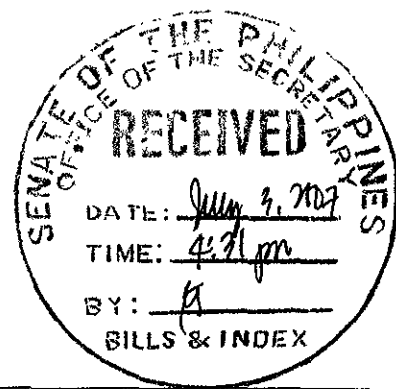


SENATE

S. B. No. 862



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Introduced by Senator Manuel "Lito" M. Lapid

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### EXPLANATORY NOTE

Since the creation of the Philippine Sports Commission, new policies and structures were introduced in managing the country's sports affairs as a means of institutionalizing what has been started by the defunct Project Gintong Alay of then President Marcos. After 16 years of existence, no amount of radical improvement was witnessed to reform 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 the various stakeholders, the condition of the country's sports has indeed gone from bad to worse.

Recurring complaints were recapitulated from the national sporting community everytime the country competes internationally and capitalized it as the culprit for poor performance. These grievances range from sub-standard uniforms to lack of proper facilities, equipment and supplies for training. These all boils down to lack of sufficient government fundings to support the needs of our national athletes.

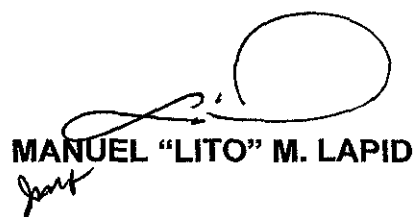
It has also occurred during the hearings of the Committee that the country's existing sports program lacks an integrated sports directions that will assimilate each segment of our society from the barangay upto the National level including national government agencies that can help pitch their respective contributions for sports excellence through the "Sports For All" program. This has been blamed to the absence of authority to the leadership within the Commission to execute and implement such vision.

These are just among the numbers of glaring misfortunes that needs to be addressed in order to revive and provide a stronghold the dyeing state of Philippine Sports. This measure intends to amend certain provisions of RA 6847 that will among others empower the commission to set a doable integrated sports policy direction, opportunity to earn more resources for its National Sports Development Fund (NSDF) and give the Philippine Olympic Committee and the various national sports associations more authority that can contribute for the propagation and development of both the mass-based and elite sports.

Another major reform that can be found in this legislation is to provide the Philippine Sports Association for the Differently-Abled (PHILSPADA) with the same recognitions and privileges being extended by the government to the Philippine Olympic Committee. It is my position that all athletes delivering pride and honor to our country regardless of their physical stature should be 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

7 JUL -3 P4:31

SENATE  
S. B. No. 862

RECEIVED BY: 

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Introduced by Senator Manuel "Lito" M. Lapid

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AN ACT  
AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT 6847, OTHERWISE  
KNOWN AS "THE PHILIPINE 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 Forcer 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 decreed, executive orders, presidential proclamation, 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,