person primarily responsible for
7 organizing, promoting, and producing a professional boxing match. The term “promoter”
8 does not include a hotel, casino, resort, or other commercial establishment hosting or
9 sponsoring a professional boxing match unless- (i) the hotel, casino, resort, or other
10 commercial establishment is primarily responsible for organizing, promoting, and
11 producing the match; and (ii) there is no other person primarily responsible for
12 organizing, promoting, and producing the match;

13 (I) Sanctioning Organization- means an organization that sanctions professional
14 boxing matches in the Philippines- (i) between boxers who are residents of different
15 countries; or (ii) that are advertised, otherwise promoted, or broadcast (including closed
16 circuit television) in a country other than Philippines.

17 SECTION 4. *Philippine Boxing Administration.* - There is hereby created the
18 Philippine Boxing Administration, under the Department of Labor, headed by a
19 Chairman, who is assisted by a Vice-Chairman, General Counsel, and other staff.

20 SECTION 5. *Administration Chairman.* - The Chairman shall be appointed by
21 the President and shall serve for a term of 4 years. He shall be an individual who – (a) has
22 extensive experience in professional boxing activities or in a field directly related to
23 professional sports; (b) is of outstanding character and recognized integrity; and (c) is
24 selected on the basis of training, experience, and qualifications, and without regard to
25 party affiliation.

1 SECTION 6. *Administration Vice-Chairman, General Counsel, and Other Staff.* -
2 The Administration shall have an assistant chairman and a general counsel, who shall be
3 appointed by the chairman. The assistant chair shall serve as chairman in the absence of
4 the chairman, in the event of the inability of the chairman to carry out the functions of the
5 chairman, or in the event of a vacancy in that office, and to carry out such duties as may
6 be assigned by the chairman. The Administration shall have such additional staff as may
7 be necessary to carry out the functions of the commission.

8 SECTION 7. *Administration Functions.* - The Administration shall establish and
9 enforce uniform rules and practices related to boxing. It shall supervise all boxing events
10 held within the country. The functions of the Games and Amusement Board as well as
11 all other entities related to boxing are hereby transferred to the Administration.

12 In the performance of its function, the Administration shall be guided by its
13 mandate to protect the boxers from physical and financial exploitation. The
14 Administration shall see to it that the following acts are prevented or curtailed or
15 prohibited:

- 16 (a) promoters deducting large percentages of a boxer's purse for their own use;
- 17 (b) promoters coercing boxers into signing long-term, onerous contracts as a
18 condition for competing;
- 19 (c) promoters forcing boxers to hire an associate or relative of the promoter; and
- 20 (d) illegitimate ratings systems wherein sanctioning organizations rank boxers and
21 award 'championship titles' based on boxers' personal connections rather than win/loss
22 records.

23 SECTION 8. *Cooperation with sanctioning bodies.* - The Administration shall
24 work closely with international or regional sanctioning bodies over all professional
25 boxing matches held within the country.

1 SECTION 9. *Licensing requirements.* - No person may compete in a professional
2 boxing match or serve as a manager, promoter, or sanctioning organization for a
3 professional boxing match except as provided in a license granted to that person by the
4 Administration. The Administration shall (i) establish application procedures, forms, and
5 fees; (ii) establish and publish appropriate standards for licenses granted under this
6 section; and (iii) issue a license to any person who, as determined by the Administration,
7 meets the standards established by the Administration under this title. A license issued
8 under this section shall be for a renewable-- (i) 4-year term for a boxer; and (ii) 2-year
9 term for any other person. The Administration may issue a license under this paragraph
10 through local boxing authorities or in a manner determined by the Administration.

11 SECTION 10. *Licensing fees* - The Administration may prescribe and charge
12 reasonable fees for the licensing of persons under this title. The Administration may set,
13 charge, and adjust varying fees on the basis of classifications of persons, functions, and
14 events determined appropriate by the Administration. In setting and charging fees under
15 paragraph (1), the Administration shall ensure that, to the maximum extent practicable--
16 (A) club boxing is not adversely effected; (B) sanctioning organizations and promoters
17 pay the largest portion of the fees; and (C) boxers pay as small a portion of the fees as is
18 possible. (3) Fees established under this subsection may be collected through local
19 boxing authorities or by any other means determined appropriate by the Administration

20 SECTION 11. *Requirements for registry.* - The Administration, shall establish
21 and maintain (or authorize a third party to establish and maintain) a unified national
22 computerized registry for the collection, storage, and retrieval of information related to
23 the performance of its duties. The information in the registry shall include the following:
24 (1) Boxers - A list of professional boxers and data in the medical registry, which the
25 Administration shall secure from disclosure in accordance with the confidentiality
26 requirements. (2) Other personnel - Information (pertinent to the sport of professional
27 boxing) on boxing promoters, boxing matchmakers, boxing managers, trainers, cut men,

1 referees, boxing judges, physicians, and any other personnel determined by the
2 Administration as performing a professional activity for professional boxing matches.

