


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SENATE
S No. 3254

(In Substitution of SB Nos. 33, 258, 1466, 1495, 1617, 2741 and 2906)

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BY: 

Prepared by the Committee on Games and Amusement, the Committee on Health and Demography and the Committee on Finance with Senators Lapid, Trillanes IV, Defensor Santiago, Ejercito Estrada and Pimentel III as authors thereof

AN ACT
CREATING THE PHILIPPINE BOXING COMMISSION THEREBY
STRENGTHENING THE COUNTRY'S STANDING IN BOXING
SPORTS, ENSURING THE WELFARE OF FILIPINO BOXERS,
AND PROVIDING FUNDS THEREFOR

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

I. GENERAL PROVISIONS

1 **SEC. 1. Short Title.** – This Act shall be known as the “*Philippine Boxer’s*
2 *Welfare Act of 2012*”.

3 **SEC. 2. Declaration of Policy.** - It is the declared policy of the State to
4 give priority to education, science and technology, arts, culture, and sports to
5 foster patriotism and nationalism, accelerate social progress, and promote
6 human liberation and development. The State shall promote excellence in
7 boxing sports by establishing a national agency to create a policy to set proper
8 directions for the development and safety of professional boxers and providing
9 for the welfare of boxers, coaches, trainers, and support to other stakeholders
10 competing for the country.

11 **SEC. 3. Definition of Terms.** – For purposes of this Act, the following
12 terms shall be defined as follows:

- 13 a. Commission - shall refer to the Philippine Boxing Commission;
- 14 b. Boxer registry – shall refer to any entity certified by the Philippine
15 Boxing Commission for the purposes of maintaining records and
16 identification of boxers;

- 1 c. License – shall refer to a document issued by the Commission
2 authorizing a person or entity to perform duties as a privilege
3 connected with professional boxing;
- 4 d. Licensee – shall refer to an individual who serves as a trainer,
5 second, or cutman for a boxer;
- 6 e. Manager – shall refer to a person who receives compensation for
7 service as an agent or representative of a boxer;
- 8 f. Matches – shall refer to the pairing of boxers in a contest or in a
9 bout;
- 10 g. Matchmaker – shall refer to a person that proposes, selects, and
11 arranges the boxers to participate in a professional boxing promotion;
- 12 h. Permit – shall refer to a document issued by the Commission
13 authorizing a person or entity to hold, promote or engage in the
14 conduct or operation of professional boxing;
- 15 i. Professional Boxer – shall refer to any individual athlete who is paid a
16 sum of money and other compensation as a salary or prize money for
17 participating in a bout or in a professional boxing contest;
- 18 j. Professional Boxing Promotion – shall refer to a boxing contest held in
19 the Philippines between individuals for financial compensation but
20 shall not refer to a boxing contest that is regulated by an amateur
21 sports organization;
- 22 k. Promoter – shall refer to a person or persons primarily responsible for
23 organizing, promoting, and producing a professional boxing
24 promotion. The term “promoter” does not include a hotel, casino,
25 resort, or other commercial establishment hosting or sponsoring a
26 professional boxing promotion unless – (i) the hotel, casino, resort, or
27 other commercial establishment is primarily responsible for
28 organizing, promoting and producing the promotion; and (ii) there is
29 no other person primarily responsible for organizing, promoting, and
30 producing the promotion;
- 31 l. Sanctioning Organization – shall refer to an organization that
32 sanctions professional boxing promotions in the Philippines – (i)
33 between boxers who are residents of different countries; or (ii) that are
34 advertised, otherwise promoted, or broadcast (including closed circuit
35 television) in a country other than the Philippines.

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II. THE PHILIPPINE BOXING COMMISSION

SEC. 4. Creation of the Philippine Boxing Commission. - There is hereby created the Philippine Boxing Commission, hereinafter referred to as the Commission, which shall be directly under the administrative supervision of the Office of the President.

SEC. 5. Objectives of the Commission. - The objectives of the Commission are as follows:

- a. To establish uniform rules and procedures related to boxing;
- b. To set proper directions for the sports of boxing towards developing world-class professional boxers to bring honor to the country;
- c. To provide safety procedures to protect boxers from physical and financial exploitation;
- d. To provide for a comprehensive health care benefits, alternative livelihood program, a system of life insurance, reliable death benefits, and other benefits for all boxers who competed and won in international boxing events sanctioned by the Commission.

