

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH (17<sup>TH</sup>) CONGRESS  
First Regular Session

HOUSE BILL NO. **3658**



---

Introduced by Representative Manuel Monsour T. Del Rosario III

---

**EXPLANATORY NOTE**

The Philippine health and fitness industry has grown exponentially over the last two decades as health and fitness have become ingrained in the consciousness and lifestyle of many Filipinos. The burgeoning popularity of fitness exercises has brought about an accelerated growth in the number of fitness instructors, including Zumba and other dance fitness instructors, personal trainers, gym floor instructors, group exercise instructors, among others.

However, the unfettered proliferation of so-called “fitness professionals” has given rise to concerns about the quality of fitness instruction and professional service provided to fitness-conscious Filipinos. In equal measure, it also raised concerns on government's ability to regulate the ever growing number of fitness professionals and fitness facilities and ensure that the instruction and service they provide are at par with international standards.

Already, horror stories abound about reported fly-by-night fitness instructors who pose as fitness experts without the requisite professional fitness background, education and training. For example, plenty of instructors of group exercises and personal training programs merely browse through the internet to get exercise techniques and apply the same to their clients, who become vulnerable to a high risk of injury and ineffectual training.

Another example: Any person who attends a dance licensing course can earn the privilege to become a dance fitness instructor in the country without having acquired any knowledge on the essentials of fitness such as Anatomy, Kinesiology, Exercise Physiology, among other scientific fitness subjects. Moreover, many Zumba fitness classes are handled by ballroom dance instructors who may be great dance instructors, but are probably ill-equipped to be fitness instructors. Therein lies the problem. The public trust these instructors, especially since they carry purported licenses. As dance exercise is part of the fitness industry, it is necessary that the instructor has substantial knowledge and training in health and fitness management—one acquired from a certification course given by a recognized certification body.

The Philippines is one of only a few countries in Asia that has no government agency that regulates or certifies fitness professionals. There is no law in the country that requires fitness professionals to pass a certification course before teaching group and individual exercise classes and personal training. Unlike other professional industries, the local fitness industry is not subjected to standardization by a national certifying body or regulation by an agency.

Safety and effectiveness are paramount in the fitness industry. This is one industry that has the general population as its main market. Many Filipinos go to gyms and seek fitness professionals for health and fitness management and enhancement. Hence, fitness instruction and exercise should be safe and effective. However, at the hands of poorly equipped “fitness professionals”, the safety of many of the public and the effectiveness of the physical exercise are at risk.

As such, there is a need to establish a regulatory mechanism that could certify to and ensure the professionalism, legitimacy, quality of service, and accountability of fitness professionals and fitness centers/facilities in the Philippines. Only those fitness professionals so certified will be allowed to practice the fitness profession. This will ensure that fitness education, instruction and service delivery are safe, effective and at par with global standards. The certification secured by fitness professionals, and the accreditation obtained by fitness centers/facilities shall then become a “seal of quality” which assures clients that they will receive only the highest standards of fitness instruction and service.

In view of the foregoing, approval of this bill is fervently sought.



MANUEL MONSOUR T. DEL ROSARIO III

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH (17<sup>TH</sup>) CONGRESS  
First Regular Session

HOUSE BILL NO. **3658**

---

Introduced by Representative Manuel Monsour T. Del Rosario III

---

AN ACT ESTABLISHING STANDARDS FOR THE FITNESS PROFESSION AND  
FITNESS CENTERS IN THE PHILIPPINES

*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 “Standardization of the Philippine Fitness Profession Act”.

**Section 2. Statement of Policy.** – The State shall promote the fitness industry, adopt safe and effective standards of fitness instruction, espouse ethical practices, and protect the interest of the public and fitness professionals by establishing national standards for fitness services.

