

SENATE
S. No. 2612

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Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

Since the creation of the Philippine Sports Commission (PSC), a number of policies and structures were introduced to institutionalize the innovations gained from then "Gintong Alay" project of former President Ferdinand Marcos. However, after 16 years of existence, the PSC has not been successful in improving the state of Philippine Sports.

Based on the outcome of the hearings, consultations and dialogues conducted by the Committee on Games, Amusement and Sports with various stakeholders, it has been confirmed that the condition our country's sports has indeed gone from bad to worse. During the said consultations, certain grievances came out which contribute to the sorry state of Philippine sports, among others, sub-standard uniforms, lack of proper facilities, equipment and supplies for training and absence of a sports program that will assimilate each segment of our society from the barangay up to the National level through the "Sports For All" program. These grievances all boil down to the absence of sufficient government funds earmarked to uplift the condition of our national athletes as well as the absence of power or authority on the part of the Commission to execute and implement its programs and visions intended to revive the dyeing state of Philippine Sports.

This measure intends to amend certain provisions of RA 6847 to empower the Commission to implement a doable integrated sports policy that can contribute in the propagation and development of both the mass-based and elite sports. It likewise provides the Commission with an opportunity to raise its resources or funding through its National Sports Development Fund (NSDF). Moreover, the measure will provide the Philippine Sports Association for the Differently-Abled (PHILSPADA) with the same recognition and privileges extended to the Philippine Olympic Committee by the government. It is about time that all athletes delivering pride and honor to our country are treated equally.

This bill may not be the ultimate solution to whatever tribulation that the country's sports affairs is going through, but I strongly believe that these reforms can translate to major breakthroughs that will eventually put our country amongst the world's sports powerhouses.

I urge my colleagues to support the immediate passage of this proposed measure.



MANUEL "LITO" M. LAPID

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AN ACT
AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT 6847, OTHERWISE
KNOWN AS "THE PHILIPPINE SPORTS COMMISSION ACT".

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 5 of Republic Act 6847, is hereby amended to read as follows:

Section 5. Nature of the Commission. The Commission shall exercise corporate powers. x x x Provided, That in the case of the school sports development program the same shall be formulated and implemented by the Department of Education [Culture and Sports] with the assistance of the Commission x.x.x.

SEC. 2. Section 7 (a), (j), (m) of R.A. 6847, is hereby amended to read as follows:

Section 7. Functions of the Commission. The Commission shall have the following functions:

(a) *Plan, implement and oversee an integrated amateur sports promotion and development program for the country, [including the program for the Decade of Physical Fitness and Sports: 1900-2000, pursuant to Presidential Proclamation No. 496,] in coordination with various sectors involved in sports, including among others, the Philippine Olympic Committee, the National sports Association, **THE PHILIPPINE SPORTS ASSOCIATION FOR THE DIFFERENTLY-ABLED (PHILSPADA)**, the public and private schools, government corporations and entities, the local governments, the Armed Forces of the Philippines, and other sports organizations and private corporations;*

(b) x x x

- (c) x x x
- (d) x x x
- (e) x x x
- (f) x x x
- (g) x x x
- (h) x x x
- (i) x x x
- (j) *Recommend and propose to the Department of Education [, Culture and Sports], Department of **THE INTERIOR AND** Local Government x x x*
- (k) x x x
- (l) x x x
- (m) *Encourage, promote and sustain the creation and establishment of regional, provincial, municipal and barangay or school district sports Department of Education, [Culture and Sports], Department of **THE INTERIOR AND** Local Government, local government officials, and representatives of the private sectors which shall initiate, conduct and coordinate sports activities in their respective jurisdiction; and,*
- (n) x x x

SEC. 3. Section 8 of R.A. 6847, is hereby amended to read as follows:

*Section 8. Composition of the Commission. The Commission shall be composed of a Chairman and four (4) Commissioners all of whom shall be appointed by the President **UPON THE RECOMMENDATION OF THE PHILIPPINE OLYMPIC COMMITTEE (POC). THE CHAIRMAN AND THE FOUR (4) COMMISSIONERS SHALL HAVE A FIXED TERM OF OFFICE OF SIX (6) YEARS UNLESS SOONER REMOVED BY THE PRESIDENT FOR CAUSE: PROVIDED, THAT, THE CHAIRPERSON AND THE REGULAR MEMBERS MAY NOT SERVE FOR MORE THAN TWO (2) CONSECUTIVE TERMS: PROVIDED, FURTHER, THAT, IF ANY MEMBER FAILS TO COMPLETE HIS OR HER TERM, THE PERSON APPOINTED TO FILL THE VACANCY SHALL SERVE ONLY FOR THE UNEXPIRED PORTION OF THE TERM.***

SEC. 4. Section 10 of R.A. 6847, is hereby amended to read as follows:

Section 10. Salaries of the Chairman and the Commissioners.- The Chairman shall receive an annual compensation and shall be entitled to other benefits and privileges provided under existing laws for [an

undersecretary] A SECRETARY of a department and the Commissioners to that of assistant secretaries.

SEC. 5. Insert a new Section 14 to RA 6847, to read as follow:

Section 14. PHILIPPINE SPORTS ASSOCIATION FOR THE DIFFERENTLY-ABLED- THE PHILIPPINE SPORTS ASSOCIATION FOR THE DIFFERENTLY-ABLED (PHILSPADA), WHICH IS THE OFFICIAL NATIONAL PARALYMPIC COMMITTEE OF THE PHILIPPINES AND AFFILIATED WITH THE INTERNATIONAL PARALYMPIC COMMITTEE, SHALL BE RECOGNIZED BY THE COMMISSION.

