

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 1198



Introduced by **REP. ISIDRO T. UNGAB**

AN ACT
ESTABLISHING THE MINDANAO SPORTS DEVELOPMENT TRAINING AND RESEARCH
INSTITUTE TO BE LOCATED IN THE DAVAO CITY-UNIVERSITY OF THE PHILIPPINES
SPORTS COMPLEX, AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

Article 11, Section 17 of the 1987 Philippine Constitution provides that “[t]he State shall give priority to education, science and technology, arts and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development.”

This State policy is furthered by Article XIV, Section 19, paragraph 1 which provides that “[t]he State shall promote physical education and encourage sports program, 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 establish the Mindanao Sports Development and Training Institute which shall be based at the Davao City-University of the Philippines (DC-UP) sports Complex in Davao City and shall be constituted as the center for sports development training and research in Mindanao. The establishment of the said Institute shall advance efforts towards sports appreciation, engagement and participation, particularly in the Mindanao region.

Mindanao is home to world-renowned athletes who have showcased excellence in various fields of sports. The 2021 Tokyo Olympics alone has four Olympic medalists who all hail from Mindanao – Hidilyn Diaz, Nesthy Petecio, Carlo Paalam and Eumir Marcial. The enactment of the proposed measure will promote, enhance and strengthen sports training programs and research efforts for the benefit of communities, cities and provinces in Mindanao – which shall ultimately provide opportunities to develop grassroots sports programs and homegrown athletes that the region can continue to be proud of.

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

A handwritten signature in black ink, consisting of several fluid, connected strokes that form a stylized representation of the name Isidro T. Ungab.

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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 “*Mindanao Sports Development Training and Research Institute Act.*”

SEC. 2. *Declaration of Policy.* – It is the policy of the State to promote and develop sports in Mindanao. Towards this end, a center for sports training and research development shall be established in Mindanao to:

- (a) Encourage and promote continuous knowledge acquisition in the field of sports;
- (b) Advance efforts towards sports appreciation, engagement, and participation in Mindanao;
- (c) Identify key policy areas, issues, and challenges in the sports sector in Mindanao;
- (d) Formulate multidisciplinary or transdisciplinary research-based policies and strategies towards sports development in Mindanao; and

- (e) Promote, enhance, and strengthen sports training programs and research efforts for the benefit of communities, cities, and provinces in Mindanao.

SEC. 3. *Establishment of the Mindanao Sports Development Training and Research Institute.* – There is hereby established a Mindanao Sports Development Training and Research Institute, hereinafter referred to as the Institute, in the Davao City-University of the Philippines (DC-UP) Sports Complex in Davao City, which shall be constituted as the center for sports development training and research in Mindanao. The Institute shall be an independent agency attached to the UP with its own budget separate from the UP.

SEC. 4. *Objectives of the Institute.* – The objectives of the Institute are as follows:

- (a) To conduct pertinent independent multidisciplinary or transdisciplinary research and policy development on sports issues in Mindanao;
- (b) To promote collaborative sports development training and research among government agencies, the academe, and other public and private stakeholders in Mindanao;
- (c) To provide assistance to the government, the Philippine Sports Commission (PSC), and the legislature on sports issues in Mindanao needing policy direction and advice on related matters; and
- (d) To create and administer training programs and provide fellowship grants intended to:
 - (i) Encourage appreciation, engagement, and participation in sports in Mindanao; and
 - (ii) Build the capacity of government agencies, local government units, and the academe, including graduate and postgraduate students in Mindanao.

SEC. 5. *Powers and Functions of the Institute.* – The Institute shall:

- (a) Formulate and conduct research on sports development, sports policies and programs, and other sports issues, particularly in Mindanao;

- (b) Establish linkages with government agencies, other universities, and private and public institutions on existing sports research and policy studies;
- (c) Conduct research and policy development programs, and capacity-building and skills trainings on sports: *Provided*, That special attention shall be given to the needs of the PSC, the local government units of Mindanao, and the legislature;
- (d) Coordinate with the PSC, the Department of Education (DepEd), and the Davao City Government on the management and development of sports programs in Mindanao;
- (e) Provide common research and training support facilities and maximize the utilization of its technical experts and staff;
- (f) Enhance the pool of researchers and faculty with graduate and postgraduate degrees in the field of sports by providing research grants within and outside the UP, among others;
- (g) Establish local and foreign linkages in sports training and research, and policy development;
- (h) Propose and allocate its annual budgetary resources while optimizing resource generation and utilization; and
- (i) Receive and manage grants, aid, donations, contributions, or any kind of assistance for achieving its objectives, in accordance with the rules and regulations of the UP. The amounts received and the sources of grants, aid, donations, contributions, or any kind of assistance received shall be published on its website for purposes of transparency.

