

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



Senate
Office of the Secretary

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SENATE
S. No. **1949**

RECEIVED BY: *ju*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, 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 ground 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 young people, especially those who are from poor families. To them, boxing has become a means to escape from poverty. And because of lack of proper guidance, there are some unscrupulous individuals acting as promoters and managers who take advantage of them.

This bill aims to protect and promote the welfare of boxing athletes, and to establish an agency that will steer their talents and skills towards making our country excel in this sport.*

acc
Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

* This bill was originally filed during the Fourteenth Congress, First Regular Session.



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SENATE
S. No. **1949**

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Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 TO STRENGTHEN THE COUNTRY'S STANDING IN THE SPORT OF BOXING
3 AND TO ENSURE THE WELFARE OF BOXING ATHLETES

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

4 SECTION 1. *Short Title.* - This Act shall be known as the "Boxers' Welfare Act."

5 SECTION 2. *Declaration of Policy.* - The State shall promote excellence in the sport of
6 boxing by establishing a national integrated system for the search and recruitment of athletes,
7 and providing for the welfare of Filipino boxers, coaches, and trainers competing for the
8 country.

9 SECTION 3. *Definition of Terms.* - For purposes of this Act, the term:

10 (A) "Administration" shall mean the Philippine Boxing Administration;

11 (B) "Boxer" shall mean an individual athlete who fights in a professional boxing
12 match;

13 (C) "Boxer registry" shall mean any entity certified by the Philippine Boxing
14 Administration for the purposes of maintaining records and identification of boxers;

15 (D) "Licensee" shall mean an individual who serves as a trainer, second, or cutman
16 for a boxer;

17 (E) "Manager" shall mean a person who receives compensation for service as an
18 agent or representative of a boxer;

19 (F) "Matchmaker" shall mean a person who proposes, selects, and arranges the
20 boxers to participate in a professional boxing match;

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

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

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

15 SECTION 4. *Philippine Boxing Administration.* - There is hereby created the Philippine
16 Boxing Administration, headed by a Chair, who is assisted by a Vice-Chair, General Counsel,
17 and other staff.

18 SECTION 5. *Administration Chair.* - The Chair shall be appointed by the President and
19 shall serve for a term of four (4) years. He shall be an individual who has extensive experience
20 in professional boxing activities or in a field directly related to professional sports; is of
21 outstanding character and recognized integrity; and is selected on the basis of training,
22 experience, and qualifications.

23 SECTION 6. *Administration Vice-Chair, General Counsel, and Other Staff.* - The
24 Administration shall have a Vice-Chair and a General Counsel, who shall be appointed by the
25 Chair. The Vice-Chair shall serve as Chair in the absence of the Chair, in the event of the
26 inability of the Chair to carry out his or her functions, or in the event of a vacancy in that office,

1 and to carry out such duties as may be assigned by the Chair. The Administration shall have
2 such additional staff as may be necessary to carry out its functions.

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

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

- 10 (A) Promoters deducting large percentages of a boxer's purse for their own use;
- 11 (B) Promoters coercing boxers into signing long-term, onerous contracts as a
12 condition for competing;
- 13 (C) Promoters forcing boxers to hire an associate or relative of the promoter; and
- 14 (D) Illegitimate ratings systems wherein sanctioning organizations rank boxers and
15 award "championship titles" based on boxers' personal connections rather than win/loss records.

16 SECTION 8. *Cooperation with Sanctioning Bodies.* - The Administration shall work
17 closely with international or regional sanctioning bodies over all professional boxing matches
18 held within the country.

19 SECTION 9. *Licensing Requirements.* - No person may compete in a professional
20 boxing match or serve as a manager, promoter, or sanctioning organization for a professional
21 boxing match except as provided in a license granted to that person by the Administration. The
22 Administration shall

- 23 (A) Establish application procedures, forms, and fees;
- 24 (B) Establish and publish appropriate standards for licenses granted under this
25 section; and

1 (C) Issue a license to any person who, as determined by the Administration, meets
2 the standards established by the Administration under this title. A license issued under this
3 section shall be for a renewable four (4)-year term for a boxer; and (two) 2-year term for any
4 other person.

5 SECTION 10. *Licensing Fees.* - The Administration may prescribe and charge
6 reasonable fees for the licensing of persons under this Act. The Administration may set, charge,
7 and adjust varying fees on the basis of classifications of persons, functions, and events
8 determined appropriate by the Administration. In setting and charging fees, the Administration
9 shall ensure that, to the maximum extent practicable—

- 10 (A) Club boxing is not adversely effected;
- 11 (B) Sanctioning organizations and promoters pay the largest portion of the fees; and
- 12 (C) Boxers pay as small a portion of the fees as is possible.

13 SECTION 11. *Requirements for Registry.* - The Administration shall establish and
14 maintain (or authorize a third party to establish and maintain) a unified national computerized
15 registry for the collection, storage, and retrieval of information related to the performance of its
16 duties. The information in the registry shall include the following:

- 17 (A) Boxers - List of professional boxers and data in the medical registry, which the
18 Administration shall secure from disclosure in accordance with the confidentiality requirements.
- 19 (B) Other personnel - Information (pertinent to the sport of professional boxing) on
20 boxing promoters, boxing matchmakers, boxing managers, trainers, cut men, referees, boxing
21 judges, physicians, and any other personnel determined by the Administration as performing a
22 professional activity for professional boxing matches.

23 SECTION 12. *Administration Approval.* - No person may arrange, promote, organize,
24 produce, or fight in a professional boxing match within the Philippines, unless the match is
25 approved by the Administration.

