

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City, Philippines

SEVENTEENTH CONGRESS  
*Third Regular Session*

HOUSE BILL NO. **8355**

Introduced by **Representative “KUYA” JOSE ANTONIO R. SY-ALVARADO**



### EXPLANATORY NOTE

Article XIV Section 19 of the 1987 Constitution provides 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.

This bill seeks to encourage those gifted individuals and give them right to participate in training programs and to represent the country in international competitions. This bill also prohibits any act that will hinder the right of the Filipino athlete to try out for, and train with the national team.

In view thereof, the early passage of this proposed measure is highly recommended.

**“KUYA” JOSE ANTONIO R. SY-ALVARADO**  
*Representative*  
*First District of Bulacan*

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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:*

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

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

SEC. 3. Declaration of Policy. - Article II, Section 17 of the 1987 Constitution provides that the State shall give priority to sports "to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development". Further, Article XIV, Section 19 (1) provides that "the State shall promote physical education, sports programs and competition alongside training for international petitions to foster self-discipline, teamwork and excellence for the attainment of a healthy and alert citizenry". To this end, the State shall recognize, protect, and uphold the rights of athletes to represent the country in international sports competitions.

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

SEC. 5. Obligation of Employers, Educational Institutions, Athletic Associations, Sports Organizations and Clubs. - It is the obligation of employers, educational institutions, athletic associations, sports organizations and clubs, whether amateur, semi-professional and professional as well as their officials to allow an athlete to try out, train, and thereafter participate in international sports competitions representing the country. Provided, that such decision to represent the country came from the athlete's free will.

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

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

1. Refuse to release any of their athletes;
2. Revoke the scholarship of an athlete which may include the payment of tuition and other miscellaneous fees covered by the scholarship granted, including monetary and non-monetary benefits;
3. Give incomplete grades in subjects in which the athlete is exempted by virtue of being a student-athlete;
4. Mark the athlete as absent in class for the duration of the try out, training, and competition; provided, that the student-athlete must not exceed the number of excused absences allowed;
5. Disallow an athlete to attend trainings, practices and regular games;
6. Suspend an athlete from association; the varsity and/or school athletic the educational institution and/or school
7. Expel an athlete from athletic association; or
8. Impose other forms of punishment.

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

1. Refuse to release any of their athletes;
2. Withhold an athlete's allowances, including monetary and non-monetary benefits;
3. Disallow an athlete from attending trainings, practices and regular games;
4. Suspend an athlete from membership in the NSA and/or sports organization or club;
5. Expel an athlete from the NSA and/or sports organization or club; or
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 organization/club; from membership in the professional
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 tryouts, 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.

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

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

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

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

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

SEC. 9. 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 valid and subsisting.

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

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

*Approved,*