The Executive Board created under Section 6 of this Act may assign additional powers and functions to the Institute: *Provided*, That such powers and functions shall be in accordance with the objectives of the Institute as stated in this Act.

SEC. 6. Establishment of the Executive Board. – An Executive Board, herein referred to as the “Board”, is hereby created as the lead policy-making of the Institute.

The members of the Board shall be entitled to reimbursement of actual traveling and other expenses incurred in the performance of their official duties as members thereof, subject to pertinent laws, rules and regulations.

SEC. 7. Membership of the Executive Board. - The Board shall have thirteen (13) members comprised of the following: a) UP President as the ex officio Chairperson, six (6) ex officio members which shall be composed by the Mayor of the City of Davao, Chancellor of UP Mindanao, Head of the Department of Sports and Human Kinetics of UP Mindanao, Head of the Sports and Development Office of the City of Davao, Chairperson of the Mindanao Development Authority, and the Chairperson of the House of Representatives Committee on Mindanao Affairs.

The remaining members shall be regular members of the Executive Committee, with three (3) members appointed by the Chancellor of UP Mindanao, and three (3) members appointed by the Mayor of the City of Davao. The regular members shall serve for a term of four (4) years: *Provided*, That they are eligible for reappointment for two (2) years only after the expiration of their term: *Provided further*, That of the regular members appointed upon inception of the Executive Board, two (2) appointees from the UP Mindanao and two (2) appointees from the City of Davao shall serve for a term of two (2) years only.

The regular and ex-officio members shall serve as such only co-terminously with the appointing authority until their successors are respectively appointed and duly qualified. The ex-officio members shall serve as members of the Executive Board as long as they are occupying their respective principal positions.

Any person appointed to replace a member who has resigned, died, or removed for cause shall serve only the unexpired portion of the term of the member replaced, and shall be eligible for re-appointment but only for two (2) years.

SEC. 8. Powers and Functions of the Executive Board. – The Executive Board shall:

- (a) Provide the general direction and priorities of the Institute in accordance with this Act;
- (b) Determine programs for implementation, research and policy areas for study and investigation by the Institute, in consultation with the Executive Director;
- (c) Provide advice to the Institute on any matter relating to the development of training, research or policy programs;
- (d) Approve the following:
 - (i) Organizational structure of the Institute including position classification and compensation of employees subject to Section 12 of this Act, in coordination with the Department of Budget and Management (DBM),
 - (ii) Appointment of officers and employees of the Institute; and
 - (iii) Institute's overall budget.
- (e) Monitor and review the programs and projects undertaken by the Executive Director;
- (f) Assist the Executive Director in generating resources and obtaining logistical and financial support for the programs and component units of the Institute: *Provided*, That in so doing, no conflict of interest exists with the objectives of this Act and the functions of the Institute; and
- (g) Assign additional powers, functions, and duties of the Executive Director in accordance with the objectives of this Act.

SEC. 9. *The Executive Director.* – There shall be an Executive Director who shall be appointed by the UP President within sixty (60) calendar days after the effectivity of the implementing rules and regulations of this Act, upon the recommendation of the Executive Board.

The Executive Director shall head the Institute and shall serve in full-time capacity for a term of five (5) years which may be renewed.

The Executive Director shall supervise the Institute's day-to-day operations and implement the Institute's programs, policy directions, and priorities determined by the Executive Board.

SEC.10. *Qualifications of the Executive Director.* – No person shall be appointed as Executive Director of the Institute unless he or she is a citizen of the Republic of the Philippines, a college graduate and a recognized expert in sports research and development, with at least three (3) years experience in the sports administration, and shall have a strong organizational management background.

