

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4344



Introduced by **HON. JOY MYRA S. TAMBUNTING**

EXPLANATORY NOTE

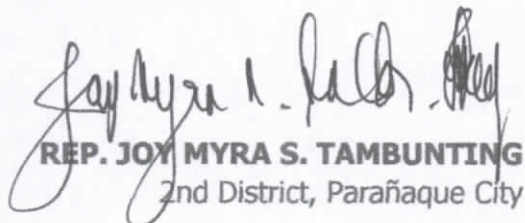
It is inherently the role of the state to promote human development as it is the backbone of social and economic development. United Nations' Inter-Agency Task Force on Sport for Development and Peace recognizes sports as an important tool to develop the highest human potential in mind and body. It is a powerful and cost-effective way to advance the Sustainable Development Goals and the best tool to transcend social, political and cultural differences. It is also a learning experience which allows its participants to develop management, negotiation, communication and conflict management skills.

Article II, Section 17 of the Constitution stresses that "the State shall give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development".

Article XIV, Section 19 of the 1987 Constitution asserts that "the State shall promote physical education and encourage programs, league competitions and amateur sports, including training for international competitions, to foster self-discipline, teamwork, and excellence for the development of a health and alert citizenry." It is important for the State create a National Academy of Sports for High School (NASHS) to develop the athletic skills and talents of high school students. *This school shall be a home to deserving students where they will be given adequate training and support necessary for their development as athletes and future international sports champions.*

As of September 2, 2019, seven other similar measures have been filed during the 18th Congress. My version is based on the one filed by our good Majority Leader Martin Romualdez and Hon. Yedda Romualdez. I hope the inputs I have added to it will make this institution one to be proud of.

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. JOY MYRA S. TAMBUNTING
2nd District, Parañaque City

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HOUSE BILL NO. 4344

Introduced by **HON. JOY MYRA S. TAMBUNTING**

**AN ACT CREATING AND ESTABLISHING THE NATIONAL ACADEMY OF SPORTS,
PROVIDING FUNDS THEREFOR**

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 National Academy of Sports for High School (NASHS) Act of 2019."

Sec. 2. Declaration of Principles. - The State recognizes the role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. Towards this end, the State shall promote physical education and encourage sports programs, league competitions, and amateur sports, including training for international competitions, foster self-discipline, teamwork, and excellence for the development of a healthy and alert citizenry. The State shall provide adequate training for students with athletic abilities for competitive sports to foster the holistic development of the youth and to prepare the students for a long-term career in sports development.

Sec. 3. Creation and Establishment of the National Academy of Sports for High School - There is hereby established a National Academy of Sports for High School (NASHS) to develop the athletic skills and talents of high school students. This shall be attached to the Department of Education (DepEd) which shall also coordinate with the Philippine Sports Commission (PSC) for policy and program formulation and implementation on subjects pertaining to sports.

Sec. 4. Purpose of the NASHS - The NASHS shall offer, on a full scholarship basis, a secondary course with special emphasis on developing the athletic skills of the students through subjects pertaining to physical education and sports development, with the end in view of educating its students who have shown their early potential of excelling in sports for a sports-related career while undergoing quality secondary education.

Sec 5. Construction and Site of the NASHS. - After a period of planning not exceeding one (1) year upon the effectivity of this Act, the necessary sports facilities and amenities, which are at par with international standards, shall be constructed at New Clark City, Capas, Tarlac.

Sec.6. Director of the NASHS. - The NASHS shall be headed by a Director who shall serve for a period of six (6) years. He/she shall be appointed by the Board of Trustees, as created in Section 7 of this Act. The Board shall also fix his compensation. The functions, powers and

duties of the Director, in addition to those specifically provided for in this law, shall be those usually pertaining to the office of the principal of any high school in the Philippine educational system.

