

SIXTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session



Senate
Office of the Secretary

13 JUL 23 AM 59

SENATE

S.B. No. 1043

RECEIVED BY: *ji*

Introduced by SENATOR PIA S. CAYETANO

EXPLANATORY NOTE

Section 10, Article III of the 1987 Philippine Constitution provides that "(t)he State shall promote social justice in all phases of national development."

In 1992, Republic Act No. 7277, otherwise known as the "Magna Carta for Disabled Persons," was enacted. In the declaration of policy, it is stated that "(d)isabled persons are part of Philippine society, thus the State shall give full support to the improvement of the total well-being of disabled persons and their integration into the mainstream of society. ... It shall develop their skills and potentials to enable them to compete favorably for available opportunities."

The law likewise declared that "(d)isabled persons have the same rights as other people to take their proper place in society," and further provided that "(t)he State shall advocate for and encourage respect for disabled persons. The State shall exert all efforts to remove all social, cultural, economic, environmental and attitudinal barriers that are prejudicial to disabled persons. ..."

In line with these policies, this bill seeks to equalize opportunities for differently-abled athletes who win in international competitions through the grant of the same cash and non-monetary benefits and incentives given to regular national athletes.

During the 2005 ASEAN Para Games held in the Philippines, our differently-abled athletes finished sixth overall in the 11-nation field with a 22-41-37 gold-silver-bronze record. This was a far cry from the 2-15-23 output in the 2003 Para Games in Vietnam. Having brought fame, honor and glory to our country, it is but proper that these athletes and other differently-abled athletes who will win in future international competitions be granted the same benefits given to the regular national athletes.


PIA S. CAYETANO
Senator

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AN ACT

MANDATING THE INCLUSION OF ATHLETES WITH DISABILITY OR DIFFERENTLY - ABLED ATHLETES IN THE GRANTING OF CASH AND OTHER NON-MONETARY BENEFITS AND INCENTIVES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9064, AND APPROPRIATING FUNDS THEREFOR

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

SECTION. 1. Section 3 of Republic Act No. 9064 is hereby amended to read as follows:

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

(C) **International Competitions** – shall refer to **WORLD, ASIAN, ASEAN/SOUTHEAST ASIAN AGE-GROUP CHAMPIONSHIPS AND** international sports competitions which are sanctioned by the **INTERNATIONAL FEDERATIONS (IFs)**, International Olympic Committee (IOC), **INTERNATIONAL PARALYMPIC COMMITTEE (IPC)**, **FAR EAST & SOUTH PACIFIC GAMES FOR THE DISABLED (FESPIC)**, **INTERNATIONAL ORGANIZATION OF SPORT FOR THE DISABLED (IOSD)**; or held every four (4) **OR TWO (2) YEARS OR HELD ANNUALLY** including qualifying championships in team sports wherein only one (1) or two (2) countries may qualify for the Olympics or World championships.

Competitions granting prize money or those held in honor of any personality or sponsor shall not be included;

(D) **NATIONAL ATHLETES WITH DISABILITY OR DIFFERENTLY- ABLED ATHLETES** – SHALL REFER TO ATHLETES WHO ARE **FILIPINO CITIZENS, MEMBERS OF THE NATIONAL SPORTS ASSOCIATION FOR THE DISABLED, RECOGNIZED AND ACCREDITED BY THE PHILIPPINE SPORTS COMMISSION (PSC) AND THE NATIONAL PARALYMPIC COMMISSION, AND WHO HAVE REPRESENTED THE COUNTRY IN INTERNATIONAL COMPETITIONS.**

SECTION. 2. Section 4 of Republic Act No. 9064 is hereby amended to read as follows:

SEC. 4. Benefits and Privileges for National Athletes, NATIONAL ATHLETES WITH DISABILITY OR DIFFERENTLY- ABLED ATHLETES,

Coaches and Trainers – Any national athlete, **NATIONAL ATHLETE WITH DISABILITY OR DIFFERENTLY-ABLED ATHLETE**, coach and trainer who is currently registered as such before the PSC shall be entitled to the following:

(a) the grant of twenty percent (20%) discount from all establishments relative to the utilization of transportation services, hotels, and other lodging establishments, restaurants and recreation centers and purchase of medicine and sports equipment anywhere in the country;

(b) minimum of twenty percent (20%) discount on admission fees charged by theaters, cinema houses and concert halls, circuses, carnivals, and other similar places of culture, leisure and amusement;

(c) free medical and dental consultations in private or public hospitals and similar establishments anywhere in the country and medical insurance program to be provided by the Philippine Health Insurance Corporation (PHIC);

(d) a comprehensive social security program to be formulated by the Social Security System within one hundred eighty (180) days from the approval of this Act;

(e) priority in existing livelihood programs being undertaken by various government agencies subject to the guidelines and qualifications by the implementing body; and

(f) priority in national housing programs, affordable "pabahay" loans and other housing opportunities subject to the guidelines and qualifications set by the National Housing Authority (NHA) or the Home Development Mutual Fund (HDMF).

Such privately-owned establishments shall enjoy tax credits equivalent to the discounts extended to the athletes.

The Bureau of Internal Revenue (BIR) shall, as soon as possible, provide for the rules and regulations for the implementation of this Act.

SECTION. 3. Section 5 of Republic Act No. 9064 is hereby amended to read as follows:

SEC. 5. Scholarships. – A national athlete, **NATIONAL ATHLETE WITH DISABILITY OR DIFFERENTLY-ABLED ATHLETE**, who wins in an international competition or any one qualified member of his/her immediate family within the fourth civil degree of consanguinity shall be entitled to scholarship benefits in the form of tuition fees in state colleges and universities in order to complete a college or university degree. The winning national athlete, **NATIONAL ATHLETE WITH DISABILITY OR DIFFERENTLY-ABLED ATHLETE** shall likewise be given priority in the availment of state college and university scholarship grants.

Likewise, the Commission on Higher Education (CHED) and the Technical Education Skills and Development Authority (TESDA) shall give priority to winning national athletes, **NATIONAL ATHLETES WITH DISABILITY OR DIFFERENTLY-ABLED ATHLETES**, who seek scholarship grants and study under their programs subject to the qualifications for all applicants.

Private colleges and universities shall likewise be encouraged to adopt a similar program in their institutions for winning national athletes, **NATIONAL ATHLETES WITH DISABILITY OR DIFFERENTLY-ABLED ATHLETES**.

SECTION. 4. Section 6 of Republic Act No. 9064 is hereby amended to read as follows:

SEC. 6. Retirement Benefits. – Any national athlete, **NATIONAL ATHLETE WITH DISABILITY OR DIFFERENTLY-ABLED ATHLETE**, coach and trainer who wins in an international competition or has coached or trained such winning national athlete, **NATIONAL ATHLETE WITH DISABILITY OR DIFFERENTLY-ABLED ATHLETE** shall receive a lump sum amount equivalent to twenty-five percent (25%) of his/her total cash incentives computed from the start of his /her active sports career as a member of the national training pool or national coaches and trainers pool up to the last day of retirement from active competition or training as certified by the PSC. Such lump sum amount shall be extended sixty (60) days after the filing of the retirement papers.

SECTION. 4. Section 7 of Republic Act No. 9064 is hereby amended to read as follows:

SEC. 7. Death Benefits. – Upon the death of any national athlete, **NATIONAL ATHLETE WITH DISABILITY OR DIFFERENTLY-ABLED ATHLETE**, coach and trainer, his/her primary beneficiaries shall be entitled to a lump sum benefit of Thirty thousand pesos (P30,000) to cover for his/her funeral services: Provided, That if he/she has no primary beneficiaries, his/her secondary beneficiaries shall be entitled to said benefits.

For purposes of this Act, primary beneficiaries shall refer to the legitimate spouse **WIDOW OR WIDOWER**, legitimate or illegitimate children. Secondary beneficiaries shall refer to the parents, and in their absence, to the brothers or sisters of such athlete, coach and trainer.

