



Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY
Bangsamoro Government Center, Governor Gutierrez Avenue,
Rosary Heights VII, Cotabato City, Philippines

Bangsamoro Transition Authority)
Bangsamoro Autonomous)
Region in Muslim Mindanao)
2nd Regular Session)

COMMITTEE REPORT NO. 23

Jointly submitted by the Committee on Rules and the Committee on Finance, Budget and Management on July 14, 2020

Re: Approval of Committee Bill No. 52 in substitution for Cabinet Bill No. 27

Author: Committee on Rules and Government of the Day

Mr. Speaker,

The committee has the honor to report back to the Bangsamoro Transition Authority (BTA) Parliament, the Cabinet Bill No. 27 entitled

“AN ACT PROMOTING THE DEVELOPMENT OF SPORTS IN THE BANGSAMORO AUTONOMOUS REGION, ESTABLISHING THE BANGSAMORO SPORTS COMMISSION, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES.”

Based on the outcome of the committee meeting on February 21, 2020 at BTA Executive Lounge, the honorable members have agreed and approved to **substitute Cabinet Bill No. 27 with Committee Bill No. 52** entitled .

“AN ACT CREATING BANGSAMORO SPORTS COMMISSION, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES.”

submitted by Hon. Atty. Maisara C. Damdamun-Latiph and Hon. Amilbahar S. Mawallil as reviewed and refined by the committee.


Moreover, the Joint Meeting of Committee on Finance, Budget and Management and Committee on Rules on June 25, 2020 at Bajau Hall-Office of the Chief Minister resulted to the initial appropriation for the Bangsamoro Sports Commission amounting to Nine Million and Five Hundred Thousand Pesos (Php9,500,000.00).

The above-mentioned committee bill is attached to this committee report.

Respectfully submitting,



HON. ATTY. LANANG T. ALI, JR.
Chairperson, Committee on Rules



HON. EDUARD U. GUERRA
Chairperson, Committee on Finance,
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HON. ATTY. LAISA M. ALAMIA
Vice Chairperson, Committee on Rules

HON. ATTY. UBAIDA C. PACASEM
Vice Chairperson, Finance, Budget, and
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HON. ATTY. MAISARA C. DANDAMUN-
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HON. DR. SUSANA S. ANAYATIN
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HON. HARON M. ABAS
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HON. DR. MOHAMMAD S. YACOB
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HON. PUNDUMA B. SANI
Member


Paivalin P. Tago
HON. ATTY. PAISALIN P. TAGO

HON. ATTY. NABIL A. TAN
Member

Member
*without prejudice
to some clarificatory
questions to be asked
in the plenary*

EX-OFFICIO MEMBERS:

HON. ATTY. ALI PANGALIAN M. BALINDONG
Speaker


HON. HATIMIL E. HASSAN
Deputy Speaker

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
Bangsamoro Transition Authority
Cotabato City

Second Regular Session

COMMITTEE BILL NO. 52

Introduced By: Committee on Rules

EXPLANATORY NOTES

In recognition of the importance of sports in the country, Section 19, Article XIV of the 1987 Philippine Constitution expressly provides that the State shall promote and encourage sports programs, league competitions, and amateur sports – including training for international competitions – as a means of fostering self-discipline, teamwork, and excellence for the development of a healthy and alert citizenry.

The significant contribution of the Bangsamoro in Philippine sports deserves special attention. In the past, countless Moro athletes have dominated international and local sporting events in various fields of sports. There were Moro athletes who were not merely swimmers of our vast sea but who likewise showed athletic prowess in Olympic swimming pools overseas and consequently brought honor not only to the Bangsamoro, but to the country as well. Our glory days do not need to remain in the past.

Amateur and professional sports programs and athletic endeavors have tremendous economic, political and cultural influence on the people and on the State. The immense effect of such activities create strong impact on our understanding of socio-economic issues, and they affect development and peace-building efforts, as well as the framing of our individual, regional and state identity.

Sports, and activities that promote sports are essential building blocks that help us achieve a dynamic and prosperous society for several reasons: Athletic activities help keep our people healthy, and they inculcate good values in those who engage in them. Sports also offer a healthy outlet for competition in our communities, as well as opportunities for professional growth and job opportunities for athletes and other professionals whose work revolves around these sports.

