

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 4983

Introduced by:
REPS. SETH FREDERICK P. JALOSJOS, ROMEO M. JALOSJOS, JR. AND CESAR G. JALOSJOS

EXPLANATORY NOTE

The Philippines has excelled worldwide in the arena of sports for producing champions and competitive athletes. We gain respect internationally and are united as a country for these recognitions. And, as we press for more champions in different fields of sports, we are challenge to legislate laws that will safeguard the over-all welfare of our athletes in each specific field.

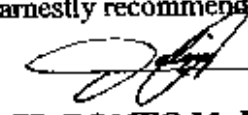
In the advent of the fast-growing motor sports activities in the Philippines, this representation proposes the creation of a Philippine Motor Sports Commission or the PMSC. This is an independent government agency whose main functions are to oversee the safety of the riders, to regulate all types of motor sports in the country and to give official recognition and promote these sports locally and abroad.

At present, we have the Philippine Sport Commission (PSC) which caters to all integrated amateur sports in the country, including but not limited to the promotion and formulation of developmental programs to advance the skills and potential of every Filipino athletes. With the birth of many new sports in the country, a single government agency, like PSC, cannot handle the needs of every sport and the complexity of some sports require a special government agency that will scientifically formulate programs intended for them.

The Motor sports can be classified differently and considered unique from all other types of sports in such a manner that players or riders use a motorized vehicle. A simple negligence or mistake of a rider, a minor flaw of the vehicle or defective tracks may cause disability or death of the riders or spectators. With this legislation, it is hoped that untoward mishaps in the race tracks are minimized, if not eradicated.

In view of the foregoing, the approval of this bill is earnestly recommended.


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3rd District, Zamboanga Del Norte

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HOUSE BILL NO. 4983

Introduced by: REPRESENTATIVE SETH FREDERICK P. JALOSJOS

AN ACT
CREATING AND ESTABLISHING THE PHILIPPINE MOTOR SPORTS
COMMISSION, DEFINING ITS POWERS, FUNCTIONS AND RESPONSIBILITIES,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. *Short title.* - This Act shall be known as "**The Philippine Motor Sports Commission Act.**"

SEC. 2. *Declaration of Policy.* - It is the policy of the state to promote different forms of sports and encourage physical fitness from all age group and economic stature in the Philippines and providing a free sports training to all physically able and to further secure the safety and welfare of all athletes and sports enthusiast through a commission which can specifically identify and regulate the needs for a certain sports discipline.

SEC. 3. *Creation of the Philippine Motor Sports Commission.* - To carry out the above policy, a body corporate known as the Philippine Motor Sports Commission, hereinafter referred to as the Commission, is hereby created and established for motor sports.

SEC. 4. *Status of the Commission.* - The Commission shall have the same status as that of a governmental regulatory national agency attached to the Office of the President with the Chairman thereof being of the same level as a department undersecretary and the Commissioners that of a department assistant secretary.

SEC. 5. *Nature of the Commission.* - The Commission shall exercise corporate powers. It shall have a seal, may sue and be sued, and shall be the sole policy-making and coordinating body of all motor sports in the Philippines: Provided further, that in the case of motor sports professional competitions, the same shall be sanctioned by this commission within the framework of the national sports development program.

SEC. 6. *Objectives of the Commission.* - The objectives of the commission are:

- a. To provide the leadership, formulate the policies and set the priorities and direction of all motor sports promotion and development;
- b. To encourage the sports and non-sports enthusiast to venture on this kind of sports discipline;
- c. To entice the government and non- government groups and organizations to support in the promotion and development of motorsports;
- d. To further supplement government appropriations for sports promotion and development;
- e. To uphold international safety standards on motor sports;
- f. To formulate and implement the safety rules for motor sports, and
- g. To create policy on mandatory rider insurance to all competing motor sports athletes.

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

- a. Plan, implement and oversee all motor sports promotion and development in the country;
- b. Establish a link with International Sports Association associated with motor sports and the Philippine Sports Commission;
- c. Establish, develop and maintain fully-equipped motor sports facilities and centers in strategic places in the country;
- d. Rationalize and regulate the establishment of publicly-funded motor sports complexes and supervise the management and maintenance thereof;
- e. Regulate all motor sports competition and ensure the compliance of safety requirements;
- f. Plan and formulate programs and review or evaluate, from time to time, the organizational set-up, projects and programs of the Commission;
- g. Develop and promulgate rules and regulations to implement this Act;
- h. Monitor all motor sports organizations or associations established in the country;
- i. Conduct basic and applied research on motor sports development and safety;
- j. To annually provide a free seminar and training to motor sports enthusiast and athletes;
- k. To conduct an annual safety management lecture on all motor sports athletes;
- l. Conduct promotion and fund- raising campaigns in accordance with existing laws to achieve the purposes of the Commission;
- m. To establish a central office in Luzon and sub-offices in Visayas and Mindanao in order to quickly address motor sports concern per area; and
- n. To perform and exercise such other functions as may be necessary to effectively and efficiently carry out the provisions of this Act.