SEC. 11. *Powers and Functions of the Executive Director.* - The Executive Director shall:

- (a) Implement and enforce research, policies, decisions, orders, rules, and regulations determined by the Executive Board;
- (b) Exercise administrative and supervisory functions over the planning, implementation, and evaluation of the policies, programs, and projects of the Institute;
- (c) Recommend to the Executive Board, the following:
 - (i) Organizational structure of the Institute, including the position classification and compensation of employees, subject to Section 12 of this Act;
 - (ii) Appointment of officers and employees of the Institute; and
 - (iii) Overall budget of the Institute;
- (d) Submit to the Executive Board, regular reports on the Institute to include annual reports on operations, status of programs and projects, and the financial condition of the Institute;
- (e) Apprise regularly the Executive Board on the programs and projects of the Institute;
- (f) Execute contracts, incur obligations, acquire and dispose of assets, and deliver documents on behalf of the Institute, including negotiated or consultancy contracts for personnel within and outside of the UP, within the limits of the authority determined by the Executive Board;
- (g) Generate and obtain logistical and financial support for the programs and component units of the Institute with the assistance of the Executive Board: *Provided*, That no conflict of interest exists with the objectives of this Act and the functions of the Institute;

- (h) Not to engage in any act that may result to a conflict of interest with the objectives, functions, and powers of the Institute; and
- (i) Exercise and perform such other powers, functions, and duties as may be authorized or assigned by the Executive Board, and in accordance with the objectives of this Act.

SEC. 12. *Organization of Human Resource Complement.* - The human resource complement of the Institute shall be organized and set up by the Executive Director subject to Sections 8 and 11 of this Act and the existing rules and regulations of the UP.

SEC. 13. *Education and Capacity Building.* -The Institute shall, through its Executive Director, support further education and training for its officers and employees, which shall include advanced degree studies, short-term programs, online courses, and participation in conferences.

SEC. 14. *Administration, Management, Operation and Maintenance of the DC-UP Sports Complex.* -The Institute is vested with the authority to administer, manage, operate and maintain the DC-UP Sports Complex, including the administration of incidental income, security of the complex, assignment of personnel and hiring of managers, specialists, and other administrative staff as may be needed and as determined by the Institute: *Provided*, That the Institute shall employ professional and highly skilled managers with long and vast experience in sports administration and management to ensure the proper maintenance and upkeep of the DC-UP Sports Complex and its facilities and other amenities.

SEC. 15. *Emergency Use Facility.* – During states of calamities as defined under Republic Act No. 10121 or the “*Philippine Disaster Risk Reduction and Management Act of 2010*”, the DC-UP Sports Complex shall temporarily be converted into a multi-purpose emergency facility upon recommendation by the applicable Disaster Risk Reduction and Management Council (DRRMC) to the appropriate authority.

SEC. 16. Appropriations. – There is hereby appropriated out of the General Appropriations Act (GAA), the sum of Two hundred million pesos (P200,000,000.00) for the initial operating fund of the Institute. Thereafter, such amounts necessary for the sustainable operations of the Institute shall be appropriated from the GAA based on the annual financial plan approved by the Executive Board and submitted to the Department of Budget and Management.

In addition, financial contributions and technical assistance intended for sports development may be obtained from the PSC, local government units, other national government agencies and government-owned or controlled corporations (GOCCs), the private sector, and other local and international organizations in the form of grants, donations, contributions, payments, fees and charges.

SEC. 17. Transition Period. – Until the appointments to the Executive Board and a new staffing pattern shall have been issued, the UP President shall create an *ad hoc* committee under its office, which shall include the Chancellor of UP Mindanao and the Head of the Sports and Human Kinetics Department of UP Mindanao as members, to facilitate the management and operations of the Institute.

SEC. 18. Tax Exemptions and Tax Expenditure Fund. – The Institute shall be entitled to all the tax exemptions enumerated under Section 25 of Republic Act No. 9500, otherwise known as “*The University of the Philippines Charter of 2008*”, as amended by Republic Act No. 10963, otherwise known as the “*Tax Reform for Acceleration and Inclusion Act*”.

The Institute may avail of the Tax Expenditure Fund pursuant to Executive Order No. 292, otherwise known as the “*Administrative Code of 1987*”, Presidential Decree No. 93 series of 1986, Presidential Decree No. 1177 series of 1977, and other applicable laws, rules, and regulations.

SEC. 19. Implementing Rules and Regulations (IRR). – The UP, in coordination with the PSC, and subject to the approval of the UP Board of Regents shall, not later

than thirty (30) days upon the effectivity of this Act, promulgate the necessary rules and regulations for the effective implementation of this Act: *Provided*, That failure to promulgate the rules and regulations shall not prevent the implementation of this Act upon its effectivity.

SEC. 20. *Separability Clause.* - If any part or provision of this Act is held invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

SEC. 21. *Repealing Clause.*- All laws, executive orders, issuances, decrees, rules, and regulations inconsistent with or contrary to the provisions of this Act are deemed amended, modified or repealed accordingly.

SEC. 22. *Effectivity.*- This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,