

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH (17TH) CONGRESS
First Regular Session

HOUSE BILL NO. **2903**

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Introduced by Representative Manuel Monsour T. Del Rosario III

EXPLANATORY NOTE

The 2016 Rio Olympics are about to draw to a close, and long after the flames on the Olympic cauldron have been doused, our memories of our Olympic athletes, save probably for our lone medal winner, Hidilyn Diaz, will be relegated to the dustbin of Philippine history.

Such is the ominous fate of many of our national athletes after they retire from competition—forgotten, neglected and ignored.

Our government does not provide good security for many retired Olympians and elite athletes, with past medalists often disheartened by the lack of social and economic benefits available to them after they have ceased competing in sports. Plenty of them end up living in less-than-desirable circumstances.

The plight of our retired national athletes who dedicated their lives to bring honor to the country only to plunge into poverty upon retirement was highlighted earlier this year when our 1988 Seoul Olympics bronze medal winner, Leopoldo Serantes, suffering from chronic obstructive pulmonary disease and restricted to a wheelchair, badly needed help to buy medicines and feed his family. Sick and poor, Serantes found little support from government.

As a former Olympian, having represented the country in the 1988 Seoul Olympics in the sport of Taekwondo, I am aware of the many struggles and challenges retired athletes face such as getting a job, paying rent, sending children to school, buying medicines or groceries, or rehabbing serious injuries. Hence, it is my duty to help shine the spotlight on the deplorable plight of our retired Olympians and athletes who are struggling with poverty, injury and joblessness, and to spawn an institutionalized support from government.

It is a matter of pride and respect that we provide retired Olympians and elite athletes pension and other retirement benefits and privileges until their twilight years as proper recognition for their sacrifices and dedication in bringing honor and glory to the country.

This bill seeks to ensure that the achievements of our Olympians and elite athletes are appropriately recognized while providing them valuable support following their retirement from competitive sport and as they transition to a new life after sports. These retired athletes have sacrificed their sweat and blood to make our country proud; it is only right that we not only honor their names and memories, but give them the proper recognition and benefits that they rightly deserve.


MANUEL MONSOUR T. DEL ROSARIO III

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HOUSE BILL NO. 2903

Introduced by Representative Manuel Monsour T. Del Rosario III

**AN ACT PROVIDING PENSION AND OTHER RETIREMENT BENEFITS AND
PRIVILEGES TO RETIRED OLYMPIANS AND ELITE ATHLETES,
APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**

*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 “Retired Olympians and Elite Athletes Retirement Benefits and Privileges Act of 2016” or the “Retired Olympians and Elite Athletes Act of 2016”.

Section 2. Statement of Policy. – The State shall promote excellence in sports and through sports by providing for the welfare of and granting retirement benefits and privileges to retired Filipino Olympians and elite athletes who have brought honor and recognition to the country.

Section 3. Definition of Terms. – For purposes of this Act, the following terms shall be defined as follows:

- (a) *Olympians* – refer to athletes who are Filipino citizens, recognized and accredited by the Philippine Olympic Committee (POC) and the Philippine Sports Commission (PSC), who have represented the Philippines in the Olympic Games in a regular individual or team event who may or may not have won medals therefrom;
- (b) *Elite Athletes* – refer to athletes who are Filipino citizens, recognized and accredited by the Philippine Olympic Committee (POC) and the Philippine Sports Commission (PSC), who have represented the country in international competitions such as the Asian Games and quadrennial World Championships in an individual or team event who must have garnered either a gold, silver or bronze medal therefrom;
- (c) *Retired Olympians and Elite Athletes* – refer to the athletes described in Section 3(a)(b) who have ceased from participating as athletes in the Olympics and international competitions such as the Asians Games and World Championships that are held every four (4) years (quadrennial);
- (d) *International Competitions* – refer to international sports competitions, including individual and team competitions, which are sanctioned by the International Olympic Committee (IOC), held every four (4) years, including the Asian Games and qualifying championships in team sports wherein only one (1) or two (2) countries may qualify for the Olympics. Medal-winning athletes in the Southeast Asian Games, Junior

Olympics, Paralympics, and World Youth Games are excluded from the coverage of this Act.

