

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
NINETEENTH CONGRESS
First Regular Session



HOUSE BILL NO. 7888

Introduced by HON. GUS S. TAMBUNTING

AN ACT PROVIDING A MAGNA CARTA FOR ESPORTS GAMERS

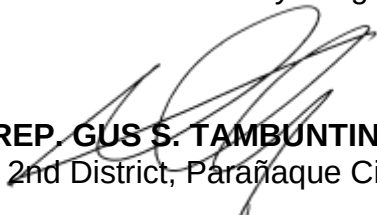
EXPLANATORY NOTE

Esports has grown tremendously in popularity in recent years, and millions of people all around the world now play video games competitively. With millions of dollars in annual prize money, sponsorship fees, and advertising income, esports has also developed into a lucrative sector. Esports has had substantial growth in the Philippines, where multiple events and contests are held annually.

Despite Esports' rising popularity, it has become urgent to address the lack of a legal framework and protection for Esports players. A large number of workers are not provided with any benefits, including health insurance, scholarship programs, and other fundamental labor safeguards.

By establishing a legislative framework that safeguards and advances the rights and welfare of Esports players, "AN ACT PROVIDING A MAGNA CARTA FOR ESPORTS GAMERS" seeks to solve these problems.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.


REP. GUS S. TAMBUNTING
2nd District, Parañaque City

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AN ACT PROVIDING A MAGNA CARTA FOR ESPORTS GAMERS

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 "Magna Carta for Esports Gamers."

CHAPTER I

General Provision

SECTION 2. Declaration of Policy. – It is hereby declared the policy of the State to promote and protect the welfare and rights of esports gamers in the country. Towards this end, the State shall recognize the significant contributions of esports to the economy and the importance of protecting the interests of esports gamers, including fair compensation, safe working conditions, and protection against discrimination, harassment, and abuse

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

- a) Esports – Refers to competitive video gaming in which players compete against each other in organized tournaments, leagues, or competitions, both on the local or world stage.
- b) Esports gamer or esports player – Refers to a person who engages in esports competitions, either as a professional or amateur player, and who is usually engaged, contracted, or employed by an esports organization.
- c) Esports organization – Refers to any entity, group, or association that

manages and represents professional esports teams and players in various video game tournaments and competitions. It also provides support and resources for its players, including coaching, training, equipment, and travel expenses. It also manages the branding, marketing, and public relations of its teams and players to help them gain recognition and support from fans and sponsors.

d) International esports competition – Refers to esports competition that takes place at a regional or global level, including but not limited to Southeast Asian-level, Asian-level, or World-level competitions, in which players or teams from multiple countries compete against each other in esports.

e) National esports gamers or national esports players – Refers to esports gamers who are Filipino citizens, recognized and accredited by the Philippine Sports Commission (PSC), and who have represented the country in international esports competitions.

CHAPTER II

Rights, Benefits, and Privileges for All Esports Gamers

SECTION 4. Rights of All Esports Gamers. – All esports gamers are entitled to the following rights:

- a) Right to fair and just compensation and benefits, in accordance with applicable laws;
- b) Right to be free from discrimination on any basis, including but not limited to gender, sexual orientation, age, race, religion, and national origin;
- c) Right to be free from bullying and cyberbullying, both in and outside of the workplace;
- d) Right to receive timely payment for their work;
- e) Right to negotiate for better compensation and benefits;
- f) Right to safe and healthy working conditions, including adequate rest periods;
- g) Right to access medical and mental health services, as necessary for their well-being;
- h) Right to participate in esports competitions without discrimination, harassment, or abuse of any kind; and
- i) Right to intellectual property protection of their gaming profiles, personas, and achievements, including any associated branding, merchandise, or endorsements.

