

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

SIXTEENTH CONGRESS  
First Regular Session

HOUSE BILL NO. **4581**



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**Introduced by HONORABLE ROBERTO V. PUNO**

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**EXPLANATORY NOTE**

Article XIV, Section 1 of the Constitution recognizes "the role of the State to protect and promote the rights of all citizens to quality education at all levels, and take appropriate steps to make such education accessible to all."

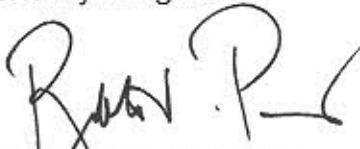
Moreover, Article XIV, Section 19 of the Constitution recognizes that "the State shall promote physical education and encourage sports programs, league competitions, and amateur sports, including training for international competitions, to foster self-discipline, teamwork, and excellence for the development of a healthy and alert citizenry."

The purpose of this bill is to foster these values in our campuses, while providing student-athletes with the protection and support they need to excel in both school and in sports.

Student-Athletes are precisely that, student first, athletes second. Too often the fierceness of sports competition drives schools, parents, alumni and sometimes the students themselves to forget the primacy of education and prioritize winning instead. The time has come for us to protect the student-athlete.

This proposed Act recognizes that student-athletes are above all, students entitled to quality education. It allows student-athletes to choose the institution from which they would like to obtain their education and protects student-athletes from attempts to commercialize their participation in amateur sports, while providing them with the benefits and incentives they require to fully develop their academic and sports potentials.

For the reasons cited above, the approval of this bill is earnestly sought.

  
**ROBERTO V. PUNO**

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AN ACT  
PROTECTING THE AMATEUR NATURE OF STUDENT-ATHLETES IN THE  
PHILIPPINES BY REGULATING THE RESIDENCY REQUIREMENT AND  
PROHIBITING COMMERCIALIZATION OF STUDENT-ATHLETES

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

**SECTION 1. Short Title** – This Act shall be known as the “Student-  
Athletes Protection Act of 2014”

**SEC.2. Declaration of Policy** – Article XIV, Section 1 of the 1987  
Constitution recognizes the role of the State to protect and promote the right  
of all citizens to quality education at all levels, and to take appropriate steps to  
make such education accessible to all. Further, Section 19 (1) of the same  
Article provides that the State shall promote physical education, sports  
programs and competitions alongside training for international competitions to  
foster self-discipline, teamwork and excellence for the attainment of a healthy  
and alert citizenry. Thus, the State shall recognize and uphold the rights of  
Student-Athletes to further hone their skills and abilities in their respective  
fields of amateur sports without neglecting their education and general well-  
being.

It is the intention of this law to protect and promote the rights of the  
Student-Athletes, who is, first and foremost, a student. To this end, the rights  
guaranteed by this law and the obligations imposed on schools and athletic

associations and their officials, athletic directors, coaches, members of the coaching staff, administrators, alumni and representatives shall seek to ensure that the Student-Athlete attains quality education while honing his skill and reaching his full potential as an athlete in an amateur sports setting.

**SEC. 3. Definition of Terms** – As used in this Act, the following terms shall be defined as follows:

**(a) "Athletic Association"** refers to any public or private organization that is responsible for governing inter-school athletic programs and competitions such as but not limited to, the Private Schools Athletic Association (PRISAA), University Athletic Association of the Philippines (UAAP), National College Athletic Association of the Philippines (NCAA), Women's National Collegiate Athletic Association (WNCAA), State Colleges and University Athletic Association (SCUAA), Cebu Schools Athletic Foundation Inc. (CESAF), National Capital Regional Athletic Association (NCRAA), Association of Local Colleges and Universities Athletic Association (ALCUAA), and National Athletic Association of Schools, Colleges and Universities (NAASCU), among others, but shall not include National Sports Associations, as defined by Republic Act no. 6847.

**(b) "School"** refers to an institution recognized by the State which undertakes educational operations such as grade school, high school, college, university, or technical-vocational education and training institution.

**(c) "Student-Athlete"** refers to a student currently enrolled in any school who is part of any of the school's athletic teams or programs and who represents or has an intentions of representing the school in an inter-school athletic program or

competition; *Provided*, That for purposes of being eligible to represent his/her school in an inter-school athletic program or competition, the Student-Athlete shall be enrolled in at least a minimum full-time program of studies and be in good academic standing.

**SEC.4. *Student-Athletes' Residency*** – Without prejudice to the respective rules of athletic associations on foreign imports, no residency shall be imposed on a high school Student-Athlete transferring to another high school or to a college or university. In the case of a tertiary Student-Athlete transferring from one college or university to another, a maximum period of one (1) –year residency may be imposed by athletic associations.

No penalty or any other form of punishment shall be imposed by any high school, college or university for the transfer of any Student-Athlete to another high school, college or university, *Provided*, That athletic associations, as well as agencies enumerated under section 7 of this Act, may investigate or impose appropriate penalties to schools which offer Student-Athletes commercial consideration as characterized under section 6 of this Act.

**SEC.5. *Benefits and Incentives***. – Schools may give deserving Student-Athletes the following:

- a. Tuition, miscellaneous school fees, books and other learning materials;
- b. Board and lodging;
- c. Uniform and other equipment;
- d. A reasonable living allowance, the computation of which shall be in accordance with the Implementing Rules and Regulations of this Act, as approved by the director of the school's athletic program or his/her equivalent and

standardized by the athletic association that the school is affiliated with ; and

- e. Other reasonable and similar benefits that would further enhance the Student-Athletes' academic and athletic performance.

**SEC. 6. *Commercial Consideration.*** – Schools shall not offer a Student-Athlete or his/her immediate family members benefits or incentives beyond that enumerated under Section 5, which are contrary to the nature of amateur sports and which may result to the commercialization of a Student-Athlete.

**SEC.7. *Investigation and Imposition of Sanctions or Penalties.*** – The Department of Education (DepEd), Commission on Higher Education (CHED), Philippine Sports Commission (PSC), or other relevant government agencies may *motu proprio*, or upon written complaint, investigate violations of this Act and impose the appropriate penalties, without prejudice to any civil or criminal action filed in court.

For purposes of this Act, a written complaint may be filed by a Student-Athlete, his/her parents or guardians, member schools or their alumni, athletic associations, or any person who or any entity which may be affected by violations of this Act.

Athletic associations or schools shall be liable under relevant laws, or rules and regulations for any violation of this Act committed by its officials, athletic directors, coaches, member of the coaching staff, administrators, alumni, or representatives, who participated in any violation of this Act or who shall have knowingly permitted or failed to prevent such violation, without prejudice to any direct liability by the foregoing individuals.

**SEC.8. *Implementing Rules and Regulations.*** – The PSC, together with the DepEd and CHED, after consultation with relevant stakeholders, shall promulgate the Implementing Rules and Regulations (IRR) of this Act within sixty (60) days from its effectivity: *Provided*, That failure to promulgate or issue the IRR will not hinder or delay the Implementation of the provisions of the Act.

**SEC. 9. *Implementing Agencies.*** – The PSC, as the lead agency, together with the DepEd and CHED, shall implement the provisions of this Act.

**SEC.10. *Separability Clause.*** – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provisions not otherwise affected shall remain invalid and subsisting.

**SEC.11. *Repealing Clause.*** – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

**SEC.12. *Effectivity Clause.***– This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,