



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 211

Introduced by Hon. Roberto "Robbie" V. Puno

EXPLANATORY NOTE

Article XIV, Section 19 (1) of the 1987 Philippine Constitution recognizes that "the State shall promote physical education and encourage sports programs, 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."

To allow greater access to the untapped pool of gifted individuals and to showcase the talents of Filipino athletes to the world, this bill recognizes their right to participate in training programs and to represent the country in international sports competitions.

This bill likewise prohibits and penalizes any act that curtails the right of an athlete to try out for, and train with, the national team, and thereafter participate in international competitions representing the country.

Through the passage of this bill, nationalism would be promoted and the significant role played by athletes in nation-building shall be recognized.

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


ROBERTO "ROBBIE" V. PUNO

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INTRODUCED BY HON. ROBERTO "ROBBIE" V. PUNO

**AN ACT PROTECTING THE RIGHT OF ATHLETES TO SERVE THE
PHILIPPINES AS PART OF THE NATIONAL TEAM**

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

SEC. 1. **Title.** – This Act shall be known as the "*Athletes' Right to Represent
the Philippines Act.*"

SEC. 2. **Coverage.** This Act shall apply to all Filipino athletes, including those
belonging to any athletic associations, sports organization or club, whether amateur,
semi-professional, or professional.

SEC. 3. **Declaration of Policy.** – Article II, Section 17 of the 1987
Constitution provides that the State shall give priority to sports "to foster patriotism
and nationalism, accelerate social progress, and promote total human liberation and
development".

Further, Article XIV, Section 19 (1) provides that "the State shall promote
physical education, sports programs and competition alongside training for
international competitions to foster self-discipline, teamwork and excellence for the
attainment of a healthy and alert citizenry". To this end, the State shall recognize,
protect, and uphold the rights of athletes to represent the country in international
sports competitions.

SEC. 4. **Right to Participate in International Competitions.** - It is the right of
an eligible athlete to try out, train, and participate in international sports competitions
and represent the country as part of the national team

1 SEC. 4. ***Decline of Invitation.*** The Filipino athlete who declined the invitation
2 shall submit to the NSA a sworn statement stating the reason which prevents him/her
3 from accepting the invitation.
4

5 SEC. 5. ***Obligation of Employers, Educational Institutions, Athletic***
6 ***Associations, Sports Organizations and Clubs.*** - It is the obligation of employers,
7 educational institutions, athletic associations, sports organizations and clubs,
8 whether amateur, semi-professional and professional as well as their officials to
9 allow an athlete to try out, train, and thereafter participate in international sports
10 competitions representing the country. *Provided*, That such decision to represent the
11 country came from the athlete's free will.
12

13 SEC. 6. ***Prohibited Acts.*** - Pursuant to the right herein granted, it shall be
14 unlawful for any person, natural or juridical, to perform the following acts
15 that directly or indirectly, induces, threatens, or denies an athlete from participating
16 in try outs, training programs, and/or from representing the country in sports
17 competitions:
18

19 (A) For An Educational Institution or School Athletic Association to:
20

- 21 1. Refuse to release a student-athlete to the national team to try-out, train,
22 and to participate in international competitions;
- 23 2. Revoke the scholarship of an student-athlete which may include the
24 payment of tuition and other miscellaneous fees covered by the
25 scholarship granted, including monetary and non-monetary benefits;
- 26 3. Give incomplete grades in subjects in which the student-athlete is
27 exempted by virtue of being a student-athlete;
- 28 4. Mark the student-athlete as absent in class for the duration of the try
29 out, training, and competition; *Provided*, That the student-athlete must
30 not exceed the number of excused absences allowed;
- 31 5. Disallow a student-athlete to attend trainings, practices and regular
32 games;
- 33 6. Suspend a student-athlete from the varsity and/or school athletic
34 association;
- 35 7. Expel a student-athlete from the educational institution and/or school
36 athletic association; or
- 37 8. Impose other forms of punishment.
38

1 **(b)** National Sports Associations (NSAs) and amateur sports organizations
2 and clubs to:

