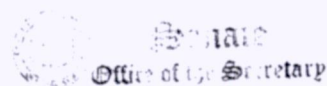


EIGHTEENTH CONGRESS OF THE]
REPUBLIC OF THE PHILIPPINES]
FIRST REGULAR SESSION]



1999 JUL 24 AM 11:40

SENATE

S. No. 732

Introduced by Sen. Sherwin T. Gatchalian

AN ACT
ESTABLISHING A PHILIPPINE HIGH SCHOOL FOR SPORTS
AND APPROPRIATING FUNDS THEREFOR

Explanatory Note

Under the Constitution, it is the policy of the State to "recognize the vital role of the youth in nation-building" and to "promote and protect their physical, moral, spiritual, intellectual, and social wellbeing".

The Philippines has a pool of talented youth who have great potential in the field of sports. However, due to financial constraints, these talented youth are unable to fulfill their dreams of bringing home the gold for our country.

Our country is home to world champions in boxing, bowling, and swimming, among others. And despite limited trainings and resources made available to them, we have seen our athletes pave their own roads to victory. However, to be

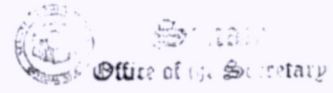
able to realize and maximize the full potential of these athletes, there is a need to provide them the appropriate support and assistance through the establishment of a Philippine High School for Sports.

At present, there are no opportunities to obtain quality education with emphasis on sports development. It is therefore, the objective of this bill to create and establish a National High School for Sports which will give the impoverished yet talented youth the opportunity to develop and cultivate their talents, skills, and knowledge in their preferred sport. It is also with the establishment of this high school for sports that we can finally get a gold medal in the Olympics as our talented athletes will not just be adequately trained but more importantly, developed and prepared for international sporting events.

It is for these reasons that the immediate approval of this bill is earnestly sought.




SHERWIN T. GATCHALIAN



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S. No. 732

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AN ACT
ESTABLISHING A PHILIPPINE HIGH SCHOOL FOR SPORTS
AND APPROPRIATING FUNDS THEREFOR

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

1 Section 1. *Short Title.* – This Act shall be known as the “*Philippine High*
2 *School for Sports Act*”.

3 Sec. 2. *Declaration of Policy.* – The Philippine Constitution recognizes the
4 vital role of youth in national-building and shall promote and protect their physical,
5 moral, spiritual, intellectual, and social well-being. It is likewise mandated that the
6 State shall promote physical education and encourage sports programs, league
7 competitions, and amateur sports, including training for international competitions,
8 foster self-discipline, teamwork, and excellence for the development of a healthy
9 and alert citizenry.

1 It is therefore declared the policy of the State to maximize the athletic
2 abilities of students with the end in view of producing qualified sports practitioners
3 and world-class athletes with solid academic background. In line with this, an
4 educational system to foster the total development of the youth, with special
5 emphasis on the enhancement and development of their skills in sports is hereby
6 established to provide an opportunity for every Filipino child to dream and live out
7 their passion for sports through education.

8 *Sec. 3. Creation and Establishment of a Philippine High School for Sports. –*
9 There is hereby created and established a national high school to be known as the
10 Philippine High School for Sports (PHSS). This shall be attached to the Department
11 of Education (DepEd) which shall also coordinate with the Philippine Sports
12 Commission (PSC) for policy and program formulation and implementation on
13 subjects pertaining to sports.

14 *Sec. 4. The Board of Trustees, Composition, Compensation and Term of*
15 *Office. –* The PHSS shall be governed by a seven-member Board of Trustees,
16 hereinafter referred to as the Board, which shall be created to formulate and
17 implement sports and education related policies.

18 The Board shall be composed of the following:

- 19 (a) The Secretary of the Department of Education, as the Chairperson;
20 (b) A representative from the Philippine Sports Commission, to be
21 appointed by the President of the Republic of the Philippines, as Vice-Chair;
22 (c) The Executive Director of the PHSS, as member;
23 (d) One (1) representative from the private sector engaged in sports, to be
24 appointed by the President of the Republic of the Philippines, as member;
25 (e) The Chairman of the Committee on Education, Arts and Culture of the
26 Senate, as member; and
27 (f) The Chairman of the Committee on Basic Education and Culture of the
28 House of Representatives, as member.

