

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

SENATE
Office of the Secretary

'19 JUL 11 P 4:08

SENATE
S. B. No. 397

RECEIVED BY: SJR

INTRODUCED BY SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

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

EXPLANATORY VOTE

As part of the effort to jumpstart grassroots sports development, the Duterte administration included in its "Build, Build, Build" program the establishment of state of the art sports facilities in the New Clark City which will be the hub for the 30th South East Asian Games to be hosted by the Philippines.

President Rodrigo Duterte pointed out in his speech in the 2019 Palarong Pambansa that "sports is truly an effective avenue to instill among the youth essential characteristics." The President also noted that sports plays an important role in encouraging the youth to live healthy lifestyle.

In 2015, the Department of Education (DepED) has released guidelines on the requirements and procedures that every school need to comply in order to offer the Special Program in Sports (SPS). It was originally conceived to address the needs of talented students in different sports disciplines and to identify and create a pool of athletes who will be trained to compete in national and international sports competition.

However, the lack of available proper facilities and equipment in our public schools and available manpower hinder the sustainability of the implementation of the Special Program in Sports in the country, in terms of training support and proper exposure to competitive sports.

After more than eight decades since the Rizal Memorial Sports Complex was built, the Philippines will soon have a world-class sports complex at the New Clark City. The new sports facilities are part of Phase 1A of the New Clark City Government Administrative Center (NGAC), and it includes a 20,000-seater athletics stadium, a 2,000-seater aquatics center, and an Athletes' Village, surrounded by a 1.4 kilometer river park development with bikeways and jogging paths. The world-class sports complex in New Clark City is expected to be completed by August of this year. In this regard, it is highly recommended that a National Academy of Sports for High School be constructed in the said area to maximize the use of the facilities and enable our student-athletes to hone their skills, give them proper exposure to world class sport facilities and possibly join the National Athletes Pool in various events.

This proposed measure seeks to create and establish of a National Academy of Sports for High School (NASHS) that will serve as the premier training center to develop the athletic skills and talents of high school students. The school shall equip the students with the necessary academic skills and conducive environment that will shape the future of international sports champions. The bill also mandates the grant of scholarships, stipends and such other allowances to deserving students.

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


SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

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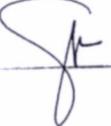
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**AN ACT
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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 **Section 1. Short Title.** – This Act shall be known as "The National Academy of
2 Sports for High School (NASHS) Act of 2019."

3

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

13

14 **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

1 School (NASHS) to develop the athletic skills and talents of high school students. This
2 shall be attached to the Department of Education (DepEd) which shall also coordinate
3 with the Philippine Sports Commission (PSC) for policy and program formulation and
4 implementation on subjects pertaining to sports.

5

6 **Sec. 4. Purpose of the NASHS** – The NASHS shall offer, on a full or partial
7 scholarship basis, a secondary course with special emphasis on developing the athletic
8 skills of the students through subjects pertaining to physical education and sports
9 development, with the end in view of educating its students who have shown their early
10 potential of excelling in sports for a sports-related career while undergoing quality
11 secondary education. The Board, as created in Section 7 of this Act, may agree to accept
12 paying students based on criteria established by the Board.

13

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

18

19 **Sec.6. Director of the NASHS.** – The NASHS shall be headed by a Director who
20 shall serve for a period of eight (8) years. He/she shall be appointed by the Board of
21 Trustees, as created in Section 7 of this Act. The Board shall also fix his compensation.
22 The functions, powers and duties of the Director, in addition to those specifically provided
23 for in this law, shall be those usually pertaining to the office of the principal of any high
24 school in the Philippine educational system.

25

26 **Sec. 7. Board of Trustees.** – The NASHS shall have a Board of Trustees,
27 hereinafter referred to as the Board, which shall be composed of the Secretary of the
28 DepEd as Chairperson, the Chairperson of the PSC as Vice Chair, and the following
29 members: the Director of the NASHS, one (1) representative each from the House of
30 Representatives and the Senate, and four (4) representatives from accredited national

1 sports associations to be nominated by the different sports associations and appointed
2 by the Chairperson of the Board: *Provided*, That there should always be a representative
3 from track and field and aquatic sports.

4 All members who are not receiving regular compensation from the government
5 shall receive *per diem* for every meeting of the Board.
6

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

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

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

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

1 Any provision of existing laws, rules and regulations to the contrary
2 notwithstanding, any income generated by the NASHS from tuition fees and
3 other charges, as well as from the operation of auxiliary services and land
4 grants, shall be retained by the NASHS, and may be disbursed by the Board
5 of Trustees for instruction, research, extension, or other programs/projects
6 of the NASHS: *Provided*, That all fiduciary fees shall be disbursed for the
7 specific purposes for which they are collected.

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

26
27 **Sec. 9. Meetings of the Board of Trustees.** – The Board of Trustees shall
28 regularly convene at least once every quarter. The Chairman of the Board of Trustees
29 may call a special meeting whenever necessary: *Provided*, That members are notified in
30 writing at least three (3) days prior to said meeting.

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

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

7
8 **Sec. 10. Annual Report.** – The Board shall submit to the Office of the President
9 of the Philippines and Congress a detailed report on the progress, condition and needs of
10 the NASHS on or before the first of April of each year.

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

16 The Council shall have the power to screen and select the students subject for
17 admission, to select students who shall be recipients of scholarships, stipends and other
18 allowances, and to develop the curricula, course or study, and rules of discipline. The
19 Council shall implement and execute the policies laid down by the Board and exercise
20 such other functions, powers and duties as the Board may prescribe.

21
22 **Sec. 12. Assistant Director of the NASHS.** – There shall be an Assistant
23 Director who shall assist the Director. In the absence of the Director, he/she shall assume
24 the administrative and supervisory functions of the Director. He/she shall be appointed
25 by the Chairperson of the Board subject to the approval of the same Board, which shall
26 also fix his/her compensation.

27
28 **Sec. 13. Registrar of the NASHS.** –There shall be a Registrar of the School
29 who shall also act as Secretary of the Board, to be appointed by the Director with the
30 approval of the Board. The Registrar shall keep all records of the NASHS.

1 **Sec. 14. Treasurer of the NASHS.** – There shall be a Treasurer of the NASHS
2 who shall be appointed by the Director, with the approval of the Board. All accounts and
3 expenses of the NASHS shall be audited by the Commission on Audit or its duly authorized
4 representative.

5

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

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

14

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

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

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

26

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

1 **Sec. 18. Sports High School Fund.** – All incomes and donations to the NASHS
2 created under this Act shall be formed into a fund, to be known as the Sports High School
3 Fund, which the NASHS shall be authorized to retain, without need of a separate approval
4 from any government agency, and subject only to existing accounting and auditing rules
5 and regulations. This fund shall be expended as authorized by the Board exclusively for
6 the purpose of this Act.

7

8 **Sec. 19. Funding.** – To carry out the purposes of this Act the amount of One
9 Hundred Fifty Million Pesos (P150,000,000.00) is hereby appropriated and shall be made
10 available from the funds of the National Treasury not otherwise appropriated. Thereafter,
11 the amount to be utilized for the expenses of the NASHS shall be provided in the annual
12 General Appropriation Act.

13

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

21

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

25

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

29

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

Approved,