- 3
- 4 1. Refuse to release any of their athletes to the national team to try-out,
- 5 train, and to participate in international competitions;
- 6 2. Withhold an athlete's allowances, including monetary and non-
- 7 monetary benefits;
- 8 3. Disallow an athlete from attending trainings, practices and regular
- 9 games;
- 10 4. Suspend an athlete from membership in the NSA and/or sports
- 11 organization or club;
- 12 5. Expel an athlete from the NSA and/or sports organization or club; or
- 13 6. Impose other forms of punishment.
- 14

15 **(c)** Professional sports organizations and clubs, and employers to:

- 16 1. Refuse to release any of their athletes to the national team to try-out,
- 17 train, and to participate in international competitions;
- 18 2. Withhold an athlete's salary, allowances, and benefits;
- 19 3. Disallow an athlete from attending trainings, practices and regular
- 20 games;
- 21 4. Suspend an athlete from membership in the professional
- 22 organization/club;
- 23 5. Deny an athlete's promotion;
- 24 6. Forcibly lay off an athlete from work; or
- 25 7. Impose other forms of punishment.
- 26

27 SEC. 7. *Investigation and Imposition of Penalty* –

28

29 **(a) Who May File.** – For purposes of this Act, a complaint shall be filed by
30 an athlete, an athlete's parents or guardians, the concerned NSAs, or any
31 person or any entity on behalf of an athlete who may be affected by the
32 violation of this Act.

33

34 **(b) Investigation.** – A written complaint for violations of this Act may be filed
35 with the following bodies:

- 36
- 37 i. Philippines Sports Commission (PSC) – for violations committed
- 38 in relation to amateur sports and NSAs;

- 1 ii. Games and Amusement Board (GAB) - for violations committed in
- 2 professional sports;
- 3
- 4 iii. Department of Education (DepEd) or Commission on Higher
- 5 Education (CHED) – for violations committed in educational
- 6 institutions and school athletic associations; and
- 7
- 8 iv. Department of Labor and Employment (DOLE) for violations
- 9 committed in the workplace.
- 10

11 **(c) *Sanctions and penalties.*** – Upon notice and hearing, the PSC, DepEd,

12 CHED, GAB, and DOLE may impose a fine ranging from One Hundred

13 Thousand Pesos (P100,000.00) to One Million Pesos (P1,000,000.00)

14 depending on the gravity of the offense, and the suspension of his/her/its

15 GAB license or permit, if applicable for violations of this Act.

16

17 The availment of remedies under this Act will not preclude the complainant

18 from seeking further recourse from the courts of law.

19

- 20 i. Reconsideration. – Within fifteen (15) days upon receipt of the
- 21 decision, a motion for reconsideration may be filed with the same
- 22 agency, otherwise the decision shall be final.
- 23
- 24 ii. Nothing in this section shall prevent the filing of a temporary
- 25 restraining order or any other injunctive relief in court if there is no
- 26 other plain, speedy, and adequate remedy in the ordinary course of
- 27 law.
- 28

29 **SEC. 8. *Implementing Rules and Regulations.*** – The PSC, GAB, CHED,

30 DepEd, and DOLE, together with athletic associations, NSAs, and the Philippine

31 Olympic Committee, and with the participation of representatives from sports

32 organizations and clubs with proven track records of involvement and promotion of

33 the rights and welfare of athletes, shall issue the Implementing Rules and

34 Regulations of this Act within thirty (30) days from its effectivity.

35

36 **SEC. 9. *Separability Clause.*** – If any provision or part of this Act is declared

37 invalid or unconstitutional, the remaining parts or provisions not affected thereby

38 shall remain in full force and effect.

1
2 SEC. 10. ***Repealing Clause.*** – Any law, presidential decree or issuance,
3 executive order, letter of instruction, administrative order, rule or regulation contrary
4 to or inconsistent with the provision of this Act is hereby repealed, modified, or
5 amended accordingly.

6
7 SEC.11. ***Effectivity Clause.*** – This Act shall take effect fifteen (15) days after
8 its publication in the *Official Gazette* or in a newspaper of general circulation.

9
10 Approved.