SECTION. 5. Section 8 of Republic Act No. 9064 is hereby amended to read as follows:

SEC. 8. Cash Incentives for National Athletes, NATIONAL ATHLETES WITH DISABILITY OR DIFFERENTLY-ABLED ATHLETES. – National athletes, **NATIONAL ATHLETES WITH DISABILITY OR DIFFERENTLY-ABLED ATHLETES** who win gold, silver and bronze medals in international competitions shall be entitled to cash awards in the following amounts:

A. INDIVIDUAL EVENTS

(a) For Gold Medalists

- (1) Five million pesos (P5,000,000.00) for Olympic AND/OR PARALYMPIC Games;**
- (2) Two million five hundred thousand pesos (P2,500,000) for ALL quadrennial World Championships;**
- (3) One Million Pesos (P1,000,000.00) for Asian Games and/or FESPIC Games, WHICH WILL BE HELD UNTIL 2006, TO BE REPLACED BY THE ASIAN PARA GAMES STARTING 2010;**
- (4) One hundred thousand pesos (P100,000) for Southeast Asian Games (SEA Games) AND/OR ASEAN PARA GAMES.**

(b) For silver medalists:

- (1) Two million pesos (P2,000,000.00) for Olympic **AND/OR PARALYMPIC** Games;
- (2) One million pesos (P1,000,000) for **ALL** quadrennial World Championships;
- (3) Five Hundred Thousand Pesos (P500,000.00) for Asian Games **and/or FESPIC, WHICH WILL BE HELD UNTIL 2006, TO BE REPLACED BY THE ASIAN PARA GAMES STARTING 2010;**
- (4) Fifty thousand pesos (P50,000) for Southeast Asian Games (SEA Games) **AND/OR ASEAN PARA GAMES.**

(c) For bronze medalists:

- (1) One million pesos (P1,000,000.00) for Olympic **AND/OR PARALYMPIC** Games;
- (2) Five Hundred Thousand Pesos (P500,000.00) for **ALL** quadrennial World Championships;
- (3) One Hundred Thousand Pesos (P100,000.00) for Asian Games **and/or FESPIC, WHICH WILL BE HELD UNTIL 2006, TO BE REPLACED BY THE ASIAN PARA GAMES STARTING 2010;**
- (4) Ten thousand pesos (P10,000) for Southeast Asian Games (SEA Games) **AND/OR ASEAN PARA GAMES.**

B. TEAM EVENTS

For competitions with less than five (5) participants per team, the team shall receive the same cash awards for individual medal winners as herein provided, to be divided equally among the team members actually present during the competition.

For competitions with five (5) or more participants per team, the team shall receive twice the cash awards for individual winners to be divided equally among the team members actually present during the competition:

Provided, That for demonstration and exhibition sports events in the Olympic **AND/OR PARALYMPIC** Games, winning national athletes, **NATIONAL ATHLETES WITH DISABILITY OR DIFFERENTLY-ABLED ATHLETES** shall receive fifty percent (50%) of the cash awards for Olympic **AND/OR PARALYMPIC** medalists as herein provided;

Provided, further, That for SEA Games **AND/OR ASEAN PARA GAMES**, monetary incentives shall be given starting 2001 to the winning athletes or teams who have equaled or surpassed the existing game records or the previous placing in non-measurable events.

C. AGE GROUP COMPETITIONS

FOR NATIONAL ATHLETES AND NATIONAL ATHLETES WITH DISABILITY OR DIFFERENTLY-ABLED ATHLETES IN AGE-GROUP COMPETITIONS, ONLY THOSE WHO ARE MEMBERS OF THE NATIONAL POOL, ACCREDITED AND RECOGNIZED BY THEIR RESPECTIVE NATIONAL SPORTS ASSOCIATIONS AND THE PHILIPPINE SPORTS COMMISSION, SHALL BE ENTITLED TO THE FOLLOWING CASH AWARDS:

(A) FOR GOLD MEDALISTS

- (1) THREE HUNDRED THOUSAND PESOS (P300,000.00) FOR ALL QUADRENNIAL WORLD CHAMPIONSHIPS;
- (2) ONE HUNDRED THOUSAND PESOS (P100,000.00) FOR ASIAN GAMES AND/OR FESPIC GAMES, WHICH WILL BE HELD UNTIL 2006, TO BE REPLACED BY THE ASIAN PARA GAMES STARTING 2010;
- (3) FIFTEEN THOUSAND PESOS (P15,000) FOR SOUTHEAST ASIAN GAMES (SEA GAMES) AND/OR ASEAN PARA GAMES.