29 The Secretary of Education shall designate any of his Undersecretaries to
30 serve as acting Chairperson of the Board in his absence. The members of the
31 Board, who are not receiving any regular compensation from the government, shall

1 be entitled to *per diem* for their attendance in Board meetings, subject to allowable
2 rates in accordance with existing laws.

3 The members of the Board, who represent the PSC and the private sector
4 engaged in sports, shall serve for eight (8) years, without reappointment, covering
5 two (2) Olympic Games.

6 Sec. 5. *Powers and Duties of the Board.* – The Board shall:

7 (a) Formulate a national plan of action for the implementation of this Act;

8 (b) Formulate policies on appointment, promotion, retention, removal,
9 renewal, rewards and incentives for administrators, faculty and staff;

10 (c) Determine the site of the PHSS, including the regional sites for later
11 expansion;

12 (d) Approve appointments made and contracts entered into by the
13 Executive Director in connection with the employment of teaching and non-
14 teaching personnel of the PHSS, subject to conditions to be set affecting Section 12
15 of this Act;

16 (e) Fix compensation and other conditions of employment in accordance
17 with the Salary Standardization Law;

18 (f) Review and approve contracts entered into under Republic Act No. 8525
19 (Adopt-a-School Act of 1998);

20 (g) Establish the criteria for the selection and admission of students which
21 shall include, among others, national competitive trials and examinations;

22 (h) Develop the athletic potential of every student together with a sound
23 and strong academic base;

24 (i) Approve the curricula, course of study and rules of discipline drawn up
25 by the Executive Council, as provided for in Section 8 of this Act;

26 (j) Approve the grant of scholarship, stipend and such allowances for
27 students;

28 (k) Approve the budget and appropriate sums as may be provided by law
29 for the support of the PHSS;

30 (l) Provide fellowship grants for faculty members;

31 (m) Approve the issuance of certificates of diplomas to successful
32 candidates for graduation;

1 (n) Prescribe for the administration of the PHSS such general rules and
2 regulations consistent with its purpose, as defined in Section 3 of this Act;

3 (o) Receive in trusts, legacies, gifts and donations of real and personal
4 properties and administer the same for the benefit of the PHSS or as aid to any of
5 its students;

6 (p) Establish the criteria for the selection and admission of students which
7 shall include, among others, examinations, national competitive screenings, and
8 tryouts;

9 (q) Purchase, receive, take or hold such real and personal properties as the
10 transaction of the lawful business of this institution may reasonably and necessarily
11 require, subject to the limitations prescribed by law;

12 (r) Recommend nominees for the position of PHSS Executive Director to
13 the President of the Republic of the Philippines;

14 (s) Study the feasibility of having a Philippine High School for Sports
15 System with the end in view of providing access to quality education and sports
16 programs to the whole country;

17 (t) Exercise such other powers as may be necessary to carry out the
18 purposes of this Act.

19 Sec. 6. *The Executive Director.* – The Executive Director shall act as the
20 school head vested with the authority to implement policies and programs
21 approved by the Board and manage and supervise the operation of the PHSS.

22 The Executive Director shall be appointed by the Board and cannot be
23 removed from office except for cause.

24 Sec. 7. *Meeting and Quorum.* – A quorum of the Board shall hold regular
25 monthly meetings and special meetings as may be necessary. A quorum shall
26 consist of a majority of all members holding office at the time the Board meeting is
27 called.

28 Sec. 8. *The Executive Council.* – There shall be established an Executive
29 Council consisting of the Executive Director, the heads of departments and such
30 other ranking faculty members or officials of the PHSS as may be determined by
31 the Executive Director.

32 The Executive Council shall have the power to:

- 1 (a) Screen and select the students to be admitted to the PHSS;
- 2 (b) Select students who shall be recipients of scholarship, stipends and
3 other allowances, including those who shall benefits from Adopt-A-School Law;
- 4 (c) Develop the curricula, course of study, training, and rules of
5 discipline, all subject to the approval of the Board;
- 6 (d) Distribute equitably the selection of students and scholars to all
7 districts in the country;
- 8 (e) Recommend students eligible for graduation;
- 9 (f) Exercise disciplinary power over the students through the Executive
10 Director;
- 11 (g) Implement and execute the policies laid down by the Board; and
- 12 (h) Exercise such other functions, powers and duties as the Board may
13 prescribe.