Section 4. *Monthly Pension for Retired Olympians and Elite Athletes.* – A retired Olympian or elite athlete who is registered as such with the PSC shall be entitled to a monthly pension that shall commence immediately following his or her last participation in the Olympics or international competitions as defined under Section 3(d) of this Act, as follows:

A. Medal-winning retired Olympian:

- (a) For gold medalists, Twenty thousand pesos (Php20,000.00);
- (b) For silver medalists, Seventeen thousand pesos (Php17,000.00);
- (c) For bronze medalists, Fifteen thousand pesos (Php15,000.00);

B. Non-medal winning retired Olympian, Twelve thousand pesos (Php12,000.00);

C. Medal-winning retired elite athlete:

- (a) For medalists in quadrennial World Championships, Twelve thousand pesos (Php12,000.00);
- (b) For medalists in the Asian Games, Ten thousand pesos (Php10,000.00).

Section 5. *Other Retirement Benefits and Privileges for Retired Olympians and Elite Athletes.* – The retired Olympian or elite athlete shall likewise be entitled to the following benefits and privileges that shall commence immediately following his or her last participation in the Olympics or international competitions:

- (a) The grant of twenty percent (20%) discount and exemption from the value-added tax (VAT), if applicable, on the sale of the following goods and services from all establishments, for the exclusive use and enjoyment or availment of retired Olympians and elite athletes:

- (1) on the purchase of medicines and such other essential medical supplies, accessories and equipment to be determined by the Department of Health (DOH).

The DOH shall establish guidelines and mechanisms of compulsory rebates in the sharing of burden of discounts among retailers, manufacturers and distributors, taking into consideration their respective margins;

- (2) on the professional fees of attending physician/s in all private hospitals, medical facilities, outpatient clinics and home healthcare services;
- (3) on the professional fees of licensed professional healthcare providers providing home healthcare services as endorsed by private hospitals or employed through home healthcare employment agencies;
- (4) on medical and dental services, diagnostic and laboratory fees in all private hospitals, medical facilities, outpatient clinics, and home healthcare services, in accordance with the rules and regulations to be issued by the DOH, in coordination with the Philippine Health Insurance Corporation (PHIC);

- (5) in actual fare for land transportation travel in public utility buses (PUBs), public utility jeepneys (PUJs), taxis, shuttle services, and public railways, including the Light Rail Transit (LRT), Mass Rail Transit (MRT), and Philippine National Railways (PNR);
 - (6) in actual transportation fare for domestic air and sea travel;
 - (7) on the utilization of services in hotels and similar lodging establishments, restaurants and recreation centers;
 - (8) on admission fees charged by theaters, cinema houses and concert halls, circuses, carnivals, and other similar places of culture, leisure and amusement;
 - (9) on the purchase of sports equipment; and
 - (10) on funeral and burial services for the death of retired Olympians and elite athletes.
- (b) Exemption from the payment of individual income taxes of retired Olympians who have not won any medal and elite athletes who are considered to be minimum wage earners in accordance with Republic Act No. 9504;
- (c) The grant of a minimum of five percent (5%) discount relative to the monthly utilization of water and electricity supplied by public utilities: *Provided*, That the individual meters for the foregoing utilities are registered in the name of the retired Olympian or elite athlete residing therein: *Provided, further*, That the monthly consumption does not exceed one hundred kilowatt hours (100 kWh) of electricity and thirty cubic meters (30 m³) of water: *Provided, furthermore*, That the privilege is granted per household regardless of the number of retired Olympians and/or elite athletes residing therein;
- (d) Free medical and dental services, diagnostic and laboratory fees such as, but not limited to, x-rays, computerized tomography scans and blood tests, in all government facilities, subject to the guidelines to be issued by the DOH in coordination with the PHIC;
- (e) Educational assistance to retired Olympians and elite athletes or any qualified member of his or her immediate family within the fourth civil degree of consanguinity in the form of tuition fees in state colleges and universities in order to complete a college or university degree. Educational assistance shall include support for books, learning materials, and uniform allowances, to the extent feasible: *Provided*, That the retired Olympians and elite athletes shall meet minimum admission requirements. Retired Olympians and elite athletes shall likewise be given priority in the availment of state college and university scholarship grants.

Likewise, the Commission on Higher Education (CHED) and the Technical Education Skills and Development Authority (TESDA) shall give priority to retired Olympians and elite athletes who seek scholarship grants and study under their programs subject to the qualifications for all applicants.

Private colleges and universities shall likewise be encouraged to adopt a similar program in their institutions for retired Olympians and elite athletes.

