

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Sixteenth Congress
First Regular Session

59

House Bill No. _____



Introduced by Honorable EMMANUEL D. PACQUIAO

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

EXPLANATORY NOTE

Through the decade, the Philippines did not only produce World Class Boxing Champions like Manny Pacquiao but a number of other International Boxing Champions, like Nonito Donaire Jr., Donnie Nietes, Brian Villoria, Gabriel "Flash" Elorde and the Velasco brothers, to name a few. Their achievements show that Filipino boxers indeed possess superior physical strength, skills and talents, which if given the proper support of the State, will ensure these promising boxers top ranks in the world boxing arena.

While giving honor and glory to our country, international Filipino boxers risk their lives and limbs in this sport. Some met their untimely death in the bout due to the lack, if not absence, of safety and emergency medical services, while some face retirement without any kind of financial assistance or access to medical care. Most often, we hear many of our boxing legends do not have pension benefits.

The boxing sport, now under the supervision of the Games and Amusement Board, is not given the proper and appropriate attention it deserves. Considering the growing popularity of this sport and the number of champions it has produced for the country, it is about time that we give due attention and consideration to this sport and to all our professional boxing champions. Hence, this proposed bill seeks to establish the Philippine Boxing Commission to be

the single agency that will focus and steer the skills and talents of the youth towards its proper direction, to provide and implement the necessary safety standards in every boxing match and to provide and implement all necessary welfare incentives and benefits long overdue to all professional boxers who had brought honor and prestige to our country.

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

A handwritten signature in black ink, consisting of several overlapping loops and curves, positioned above the printed name.

HON. EMMANUEL D. PACQUIAO

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

I. GENERAL PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as the “*Philippine Boxer’s Welfare Act of 2013*”.

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

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

- a. Commission - shall refer to the Philippine Boxing Commission;
- b. Boxer registry – shall refer to any entity certified by the Philippine Boxing Commission for the purposes of maintaining records and identification of boxers;
- c. License – shall refer to a document issued by the Commission authorizing a person or entity to perform duties as a privilege connected with professional boxing;
- d. Licensee – shall refer to an individual who serves as a trainer, second, or cutman for a boxer;
- e. Manager – shall refer to a person who receives compensation for service as an agent or representative of a boxer;
- f. Matches – shall refer to the pairing of boxers in a contest or in a bout;
- g. Matchmaker – shall refer to a person that proposes, selects, and arranges the boxers to participate in a professional boxing promotion;
- h. Permit – shall refer to a document issued by the Commission authorizing a person or entity to hold, promote or engage in the conduct or operation of professional boxing;

- i. Professional Boxer – shall refer to any individual athlete who is paid a sum of money and other compensation as a salary or prize money for participating in a bout or in a professional boxing contest;
- j. Professional Boxing Promotion – shall refer to a boxing contest held in the Philippines between individuals for financial compensation but shall not refer to a boxing contest that is regulated by an amateur sports organization;
- k. Promoter – shall refer to a person or persons primarily responsible for organizing, promoting, and producing a professional boxing promotion. The term “promoter” does not include a hotel, casino, resort, or other commercial establishment hosting or sponsoring a professional boxing promotion unless – (i) the hotel, casino, resort, or other commercial establishment is primarily responsible for organizing, promoting and producing the promotion; and (ii) there is no other person primarily responsible for organizing, promoting, and producing the promotion;
- l. Sanctioning Organization – shall refer to an organization that sanctions professional boxing promotions in the Philippines – (i) between boxers who are residents of different countries; or (ii) that are advertised, otherwise promoted, or broadcast (including closed circuit television) in a country other than the Philippines.

II. THE PHILIPPINE BOXING COMMISSION

SECTION 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.

SECTION 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.

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

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

- a. To formulate, initiate, plan and implement a national policy for the development of the sport of boxing in the country;
- b. To maintain an integrated boxer registry for the purposes of maintaining records and identification of boxers;
- c. To establish a consultative mechanism which shall provide a forum for continuing dialogue between all stakeholders in the implementation of all laws, policies, programs and projects relative to boxing;
- d. To seek or request the assistance and support of any government agency, office or instrumentality including government-owned and controlled corporations, local government units as well as non-governmental organizations or institutions in pursuance of its policies;
- e. To establish and maintain linkages with international boxing organizations or institutions and counterpart agencies of foreign governments in order to facilitate and ensure the participation of Filipino professional boxers in international boxing events;
- f. To formulate, initiate, plan and implement a comprehensive and progressive health care program, 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;
- g. To formulate and implement an insurance system through the Social Security System (SSS) and/or private insurance companies for qualified professional boxers;
- h. To provide, supervise and ensure that emergency medical personnel and services are available in every boxing competition, local and abroad;
- i. To establish a system of registration and licensing of boxers, referees, trainer, second, or cutman for a boxer and other personnel necessary for the boxing sports; and to issue, suspend or revoke permits and licenses and to impose or collect fees for the issuance of such licenses and permits to persons required to obtain the same;
- j. To allocate resources for the implementation of national policies related to boxers;
- k. To submit an annual report on the implementation of this Act to the President and to the Congress; and
- l. To perform such other functions as may be necessary to effectively and efficiently carry out the provisions of this Act. The functions of the Games and Amusement Board (GAB) as well as other entities related to boxing are hereby transferred to the Commission.