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

- (a) **Certification** – a written acknowledgement by an agency appointed to safeguard the public interest that an individual has earned educational achievement and appropriate professional experience that assures qualification to perform a job or profession;
- (b) **National fitness certifying body** – the certifying organization for fitness in the country, which conducts certifying examinations for fitness professionals, as well as provides continuing education credits/units required for renewals, and sets standards and guidelines for standards of care for fitness facilities and fitness services;
- (c) **Fitness industry standards** – the acceptable benchmark in all areas of the fitness industry, including a code of ethics, upheld by reputable certifying bodies such as the American College of Sports Medicine;

- (d) ***Fitness professional*** – an individual who receives money for services conducted in the field of fitness and exercise such as, but not limited to, group exercise instructors, personal trainers, dance exercise/fitness instructors;
- (e) ***Fitness instructor*** – an individual who teaches any fitness programs such as, but not limited to, group exercise, personal training, dance fitness;
- (f) ***Personal trainer*** – a fitness professional who designs individual exercise programs, as well as supervises, coaches, instructs, motivates, and leads clients on a one on one basis in fitness settings either as independent contractors or employees. He or she does exercise prescription and instruction for a particular individual based on the latter's needs, wants, strengths, and weaknesses;
- (g) ***Group exercise leaders/instructors*** – a fitness professional who designs, instructs, motivates, and leads clients in exercise classes in a group setting conducted in a health/fitness milieu;
- (h) ***Strength and fitness conditioning coach*** – a fitness professional who designs and leads exercise programs aimed at improving an individual's performance or skill in a sport or for athletic purposes;
- (i) ***Gym floor instructor*** – a fitness professional who designs and instructs exercise programs for individual clients and oversees safety and effectiveness of exercises executed by clients on the gym floor of a fitness facility. He or she is not necessarily a personal trainer;
- (j) ***Group fitness class*** – a class of two (2) or more participants engaged in fitness related exercises such as, but not limited to, group exercise, personal training, and dance fitness;
- (k) ***Health and fitness management*** – the science of fitness and the acquisition of practical business skills, with emphasis on fitness education, management principles, fitness and sports nutrition, injury prevention and treatment, physical conditioning, strength training, exercise techniques, mobility support and enhancement, and development and conduct of exercise programs at health clubs, fitness centers and other fitness venues;
- (l) ***Fitness industry*** – the sector that covers any individual, group of individuals, company or entity involved in exercise, health, and overall maintenance of the body and its fitness level;

- (m) ***Fitness center/facility*** – a facility that offers exercise-based health and fitness programs/services or that provides physical activity in either a group or personal setting in spaces where exercise is conducted with or without fitness equipment and apparatus;
- (n) ***Fitness service provider*** – a fitness professional offering services either as a personal trainer, group exercise instructor, or fitness conditioning coach or physical movement leader outside a fitness facility either for private or public functions or events;
- (o) ***Movement leaders for physical education (PE)*** – an individual who is equipped with skills/expertise in a specific physical activity and leads a physical activity in Physical Education classes. He or she is not necessarily Physical Education graduates;
- (p) ***Subspecialty in group exercise*** – a fitness professional who practices safe and effective standards in group exercise classes specializing in one area or type of class. Examples include, but are not limited to, mind and body classes, cardio dance classes, high intensity interval training classes); and
- (q) ***Subspecialty in personal training*** – a fitness professional who designs and instructs exercise programs for personal training with specialization in a particular area of practice. Examples include, but are not limited to, functional training, core conditioning, special population, senior fitness, youth fitness.

**Section 4. *The Fitness Council of the Philippines.*** – There shall be created a Fitness Council of the Philippines (“Council”) that shall promote the fitness industry, adopt safe and effective standards of fitness instruction, advocate ethical practices, certify fitness professionals and fitness centers/facilities, and protect the interest of the public and fitness professionals by establishing national standards for fitness services.

The Council shall be the primary policy-making, standards-setting, planning, certifying, implementing, and regulating entity of the government in the promotion and development of the fitness industry in the Philippines.

**Section 5. *Objectives of the Council.*** – The objectives of the Council are as follows:

- (a) Establish national standards for the Philippine fitness industry in adherence with internationally accepted scientific fitness protocols;
- (b) Certify fitness professionals and accredit fitness centers/facilities to ensure the high quality of fitness instruction, education, training and services provided by fitness professionals in the Philippines;
- (c) Develop and adopt a Code of Ethics for the Philippine fitness profession; and

- (d) Develop standards of care that comply with international standards of care for fitness centers/facilities and entities offering fitness and physical exercise services.