- (f) A comprehensive social security program to be formulated by the Government Service Insurance System (GSIS) within one hundred eighty (180) days from the approval of this Act;
- (g) Priority in existing livelihood programs being undertaken by various government agencies subject to the guidelines and qualifications by the implementing body;
- (h) Priority in national housing programs, affordable "pabahay" loans and other housing opportunities provided by the government's key shelter agencies (KSAs), subject to the guidelines and qualifications set by these KSAs such as the National Housing Authority (NHA), Home Development Mutual Fund (HDMF), Home Guaranty Corporation (HGC), National Home Mortgage and Finance Corporation (NHMFC), and Social Housing Finance Corporation (SHFC);
- (i) To the extent possible, the government may grant special discounts in special programs for retired Olympians and elite athletes on the purchase of basic commodities, subject to the guidelines to be issued for the purpose by the Department of Trade and Industry (DTI) and the Department of Agriculture (DA);
- (j) Provision of express lanes for retired Olympians and elite athletes in all commercial and government establishments. In the absence thereof, priority shall be given to them; and
- (k) Funeral and burial benefits upon the death of any retired Olympian or elite athlete for his or her primary beneficiaries in the form of a lump sum benefit of Fifty thousand pesos (Php50,000.00) to cover for his or her funeral services: *Provided*, That if he or she has no primary beneficiaries, his or her secondary beneficiaries shall be entitled to said benefits.

For purposes of this Act, primary beneficiaries shall refer to the legitimate spouse, and legitimate or illegitimate children. Secondary beneficiaries shall refer to the parents, and in their absence, to the brothers or sisters of such retired Olympian or elite athlete.

In addition, the retired Olympian or elite athlete shall be entitled to a burial flag and military honors during his or her funeral and burial.

Section 6. *Availment of Promotional Discounts.* – In the purchase of goods and services which are on promotional discount, the retired Olympian or elite athlete can avail of the promotional discount or the discount provided herein, whichever is higher.

Section 7. *Tax-free Privilege for Olympic Medalists* – The retired Olympian who bagged a gold, silver or bronze medal in the Olympic Games shall enjoy the privilege of being tax-free for life, in addition to the preceding benefits and privileges, as applicable that shall commence immediately following his or her last participation in the Olympic Games. He or she shall also enjoy the honor and privilege of being called the "**Pambansang Pensyonado**".

Section 8. *Survivorship Benefits.* — When a retired Olympian or elite athlete dies, the primary beneficiaries shall be entitled to survivorship benefits consisting of:

- (a) The basic survivorship pension which is fifty percent (50%) of the basic monthly pension; and
- (b) The dependent children's pension not exceeding fifty percent (50%) of the basic monthly pension.

Section 9. *Payment of Survivorship Pension* – The survivorship pension shall be paid as follows:

- (a) When the dependent spouse is the only survivor, he or she shall receive the basic survivorship pension for life or until he or she remarries;
- (b) When only the dependent children are the survivors, they shall be entitled to the basic survivorship pension for as long as they are qualified, plus the dependent children's pension equivalent to ten percent (10%) of the basic monthly pension for every dependent child not exceeding five (5), counted from the youngest and without substitution; and
- (c) When the survivors are the dependent spouse and the dependent children, the dependent spouse shall receive the basic survivorship pension for life or until he or she remarries, and the dependent children shall receive the dependent children's pension mentioned in the immediately preceding paragraph (b) hereof.

Section 10. *Benefits and Privileges for Past Olympians and Medal-Winning Elite Athletes*. – Any (a) retired Olympian and (b) elite athlete who, prior to the enactment of this Act, had won a gold, silver or bronze medal in international competitions as defined under Section 3(d) of this Act, shall be entitled to the benefits and privileges provided under this Act.

Section 11. *Proof of Entitlement to the Retirement Benefits and Privileges*. – In the availment of the privileges mentioned in the preceding sections, the retired Olympian or elite athlete, or his or her duly authorized representative, may submit as proof of his or her entitlement thereto any of the following:

- (a) An identification card issued by the PSC, which shall be honored nationwide; and
- (b) The passport of the retired Olympian or elite athlete concerned.

Section 12. *Tax Deduction for Establishments*. – The establishment may claim the discounts granted under subsections (a) and (c) of Section 5 as tax deduction based on the cost of the goods sold or services rendered: Provided, That the cost of the discount shall be allowed as deduction from gross income for the same taxable year that the discount is granted: Provided, further, That the total amount of the claimed tax deduction net of VAT, if applicable, shall be included in their gross sales receipts for tax purposes and shall be subject to proper documentation and to the provisions of the National Internal Revenue Code (NIRC), as amended.

Section 13. *Adjustment of Retirement Benefits*. – The PSC is hereby authorized to adjust the schedule of pension and other retirement benefits and privileges in Sections 4 and 5 hereof, based on studies, consultations and public hearings with relevant agencies to reflect the economic needs of the retired Olympians and elite athletes and taking into account the prevailing inflation rate. No memorandum, order, or issuance shall diminish the prescribed schedule of retirement benefits.

