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SENATE
S.B. No 2226

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(In substitution of Senate Bill Nos. 1252 and 2166)

**Introduced by Senators Santiago, P. Cayetano, Villar, and Members of the
Committees on Education, Arts and Culture; and Games, Amusement and Sports**

**AN ACT
PROTECTING THE AMATEUR NATURE OF STUDENT-ATHLETES IN THE
PHILIPPINES BY REGULATING THE RESIDENCY REQUIREMENT AND
PROHIBITING THE COMMERCIALIZATION OF STUDENT-ATHLETES**

*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 "Student-Athletes
2 Protection Act of 2014."

3 **SEC. 2. Coverage.** - This Act shall apply to Student-Athletes of any school that
4 joins or conducts athletic programs and competitions.

5 **SEC. 3. Declaration of Policy.** - Article XIV, Section 1 of the 1987 Constitution
6 recognizes the role of the State to protect and promote the right of all citizens to quality
7 education at all levels, and to take appropriate steps to make such education accessible
8 to all. Further, Section 19 (1) of the same Article provides that the State shall promote
9 physical education, sports programs and competitions alongside training for
10 international competitions to foster self-discipline, teamwork and excellence for the
11 attainment of a healthy and alert citizenry. Thus, the State shall recognize and uphold
12 the rights of Student-Athletes to further hone their skills and abilities in their respective
13 fields of amateur sports without neglecting their education and general well-being.

1 It is the intention of this law to protect and promote the rights of the Student-
2 Athlete, who is, first and foremost, a student. To this end, the rights guaranteed by this
3 law and the obligations imposed on schools and athletic associations and their officials,
4 athletic directors, coaches, members of the coaching staff, administrators, alumni, and
5 representatives shall seek to ensure that the Student-Athlete attains quality education
6 while honing his skill and reaching his full potential as an athlete in an amateur sports
7 setting.

8 **SEC. 4. Definition of Terms.** - As used in this Act, the following terms shall be
9 defined as follows:

10 **4.1. "Athletic Association"** refers to any public or private organization
11 that is responsible for governing inter-school athletic programs and
12 competitions such as, but not limited to, the Private Schools Athletic
13 Association (PRISAA), University Athletic Association of the Philippines
14 (UAAP), National Collegiate Athletic Association (NCAA), Women's
15 National Collegiate Athletic Association (WNCAA), State Colleges and
16 Universities Athletic Association (SCUAA), Cebu Schools Athletic
17 Foundation Inc. (CESAFI), National Capital Region Athletic Association
18 (NCRAA), Association of Local Colleges and Universities Athletic
19 Association (ALCUAA), and National Athletic Association of Schools,
20 Colleges and Universities (NAASCU), among others, but shall not include
21 National Sports Associations, as defined by Republic Act No. 6847.

22 **4.2. "School"** refers to an institution recognized by the State which
23 undertakes educational operations such as grade school, high school,
24 college, university, or technical-vocational education and training
25 institution.

1 **4.3. "Student-Athlete"** refers to a student currently enrolled in any school
2 who is part of any of the school's athletic teams or programs and who
3 represents or has an intention of representing the school in an inter-school
4 athletic program or competition; *Provided*, That for purposes of being
5 eligible to represent his school in an inter-school athletic program or
6 competition, the Student-Athlete shall be enrolled in at least a minimum
7 full-time program of studies and be in good academic standing.

8 **SEC. 5. Student-Athletes' Transfer of School.** - The Student-Athlete shall be
9 allowed to transfer from his current school to any school he is accepted in for any
10 reason, *Provided*, That he is not being offered any commercial consideration as
11 characterized under Section 8 of this Act.

12 The Student-Athlete shall be free from any act of restriction or punishment by the
13 old and/or the new school due to his transfer from the former to the latter.

14 **SEC. 6. Student-Athletes' Residency.** - No residency requirement shall be
15 imposed on a high school Student-Athlete transferring to another high school or to a
16 college or university. *In the case of a tertiary Student-Athlete transferring from one*
17 college or university to another, a maximum period of one (1)-year residency may be
18 imposed by athletic associations.

19 **SEC. 7. Benefits and Incentives.** - Schools may give deserving Student-
20 Athletes the following:

- 21 a. Tuition, board, and lodging;
- 22 b. Uniform and equipment;
- 23 c. A reasonable living allowance, the computation of which shall
24 be in accordance with the Implementing Rules and Regulations

1 of this Act, as approved by the director of the school's athletic
2 program or his equivalent and standardized by the athletic
3 association that the school is affiliated with; and

4 d. Other similar benefits and incentives.

5 **SEC. 8. Commercial Consideration.** - Schools shall not offer a Student-Athlete
6 or his immediate family members benefits or incentives beyond that enumerated under
7 Section 7, which are contrary to the nature of amateur sports and which may result to
8 the commercialization of a Student-Athlete.

9 **SEC. 9. Investigation and Imposition of Sanctions or Penalties.** - The
10 Department on Education (DepEd), Commission on Higher Education (CHED),
11 Philippine Sports Commission (PSC), or other relevant government agencies may *motu*
12 *proprio*, or upon written complaint, investigate violations of this Act and impose the
13 appropriate penalties, without prejudice to any civil or criminal action filed in court.

14 For purposes of this Act, a written complaint may be filed by a Student-Athlete,
15 his parents or guardians, member schools, athletic associations, or any person who or
16 any entity which may be affected by violations of this Act.

17 Athletic associations or schools shall be liable under relevant laws or rules and
18 regulations for any violation of this Act committed by its officials, athletic directors,
19 coaches, members of the coaching staff, administrators, alumni, or representatives, who
20 participated in any violation of this Act or who shall have knowingly permitted or failed to
21 prevent such violation, without prejudice to any direct liability by the foregoing
22 individuals.

23 **SEC. 10. Implementing Rules and Regulations.** - The PSC, DepEd, CHED, as
24 well as representatives from the athletic associations, shall promulgate the

1 Implementing Rules and Regulations (IRR) of this Act within thirty (30) days from its
2 effectivity, *Provided*, That failure to promulgate or issue the IRR will not hinder or delay
3 the implementation of the provisions of this Act.

4 **SEC. 11. *Separability Clause.*** - If any provision or part hereof is held invalid or
5 unconstitutional, the remainder of the law or the provisions not otherwise affected shall
6 remain valid and subsisting.

7 **SEC. 12. *Repealing Clause.*** - Any law, presidential decree or issuance,
8 executive order, letter of instruction, administrative order, rule or regulation contrary to
9 or inconsistent with the provisions of this Act is hereby repealed, modified, or amended
10 accordingly.

11 **SEC. 13. *Effectivity Clause.*** This Act shall take effect fifteen (15) days after its
12 publication in at least two (2) newspapers of general circulation.

Approved,