SEC. 6. Powers of the Commission. - The Commission shall have the following powers:

- a. To appoint the officers and other personnel of the Commission and fix their compensation, allowances and other emoluments, subject to civil service applicable laws, rules and regulations;
- b. To suspend, dismiss or otherwise discipline for cause, any employee, and/or approve or disapprove the appointment, transfer or detail of employees, subject to the provisions of existing laws and regulations;
- c. To enter into contracts in furtherance of the purposes of this Act;
- d. To acquire, use and control any land, building, facilities, equipment, instrument, tools and rights required or otherwise necessary for the accomplishment of the objectives of the Commission;
- e. To acquire, own, possess, and dispose of any real or personal property with the unanimous decision of the members of the Commission;
- f. To accept donations, gifts, bequests and grants;
- g. To issue rules and regulations in pursuance of the provisions of this Act; and

1 h. To perform any and all other acts incidental to or required by virtue of
2 its creation.

3 **SEC. 7. Functions of the Commission.** – The Commission shall have
4 the following functions:

- 5 a. To formulate, initiate, plan and implement a national policy for the
6 development of the sport of boxing in the country;
- 7 b. To maintain an integrated boxer registry for the purposes of
8 maintaining records and identification of boxers;
- 9 c. To establish a consultative mechanism which shall provide a forum
10 for continuing dialogue between all stakeholders in the
11 implementation of all laws, policies, programs and projects relative to
12 boxing;
- 13 d. To seek or request the assistance and support of any government
14 agency, office or instrumentality including government-owned and
15 controlled corporations, local government units as well as non-
16 governmental organizations or institutions in pursuance of its
17 policies;
- 18 e. To establish and maintain linkages with international boxing
19 organizations or institutions and counterpart agencies of foreign
20 governments in order to facilitate and ensure the participation of
21 Filipino professional boxers in international boxing events;
- 22 f. To formulate, initiate, plan and implement a comprehensive and
23 progressive health care program, alternative livelihood program, a
24 system of life insurance, reliable death benefits, and other benefits for
25 all boxers who competed and won in international boxing events
26 sanctioned by the Commission;
- 27 g. To formulate and implement an insurance system through the Social
28 Security System (SSS) and/or private insurance companies for
29 qualified professional boxers;
- 30 h. To provide, supervise and ensure that emergency medical personnel
31 and services are available in every boxing competition, local and
32 abroad;
- 33 i. To establish a system of registration and licensing of boxers, referees,
34 trainer, second, or cutman for a boxer and other personnel necessary
35 for the boxing sports; and to issue, suspend or revoke permits and

- 1 licenses and to impose or collect fees for the issuance of such licenses
2 and permits to persons required to obtain the same;
- 3 j. To allocate resources for the implementation of national policies
4 related to boxers;
- 5 k. To submit an annual report on the implementation of this Act to the
6 President and to the Congress; and
- 7 l. To perform such other functions as may be necessary to effectively
8 and efficiently carry out the provisions of this Act. The functions of
9 the Games and Amusement Board (GAB) as well as other entities
10 related to boxing are hereby transferred to the Commission.

11 **SEC. 8. Membership of the Commission.** - The Commission shall be
12 composed of a Chairman who - (a) has extensive experience in professional
13 boxing activities or in a field directly related to professional sports; (b) is of
14 outstanding character and recognized integrity; and (c) is selected on the basis
15 of training, experience, and qualifications, and without regard to party
16 affiliation and six (6) Members to be appointed by the President: Provided, that
17 of the six (6) Members, there shall be one (1) representative from the Boxing
18 Promoters' Association, one (1) representative from Boxing Managers'
19 Association, one (1) representative from Boxing Trainers' Association, one (1)
20 representative from retired professional boxers, one (1) General Counsel, who
21 has extensive experience in litigation or policies directly or indirectly related to
22 professional sports and one (1) Physician, who has extensive experience in
23 sports medicine. The Member-Physician shall be the head of the Medical
24 Advisory Board of the Commission.

25 **SEC. 9. Term of Office.** - The term of office of the commissioners shall
26 be four (4) years: Provided, that no vacancy shall be filled except for the
27 unexpired portion of any term; and provided, further, that any member of the
28 Commission whose term of office has expired shall remain in office until his
29 successor shall have been duly appointed and qualified. The Chairman and
30 members of the Commission may be suspended or removed by the President of
31 the Philippines.

32 **SEC. 10. The Secretariat.** - The Secretariat shall be headed by an
33 Executive Director, appointed by the Commission, and such other technical
34 and administrative staff as may be needed and as determined by the
35 Commission, who shall be tasked to implement the policies and programs

1 approved by the Commission and to supervise all aspects of professional
2 boxing sports. Their salaries, allowances and other emoluments shall be
3 determined by the Commission in accordance with Civil Service rules and other
4 relevant and existing laws.