Government support for sports programs and activities is necessary, especially for our youth who stand to benefit the most from solid athletics training and sports promotion programs. Beyond the glory of victory in competitions, our youths learn good values and strong self-discipline from these activities – strengths they will bring home to their communities and leadership skills that will serve them well as adults in our region.

In the Bangsamoro Autonomous Region, the Regional Sports Coordinating Office (RSCO) in the defunct Autonomous Region in Muslim Mindanao was created through Executive Order (EO) No. 01 dated August 20, 2001. This office implemented sports programs designed especially for the youth, pursuant to Republic Act (RA) No. 6734 (as amended by RA No. 9054).

With the successful enactment of RA No. 11054, otherwise known as “An Act Providing for the Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao,” a new Bangsamoro Autonomous Government was created that expands the concept of the region’s autonomy and, in turn, vested the Bangsamoro people with genuine freedom to self-govern. Article IX, Section 20 of the same Organic Act empowers the Bangsamoro Parliament to legislate the creation of a Bangsamoro Sports Commission (BSC), which shall continue to uphold sports development in the newly-created autonomous region.

This bill seeks to institutionalize sports development in the region by providing leadership and camaraderie among the Bangsamoro people. With this bill, our region will be empowered to formulate policies and set the priorities and direction of all regional sports promotion activities and embark on initiatives to develop athletic programs, provide adequate facilities and support for Bangsamoro athletes who have shown both their potential and willingness to contribute to the growth of the region’s sporting initiatives.

In light of the benefits, it is urgent that this bill be approved, for the good of our region and its people.

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
Bangsamoro Transition Authority
Cotabato City

Second Regular Session

AN ACT CREATING BANGSAMORO SPORTS COMMISSION, PROVIDING FOR ITS MANDATE, POWERS, AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

Be it enacted by the Bangsamoro Transition Authority, in session, assembled:

Section 1. Title of the Act. - This Act shall be known as “The Bangsamoro Sports Commission Act of 2020.”

Section 2. Declaration of Policy. –The government shall promote physical education and encourage sports programs, league competitions, and amateur sports, including training for regional, national, and international competitions, to foster self-discipline, teamwork, and excellence for the development of a healthy and alert citizenry.

It shall further develop innovative and productive individuals, promote sportsmanship, cooperation, encourage and support indigenous games, marital arts, and amateur sports.

Section 3. Bangsamoro Sports Commission. —The Bangsamoro Sports Commission hereinafter referred to as “BSC” is hereby created pursuant to Section 20, Article IX of Republic Act No. 11054 otherwise known as Bangsamoro Organic Law of the Bangsamoro Autonomous Region in Muslim Mindanao, with the mandate, powers and functions as hereinafter provided.

The Chief Minister shall exercise supervision over the BSC which shall have the same status as that of a Bangsamoro Government agency attached to the Office of the Chief Minister.

Section 4. Mandate.—The BSC shall formulate policy, promote, regulate, coordinate, and implement programs for sports. It shall also provide for system, support and assistance in the development of sports.

Section 5. Composition. —The BSC shall be composed of:

(a) A Chairman and four regular Commissioners from:

1. Province of Basilan;
2. Province of Lanao del Sur;
3. Province of Maguindanao including Cotabato City and the 63 barangays of North Cotabato;
4. Province of Sulu;
5. Province of Tawi-Tawi;

(b) two *ex-officio* Commissioners representing:

1. Non-Bangsamoro indigenous peoples; and
2. Settler communities.

Section 6. Appointment and Term of Office.—The Chief Minister shall appoint, in a permanent capacity, the Chairperson and the regular Commissioners of the BSC for a term of seven years. For the first appointees under this Act, the term of office shall be staggered. The Chairperson shall hold office for seven years, the two regular commissioners shall serve five years, and the remaining two regular commissioners shall serve three years. They shall not be designated in a temporary or acting capacity.

The term of the Chairperson and Commissioners shall start on the day immediately after the end of the previous term regardless of the date of appointment. Appointment to any vacancy occurring during the term shall be only for the remaining portion of said term and the appointee therein shall not be eligible for reappointment except when the latter served less than two years of the unexpired term.