14 Sec. 9. *The School Registrar.* – There shall be a Registrar of the PHSS who
15 shall also act as the Secretary of the Board, to be appointed by the Executive
16 Director with the approval of the Board, unless the Board appoints another who
17 shall act as Secretary of the Board. The Registrar or the Board Secretary shall
18 keep such records as may be prescribed by the Board.

19 Sec. 10. *The School Treasurer.* – There shall be a Treasurer of the PHSS
20 who shall be appointed by the Executive Director with the approval of the Board.
21 All PHSS-funded accounts and expenses shall be subject to appropriate auditing
22 rules and procedures set forth by the Commission on Audit.

23 Sec. 11. *PHHS Fund.* – All trusts, legacies, gifts and donations of real
24 property to the PHSS shall constitute a special fund to be known as the PHSS Fund.
25 The Fund shall be expended by the Board exclusively to achieve the purposes of
26 this Act: *Provided,* That no amount shall be used for personnel services.

27 SEC 12. Tax Exemptions and Deductions. – The PHSS shall be eempt from
28 payment of all taxes, fees, assessments, and other charges of the National
29 Government, its branches, and subdivisions.

30 It shall likewise be exempt from the payment of custom duties, taxes, and
31 tariffs on the importation of sportswear, equipment, books, supplies, instruments
32 and materials and goods, including those donated to the PHSS: *Provided,* That

1 these are of international sports standards and are not available from local
2 manufacturers: *Provided, further,* That the importation shall only be in such
3 numbers as may be required in the development of various sports and/or training
4 of the students.

5 The PHSS shall also be exempt from withholding taxes on the honoraria or
6 fees paid by the PHSS to visiting lecturers and professors from abroad.

7 All legacies, gifts, and donations for the benefit of PHSS, or for its support
8 and maintenance, or for the aid of any of its student, shall be tax-exempt and shall
9 be an allowable deduction from the gross income of the donors.

10 *Sec. 13. Detail of Properties and Employees.* – Heads of bureaus or offices
11 of the national government are hereby authorized to loan or transfer, upon request
12 of the Executive Director of the PHSS such apparatus, supplies and other properties
13 as may be needed by the PHSS, and to detail employees for duty therein, when in
14 the judgment of the head of the bureau or office, they can be spared without
15 serious detriment to public service. Employees so detailed shall perform such
16 duties as are required and the time employed shall be counted as part of their
17 regular official hours, all laws, rules and regulations limiting the detail of
18 government employees notwithstanding.

19 *Sec. 14. Accomplishment Report.* – The Board shall submit to the President
20 of the Republic of the Philippines and to the Congress of the Philippines a detailed
21 annual accomplishment report, setting forth the progress, condition and needs of
22 the high school including its financial statements on or before the fifteenth day of
23 June of each year.

24 *Sec. 15. Appropriations.* – The Secretary of Education shall immediately
25 include in the Department's programs the operation of the PHSS, the funding of
26 which shall be included in the annual General Appropriations Act.

27 In addition, the operational expenses of the school shall be augmented from
28 the following sources:

- 29 a) Fifty million pesos (P50,000,000.00) to form the seed capital to be taken
30 from the annual earnings of the Philippine Amusement and Gaming
31 Corporation (PAGCOR); and
32

1 b) Five million pesos (5,000,000.00) per year for a period of ten (10) years
2 from the Philippine Charity Sweepstakes Office (PCSO) to be charged
3 from the charity fund, subject to liquidation prior to subsequent releases.

4 Sec. 16. *Implementing Rules and Regulations.* – Within ninety (90) days
5 from the approval of this Act, the Secretary of Education, in consultation with the
6 heads of other participating government agencies, shall formulate the rules and
7 regulations implementing the provisions of this Act. The implementing rules and
8 regulations issued pursuant to this section shall take effect thirty (30) days after its
9 publication in two (2) national newspapers of general circulation.

10 Sec. 17. *Separability Clause.* – If any provision of this Act is held invalid or
11 unconstitutional, the other provisions not so declared shall remain in force and
12 effect.

13 Sec. 18. *Repealing Clause.* – All laws, decrees, orders and rules and
14 regulations contrary to or inconsistent with the provisions of this Act are hereby
15 repealed or amended accordingly.

16 Sec. 19. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after
17 its publication in the Official Gazette or in a newspaper of general circulation.

Approved,