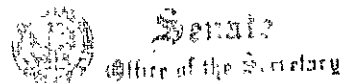



FIFTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
Second Regular Session



11 AUG 23 AM 11:44

SENATE

S.B. No. 2947

RECEIVED BY: 

Introduced by Senator Vicente C. Sotto III

EXPLANATORY NOTE

The incentives bill for athletes and coaches that was enacted into law (Republic Act No. 9064) is a step in the right direction, but it does not go far enough, because only those achievements in quadrennial competitions like the Olympics, quadrennial World Championships and the Asian Games which is also quadrennial are rewarded.

Despite public clamour, past achievements in annual and biennial competitions were omitted. Non-Olympic sports like bowling, golf, billiards and chess as a rule, hold annual and biennial competitions. This where our sports heroes like Paeng Nepomuceno, Efren "Bata" Reyes, Dorothy Delasin and Eugene Torre and other deserving athletes, have brought honours to the country.

It must be emphasized that these athletes have no Olympics to look forward to through no fault of their own. Despite this, these non-Olympic athletes have been recognized and honoured locally and internationally. The Bowling World Cup for example, has been recognized by the Guinness Book of World Records and the International Hall of Fame in St. Louis, Missouri, U.S.A. Locally, the Philippine Sports Association (PSA) honoured Paeng Nepomuceno as "Athletes of the Year" for an unprecedented five (5) times for annual achievements in bowling. Efren "Bata" Reyes and Dorothy Delasin were also named "Athletes of the Year" for annual competitions in billiards and golf respectively. Both Nepomuceno and Reyes are recipients of the prestigious "Legion of Honor" medal. These same athletes were also honoured by resolutions emanating from both Houses of Congress.

There should be no discrimination in sports. Fairness and equality must be applied to our deserving athletes, whose victories in annual and biennial world and Asian sports championships inspire and unify our people no less than medals won in quadrennial competitions.

When the matches involving Filipino champions like Reyes and Francisco "Django" Bustamante are featured "live" by an international television network like ESPN, as was the case for several days during the World Pool Championships in Cardiff, Wales in July 1999 (when Reyes won the tournament) and in July 2002 (when Bustamante placed second), hundreds of millions of viewers all over the world get to see that the Filipino is courteous and friendly, and has the inborn intelligence, resilience, and courage to cope with the most difficult and challenging of situations. The goodwill generated for the Filipino people is immeasurable. The athletes must therefore be rewarded for their achievements, as proposed in this Act, and all the more so because their trips abroad and the favourable media coverage have been at no cost to our government.

This piece of legislation likewise seeks to recognize the equally relevant feat of differently-abled Filipino national athletes who have also been reaping glory for the country in international sporting tours. Unknown to many, our differently-abled athletes have been contributing their share of delivering honors to the Philippines through their competitive participation in the ASEAN Para Games which is the equivalent of the SEA Games, FESPIC Games which is the parallel of the Asian Games, and the elite Paralympic Games which is the highest international sporting event for athletes with disabilities being held simultaneously with the World Olympics.

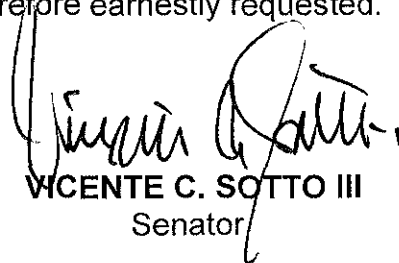
I believe that the honors delivered to us by the regular members of the national athletes and national athletes with disabilities should have no distinction, and thus, be accorded with equal monetary and non-monetary benefits extended by RA 9064 to all our sports heroes.

Moreover, this bill shall expand the coverage of the existing incentives already enjoyed by the athletic achievers by adding health insurance benefits to all medalists and lifetime pension to retiring gold medal achievers.

The amendments as proposed in this piece of legislation will make our athletes feel, regardless of their physical traits, the importance of the pride and glory they earned for the country everytime they successfully carry with them the colors of our nation.

The Congress of the Philippines should therefore approve this Act, which will reassure the Filipino people that their government continues to desire for them many benefits that accrue from active participation in sports, and will encourage more and more of them to develop into champions who will do the country proud and strengthen the bonds that unify the nation.

Early passage of this bill into law is therefore earnestly requested.