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

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

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

8 (C) A physician continuously present at ringside; and

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

11 SECTION 14. *Registration.* - Each boxer shall register with the Administration. The
12 Administration shall issue to each professional boxer who registers an identification card that
13 contains each of the following:

14 (A) A recent photograph of the boxer;

15 (B) A personal identification number assigned to the boxer by a boxing registry.
16 Each professional boxer shall renew his or her identification card at least once every four (4)
17 years. Each professional boxer shall present his or her identification card to the Administration
18 not later than the time of the weigh-in for a professional boxing match.

19 The Administration shall, upon issuing an identification card to a boxer, make a health
20 and safety disclosure to that boxer as the Administration considers appropriate. The health and
21 safety disclosure shall include the health and safety risks associated with boxing, and, in
22 particular, the risk and frequency of brain injury and the advisability that a boxer periodically
23 undergoes medical procedures designed to detect brain injury.

24 SECTION 15. *Procedures.* - The Administration shall establish each of the following
25 procedures:

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

4 (B) Procedures to ensure that no boxer is permitted to box while under suspension
5 from any boxing commission due to (i) a recent knockout or series of consecutive losses; (ii) an
6 injury, requirement for a medical procedure, or physician denial of certification; (iii) failure of a
7 drug test; (iv) the use of false aliases, or falsifying, or attempting to falsify, official
8 identification cards or documents; or (v) unsportsmanlike conduct or other inappropriate
9 behavior inconsistent with generally accepted methods of competition in a professional boxing
10 match.

11 (C) Procedures to review a suspension where appealed by a boxer, licensee, manager
12 matchmaker, promoter, or other boxing service provider, including an opportunity for a boxer,
13 licensee, manager, matchmaker, promoter, or other boxing service provider to present
14 contradictory evidence.

15 (D) Procedures to revoke a suspension where a boxer (i) was suspended under
16 paragraph (B), and has furnished further proof of a sufficiently improved medical or physical
17 condition; (ii) furnishes proof under paragraph (B) that suspension was not, or is no longer,
18 merited by the facts.

19 SECTION 16. *Contract Requirements.* - The Administration shall develop guidelines for
20 minimum contractual provisions that shall be included in each bout agreement, boxer-manager contract,
21 and promotional agreement. The Administration shall ensure that these minimal contractual provisions
22 are present in any such agreement or contract submitted to it.

23 SECTION 17. *Protection from Coercive Contracts.* -

24 (A) A contract provision shall be considered to be in restraint of trade, contrary to
25 public policy, and unenforceable against any boxer to the extent that it - (i) is a coercive
26 provision described in paragraph (B) and is for a period greater than twelve (12) months; or (ii)

1 is a coercive provision described in paragraph (B) and the other boxer under contract to the
2 promoter came under that contract pursuant to a coercive provision described in paragraph (B).

3 (B) A coercive provision described in this paragraph is a contract provision that
4 grants any rights between a boxer and a promoter, or between promoters with respect to a boxer,
5 if the boxer is required to grant such rights, or a boxer's promoter is required to grant such
6 rights with respect to a boxer to another promoter, as a condition precedent to the boxer's
7 participation in a professional boxing match against another boxer who is under contract to the
8 promoter.

9 SECTION 18. *Promotional Rights Under Mandatory Bout Contracts.* - No boxing
10 service provider may require a boxer to grant any future promotional rights as a requirement of
11 competing in a professional boxing match that is a mandatory bout under the rules of a
12 sanctioning organization.

13 SECTION 19. *Filing and Approval Requirements.* - A manager or a promoter shall
14 submit a copy of each boxer-manager contract and each promotional agreement between that
15 manager or promoter and a boxer to the Administration. The Administration shall not approve a
16 professional boxing match unless a copy of the bout agreement related to that match has been
17 filed with it and approved by it.

18 SECTION 20. *Bond and Other Surety.* - The Administration shall not approve a
19 professional boxing match unless the promoter of that match has posted a surety bond, cashier's
20 check, letter of credit, cash, or other security with the Administration in an amount acceptable to
21 the Administration.

22 SECTION 21. *Online Recruitment and Personal Sports Profile.* - The Administration
23 shall establish, develop, operate, and maintain an online recruitment system consisting of a
24 website whereby any individual who has potential skill in boxing may build their personal
25 sports profile including videos, contact information, photographs, statistics, and biography, and

1 upload them to the website easily accessible to the coaches and promoters. The system shall
2 have a search engine that allows coaches and promoters to find boxers by matching qualifying
3 requirements with data input by boxers during registration. The website shall contain a sport
4 specific online registration form.

5 SECTION 22. *Implementing Rules and Regulations.* - The Philippine Boxing
6 Administration, in coordination with the Philippine Sports Commission, Games and
7 Amusements Board, Department of Labor, and other concerned agencies shall promulgate and
8 issue the Implementing Rules and Regulations within sixty (60) days upon approval of this Act.

9 SECTION 23. *Separability Clause.* - If any provision or part of this Act is held invalid
10 or unconstitutional, the remainder of this Act or the parts not affected thereby shall remain in
11 full force and effect.

12 SECTION 24. *Repealing Clause.* - All laws, decrees, orders, issuances, rules, and
13 regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed,
14 amended, or modified accordingly.

15 SECTION 25. *Effectivity.* - This Act shall take effect fifteen (15) days after its
16 publication in two (2) newspapers of general circulation.

Approved,