The two *ex officio* Commissioner is not subject to appointment but shall be designated by Chief Minister among the three nominees submitted each by the Ministry of Indigenous People's Affairs and the Office for Settler Communities. In no case, an *ex officio* be designated for more than seven years. Further, they must be organic personnel of the Bangsamoro Autonomous Government and had meet the requirements in the next two provisions.

Section 7. Qualification. —No person shall be appointed as Chairperson or a Commissioner, unless she possesses the following qualifications:

- (a) A citizen of the Philippines;
- (b) must be of proven integrity, professional competence, probity, and independence;
- (c) At least 25 years of age at the time of appointment;
- (d) A resident of the Bangsamoro Autonomous Region for at least five (5) years prior to the date of appointment;
- (e) A registered voter in the Bangsamoro Autonomous Region;
- (f) Have occupied positions of responsibility and leadership in the government, duly registered sport's organizations, or sport-serving organizations and/or institutions; and
- (g) Have not been convicted of any crime involving moral turpitude.

A majority of the Commissioners shall hold a bachelor's degree from recognized colleges or universities.

Section 8. Disqualifications. - The following persons are disqualified from appointment as chairperson, commissioner and personnel of the BSC:

- (a) those who have been:
 1. found culpable of human rights violations or abuse;
 2. sentenced by final judgment for an offense involving moral turpitude or punishable by more than one (1) year of imprisonment; and
 3. removed from office or suspended for at least one (1) year as a result of disciplinary action from government or private sector;

- (b) those with dual citizenship;
- (c) those who are fugitives from justice;
- (d) those who have acquired the privilege to reside abroad; and
- (e) those who are otherwise disqualified by law.

Section 9. Prohibition. - The Chairperson or Commissioners shall, during their tenure:

- (a) not hold any other office or employment in any government or private institution;
- (b) not engage in the practice of any profession or in the active management or control of any business;
- (c) not be financially interested, directly or indirectly, in any contract with or in any franchise or privilege granted by the government; and
- (d) avoid conflict of interest in the conduct of their office.

Section 10. Salary, Retirement, Benefits and Other Privileges of the Chairperson and the Commissioners. - The Chairperson shall receive a compensation equivalent to Salary Grade 28 along with the privileges, emoluments, and benefits attached thereto. The regular Commissioners shall receive a compensation equivalent to Salary Grade 27 along with the privileges, emoluments, and benefits attached thereto. The *ex officio* Commissioners are entitled to *per diems* for actual in attending official meetings and activities of the BSC.

Section 11. Powers and Functions of the BSC. – The BSC shall have the following powers and functions:

- (a) To formulate policy on sports by:
 1. conducting research that seeks to develop sports policies, promote, uphold, and protect the welfare and rights of sportsman;
 2. recommending sports policies for legislations by the Parliament;
 3. recommending sports polices for appropriate action to the Bangsamoro Government;
 4. piloting special programs for the development of sports in the Bangsamoro;
 5. preparing the Bangsamoro Sports and Development Plan with the participation of relevant ministries, agencies, offices and other stakeholders;
 6. undertaking basic and applied research on sports development including the promotion and preservation of indigenous sports;
 7. developing researching on sports as a vehicle for peace; and
 8. undertaking research in making sports as instrument to fight against criminalities, drugs, and violent extremism;
- (b) To coordinate and promote sports by:
 1. coordinating and maintaining linkages with the Philippine Sports Commission, National Sports Commission or organizations of other countries, and other non-governmental organizations, local or foreign, whose main objective is sports promotion and development
 2. closely working with and coordinate with the Bangsamoro Planning and Development Authority to generate sports data in furtherance of evidence-based policies for the welfare of sportsman;