PHILSPADA SHALL BE RESPONSIBLE IN THE COUNTRY'S PARTICIPATION AND HOSTING PREPARATIONS TO ALL INTERNATIONAL, CONTINENTAL, REGIONAL AND LOCAL SPORTS COMPETITIONS FOR THE DISABLED SUCH AS BUT NOT LIMITED TO THE ASEAN PARA GAMES, ASIAN PARA GAMES, AND THE PARALYMPICS.

SEC. 6. Section 14 of R. A. 6847, is hereby amended to read as follows:

*Section 15. Executive Director. There shall be an Executive Director who shall be appointed or designated as such by the Chairman, preferably from among the four Commissioners, and shall direct and supervise the day-to-day operations of the Commission. **PROVIDED, HOWEVER, THAT IF THE APPOINTED EXECUTIVE DIRECTOR IS NOT A COMMISSIONER, THE TERM OF OFFICE SHALL BE CO-TERMINOUS WITH THE CHAIRMAN.** The Executive Director shall have supervision and control over the bureau on administrative services headed by a Deputy Executive Director and the bureau on coordinating secretariat and support services, offices and sections which shall likewise be headed by a Deputy Executive Director. The Deputy Executive Directors shall be appointed by the Chairman **WHOSE TERM OF OFFICE SHALL LIKEWISE BE CO-TERMINOUS WITH THE CHAIRMAN.***

SEC. 7. Section 19 of R.A. 6847, is hereby amended to read as follows:

Section 19. Tax Exemption of the Commission, POC, NSA, AND PHILSPADA.- The Commission shall be exempted from the payment of customs duties, taxes and tariffs on the importation of sportswear,

*equipment, supplies, instruments and materials including those donated to the Commission, which are of international sports standard not available from local manufacturers [and only in such numbers] as may be required in the development of various sports and/or training of the national pool of athletes. The importation of sportswear, equipment, supplies, instruments and materials **EITHER THROUGH DIRECT IMPORTATION OR [donated] DONATION** to the Philippine Olympic Committee, [and, through the Commission, to] the various national sports association **AND THE PHILIPPINE SPORTS ASSOCIATION FOR THE DIFFERENTLY ABLED SHALL BE** certified under oath by the Commission to be required and necessary for the development of sports in the country shall also be exempt from the payment of customs duties, taxes and tariffs.*

SEC. 8. Section 20 of R.A. 6847, is hereby amended to read as follows:

*Section 20. Tax Deduction or Exemption of Donations and Contributions. – All donations and contributions to the Commission in connection with its fund- raising projects and its continuing sports development programs shall be exempt from the donor's taxes, and shall be deductible in full in the computation of the taxable net income of the donor. Donations and contributions to the Philippine Olympic Committee, [and/or] the various national sports associations **AND PHILIPPINE SPORTS ASSOCIATION FOR THE DIFFERENTLY-ABLED** certified by the commission to be pursuant to the development of sports in the country shall likewise be exempt from the payment of the donor's and estate taxes and shall be deductible in full in computing the taxable net income of the donor.*

SEC. 9. There shall be a new section between Section 23 and 24 of R.A. 6847 which shall be dominated as Section 23-A to read as follows:

*Section 23-A. **RENTAL INCOME. ALL RENTAL INCOME FROM THE SPORTS EQUIPMENT AND FACILITES OWNED AND OPERATED BY THE PSC SHALL BE REMITTED DIRECTLY TO THE COMMISSION TO BE USED EXCLUSIVELY FOR THE OPERATION AND MAINTENANCE OF SAID EQUIPMENT AND FACILITES.***

SEC. 10. Section 26 of R.A. 6847, is hereby amended to read as follows:

Section 26. Funding. In order to provide the necessary funds required for the organizational and initial x x x recruitment and training of athletes in pre-regional, regional, national and international competitions. [,including

the implementation of the Decade of Physical Fitness and Sports: 1990-2000]

*To finance the country's integrated sports development program, including the holding of the national games and all other sports competitions at all levels throughout the country as well as **TO CARRY OUT A WELL-PLANNED PREPARATIONS TO SUSTAIN THE COMPLETE NEEDS OF NATIONAL ATHLETES DURING** the country's participation at international sports competitions, such as, but not limited to the Olympic, Asian, [and] Southeast Asian Games, **PARALYMPICS, ASIAN PARA GAMES, AND ASEAN PARA GAMES** and all other international competitions sanctioned by the International Olympic Committee, **INTERNATIONAL PARALYMPIC COMMITTEE** and the International Federations, thirty percent (30%) representing, the charity fund of the proceeds of six (6) [sweepstakes or] lottery draws per annum, taxes on horse races [during special holidays] **FROM TEN (10) RACING DAYS TO BE DETERMINED BY THE PHILIPPINE RACING COMMISSION AND THE PSC**, five percent (5%) of the gross income **BEFORE TAXES** of the Philippine Amusement and Gaming Corporation, the proceeds from the sale of stamps as hereinafter provided [and three percent (3%) of all taxes collected on imported athletic equipment] shall be automatically x x x*

SEC. 11. Repealing Clause. All laws, presidential decrees, executive orders, presidential proclamations, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly. If any provision of this Act is declared unconstitutional, the same shall not affect the validity of the other provisions hereof.

SEC. 12. Effectivity Clause. This Act shall take effect after fifteen (15) days following its approval and publication in at least two (2) newspapers of general circulation.

Approved,