3 SECTION 12. *Administration approval.* - No person may arrange, promote,
4 organize, produce, or fight in a professional boxing match within the Philippines, unless
5 the match is approved by the Administration.

6 SECTION 13. *Safety Standards.* - No person may arrange, promote, organize,
7 produce, or fight in a professional boxing match without meeting each of the following
8 requirements:

9 (A) A physical examination of each boxer by a physician certifying whether or
10 not the boxer is physically fit to safely compete, copies of which must be
11 provided to the Administration;

12 (B) An ambulance or medical personnel with appropriate resuscitation equipment
13 continuously present on site;

14 (C) A physician continuously present at ringside.

15 (D) Health insurance for each boxer to provide medical coverage for any injuries
16 sustained in the match.

17 SECTION 14. *Registration.* - Each boxer shall register with the Administration.

18 The Administration shall issue to each professional boxer who registers an identification
19 card that contains each of the following: (A)A recent photograph of the boxer;
20 (B)The social security number of the boxer (or, in the case of a foreign
21 boxer, any similar citizen identification number or professional boxer
22 number from the country of residence of the boxer); (C)A personal identification
23 number assigned to the boxer by a boxing registry. Each professional boxer shall renew
24 his or her identification card at least once every four (4) years. Each professional boxer
25 shall present his or her identification card to the Administration not later than the time of
26 the weigh-in for a professional boxing match.

1 It is the sense of the Congress that the Administration should, upon issuing an
2 identification card to a boxer, make a health and safety disclosure to that boxer as the
3 administration considers appropriate. The health and safety disclosure should include the
4 health and safety risks associated with boxing, and, in particular, the risk and frequency
5 of brain injury and the advisability that a boxer periodically undergo medical procedures
6 designed to detect brain injury.

7 SECTION 15. *Review. - Procedures.*- The Administration shall establish each of
8 the following procedures:

9 (A) Procedures to evaluate the professional records and physician's
10 certification of each boxer participating in a professional boxing match in the
11 state, and to deny authorization for a boxer to fight where appropriate.

12 (B) Procedures to ensure that, except as provided in subsection (b), no boxer is
13 permitted to box while under suspension from any boxing commission due
14 to--

15 (1) a recent knockout or series of consecutive losses;

16 (2) an injury, requirement for a medical procedure, or physician denial of
17 certification;

18 (3) failure of a drug test;

19 (4) the use of false aliases, or falsifying, or attempting to falsify, official
20 identification cards or documents; or

21 (5) unsportsmanlike conduct or other inappropriate behavior inconsistent
22 with generally accepted methods of competition in a professional boxing
23 match.

24 (C) Procedures to review a suspension where appealed by a boxer, licensee,
25 manager matchmaker, promoter, or other boxing service provider,

1 including an opportunity for a boxer, licensee, manager, matchmaker,
2 promoter, or other boxing service provider to present contradictory evidence.

3 (D) Procedures to revoke a suspension where a boxer--

4 (1) was suspended under subparagraph (1) or (2) of paragraph (B) of this
5 subsection, and has furnished further proof of a sufficiently improved
6 medical or physical condition;

7 (B) furnishes proof under subparagraph (3) or (4) of paragraph (B) that a
8 suspension was not, or is no longer, merited by the facts.

9 SECTION 16. *Suspension in a foreign country.*- The Administration may allow a
10 boxer who is under suspension in any state to participate in a professional boxing match--

11 (1) for any reason other than those listed in subsection (a) if such commission
12 notifies in writing and consults with the designated official of the suspending
13 state's boxing commission prior to the grant of approval for such individual to
14 participate in that professional boxing match; or

15 (2) if the boxer appeals to the Administration, and the Administration determines
16 that the suspension of such boxer was without sufficient grounds, for an
17 improper purpose, or not related to the health and safety of the boxer or the
18 purposes of this Act.