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

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

SECTION 10. *The Secretariat.* - The Secretariat shall be headed by an Executive Director, appointed by the Commission, and such other technical and administrative staff as may be needed and as determined by the Commission, who shall be tasked to implement the policies and programs approved by the Commission and to supervise all aspects of professional boxing sports. Their salaries, allowances and other emoluments shall be determined by the Commission in accordance with Civil Service rules and other relevant and existing laws.

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

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

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

III. SAFETY STANDARDS

SECTION 13. *The Medical Advisory Board.* - The Medical Advisory Board assists and advises the Commission on issues affecting the safety and health of the boxers. The Board duties include preparing and submitting to the Commission appropriate standards for the

physical and mental examination of the boxers, advising the Commission as to the physical and mental fitness of a boxer and recommending physicians to be licensed as ringside physicians for the Commission.

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

SECTION 14. *Physical and Medical Examination Requirements.* – No person may arrange, promote, organize, produce, or fight in a professional boxing promotion without a physical and diagnostic examination of each boxer by an accredited and licensed physician of the Philippine Boxing Commission, pursuant to existing rules and regulations, certifying whether or not the boxer is physically fit to safely compete, which shall include but not limited to the following:

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

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

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

- a. A licensed practicing physician, whose services are paid by the promoter and duly registered with the Commission, is continuously present at the ringside of the professional boxing promotion;
- b. Ambulance services, including oxygen tanks and other medical personnel equipped with appropriate resuscitation equipment continuously present on the ringside.
- c. A tertiary hospital nearby, which is located at the local government unit hosting the boxing promotion. Furthermore, a Memorandum of Agreement shall be execute between the promoter of the boxing promotion and the nearby tertiary hospital to ensure that injured boxers shall be attended to with dispatch.

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

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

IV. BOXER INCENTIVES AND BENEFITS

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

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

In case of hospitalization in any government hospital or clinic, any amount in excess of PHILHEALTH benefit shall be shouldered by the Philippine Charity Sweepstakes Office (PCSO), provided that the boxer shall comply with the requirement for qualification and grant of health care assistance to be extended by the PCSO consistent with and subject to compliance with PCSO's existing rules and guidelines.

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

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

SECTION 20. *Death Benefits.* – Upon the death of a professional boxer, the primary beneficiaries shall be entitled to a lump sum death benefit of *Fifty Thousand Pesos (Php 50,000.00)* to cover funeral services/expenses: Provided, that if there are no primary beneficiaries, the secondary beneficiaries shall be entitled to said benefits.

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

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

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

SECTION 23. Educational Benefits to Children of International Boxing Champions. - A maximum of two (2) children of each international boxing champion shall be awarded a full scholarship grant and be admitted to any government-owned school, college, university or institution and all school fees, including tuition, library, laboratory, medical, physical education, diploma and graduation fees shall be at the expense of the Commission.

The children who shall avail of these educational benefits shall be chosen by the boxer, in consultation with his/her spouse. If the boxer is deceased, the surviving spouse shall choose. If the boxer and his/her spouse are deceased, the two eldest children who have not acquired a college degree shall be awarded the scholarship grant provided under this section

V. TRANSITORY AND FINAL PROVISIONS

SECTION 24. Appropriations. - The amount of *One Hundred Million pesos (Php 100,000,000.00)* shall be appropriated for the initial implementation of this Act, which shall be taken from the Philippine Charity Sweepstakes Office (PCSO) and the Philippine Amusement and Gaming Corporation (PAGCOR) in equal shares. Thereafter, such amount needed to implement this Act shall be included in the Annual Appropriations of the Commission subject to the retention of the amount mandated under Section 25 of this Act. The Commission is hereby authorized to re-align its appropriations in the current year of the date of effectivity of this Act to conform with the requirements of this Act.

SECTION 25. Boxer's Welfare Development Trust Fund. - There shall be an independent and separate trust fund established under this Act, to be administered by the Commission. An amount not less than eighty percent (80%) for the first five (5) years, accrued from the licensing, registration and accreditation fees, fines and charges shall be used for the purpose of the boxer's welfare development trust fund. The fund shall be used for the continued upgrading of training facilities to conform with international standards, accreditation of and other forms of assistance and support to the professional boxing sector. The trust fund may also accept grants and donations from national and foreign entities and individuals interested in the professional boxing development.

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

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

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

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

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

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

Approved



Hon. EMMANUEL D. PACQUIAO