VICENTE C. SOTTO III
Senator

11 AUG 23 11:44

SENATE

S. No. 2947

RECEIVED BY: 

Introduced by Sen. Vicente C. Sotto III

AN ACT
TO STRENGTHEN THE CASH AND OTHER NON-MONETARY BENEFITS AND INCENTIVES TO NATIONAL ATHLETES, COACHES AND TRAINERS, AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NUMBER NINETY HUNDRED AND SIXTY FOUR, OTHERWISE KNOWN AS "NATIONAL ATHLETES, COACHES AND TRAINERS BENEFITS AND INCENTIVES ACT OF 2001" AND FOR OTHER PURPOSES

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

SECTION 1. Section 3 of Republic Act No. 9064, otherwise known as "National Athletes, Coaches and Trainers Benefits and Incentives Act of 2001" is hereby amended to read as follows:

"Sec. 3. *Definition of Terms.* - For purposes of this Act, the following terms shall be defined as follows:

(a) *National Athletes* - shall refer to athletes who are Filipino citizens, members of the national training pool, recognized and accredited by the Philippine Olympic Committee (POC) and the Philippine Sports Commission (PSC), **INCLUDING ATHLETES WITH DISABILITIES (AWD) WHO ARE RECOGNIZED AND ACCREDITED BY THE NATIONAL PARALYMPIC COMMITTEE PHILIPPINES (NPC PHIL) AND THE PSC** and who have represented the country in international competitions. **IT SHALL ALSO REFER TO ATHLETES WHO ARE NOT MEMBERS OF THE NATIONAL TRAINING POOL BUT WHO HAVE OTHERWISE REPRESENTED THE COUNTRY IN INTERNATIONAL COMPETITIONS;**

(b) *National Coaches and Trainers* - shall refer to coaches and trainers **OF NATIONAL ATHLETES**, who are Filipino citizens, members of the national coaches and trainers pool, recognized and accredited by the PSC **AND POC, OR THE PSC AND NPC PHIL. IN THE CASE OF AWD COACHES AND TRAINERS** who have represented the country as official coaches and trainers to national athletes in international competitions;

(c) *International Competitions* - shall refer to international sports competitions which are sanctioned by the International Olympic Committee (IOC), **INTERNATIONAL SPORTS FEDERATIONS (ISFs) OR**

INTERNATIONAL GOVERNING BODIES FOR THE SPORTS BEING PARTICIPATED IN BY NO LESS THAN FORTY FIVE (45) COUNTRIES, AND BY THE INTERNATIONAL PARALYMPIC COMMITTEE (IPC),

INCLUDING OTHER INTERNATIONAL SPORTS COMPETITIONS RECOGNIZED BY THE PSC IN CLOSE COORDINATION WITH AND APPROVAL BY POC AND NPC PHIL. ”

X X X

SEC 2. Section 4 of the same Act is hereby further amended to read as follows:

“Sec 4. *Benefits and Privileges for National Athletes, Coaches and Trainers.* - Any national athlete, coach and trainer **AS DEFINED HEREIN AND** who is currently registered as such before the PSC **AND/OR NPC PHIL** shall be entitled to the following:

(a) the grant of twenty percent (20%) discount from all establishments relative to the utilization of transportation services, hotels, and other lodging establishments, restaurants and recreation centers and purchase of medicine and sports equipment anywhere in the country **FOR THE EXCLUSIVE USE OR ENJOYMENT OF THE NATIONAL ATHLETE, COACH AND TRAINER;**

(b) minimum of twenty percent (20%) discount on admission fees charged by theaters, cinema houses and concert halls, circuses, carnivals, and other similar places of culture, leisure and amusement **FOR THE EXCLUSIVE USE AND ENJOYMENT OF THE NATIONAL ATHELETE, COACH AND TRAINER;**

(c) free medical and dental consultations in private or **GOVERNMENT [public]** hospitals and similar establishments anywhere in the country [and medical insurance program to be provided by the Philippine Health Insurance Corporation (PHIC)];

(C-1) FREE COVERAGE IN THE NATIONAL HEALTH INSURANCE PROGRAM OF THE PHILIPPINE HEALTH INSURANCE CORPORATION (PHIC) THRU THE SPONSORED PROGRAM OF THE PSC;

(d) X X X

(e) X X X

(f) X X X

Such privately-owned establishments shall enjoy tax [credits] **DEDUCTIONS** equivalent to the discounts extended to the **NATIONAL athletes, COACHES AND TRAINERS.**”

X X X

SEC 3. Section 5 of the same Act is hereby further amended to read as follows:

“Sec. 5. *Scholarships.* - a national athlete who wins **GOLD** in an international competition **EXCEPT SEAGAMES OR ASEAN PARA GAMES** or any qualified member of his[/] **OR** her immediate family within the fourth civil degree of consanguinity shall be entitled to scholarship benefits in the form of tuition fees in state colleges and universities in order to complete a college or university degree. The winning national athlete shall likewise be given priority in the availment of state college and university scholarship grants.”