**Section 6. *Duties and Functions of the Council.*** – The Council shall have the following duties and functions:

- (a) Inform and advise the President on the programs, plans, activities, and all other matters relating to the promotion and development of the fitness industry in the Philippines;
- (b) Plan, implement, and oversee an integrated promotion and development program for the fitness industry in consultation with the various stakeholders, including other government agencies, non-government organizations, associations, and groups involved in fitness education and training;
- (c) Establish policies and standards for the Philippine fitness industry;
- (d) Develop certification examinations and formulate certification criteria appropriate for the different fields of practice in the fitness profession;
- (e) Certify fitness professionals and accredit fitness centers engaged in the different fields of practice in the fitness industry such as, but not limited to, Personal Training, Group Exercise, Sub-specialties in Personal Training and General Exercise, Physical Exercise in Physical Education, Strength and Conditioning in sports, and Fitness Coaching in sports;
- (f) Regulate fitness professionals and fitness centers/facilities to ensure compliance with the minimum standards of the Philippine fitness industry;
- (g) Adopt and promote a Code of Ethics for the fitness industry;
- (h) Provide continuing education and training for fitness professionals;
- (i) Develop standards of care for fitness centers/facilities and entities offering fitness and physical exercise services;
- (j) Build and maintain linkages with international fitness organizations or federations, associations, and fitness organizations of other countries engaged in fitness education and instruction; and
- (k) Perform other functions as may be provided by law.

**Section 7. *Powers of the Council.*** – The Council shall have the powers necessary to carry out and perform the purposes and provisions of this Act, in addition to other powers and duties granted in this Act, and may:

- (a) Adopt rules and regulations necessary to implement this Act;
- (b) Issue certification to duly qualified fitness professionals or accreditation to duly qualified fitness centers/facilities and renew their certification or accreditation;
- (c) Deny certification or accreditation to unqualified applicants;
- (d) Establish fee schedules for the issuance of certifications, accreditations, examinations and inspections;
- (e) Adopt and use a common seal for the authentication and modification of its records;



- (f) Investigate alleged violations of this Act and consumer complaints involving the practice of fitness instruction;
- (g) Conduct random and targeted health and safety inspections of fitness centers/facilities;
- (h) Issue subpoenas, orders, stipulated agreements, and any other administrative remedies necessary to enforce this Act;
- (i) Conduct disciplinary proceedings, impose sanctions, and assess fines for violations of this Act or any rule adopted under it;
- (j) Prepare and administer, or approve, the preparation and administration of certification examinations;
- (k) Adopt and publish a Code of Ethics and standards of practice for certified fitness professionals;
- (l) Establish minimum safety standards for fitness professionals and fitness centers/facilities;
- (m) Establish standards for the continuing education and training of fitness professionals;
- (n) Establish by rule the procedures for re-certification or re-accreditation; and
- (o) Administer examinations for the certification of fitness professionals and assessment/evaluation tools for the accreditation of fitness centers/facilities.

**Section 8. *Members of the Council.*** – The Council shall be composed of three (3) members who must be citizens of the Philippines, publicly recognized personalities in the field of health and fitness, at least thirty (30) years of age, of good moral character, and of proven integrity. The members of the Council shall be entitled to compensation and to other benefits and privileges provided under existing laws. The appointees shall be chosen from a list of nominees recommended by the Commissioners of the Philippine Sports Commission.

The Council shall be headed by an Executive Director who shall be appointed by the Chairman of the Philippine Sports Commission. The Executive Director shall be vested with the authority and responsibility for the discharge of the duties and functions of the Council.

**Section 9. *Eligibility for Certification.*** – In order to be eligible for certification as a fitness professional, an applicant, in addition to other requirements as may be prescribed by the Council, shall possess the following qualifications:

- (a) Be of good moral character and not have been convicted of a crime involving moral turpitude;
- (b) Have been engaged, is engaged or intends to be engaged as a fitness professional, such as, but not limited to, a fitness instructor, personal trainer, dance exercise instructor, or group fitness instructor;
- (c) Have successfully completed an approved course of study prescribed by the Council.

**Section 10. *Expiration and Renewal of Certification and Accreditation.*** – Certifications and accreditations issued shall be effective for a period of two years and be renewable biennially.