SEC. 8. *Composition of the Commission.* – The Commission shall be composed of the following:

- a. A chairman;
- b. One commissioner representing Luzon;
- c. One commissioner representing Visayas; and
- d. One commissioner representing Mindanao.

The chairman and three commissioners shall be appointed by the President and shall serve a term of three (3) years.

SEC. 9. *Qualifications of the Chairman and the Commissioners.* – The Chairman and the Commissioners of the Commission must be citizens of the Philippines, publicly- recognized personalities in the field of sports preferably in motor sports, at least thirty (25) years of age and of good moral character.

SEC. 10. *Salaries of the Chairman and Commissioners.* – The Chairman shall receive an annual compensation and shall be entitled to other benefits and privileges provided under existing laws for an undersecretary of a department and the commissioner to that of assistant secretaries.

SEC. 11. Powers of the Commission. - The Commission has the power to do all acts and things necessary to be done for or in connection with the performance of its functions, including:

- a. To appoint the officers and other personnel of the Commission and fix their compensation subject to existing laws, rules and regulations;
- b. To delegate authority for the performance of any function to officers and employees under its discretion;
- c. To enter into contracts;
- d. To acquire, use and control any land, building, facilities, equipments, instruments, tools and rights required or otherwise necessary for the accomplishment of the purposes of the Commission;
- e. To acquire, own, possess and dispose of any real or personal property;
- f. To confer, extend and grant awards, benefits and privileges to motor sports athletes, coaches and officials for outstanding performances in national and international competitions;
- g. To confer, extend and grant support or assistance to duly created motor sports associations which are in good standing with the Commission;
- h. To exercise supervisory and visitorial powers over all motor sports associations in connection with their sports promotion and development program with respect to which financial assistance is extended by the commission;
- i. To accept donations, gifts, bequests and grants for the purposes of the Commission;
- j. To impose sanctions upon any motor sports associations, institutions, body, entity, team, athlete and sports official for violation of its policies, rules and regulations; and
- k. To perform any and all other acts incident to or required by virtue of its creation.

SEC. 12. Motor Sports Associations. - Motor Sports Associations which are duly organized and/or affiliates with their respective international federations are recognized as such by the commission.

The associations recognized by the Commission shall be autonomous and shall have exclusive technical control over the promotion and development of their sport for which they are organized, subject however to the supervisory and visitorial powers of the commission.

It shall be the duty of all motor sports association to require its member/rider a mandatory rider insurance before they can join any race or competition.

SEC. 13. Executive Director. - There shall be an executive director who shall be appointed or designated as such by the Chairman, preferably from among the three (3) Commissioners, and shall direct and supervise the day-to-day operations of the Commission.

SEC. 14. Qualifications of the Executive Director. - No person shall be appointed an Executive Director of the Commission unless he or she is a citizen of the Philippines, at least twenty-five (25) years of age, of good moral character, a college graduate and has at least five (5) year experience in sports administration.

SEC. 15. Appointment of Staff and Employees of the Commission. - The staff, officers and employees of the Commission shall be appointed by the Chairman of the Commission.

SEC. 16. Tax Deductions or Exemptions 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 tax. Donations and contributions to various motor sports associations certified by the commission to be pursuant to

donor's and estate taxes and shall be deductible in full in computing the taxable net income of the donor.

SEC 17. *Sports Delegation.* – The Commission and its delegation or representatives to an international motor sports convention, conference and competition. And athletes and coaches shall be exempt from the payment of travel tax, airport tax, and any other travel related taxes or fees now or hereafter imposed by law or regulations.

SEC. 18. *Funding.* – A Ten million (P10,000,000.00) budget from the National Treasury is hereby appropriated for the necessary funds needed for the organizational and operational expenditures of the Commission.

The fund and all other funds of the Commission as hereinafter provided. shall be disbursed for the motor sports development program, including but not limited to the annual motor sports training, holding of motor sports games throughout the country and at international motor sports competition.

SEC. 19. *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.

SEC. 20. *Separability Clause.* – If any provision of this Act is declared unconstitutional the same shall not affect the validity and effectivity of other provisions hereof.

SEC. 21. *Effectivity.* – This Act shall take effect upon its approval and completion of publication in at least two (2) national newspapers of general circulations.

Approved,