Sec. 7. Board of Trustees. - The NASHS shall have a Board of Trustees, hereinafter referred to as the Board, which shall be composed of the Secretary of the DepEd as Chairperson, the Chairperson of the PSC as Vice Chair, and the following members: the Director of the NASHS, one (1) representative each from the House of Representatives and the Senate, and four (4) representatives from accredited national sports associations to be nominated by the different sports associations and appointed by the Chairperson of the Board: Provided, That there should always be at least one representative from track and field and at least one representative from aquatic sports.

All members who are not receiving regular compensation from the government shall receive per diem for every meeting of the Board.

Sec. 8. Powers and Functions of the Board of Trustees. - The exercise of the corporate powers of the NASHS is hereby vested exclusively in the Board of Trustees.

The Board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the board of directors of a corporation under Section 35 of Republic Act No. 11232, otherwise known as the Revised Corporation Code of the Philippines:

- (a) To identify the satellite branches of the NASHS;
- (b) To approve the curricula, course of study, and rules of discipline drawn up by the Executive Council as hereinafter provided;
- (c) To receive and appropriate for the ends herein specified such sums as may be provided by law for the support of the NASHS;
- (d) To approve appointments made and contracts entered into by the Director in connection with the employment of teachers, lecturers and other employees of the school, to fix their compensation and other conditions of employment, and to remove them for cause after proper investigation;
- (e) To provide and approve fellowships and trainings for faculty members;
- (f) To fix the tuition fees and other necessary school charges, as the Board may deem necessary to impose, after due and comprehensive consultation with the students concerned.

Such fees and charges, including government subsidies and other income generated by the NASHS, shall constitute the Sports High School Fund, as created in Section 17 of this Act, and shall be deposited in any authorized government depository bank, and all interests shall accrue therefrom shall part of the same fund for the use of the NASHS.

Any provision of existing laws, rules and regulations to the contrary notwithstanding, any income generated by the NASHS from tuition fees and other charges, as well as from the operation of auxiliary services and land grants, shall be retained by the

NASHS, and may be disbursed by the Board of Trustees for instruction, research, extension, or other programs/projects of the NASHS: *Provided*, That all fiduciary fees shall be disbursed for the specific purposes for which they are collected.

- (g) To approve the grant of scholarships, stipends and such other allowances to deserving students;
- (h) To establish the criteria for the selection and admission of students which shall include, among others, national competitive trials and examinations;
- (i) To develop the athletic potential of every student together with a sound and strong academic base;
- (j) To provide a training program for students with the end goal of creating athletes who are competitive in the national, South East Asian, Asian, and Olympics level;
- (k) To approve the issuance of certificates or diplomas to successful candidates for graduation;
- (l) To receive, in trust, legacies, gifts, and donations of real and personal property of all kinds and to administer the same for the benefit of the NASHS or for aid to any of its students;
- (m) To enact rules and regulations not contrary to law as may be necessary to carry to carry out the purposes and functions of the NASHS; and
- (n) To perform any and all other acts incident to or required by virtue of its creation.

Sec. 9. Meetings of the Board of Trustees. - The Board of Trustees shall regularly convene at least once every quarter. The Chairman of the Board of Trustees may call a special meeting whenever necessary: *Provided*, That members are notified in writing at least three (3) days prior to said meeting.

A majority of all members holding office shall constitute a quorum for board meetings: *Provided*, That the Chairperson of the Board is among those present in the meeting. In the absence of the Chairperson, a Undersecretary of the DepEd, duly designed by the Chairperson, shall represent him/her in the meeting.

A quorum of the Board shall consist of majority of all the members holding office at the time the meeting is called.

Sec. 10. Annual Report. - The Board shall submit to the Office of the President of the Philippines and Congress a detailed report on the progress, condition and needs of the NASHS on or before the first of April of each year.

Sec. 11. Executive Council - There shall be an Executive Council consisting of the Director, the Assistant Director, as created in Section 12 of this Act, the heads of departments of NASHS, and such other ranking faculty members or officials of the NASHS, as may be determined by the Board.