5 **SEC. 11. Meetings and Quorum.** - The Commission shall meet regularly
6 once a week and as often as the exigencies of the service may demand, upon
7 the call of the Chairman or upon the request of three (3) members of the
8 Commission. The vote of a majority of all the members shall be necessary for
9 the adoption of any rule, resolution or decision of the Commission.

10 **SEC. 12. Allowances and Per Diems.** - The Chairman of the
11 Commission shall receive a monthly allowance of eight thousand pesos and a
12 per diem not to exceed five hundred pesos for each meeting actually attended
13 by him: Provided, that such allowance and per diems shall not exceed twelve
14 thousand pesos during any one month.

15 The other members of the Commission shall receive a monthly
16 commutable allowance of six thousand pesos and a per diem not to exceed five
17 hundred pesos for each meeting actually attended by them: Provided, that such
18 allowance and per diems shall not exceed ten thousand pesos during any one
19 month for each member.

20 III. SAFETY STANDARDS

21 **SEC. 13. The Medical Advisory Board.**- The Medical Advisory Board
22 assists and advises the Commission on issues affecting the safety and health of
23 the boxers. The Board duties include preparing and submitting to the
24 Commission appropriate standards for the physical and mental examination of
25 the boxers, advising the Commission as to the physical and mental fitness of a
26 boxer and recommending physicians to be licensed as ringside physicians for
27 the Commission.

28 The Board shall prepare and submit recommendations for revisions in
29 the law necessary to protect the health of the boxers.

30 **SEC. 14. Physical and Medical Examination Requirements.** - No
31 person may arrange, promote, organize, produce, or fight in a professional
32 boxing promotion without a physical and diagnostic examination of each boxer
33 by an accredited and licensed physician of the Philippine Boxing Commission,

1 pursuant to existing rules and regulations, certifying whether or not the boxer
2 is physically fit to safely compete, which shall include but not limited to the
3 following:

- 4 a. Chest X-ray (PA View);
- 5 b. Ophthalmological examination;
- 6 c. Neuro-psychological test;
- 7 d. Drug testing for THC (Marijuana) and Metamphetamine (Shabu);
- 8 e. Hepatitis B Surface Antigen (HepBsAg) – quantitative exams for all
9 new licensees and comebacking boxers with previously positive
10 results and qualitative exams for renewals;
- 11 f. CT Scan of the Brain;
- 12 g. Gynecological condition result for female boxers;
- 13 h. Urinalysis;
- 14 i. Complete Blood Count (CBC);
- 15 j. 12 leads ECG;
- 16 k. HIV test (for licensed professional boxers fighting abroad)
- 17 l. Magnetic Resonance Imaging (MRI), as may be needed, upon
18 recommendation of the Commission physician.

19 All other personnel and staff engaged in and involved in the boxing
20 promotion shall be subjected to such physical and medical examinations, as
21 may be determined by the Commission. Items (a) to (i) shall be mandatory
22 physical and medical examination requirements. Items (j), (k) and (l) shall be
23 required in cases determined by the Commission. Expenses for the physical
24 and medical examination, as required, shall be for the account of the Manager.

25 **SEC. 15. *Emergency Medical Services.*** – A professional boxing
26 promotion may be held only if:

- 27 a. A licensed practicing physician, whose services are paid by the
28 promoter and duly registered with the Commission, is continuously
29 present at the ringside of the professional boxing promotion;
- 30 b. Ambulance services, including oxygen tanks and other medical
31 personnel equipped with appropriate resuscitation equipment
32 continuously present on the ringside.
- 33 c. A tertiary hospital nearby, which is located at the local government
34 unit hosting the boxing promotion. Furthermore, a Memorandum of
35 Agreement shall be executed between the promoter of the boxing

1 promotion and the nearby tertiary hospital to ensure that injured
2 boxers shall be attended to with dispatch.

3 Absence of the afore-mentioned requirements shall be a cause for the
4 cancellation of the permit to hold the scheduled boxing promotion.

5 **SEC. 16. Mandatory Rest Period.** – There shall be an interval between
6 boxing contests which shall be referred to as the mandatory rest period. The
7 mandatory rest period shall vary depending on the extent of damage brought
8 about by a knockout (KO) or technical knockout (TKO), as determined by the
9 Commission's Physician, based on the last boxing promotion's ringside
10 physician report, which shall not be less than ninety (90) days. In cases of
11 knockouts (KO) and technical knockouts (TKO), there shall be physical and
12 medical examination after one month from the said event, the report of which
13 shall determine whether or not the boxer shall be allowed to compete again
14 after the ninety (90) day mandatory rest period. In case a boxer has received a
15 serious concussion, he shall not be allowed to compete again until he has been
16 examined and has been certified to by the Commission's physician as fit to box
17 again.