(B) FOR SILVER MEDALISTS:

- (1) ONE HUNDRED FIFTY THOUSAND PESOS (P150,000.00) FOR ALL QUADRENNIAL WORLD CHAMPIONSHIPS;
- (2) SEVENTY FIVE THOUSAND PESOS (P75,000.00) FOR ASIAN GAMES AND/OR FESPIC, WHICH WILL BE HELD UNTIL 2006, TO BE REPLACED BY THE ASIAN PARA GAMES STARTING 2010;
- (3) TEN THOUSAND PESOS (P10,000) FOR SOUTHEAST ASIAN GAMES (SEA GAMES) AND/OR ASEAN PARA GAMES.

(C) FOR BRONZE MEDALISTS:

- (1) SEVENTY FIVE THOUSAND PESOS (P75,000.00) FOR ALL QUADRENNIAL WORLD CHAMPIONSHIPS;
- (2) FIFTY THOUSAND PESOS (P50,000.00) FOR ASIAN GAMES AND/OR FESPIC, WHICH WILL BE HELD UNTIL 2006, TO BE REPLACED BY THE ASIAN PARA GAMES STARTING 2010;
- (3) FIVE THOUSAND PESOS (P5,000) FOR SOUTHEAST ASIAN GAMES (SEA GAMES) AND/OR ASEAN PARA GAMES.

THEY SHALL ALSO BE ENTITLED TO ELEMENTARY, HIGH SCHOOL AND COLLEGE EDUCATIONAL SCHOLARSHIP, AS THE CASE MAY BE, IN STATE-RUN EDUCATION INSTITUTIONS.

SECTION. 6. Section 9 of Republic Act No. 9064 is hereby amended to read as follows:

SEC. 9. *Benefits, Privileges and Incentives for Past Achievers* . – Any national athlete, NATIONAL ATHLETE WITH DISABILITY OR DIFFERENTLY-ABLED ATHLETE who, prior to the enactment of this Act, had won gold, silver or bronze medals in international competitions except SEA Games **AND/OR ASEAN PARA GAMES**, shall be entitled to the benefits and privileges provided under Section 4 and fifty percent (50%) of the cash incentives provided under Section 8 of this Act. Such incentives shall be the difference between the cash award received under Administrative Order No. 352 and the cash award provided under this Act.

SECTION. 7. Section 12 of Republic Act No. 9064 is hereby amended to read as follows:

SEC. 12. *Funding* . – The amount necessary for the implementation of the cash incentives and retirement benefits program of this Act shall be taken from the net cash income of the Philippine Amusement and Gaming Corporation (PAGCOR), to be remitted directly as a special account to the National Sports Development Fund (NSDF) of the PSC. This is in addition to the regular income share of the PSC pursuant to Republic Act No. 6847.

A separate fund equivalent to not less than sixty percent (60%) of existing NSDF shall be automatically set aside for the training and preparation of national athletes, **NATIONAL ATHLETES WITH DISABILITY OR DIFFERENTLY-ABLED ATHLETES** covered by this Act.

Not less than five percent (5%) of the NSDF shall be set aside for the selection of individual athletes at the elementary and high school levels in track and field, swimming, badminton, pingpong and similar individual sports events where the Philippines can develop into world class competitors. Said fund shall be administered by the Department of Education, Culture and Sports (DECS).

SECTION 8. *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 9. *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 10. *Effectivity*. – This Act shall take effect fifteen (15) days after its approval and publication in the *Official Gazette* and/or in two (2) newspapers of general circulation, whichever comes earlier.

Approved,