SECTION 5. Benefits and Privileges for All Esports Gamers. – The following benefits and privileges shall be extended to all esports gamers:

- a) Free legal consultations - The PSC shall provide free legal consultations, either in-person or online, to all esports gamers for the purpose

of ensuring that any contracts entered into by the gamers are fair and equitable. The consultations may cover a range of issues, such as contract negotiation, intellectual property rights, and other legal matters related to esports gaming.

b) Free medical consultations - The PSC shall also provide free medical consultations, either in-person or online, to all esports gamers. These consultations may include general health and wellness advice, injury prevention, and other healthcare needs specific to esports gaming. The PSC shall appoint a team of legal and medical experts who specialize in esports law and healthcare to conduct these consultations. The consultations shall be made available to all esports gamers, regardless of their level of experience or status. The PSC shall work with esports organizations and industry stakeholders to promote the availability of these consultations and to encourage esports gamers to take advantage of them.

CHAPTER III

Benefits, and Privileges for National Esports Gamers

SECTION 6. Benefits and Privileges for National Esports Gamers. – All national esports gamers shall be entitled to the following benefits and privileges:

- a) Free medical and dental consultations in government hospitals and similar establishments anywhere in the country;
- b) Coverage in the National Health Insurance Program (NHIP) of the Philippine Health Insurance Corporation (PHILHEALTH) through the sponsored program of the PSC;
- c) A comprehensive social security program to be formulated by the Social Security System within one hundred eighty (180) days from the approval of this Act; and
- d) Priority in existing livelihood programs being undertaken by various government agencies subject to the guidelines and qualifications set by the implementing body.

SECTION 7. Scholarship Benefits for National Esports Gamers. – Any national esports gamer who achieves victory, either individually or as part of a team, in a recognized major international esports competition shall be entitled to scholarship benefits in the form of full tuition fees and allowances for a college or university degree at any state college or university. The winning national esports gamer shall be given priority in availing of state college or university scholarship grants.

Furthermore, the Commission on Higher Education (CHED) and the Technical Education and Skills Development Authority (TESDA) shall accord

priority to winning national esports gamers who seek scholarship grants and enroll in their programs, subject to CHED and TESDA regulations, policies, and qualifications for all applicants.

Private colleges and universities are encouraged to establish similar programs that support national esports gamers in their institutions.

SECTION 8. Death Benefits for National Esports Gamers. – In the event of the death of a national esports gamer, a lump sum benefit of one hundred thousand pesos (₱100,000.00) shall be granted. The primary beneficiaries of this benefit shall be the legitimate spouse and children of the deceased. If there are no primary beneficiaries, the benefit shall be given to the secondary beneficiaries, namely, the parents and, in their absence, the brothers or sisters of the deceased national esports gamer.

SECTION 9. Availment of Benefits and Privileges. – The abovementioned benefits and privileges shall be availed by national esports gamers upon presentation of a valid identification card, renewable every two (2) years, to be issued by the PSC: Provided, That national esports gamers shall not avail of said benefits and privileges under Section 5 of this Act in combination with similar benefits and privileges under other existing laws.

CHAPTER IV

Obligations

SECTION 10. Obligations of Esports Organizations. – All esports organizations shall have the following obligations:

- a) To provide fair and just compensation, including minimum wages and benefits as mandated by law, to all esports gamers;
- b) To ensure that their compensation practices are nondiscriminatory and comply with all applicable laws and regulations;
- c) To provide safe spaces for esports gamers to express their mind and feelings free from discrimination and cyberbullying;
- d) To ensure safe and healthy working conditions for all esports gamers, including ergonomic equipment, proper lighting, ventilation, and adequate rest periods;
- e) To provide access to medical and mental health services, including counseling and treatment for injuries or illnesses related to gaming;
- f) To establish grievance mechanisms for esports gamers to report discrimination, harassment, or abuse;
- g) To provide intellectual property protection to esports gamers' gaming profiles, personas, and achievements; and
- h) To ensure that esports gamers have ample opportunity to socialize and develop their social skills.