18 **IV. BOXER INCENTIVES AND BENEFITS**

19 **SEC. 17. Insurance.** - The Commission, in carrying out the regulation
20 of professional boxing promotions, shall require that a promoter provide
21 insurance coverage, in a minimum amount of at least one hundred thousand
22 pesos (Php 100,000.00) for every professional boxing promotion, through a
23 private insurance company, to cover an injury sustained while engaged in that
24 boxing promotion.

25 **SEC. 18. Health Care Benefits.** – All professional boxers shall be
26 enrolled in the National Health Insurance Program (PHILHEALTH) to enable
27 them to receive and avail of an adequate package of personal health services
28 including, but not limited to, in-patient hospital care, out-patient care,
29 emergency and transfer services, and other supplementary health benefits, as
30 may be provided in the PHILHEALTH. The cost of premium contribution and
31 the standard monthly contributions shall be shouldered by the Commission.

32 In case of hospitalization in any government hospital or clinic, any
33 amount in excess of PHILHEALTH benefit shall be shouldered by the Philippine

1 Charity Sweepstakes Office (PCSO), provided that the boxer shall comply with
2 the requirement for qualification and grant of health care assistance to be
3 extended by the PCSO consistent with and subject to compliance with PCSO's
4 existing rules and guidelines.

5 **SEC. 19. *Alternative Livelihood Programs for Retired and/or Injured***
6 ***International Boxing Champions.*** - The Commission, in coordination with
7 various stakeholders in the boxing industry, shall establish an alternative
8 livelihood training program and referral system for retired and/or injured
9 international boxing champions.

10 The amount necessary for the implementation of this provision shall be
11 included in the annual appropriations of the Commission.

12 **SEC. 20. *Death Benefits.*** - Upon the death of a professional boxer, the
13 primary beneficiaries shall be entitled to a lump sum death benefit of Fifty
14 Thousand Pesos (Php50, 000.00) to cover funeral services/expenses: Provided,
15 that if there are no primary beneficiaries, the secondary beneficiaries shall be
16 entitled to said benefits.

17 **SEC. 21. *Retirement Benefits.*** - Professional Filipino boxers who won
18 any world title/championship in any international boxing competition duly
19 sanctioned by the recognized international sporting organizations and bodies
20 shall receive a lifetime retirement pension of Fifteen Thousand Pesos
21 (Php15,000.00) monthly upon reaching the age of fifty (50). Retirement benefits
22 under this Act shall be separate and distinct from the mandatory retirement
23 benefits provided by existing laws.

24 The Commission is authorized to adjust the benefits provided in this
25 section based on studies, consultations and public hearings with relevant
26 agencies and entities. However, no memorandum, order, or issuance shall
27 diminish the prescribed retirement incentive benefits.

28 **SEC. 22. *Pension Benefits to Surviving Spouse of International***
29 ***Boxing Champion.*** - In the event of the death of the international boxing
30 champion, the *legally surviving spouse of the international boxing champion*
31 shall receive the monthly pension due to the international boxer, as provided
32 under section 19 of this Act.

1 **SEC. 26. *Transitory Provision.*** - Pending the organization of the
2 Commission, the Games and Amusements Board (GAB) shall continue to
3 exercise the duties and functions in relation to boxing sports.

4 Such amount under the Boxer's Welfare Fund, under the Games and
5 Amusement Board (GAB) shall then be transferred to the Boxer's Welfare
6 Development Trust Fund (BWDTF) of the Commission and will form part of the
7 initial appropriations of the Commission. The Boxer's Welfare Fund shall
8 henceforth be called as the Boxer's Welfare Development Trust Fund.

9 **SEC. 27. *Implementing Rules and Regulations.*** - The Chairman,
10 within ninety (90) days after the effectivity of this Act, through a technical
11 working committee, and in consultation with the private sector concerned shall
12 formulate the implementing rules and regulations for the full implementation of
13 this Code. *Provided,* however, that copies of the formulated rules and
14 regulations shall be submitted to the Committee on Games and Amusement of
15 both Houses of Congress. Such rules and regulations shall take effect upon
16 publication in a newspaper of general circulation.

17 **SEC. 28. *Repealing Clause.*** - Any law, presidential decree or
18 issuance, executive orders, rules and regulations or parts thereof which are
19 inconsistent with the provisions of this Act, are hereby either repealed or
20 modified accordingly.

21 **SEC. 29. *Separability Clause.*** - If any provision or part hereof, is held
22 invalid or unconstitutional, the remainder of the law or provision, not otherwise
23 affected shall remain valid and subsisting.

24 **SEC. 30. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days
25 after its publication in at least two (2) newspapers of general circulation.

26 Approved,