**Section 11. *Certification and Accreditation Fees.*** – The Council shall, by rule or regulation, establish, prescribe or change the fees for certification and accreditation, renewals thereof, or other services provided by the Council pursuant to the provisions of this Act. Fees shall be established, prescribed or changed by the Council to the extent necessary to defray all proper expenses incurred by the Council and any staff employed to administer this Act, except that fees shall not be fixed at a level that will raise the amount in excess of the amount estimated to be so required.

**Section 12. *Continuing Education.*** – The Council shall require each fitness professional, as a condition for the biennial renewal of certification, to complete continuing education requirements prescribed by the Council.

**Section 13. *Accreditation of Fitness Centers/Facilities.*** – The following shall be the conditions for the accreditation of fitness centers/facilities:

- (a) All entities engaged in providing the services of fitness professionals shall obtain accreditation every two (2) years with the Council as a condition of doing business;
- (b) A written application for accreditation shall be made to the Council in the form prescribed and shall contain the following information:
  - (1) The name and principal place of business of the owner or operator of the business engaged in the services of fitness professionals;
  - (2) The name and proof of certification of any fitness professional employed by the business or any fitness professional who uses the fitness facility to provide personal training or group fitness instruction as an independent contractor;
  - (3) The municipality and location of the primary place of business of the business engaged in providing the services of fitness professionals and the location of all other branches of the business; and
  - (4) Any other biographical information of the applicant as required by the Council.
- (c) Each applicant for accreditation and each accredited fitness center pursuant to the provisions of this Section shall pay to the Council a fee for the issuance of a two (2)-year accreditation in the amount established by the Council.

**Section 14. *Professional Specialty Designation.*** – A professional specialty designation may be added by the Council to the certified fitness professional's credentials issued by the Council upon demonstration to the Council that the applicant has met the accepted minimum standards for that specialty designation as established by the Council.

A certified fitness professional shall not claim or advertise a professional specialty and shall not incorporate the specialty designation into his professional title unless the qualifications of that specialty have been met as determined by the Council.



**Section 15. *Validation of Fitness Professionals with International Certifications*** – Any fitness professional with an international certification from any certifying organization recognized by the Council shall be issued certification, provided he or she shall pass the validation examination for Philippine practice.

**Section 16. *Prohibition Against Employment of Uncertified Persons***. – It shall be unlawful for any person, firm, corporation, or any other entity to hire, employ or allow to be employed, or permit to work, in or about an establishment, any person who performs or practices fitness or exercise instruction regulated under this Act who is not duly certified by the Council. Any person who violates this Section shall be punished with a fine of not less than One Hundred Thousand Pesos (Php100,000.00) but not exceeding Two Hundred Thousand Pesos (Php200,000.00).

**Section 17. *Revocation and Suspension of Accreditation***. – The Council may suspend or revoke the accreditation of an entity offering personal training or group fitness instruction upon proof showing by a preponderance of evidence that the employer:

- (a) Has made false or misleading statements of material nature in the application for registration; or
- (b) Failed to demonstrate that each employee of the business engaged in providing the services of fitness professionals and is in possession of a certification to practice as a fitness professional.

**Section 18. *Penalty***. – Any person who provides personal training or group fitness instruction, or maintains a fitness center/facility without the requisite certification or accreditation as provided under this Act shall be punished with a fine of not less than Fifty Thousand Pesos (Php50,000.00) but not exceeding One Hundred Thousand Pesos (Php100,000.00).

Any person who has been engaged as a personal trainer or a group fitness instructor prior to the effectivity of this Act may continue to do so for one (1) year within which period he or she shall have secured a certification from the Council. Fitness or exercise centers/facilities that have been in operation prior to the effectivity of this Act shall be given six (6) months from the date of effectivity of this Act to undergo and obtain accreditation.

**Section 19. *Appropriations*** – The necessary funds for the operations of the Council shall be annually allocated in the General Appropriations Act under the budget of the Philippine Sports Commission.

**Section 20. *Implementing Rules and Regulations***. – The Council, in coordination with the Philippine Sports Commission and other concerned agencies, shall promulgate and issue the Implementing Rules and Regulations within ninety (90) days upon approval of this Act.

**Section 21. *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 22. *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 23. *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.