19 SECTION 17. *Contract requirements.* - The Administration shall develop
20 guidelines for minimum contractual provisions that shall be included in each bout
21 agreement, boxer-manager contract, and promotional agreement. The Administration
22 shall ensure that these minimal contractual provisions are present in any such agreement
23 or contract submitted to it.

1 SECTION 18. *Protection from Coercive Contracts.* -

2 (1)(A) A contract provision shall be considered to be in restraint of trade, contrary
3 to public policy, and unenforceable against any boxer to the extent that it-
4 (i) is a coercive provision described in subparagraph (B) and is for a period greater than
5 12 months; or (ii) is a coercive provision described in subparagraph (B) and the other
6 boxer under contract to the promoter came under that contract pursuant to a coercive
7 provision described in subparagraph (B).

8 (B) A coercive provision described in this subparagraph is a contract
9 provision that grants any rights between a boxer and a promoter, or between promoters
10 with respect to a boxer, if the boxer is required to grant such rights, or a boxer’s promoter
11 is required to grant such rights with respect to a boxer to another promoter, as a condition
12 precedent to the boxer’s participation in a professional boxing match against another
13 boxer who is under contract to the promoter.

14 (2) This subsection shall only apply to contracts entered into after the date of
15 the enactment of this Act.

16 (3) No subsequent contract provision extending any rights or compensation
17 covered in paragraph (1) shall be enforceable against a boxer if the effective date of the
18 contract containing such provision is earlier than 3 months before the expiration of the
19 relevant time period set forth in paragraph (1).

20 SECTION 19. *Promotional rights under mandatory bout contracts.* - No boxing
21 service provider may require a boxer to grant any future promotional rights as a
22 requirement of competing in a professional boxing match that is a mandatory bout under
23 the rules of a sanctioning organization.

24 SECTION 20. *Protection from Coercive Contracts with Broadcasters.*- Section
25 18 of this section applies to any contract between a commercial broadcaster and a boxer,
26 or granting any rights with respect to that boxer, involving a broadcast in or affecting

1 interstate commerce, regardless of the broadcast medium. For the purpose of this
2 subsection, any reference in Section 18(1)(B) to “promoter” shall be considered a
3 reference to “commercial broadcaster.”

4 SECTION 21. *Filing and Approval Requirements.* - A manager or promoter
5 shall submit a copy of each boxer-manager contract and each promotional agreement
6 between that manager or promoter and a boxer to the Administration. The
7 Administration may not approve a professional boxing match unless a copy of the bout
8 agreement related to that match has been filed with it and approved by it.

9 SECTION 22. *Bond and other surety.* - The Administration may not approve a
10 professional boxing match unless the promoter of that match has posted a surety bond,
11 cashier's check, letter of credit, cash, or other security with the commission in an amount
12 acceptable to the commission.

13 SECTION 23. *Online recruitment and personal sports profile.* - The Board shall
14 establish, develop, operate, and maintain an online recruitment system consisting of a
15 website whereby any individual who has potential skill in boxing may build their
16 personal sports profile including video, contact information, photo, stats, and bio, and
17 upload them to the website easily accessible to the coaches and promoters. The system
18 shall have a search engine that allows coaches and promoters to find boxers by matching
19 qualifying requirements with data input by boxers during registration. The website shall
20 contain a sport specific online registration form. A basic data only profile is given to
21 athletes for free when they register but athletes must pay Two Thousand Pesos (P
22 2,000.00) for annual membership if they wish to include video and receive the added
23 services of e-mailing and editing their video.

24 SECTION 24. *Implementing Rules and Regulations.* - The Philippine Boxing
25 Administration, in coordination with the Philippine Sports Commission, Games and
26 Amusements Board, Department of Labor, and other concerned agencies shall

1 promulgate and issue the implementing Rules and Regulations within sixty (60) days
2 upon approval of this Act.

3 SECTION 25. *Separability Clause.* - If any provision or part of this Act, or the
4 application thereof to any person or circumstances, is held invalid or unconstitutional, the
5 remaining sections of this Act or the application of such provision or part hereof to other
6 persons or circumstance shall remain in full force and effect.

7 SECTION 26. *Repealing Clause.* - All laws, decrees, orders, issuances, rules and
8 regulations or parts thereof inconsistent with the provisions of this Act are hereby
9 repealed, amended or modified accordingly.

10 SECTION 27. *Effectivity.* - This Act shall take effect fifteen (15) days after its
11 approval and publication in the *Official Gazette* and/or in two (2) newspapers of general
12 circulation, whichever comes earlier.

13 Approved,