The Council shall have the power to screen and select the students subject for admission, to select students who shall be recipients of scholarships, stipends and other allowances, and to

develop the curricula, course or study, and rules of discipline. The Council shall implement and execute the policies laid down by the Board and exercise such other functions, powers and duties as the Board may prescribe.

Sec. 12. Assistant Director of the NASHS. - There shall be an Assistant Director who shall assist the Director. In the absence of the Director, he/she shall assume the administrative and supervisory functions of the Director. He/she shall be appointed by the Chairperson of the Board subject to the approval of the same Board, which shall also fix his/her compensation.

Sec. 13. Registrar of the NASHS. - There shall be a Registrar of the School who shall also act as Secretary of the Board, to be appointed by the Director with the approval of the Board. The Registrar must be a member of the Integrated Bar of the Philippines. The Registrar shall keep all records of the NASHS.

Sec. 14. Treasurer of the NASHS. - There shall be a Treasurer of the NASHS who shall be appointed by the Director, with the approval of the Board. The Treasurer must be a Certified Public Accountant. All accounts and expenses of the NASHS shall be audited by the Commission on Audit or its duly authorized representative.

Sec. 15. Personnel of the NASHS. - The Director shall, upon approval of the Board, employ professional and highly skilled managers, educators, teachers and personnel with long and vast experience in sports administration, education and management to ensure proper operation and maintenance of the NASHS.

Any officer, or employee of the Government engaged as a lecturer in the NASHS, may receive a compensation in addition to his salary at the rate to be fixed by the Board: Provided, That his duties as such lecturer are performed outside of the regular office hours.

Sec. 16. Tax Exemptions of the NASHS. - The NASHS shall be exempt from payment of all taxes, fees, assessments and other charges of the Government, its branches and subdivisions.

It shall likewise be exempt from the payment of customs duties, taxes and tariffs on the importation of sportswear, equipment, books, supplies, instruments, materials and goods, including those donated to the NASHS: Provided, That these are of international sports standards and are not available from local manufacturers: Provided, further, That the importation shall only be in such numbers as may be required in the development of various sports and/or training of the students.

The NASHS shall also be exempt from withholding taxes on the honoraria or fees paid by the NASHS to visiting lecturers or professors from abroad.

Sec. 17. Tax Deduction or Exemption of Donations and Contributions. - All legacies, gifts and donations for the benefit of the NASHS, or for its support and maintenance, or for aid to any of its students shall be tax-exempt and shall be an allowable deduction from the gross-income of the donors.

Sec. 18. Sports High School Fund - All incomes and donations to the NASHS created under this Act shall be formed into a fund, to be known as the Sports High School Fund, which the NASHS shall be authorized to retain, without need of a separate approval from any government agency, and subject only to existing accounting and auditing rules and

regulations. This fund shall be expended as authorized by the Board exclusively for the purpose of this Act.

Sec. 19. Funding. - To carry out the purposes of this Act the amount of Three Hundred Million Pesos (₱ 300,000,000.00) is hereby appropriated and shall be made available from the funds of the National Treasury not otherwise appropriated. Thereafter, the amount to be utilized for the expenses of the NASHS shall be provided in the annual General Appropriation Act.

Sec. 20. Implementing Rules and Regulations. - The DepEd and PSC, in consultation and coordination with the Department of Budget and Management, the Department of Public Works and Highways and the Bases Conversion and Development Authority shall promulgate not later than thirty (30) days upon the effectivity of this Act, the necessary rules and regulations for the effective implementation of this Act: Provided, That the failure to promulgate the rules and regulations shall not prevent the implementation of this Act upon its effectivity.

Sec. 21. Separability Clause. - If any part or provision of this Act shall be held unconstitutional or invalid, other provisions thereof which are not affected thereby shall continue to be in full force and effect.

Sec. 22. Repealing Clause. - All other laws, decrees, executive order and other administrative issuances and parts thereof which are inconsistent with the provisions of this Act are hereby modified, superseded or repealed accordingly.

Sec. 23. Effectivity. - This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in a major daily newspaper of national circulation in the Philippines.

Approved,