X X X
X X X

SEC 4. Section 6 of the same Act is hereby further amended to read as follows:

“Section 6. *Retirement Benefits.* - Any national athlete, coach and trainer who wins **GOLD** in an international competition or has coached and trained such winning national athlete, [shall receive a lump sum amount equivalent to twenty-five percent (25%) of his/her total cash incentives computed from the start of his/her active sports career as a member of the national training pool or national coaches and trainers pool to the last day of retirement from active competition or training as certified by the PSC. Such lump sum amount shall be extended sixty (60) days after the filing of the retirement papers.] **EXCEPT SEAGAMES OR ASEAN PARA GAMES, UPON REACHING THE AGE OF FIFTY-FIVE (55), SHALL RECEIVE THE FOLLOWING RETIREMENT BENEFITS:**

- A. FOR INDIVIDUAL EVENTS – A LIFETIME MONTHLY PENSION OF AT LEAST TWENTY THOUSAND PESOS (P20,000.00) FOR INDIVIDUAL WINNER;**
- B. FOR TEAM EVENTS – A LIFETIME MONTHLY PENSION OF AT LEAST FIFTEEN THOUSAND PESOS (P15,000.00) FOR EACH TEAM MEMBER.**

PROVIDED HOWEVER, THAT FOR NATONAL ATHLETES, COACHES AND TRAINERS WHO WIN IN BOTH INDIVIDUAL AND TEAM EVENTS, THE RETIREMENT BENEFIT FOR INDIVIDUAL EVENTS SHALL APPLY.

PROVIDED FURTHER, THAT, ATHLETES, COACHES AND TRAINERS WHO ARE STILL ACTIVELY EMPLOYED AT THE TIME THEY REACH THE AGE OF FIFTY-FIVE (55) AND HAVE AVAILED OF THE RETIREMENT BENEFITS UNDER THIS ACT MAY CONTINUE WITH SUCH EMPLOYMENT.

PROVIDED, FINALLY, THAT THE RETIREMENT BENEFITS UNDER THIS ACT SHALL BE SEPARATE AND DISTINCT FROM THE MANDATORY RETIREMENT BENEFITS UNDER EXISTING LAWS.

SEC 5. Section 7 of the same Act is hereby renumbered as Section 8

SEC.6. Section 8 of the same Act is hereby further amended to read as follows:

"Sec. 9 [8]. *Cash Incentives for National Athletes.* - National athletes who win gold, silver and bronze medals in international competitions shall be entitled to cash awards in the following amounts:

A. INDIVIDUAL EVENTS

(a) For gold medalists:

- (1) Five million pesos (P5,000,000.00) for Olympic **AND/OR PARALYMPIC** Games;
- (2) Two million five hundred thousand pesos (P2,500,000.00) for [quadrennial] World Championships, **WORLD CUP, WORLD GAMES OR WORLD LEVEL CHAMPIONSHIPS THAT DOES NOT INVOLVE THE USE OF HANDICAPS AND OFFER PRIZE MONEY;**
- (3) One million pesos (P1,000,000.00) for Asian Games **AND/OR ASIAN PARA GAMES;** and
- (4) One hundred thousand pesos (P100,000.00) for Southeast Asian Games (SEA Games) **AND/OR ASEAN PARA GAMES.**

(b) For silver medalists:

- (1) Two million five hundred thousand pesos (P2,500,000.00) for Olympic **AND/OR PARALYMPIC** Games;
- (2) One million pesos (P1,000,000.00) for [quadrennial] World Championships, **WORLD CUP, WORLD GAMES OR WORLD LEVEL CHAMPIONSHIPS THAT DOES NOT INVOLVE THE USE OF HANDICAPS AND OFFER PRIZE MONEY;**
- (3) Five hundred thousand pesos (P500,000.00) for Asian Games **AND/OR ASIAN PARA GAMES;** and
- (4) Fifty thousand pesos (P50,000.00) for Southeast Asian Games (SEA Games) **AND/OR ASEAN PARA GAMES**

(c) For bronze medalists:

- (1) One million pesos (P1,000,000.00) for Olympic **AND/OR PARALYMPIC** Games;
- (2) Five hundred thousand pesos (P500,000.00) [quadrennial] World Championships, **WORLD CUP, WORLD GAMES OR WORLD LEVEL CHAMPIONSHIPS THAT DOES NOT INVOLVE THE USE OF HANDICAPS AND OFFER PRIZE MONEY;**
- (3) [One hundred thousand pesos (P100,000.00)] **TWO HUNDRED FIFTY THOUSAND PESOS (P250,000)** for Asian Games **AND/OR ASIAN PARA GAMES;** and

- (4) [Ten thousand pesos (P10,000.00)] **TWENTY-FIVE THOUSAND PESOS (P25,000)** for Southeast Asian Games (SEA Games) **AND/OR ASEAN PARA GAMES.**

B. TEAM EVENTS

X X X

For competitions with five (5) or more participants per team, [the team shall receive twice the cash awards for individual winners , to be divided equally among the team members actually present during the competition] **EACH TEAM MEMBER SHALL RECEIVE CASH AWARD EQUAL TO THE SHARE OF EACH TEAM MEMBER FOR COMPETITIONS WITH FOUR (4) PARTICIPANTS "**

Provided, That, for demonstration and exhibition sports events in the Olympic Games OR PARALYMPIC GAMES, winning national athletes shall receive fifty percent (50%) of the cash awards for Olympic medalists as herein provided;

[Provided ; further, That for SEA Games monetary incentives shall be given starting 2001 to the winning athletes or teams who have equaled or surpassed the existing game records or the previous placings in non-measurable events].

SEC. 7. Section 9 of the same Act is hereby further amended to read as follows:

"Sec. 10 [9]. *Benefits, Privileges and Incentives for Past Achievers.* - Any national athlete who, prior to the enactment of this Act, had won gold, silver or bronze medals in international competitions except SEA Games **OR ASEAN PARA GAMES**, shall be entitled to the benefits and privileges provided under Section 4 and fifty percent (50%) of the cash incentives provided under Section 8 of this Act. Such incentives shall be the difference between the cash award received under Administrative Order No. 352 **OR FROM OTHER GOVERNMENT AGENCIES** and the cash award provided under this Act.

SEC 8. Section 10 of the same Act is hereby further amended to read as follows:

"Sec. 11 [10]. *Incentives for Coaches and Trainers.* - Coaches and trainers shall also be entitled to cash awards if they have personally trained and rendered service to the athletes or teams **WHO WIN IN INTERNATIONAL COMPETITIONS** at least [one (1) year] **SIX (6) MONTHS** prior to the international competition. Certification to this effect by the individual athlete or **TEAM MANAGER FOR TEAM EVENTS** shall be in writing, **DULY ATTESTED BY THEIR RESPECTIVE NATIONAL SPORTS ASSOCIATIONS (NSAs).**

X X X

There is hereby created a body to be known as the Philippine Coaches Accreditation Council that shall accredit and recognize coaches and trainers. It shall be composed, among others, of representatives from the PSC, POC, **NPC PHIL** and the academic community, preferably a professor in physical education or sports science."

SEC. 9. A new section Section 11-A is hereby inserted to read as follows:

“SEC 11-A. AVAILMENT OF BENEFITS AND PRIVILEGES – THE ABOVE-MENTIONED BENEFITS AND PRIVILEGES SHALL BE AVAILED BY ATHLETES, COACHES AND TRAINERS UPON PRESENTATION OF AN IDENTIFICATION CARD, RENEWABLE EVERY YEAR, TO BE ISSUED BY THE PSC AND/OR NPC PHIL.

PROVIDED THAT, IN CASE THE ATHLETES ARE NON-MEMBERS OF THE NATIONAL TRAINING POOL, THE IDENTIFICATION CARD SHALL ONLY BE ISSUED TO WINNING ATHLETES WHO REMAIN ACTIVE IN INTERNATIONAL PARTICIPATION. PROVIDED FURTHER, THAT ATHLETES WITH DISABILITIES SHALL NOT AVAIL OF SAID BENEFITS AND PRIVILEGES IN COMBINATION WITH SIMILAR BENEFITS AND PRIVILEGES UNDER RA 9442 OTHERWISE KNOWN AS THE MAGNA CARTA FOR DISABLED PERSONS.”

SEC. 10. Section 11 of the same Act is hereby renumbered as Section 12.