Section 14. *Funding*. – The amount necessary for the implementation of the retirement benefits program of this Act shall be taken from the net cash income of the Philippine Amusement

and Gaming Corporation (PAGCOR), to be remitted directly as a special account to the National Sports Development Fund (NSDF) of the PSC. This is in addition to the regular income share of the PSC pursuant to Republic Act No. 6847.

A separate fund equivalent to not less than sixty percent (60%) of existing NSDF shall be automatically set aside for the retirement benefits of retired Olympians and elite athletes covered by this Act.

Section 15. *The Retired Olympians and Elite Athletes Bureau (ROEAB).* – To ensure the proper and efficient implementation of the benefits and privileges for retired Olympians and elite athletes, the *Retired Olympians and Elite Athletes Bureau* is hereby created. The ROEAB shall be primarily responsible for the implementation of the pension and retirement benefits and privileges and development of programs for retired Olympians and elite athletes. It shall be headed by an Executive Director who shall be appointed by the Chairman of the PSC. The appointee shall be chosen from a list of three (3) nominees as recommended by the Commissioners of the PSC.

The ROEAB shall have the following functions:

- (a) To plan, implement, develop, and monitor programs in pursuance of the objectives of this Act;
- (b) To draw up a list of available and required services which can be provided by and to retired Olympians and elite athletes;
- (c) To maintain and regularly update on a yearly basis the list of retired Olympians and elite athletes and to issue national individual identification cards, free of charge, which shall be valid anywhere in the country;
- (d) To serve as a general information and liaison center for retired Olympians and elite athletes;
- (e) To monitor compliance of the provisions of this Act particularly the grant of special discounts and privileges to retired Olympians elite athletes and tax-free privileges for Olympic medalists;
- (f) To provide retired Olympians and elite athletes easy access to programs, career management, education and skill development, health insurance, mentorships, legal advice and support;
- (g) To report to the Chairman of the PSC, any individual, establishment, business entity, institution or agency found violating any provision of this Act; and
- (h) To assist retired Olympians and elite athletes in filing complaints or charges against any individual, establishment, business entity, institution, or agency refusing to comply with the privileges under this Act before the Department of Justice (DOJ), the Provincial Prosecutor's Office, the regional or the municipal or metropolitan trial court, the municipal trial court in cities, or the municipal circuit trial court.

Section 16. *Penalties.* – Any person who refuses to honor the retired Olympians and elite athletes card issued by the government or violates any provision of this Act shall suffer the following penalties:

- (a) For the first violation, imprisonment of not less than two (2) years but not more than six (6) years and a fine of not less than Fifty thousand pesos (Php50,000.00) but not exceeding One hundred thousand pesos (Php100,000.00);

- (b) For any subsequent violation, imprisonment of not less than two (2) years but not more than six (6) years and a fine of not less than One Hundred thousand pesos (Php100,000.00) but not exceeding Two hundred thousand pesos (Php200,000.00); and
- (c) Any person who abuses the privileges granted herein shall be punished with imprisonment of not less than six (6) months and a fine of not less than Fifty thousand pesos (Php50,000.00) but not more than One hundred thousand pesos (Php100,000.00).

If the offender is a corporation, partnership, organization or any similar entity, the officials thereof directly involved such as the president, general manager, managing partner, or such other officer charged with the management of the business affairs shall be liable therefor.

If the offender is an alien or a foreigner, he or she shall be deported immediately after service of sentence.

Upon filing of an appropriate complaint, and after due notice and hearing, the proper authorities may also cause the cancellation or revocation of the business permit, permit to operate, franchise and other similar privileges granted to any person, establishment or business entity that fails to abide by the provisions of this Act.

Section 17. *Implementing Rules and Regulations.* – The PSC, in coordination with the POC, Department of Education (DepEd), DOH, DTI, CHED, TESDA, BIR, among others, and other concerned agencies shall promulgate and issue the Implementing Rules and Regulations within sixty (60) days upon approval of this Act.

Section 18. *Separability Clause.* – If any provision or part of this Act, or the application thereof to any person or circumstances, is held invalid or unconstitutional, the remaining sections of this Act or the application of such provision or part hereof to other persons or circumstance shall remain in full force and effect.

Section 19. *Repealing Clause.* – All laws, decrees, orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Section 20. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* and/or in two (2) newspapers of general circulation.

Approved.