SECTION 11. Obligations of Relevant Government Agencies. – The following government agencies shall have the obligations:

- a) The PSC shall recognize esports as a legitimate sport and provide support and resources for its development while ensuring that regulations and policies are fair and equitable to all stakeholders.
- b) The Games and Amusement Board (GAB) shall regulate esports in a manner that promotes fair competition, player safety, and consumer protection, without imposing excessive charges or unnecessary restrictions. The GAB shall work with relevant stakeholders to develop industry standards and best practices that align with international standards.

SECTION 12. Licenses or Permits. – All relevant government agencies shall ensure the timely and efficient issuance of permits or licenses for national esports gamers. Such permits or licenses shall be processed expeditiously and without undue delay, with due consideration given to the interests of the public, as well as the rights and obligations of the parties involved.

CHAPTER V

National Esports Gamers' Welfare Fund

SECTION 13. Establishment of the National Esports Gamers' Welfare Fund. – A special fund called the "E-sports Gamers' Welfare Fund" (Fund) shall be established in the Philippine Sports Commission to provide benefits, incentives, and financial assistance to national esports gamers who suffer from injuries, illnesses, or disabilities arising from their participation in or preparation for esports competitions.

SECTION 14. Sources of Fund. – The Esports Gamers' Welfare Fund (Fund) shall be financed by, but not limited to, the following sources:

- a) The Fund shall be derived from at least twenty-five percent (25%) of the Games and Amusement Board's share in the income related to esports, as determined by its resolution;
- b) The Fund shall be sourced in part from the net cash income of the Philippine Amusement and Gaming Corporation (PAGCOR);
- c) The Fund shall also be sourced in part from the regular income share of the PSC; and
- d) The Fund may be derived from other sources of funding as provided for in the implementing rules and regulations, subject to applicable laws and regulations.

CHAPTER VI

Philippine Esports Hall of Fame

SECTION 15. Establishment of the Philippine Esports Hall of Fame. – There shall be established a Philippine Esports Hall of Fame, hereinafter referred to as the Philippine Esports Hall of Fame, to enshrine the Filipino

esports gamers who have distinguished themselves in their particular field of esports.

The candidates to the Esports Hall of Fame shall be limited to those Filipino esports gamers who have won in a major international esports competition and who possess character and integrity.

The screening committee set up by the PSC under Republic Act No. 8757 shall be tasked to accept nominations and screen candidates for the Esports Hall of Fame.

CHAPTER VII

Promotion of Esports in Summer Youth Camps

SECTION 16. Promotion of Esports in Youth Camps. – Esports shall be included among the sports to be promoted in youth camps established in every barangay by Republic Act No. 11910 or the Summer Youth Camp Act.

CHAPTER VIII

Final Provisions

SECTION 17. Penalties. – Violations of the provisions of this Act shall be penalized as follows:

- a) Any esports organization found to have violated the provisions of this Act shall be subject to penalties, including fines, suspension or revocation of licenses, and other sanctions as may be provided by law.
- b) Any government personnel found to have violated the provisions of this Act shall be subject to penalties, including fines, suspension or dismissal from government service, and other sanctions as may be provided by law.

SECTION 18. Implementing Rules and Regulations. – The PSC, in consultation with the GAB, Department of Health (DOH), Department of Information and Communications Technology (DICT), Department of Labor and Employment (DOLE), Philippine Overseas Employment Authority (POEA), Department of Tourism (DOT), Department of Foreign Affairs (DFA), CHED, Department of Education (DepEd), TESDA and accredited esports associations in the Philippines, shall promulgate the necessary rules and regulations for the implementation of this Act.

SECTION 19. Publication. – This law and its implementing rules and regulations shall be published and made available on the websites of all government agencies concerned and who took part in the crafting of the implementing rules and regulations.

SECTION 20. Effectivity. – This Act shall take effect fifteen (15) days

after its publication in the Official Gazette or on any official website provided by law.

Approved,