

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7470



Introduced by Representatives
CRISTINA "CHIQUI" ROA-PUNO and PIA S. CAYETANO

EXPLANATORY NOTE

Article XIV, Section 19 (1) of the 1987 Philippine 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."

To allow greater access to the untapped pool of gifted individuals and to showcase the talents of Filipino athletes to the world, this bill recognizes their right to participate in training programs and to represent the country in international sports competitions.

This bill likewise prohibits and penalizes any act that curtails the right of an athlete to try out for, and train with, the national team, and thereafter participate in international competitions representing the country.

Through the passage of this bill, nationalism would be promoted and the significant role played by athletes in nation-building shall be recognized.

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


CRISTINA "CHIQUI" ROA-PUNO


PIA S. CAYETANO

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HOUSE BILL NO. **7470**

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AN ACT
PROTECTING THE RIGHT OF ATHLETES TO SERVE THE PHILIPPINES AS
PART OF THE NATIONAL TEAM

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

1 **SECTION 1. Short Title.** This Act shall be known as the "Athletes' Right to Represent
2 the Philippines Act."
3

4 **SEC. 2. Coverage.** This Act shall apply to all Filipino athletes, including those
5 belonging to any athletic associations, sports organization or club, whether amateur,
6 semi-professional, or professional.
7

8 **SEC. 3. Declaration of Policy.** - Article II, Section 17 of the 1987 Constitution provides
9 that the State shall give priority to sports "to foster patriotism and nationalism,
10 accelerate social progress, and promote total human liberation and development".
11

12 Further, Article XIV, Section 19 (1) provides that "the State shall promote physical
13 education, sports programs and competition alongside training for international
14 competitions to foster self-discipline, teamwork and excellence for the attainment of a
15 healthy and alert citizenry". To this end, the State shall recognize, protect, and uphold
16 the rights of athletes to represent the country in international sports competitions.
17

18 **SEC. 4. Right to Participate in International Competitions.** - It is the right of an
19 eligible athlete to try out, train, and participate in international sports competitions and
20 represent the country as part of the national team.
21

22 **SEC. 5. Obligation of Employers, Educational Institutions, Athletic**
23 **Associations, Sports Organizations and Clubs.** - It is the obligation of employers,
24 educational institutions, athletic associations, sports organizations and clubs, whether
25 amateur, semi-professional and professional as well as their officials to allow an
26 athlete to try out, train, and thereafter participate in international sports competitions

1 representing the country. *Provided*, That such decision to represent the country came
2 from the athlete's free will.

3
4 **SEC. 6. *Prohibited Acts.*** – As a result of an athlete's desire to try out for, and train
5 with, the national team, and thereafter participate in international competitions
6 representing the country, it shall be unlawful for:

7
8 (a) An educational institution or school athletic association to:

- 9
10 1. Refuse to release any of their athletes;
11
12 2. Revoke the scholarship of an athlete which may include the payment
13 of tuition and other miscellaneous fees covered by the scholarship
14 granted, including monetary and non-monetary benefits;
15
16 3. Give incomplete grades in subjects in which the athlete is exempted
17 by virtue of being a student-athlete;
18
19 4. Mark the athlete as absent in class for the duration of the try out,
20 training, and competition; *Provided*, That the student-athlete must not
21 exceed the number of excused absences allowed;
22
23 5. Disallow an athlete to attend trainings, practices and regular games;
24
25 6. Suspend an athlete from the varsity and/or school athletic
26 association;
27
28 7. Expel an athlete from the educational institution and/or school
29 athletic association; or
30
31 8. Impose other forms of punishment.

32
33 (b) National Sports Associations (NSAs) and amateur sports organizations
34 and clubs to:

- 35
36 1. Refuse to release any of their athletes;
37
38 2. Withhold an athlete's allowances, including monetary and non-
39 monetary benefits;
40
41 3. Disallow an athlete from attending trainings, practices and regular
42 games;
43 4. Suspend an athlete from membership in the NSA and/or sports
44 organization or club;
45
46 5. Expel an athlete from the NSA and/or sports organization or club; or
47

6. Impose other forms of punishment.

(c) Professional sports organizations and clubs, and employers to:

1. Refuse to release any of their athletes;
2. Withhold an athlete's salary, allowances, and benefits;
3. Disallow an athlete from attending trainings, practices and regular games;
4. Suspend an athlete from membership in the professional organization/club;
5. Deny an athlete's promotion;
6. Forcibly lay off an athlete from work; or
7. Impose other forms of punishment.

SEC. 7. Penal Clause –

- (a) It shall be unlawful for any person, natural or juridical, to directly or indirectly, induce, threaten, or deny an athlete from participating in try-outs, training programs, and/or from representing the country in sports competitions.
- (b) **Who May File.** – For purposes of this Act, a complaint may be filed by an athlete, his/her parents or guardians, NSAs, or any person or any entity on behalf of an athlete who may be affected by the violation of this Act.
- (c) **Investigation.** – A written complaint for violations of this Act may be filed with the following bodies:
 - i. Philippines Sports Commission (PSC) – for violations committed in relation to amateur sports and NSAs;
 - ii. Games and Amusement Board (GAB) - for violations committed in professional sports;
 - iii. Department of Education (DepEd) or Commission on Higher Education (CHED) – for violations committed in educational institutions and school athletic associations; and
 - iv. Department of Labor and Employment (DOLE) for violations committed in the workplace.

1
2 (d) **Sanctions and penalties.** – Upon notice and hearing, the PSC, DepEd,
3 CHED, GAB, and DOLE may impose a fine ranging from One Hundred
4 Thousand Pesos (P100,000.00) to One Million Pesos (P1,000,000.00)
5 depending on the gravity of the offense, and the suspension of his/her/its
6 GAB license or permit, if applicable for violations of this Act.
7

8 The availment of remedies under this Act will not preclude the
9 complainant from seeking further recourse from the courts of law.
10

11 (e) **Reconsideration.** – Within fifteen (15) days upon receipt of the decision,
12 a motion for reconsideration may be filed with the same agency,
13 otherwise the decision shall be final.
14

15 Nothing in this section shall prevent the filing of a temporary restraining
16 order or any other injunctive relief in court if there is no other plain,
17 speedy, and adequate remedy in the ordinary course of law.
18

19 **SEC. 8. Implementation Rules and Regulations.** – The PSC, GAB, CHED, DepEd,
20 and DOLE, together with athletic associations, NSAs, and the Philippine Olympic
21 Committee, and with the participation of representatives from sports organizations and
22 clubs with proven track records of involvement and promotion of the rights and welfare
23 of athletes, shall issue the Implementing Rules and Regulations of this Act within thirty
24 (30) days from its effectivity.
25

26 **SEC. 9. Separability Clause.** - If any provision or part hereof is held invalid or
27 unconstitutional, the remainder of the law or the provisions not otherwise affected shall
28 remain valid and subsisting.
29

30 **SEC. 10. Repealing Clause.** - Any law, presidential decree or issuance, executive
31 order, letter of instruction, administrative order, rule or regulation contrary to or
32 inconsistent with the provision of this Act is hereby repealed, modified, or amended
33 accordingly.
34

35 **SEC. 11. Effectivity Clause.** This Act shall take effect fifteen (15) days after its
36 publication in the Official Gazette or at least two (2) newspapers of general circulation.

Approved,