

FIFTEENTH CONGRESS
REPUBLIC OF THE PHILIPPINES
Second Regular Session

HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. 5897

EXPLANATORY NOTE

The Philippines has produced numerous boxing greats including the likes of Anthony Villanueva, Rene Barrientos, Eribito Salavarria, Dodie Boy Penalosa, Rolando Navarete, Luisito Espinosa, Flash Elorde, Pancho Villa and the current "best pound for pound" fighter, Manny Pacquiao along with up and coming fighter Nonito Donaire. These boxers brought great pride to the Philippines.

However, for every Manny Pacquiao, there are hundreds of boxers who do not make it big and even some of perish chasing their dreams. One of whom is the late Karlo Maquinto who died because of a brain injury which he suffered during a bout last January 28, 2012.

His death raised the same questions which are brought up after a fighter dies or suffers a very tragic accident while fighting. Questions which, unfortunately, are never answered or addressed. In an article written by Quinito Henson, he reported that "what is certain is the paramedics in a stand-by ambulance weren't prepared to care for Maquinto when the tragedy happened. There was no provision for oxygen, neck brace or slant board." Further, he claims that when a stretcher was rolled in from the ambulance, Maquinto was clumsily dragged from the ring onto the gurney.

It therefore seems that there may have been lapses on the part of the organizers and even the Games and Amusements Board in not properly inspecting the ambulance facilities which should have included a provision for oxygen and other medical and emergency equipment.

It is high time that we start protecting our boxers and regulating their industry in order to ensure the safety and well-being and also protect them from coercive and misleading contracts.

In view of the foregoing, immediate passage of this bill is earnestly requested.


RUFUS B. RODRIGUEZ


MAXIMO B. RODRIGUEZ, JR.



HOUSE OF REPRESENTATIVES

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AN ACT
REGULATING PROFESSIONAL BOXING AND FOR OTHER PURPOSES

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

SECTION 1. *Title* – This Act shall be known as the "Flash Elorde Reform Act of 2012."

SEC 2. *Objectives* – This Act is aimed at:

- a. Ensuring the safety and well-being of the boxers before, during and after each bout that they participate in;
- b. Protecting the rights and welfare of professional boxers by preventing exploitive, oppressive and unethical business practices;
- c. Providing a proper oversight body of the professional boxing industry;
- d. Promoting honorable competition in professional boxing and enhance the over-all integrity of the industry; and
- e. Providing reforms in boxing agreements/contracts by, among others, requiring enhanced financial disclosures in order to improve public perception of the sport.

SEC 3. *Definition of Terms* – For purposes of this Act, the term:

- a. "Boxers" refers to an individual who fights in a professional boxing match;
- b. "GAB" refers to the Games and Amusements Board;
- c. "Manager" refers to a person who receives compensation for services as an agent or representative of a boxer;
- d. "Matchmaker" refers to a person who proposes, selects and arranges boxers to participate in a professional boxing match;
- e. "Professional Boxing Match" refers to a boxing contest held between individuals for financial compensation;
- f. "Licensee" refers to an individual who serves as a trainer, second, or cut man for a boxer;

- g. "Promoter" refers to a person primarily responsible for organizing, promoting, and producing a professional boxing match; and
- h. "Sanctioning Organization" refers to an organization authorized to sanction professional boxing matches in the country.

SEC 4. Health and Safety Standards – No person may arrange, promote, organize, produce, or fight in a professional boxing match without meeting each of the following requirements that provide protection of the health and safety of boxers:

- a. A physical examination of each boxer by a physician certifying whether or not the boxer is physically fit to safely compete, copies of which must be provided to the boxing commission;
- b. An ambulance or medical personnel with appropriate resuscitation equipment continuously present on site;
- c. A competent and highly –trained physician continuously present at ringside; and
- d. Health insurance for each boxer to provide medical coverage for any injuries sustained in the match.

SEC 5. Each boxer shall register with the Games and Amusements Board (GAB) which shall issue to each professional boxer who registers an identification card that contains a recent photograph of the boxer, a personal identification number assigned to the boxer by the GAB, and such other pertinent information deemed necessary by the GAB

SEC 6. The GAB is hereby mandated to establish procedures to evaluate the professional records and physician's certification of each boxer participating in a professional boxing match and to deny authorization for a boxer to fight where appropriate for reasons including, but not limited to the boxer:

- a. suffering a recent knockout or series of consecutive losses;
- b. suffering an injury;
- c. requiring medical procedure;
- d. being denied certification by a physician;
- e. failing a drug test; or
- f. Using false aliases, or falsifying, or attempting to falsify, official identification cards or documents.