SEC. 11. A new Section 13 of the same Act is hereby inserted to read as follows:

“SEC 13. *Penalties.* –

(A) ANY BUSINESS ESTABLISHMENT VIOLATING SECTION 4 (a), (b) and (c) OF THIS ACT SHALL SUFFER THE FOLLOWING PENALTIES:

(1) FOR THE FIRST VIOLATION, A FINE OF NOT LESS THAN FIFTY THOUSAND PESOS (P50,000) BUT NOT EXCEEDING ONE HUNDRED THOUSAND PESOS (P100,000) OR IMPRISONMENT OF NOT LESS THAN SIX (6) MONTHS BUT NOT MORE THAN TWO (2) YEARS, OR BOTH AT THE DISCRETION OF THE COURT; AND

(2) FOR ANY SUBSEQUENT VIOLATION, A FINE OF NOT LESS THAN ONE HUNDRED THOUSAND PESOS (P100,000) BUT NOT EXCEEDING TWO HUNDRED THOUSAND PESOS (P200,000) OR IMPRISONMENT FOR NOT LESS THAN TWO (2) YEARS BUT NOT MORE THAN SIX (6) YEARS, OR BOTH.

(B) ANY NATIONAL ATHLETE, COACH, TRAINER OR ANY PERSON WHO VIOLATES THE PRIVILEGES GRANTED HEREIN SHALL BE PUNISHED WITH IMPRISONMENT OF NOT LESS THAN SIX (6) MONTHS OR A FINE OF NOT LESS THAN FIVE THOUSAND PESOS (P5,000), BUT NOT MORE THAN FIFTY THOUSAND PESOS (P50,000), OR BOTH, AT THE DISCRETION OF THE COURT. PROVIDED, HOWEVER, THAT SUCH VIOLATION SHALL NOT DEPRIVE THE CONCERNED NATIONAL ATHLETE, COACH OR TRAINER FROM RECEIVING THE BENEFITS AND PRIVILEGES GRANTED UNDER THIS ACT.

(C) IF THE VIOLATOR IS A CORPORATION, PARTNERSHIP OR ANY JURIDICAL PERSON, THE PENALTY SHALL BE IMPOSED UPON THE PRESIDENT, OWNER OR ANY RESPONSIBLE OFFICER.

(D) IF THE VIOLATOR IS AN ALIEN OR A FOREIGNER, HE SHALL BE DEPORTED IMMEDIATELY AFTER SERVICE OF SENTENCE WITHOUT FURTHER DEPORTATION PROCEEDINGS.

UPON FILING OF AN APPROPRIATE COMPLAINT, AND AFTER DUE NOTICE AND HEARING, THE PROPER AUTHORITIES MAY ALSO CAUSE THE CANCELLATION OR REVOCATION OF THE BUSINESS PERMIT, PERMIT TO OPERATE, FRANCHISE AND OTHER SIMILAR PRIVILEGES GRANTED TO ANY BUSINESS ENTITY THAT FAILS TO ABIDE BY THE PROVISIONS OF THE LAW.”

SEC. 12. *Funding.* - The amount necessary for the implementation of the cash incentives and retirement benefits under this Act shall be taken from the net cash income of the Philippine Amusement and Gaming Corporation (PAGCOR), to be remitted directly as a special account to the National Sports Development Fund (NSDF) of the PSC. This is in addition to the regular income share of the PSC pursuant to Republic Act No. 6847.

Such amount as may be necessary to carry out the other provisions of this Act shall be included in the budget of the PSC in the General Appropriations Act of the year following its enactment into law and thereafter.

SEC. 13. *Implementing Rules and Regulations.* - The PSC, in coordination with the POC, NPC PHIL, DEPED, CHED, TESDA, DOF, BIR, and other concerned agencies shall promulgate and issue the Implementing Rules and Regulations within sixty (60) days upon approval of this Act.

SEC 14. *Congressional Oversight Committee* – A Congressional Oversight Committee is hereby created to be composed of the Chairs of the Senate Committees on Games, Amusement and Sports and the House of Representatives Committee on Youth and Sports Development, and two (2) members each from of the Senate and the House of Representatives who shall be designated by the Senate President and the Speaker of the House of Representatives: Provided, That one (1) of the two (2) Senators and one (1) of the two (2) House Members shall be nominated by the respective Minority Leaders of the Senate and the House of Representatives.

The oversight committee is hereby mandated to oversee the implementation of this Act for a period of five (5) years. For this purpose, the oversight committee shall set the guidelines and overall framework for the monitoring of the implementation of this Act and shall adopt its internal rules of procedures.

SEC 15. *Separability Clause.* - If any provision or part of this Act, or the application thereof to any person or circumstances, is held invalid or unconstitutional, the remaining sections of this Act or the application of such provision or part hereof to other persons or circumstance shall remain in full force and effect.

SEC 16. *Repealing Clause.* - All laws, decrees, orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 17. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,