SEC 7. Conflict of Interest - No member or employee of the GAB or any person, who administers or enforces boxing laws, may belong to, contract with, or receive any compensation from, any person who sanctions, arranges, or promotes professional boxing matches or who otherwise has a financial interest in an active professional boxer.

SEC 8. Required Disclosures to the GAB by Sanctioning Organizations – A sanctioning organization, to be entitled to receive any compensation, directly or indirectly, in connection with a boxing match shall submit to the GAB the following:

- a. Statement of all charges, fees and cost that the organization will assess on any boxer participating in the match;

- b. Statement of all payments, benefits and fees that the organization will receive for its affiliation with the event, from the promoter, host of the event and other sources; and
- c. Other additional information as the GAB may require.

SEC 9. Required Disclosures for Promoters –

- A) Disclosures to the GAB – A promoter to be entitled to receive any compensation, directly or indirectly, in connection with a boxing match shall submit to the GAB the following:
 - a. A copy of any agreement in writing to which the promoter is a party with any boxer participating in the match;
 - b. A statement made under oath with corresponding penalty of perjury that there are no other agreements, written or oral between the promoter and the boxer with respect to the match; and
 - c. Statement of all fees, charges and expenses that will be assessed by or through the promoter on the boxer pertaining to the match, including any portion of the boxer's purse that the promoter will receive, and training expenses, all payments, gifts or benefits that the promoter is providing to any sanctioning organization affiliated with the match and any reduction in a boxer's purse contrary to previous agreements between the promoter and the boxer or a purse bid held for the event.
- B) Disclosures to the Boxer – A promoter to be entitled to receive any compensation, directly or indirectly, in connection with a boxing match shall provide the boxer with the following:
 - a. The amounts of any compensation or consideration that the promoter has contracted or will receive from the match;
 - b. All fees, charges and expenses that will be assessed by or through the promoter on the boxer pertaining to the match including any portion of the boxer's purse that the promoter will receive, and training expenses; and
 - c. Any reduction in the boxer's purse contrary to an agreement between the promoter and the boxer or a purse bid held for the event.

SEC 10. Required Disclosures for Judges and Referees – A judge or referee to be entitled to receive any compensation, directly or indirectly, in connection with a boxing match shall submit to the GAB a statement of all consideration, including reimbursement for expenses that will be received from any source for participation in the match.

SEC 11. Judges and Referees – No person may arrange, promote, organize, produce or fight in a professional boxing match unless all referees and judges participating in the match have been certified and approved by the GAB.

SEC 12. Enforcement –

A) Injunction – Whenever the Office of the Solicitor General has reasonable cause to believe that a person or entity is engaged in a violation or has committed a violation of this Act, the Solicitor General may bring a civil action in the appropriate court

requesting such relief, including a permanent or temporary injunction, restraining order, or other order, against the person, as the Solicitor General determines to be necessary to restrain the person from continuing to engage in, sanction, promote, or otherwise participate in a professional boxing match in violation of this Act.

B) Criminal Penalties –

Any boxer, manager, promoter, matchmaker, and licensee who knowingly violates, or coerces or causes any other person to violate, any provision of this Act shall, upon conviction, be imprisoned for not less than one (1) year nor more than five (5) years or fined not more than P500,000, or both

SEC 13 Pension Study – The Secretary of the Department of Labor and Employment (DOLE) shall conduct a study on the feasibility and cost of a national pension system for boxers, including potential funding sources. The Secretary of the DOLE shall, not later than 180 days after the effectivity of this Act, submit a report to the Congress on the findings of the study conducted.

SEC 14. Implementing Rules and Regulations – The GAB, together with the Boxing Associations of the Philippines shall promulgate the Rules and Regulations necessary for the effective implementation of this Act.

SEC 15. Separability Clause – Should any of the provisions of this Act or any part thereof be declared invalid, the other provisions, so far as they are separable from the invalid ones, shall remain in full force and effect.

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

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

Approved,