3. engaging youth, out-of-school youth, marginalized children, persons with disability, and other vulnerable sectors to develop their potential in sports;
4. working with law enforcement agencies, Shari'ah and regular courts, and other institutions and stakeholders to address sports issues;
5. convening a Sports Advisory Council composed of representatives of all sports stakeholders both from public and private sectors;
6. assisting in the establishment of regional, provincial, municipal and barangay or school district sports promotion and development councils, which shall initiate, conduct and coordinate sports activities in their respective jurisdictions;
7. assisting the local government units in promoting sports at the community level, especially those included in the calendar of events of regional, national and international competitions;
8. providing technical assistance and capacity building;
9. participating in the reporting to international bodies tasked to monitor implementation of sports programs;
10. providing such incentives, recognition and awards to deserving athletes and other persons and entities involved in or supporting sports development as may be permissible under the rules of amateurism;
11. referring specific cases of sportsman needing assistance and interventions to Bangsamoro Government agencies, national government agencies and other stakeholders; and
12. establish and maintain fully-equipped sports facilities and centers in strategic places in the area of autonomy and supervise the management and maintenance thereof;

(c) To exercise regulatory power such as:

1. imposition sanctions upon any regional sports association, institution, association, body, entity, and team including athletes and sports official for violation of its policies, rules and regulations;
2. accreditation sports club and people's organizations operating in the Bangsamoro engaged in the protection and promotion of sports;
3. acquisition, procurement, distribution and use of sportswear, equipment, instruments, tools and other sports necessities necessary and required for training of regional pool of athletes;
4. defining and delineating areas of responsibilities in different sports competition of all sectors involved in sports promotion and development; and
5. monitoring, assessing and ensuring compliance of Bangsamoro Government agencies with the issued guidelines and implementation of their sports programs. For this purpose, the BSC may require all ministries, agencies and offices of the Bangsamoro Government to submit their sports plan and budget as well as regular reports on the status of implementation and utilization thereof;

(d) To enter into contract in relation to their mandates;

(e) To acquire, possess, and dispose of real and personal properties in furtherance of its mandates;

- (f) Solicit and accept grants, aid, donations and gift, in cash or in kind, or enter into agreements with any legitimate entity, local or foreign, consistent with its mandate;
- (g) To acquire, use and control any land, building, facilities, equipment, instruments, tools and rights required or otherwise necessary for the accomplishment of the purposes of the BSC;
- (h) ensure the implementation by various government departments and agencies of their sports promotion and development programs as indicated in their respective budgets;
- (i) perform administrative functions, particularly:
 1. implement its organizational structure and staffing pattern;
 2. conduct performance audit over its personnel;
 3. adopt:
 - i. an annual budget for the approval of the Parliament;
 - ii. strategic plans taking into account its context for purposes of setting its priorities and for the proper allocation of its financial and human resources;
 - iii. programs, activities, projects, services, and initiatives pursuant to its mandate, powers, and functions;
 - iv. communications and information plans;
 - v. monitoring and evaluation mechanisms;
 - vi. internal rules and manual of operations; and
 - vii. seal and logo;
- (j) The BSC may perform any and all other acts incidental to delivery of its mandate.

Section 12. Organizational Structure. - The BSC shall have the following organizational structure:

- (a) Commission Proper;
- (b) Office of the Chairperson;
- (c) Office of the Secretariat of the BSC;
- (d) Policy, Research, and Development Division;
- (e) Regulatory, Promotion, and Coordination Division; and
- (f) Finance and Administrative Division.

Section 13. Commission Proper. - The Commission Proper shall consist of the Chairperson, four regular Commissioners and two *ex officio* Commissioners, sitting as a collegial body. It shall be the highest decision-making body of the BSC and shall exercise the mandate and powers, and functions of the BSC as hereinafter provided. It shall transact its official business upon the decision of the majority with the presence of a quorum. The quorum shall be considered to exist when a majority of the members are present. It shall promulgate its own internal rules thirty days from its first meeting.

Section 14. Presiding Officer. - The Chairperson shall preside over the meetings of the Commission. In his/her absence, the regular Commissioner more senior in the order of appointment shall preside.

Section 15. Regular and Special Meetings. – The BSC, without prior call, shall conduct regular meetings every first and third Monday of the month at its principal office or at any other place as it may determine. If it falls on a non-working day, the meeting shall be held on the following working day without a call. Special sessions may be called, for good cause, by the Chairperson or by any Commissioner.

Section 16. Office of the Chairperson. - The Chairperson shall be the Chief Executive of the BSC vested with the following powers and functions:

- (a) exercises administrative supervision over all officials and employees of the BSC except the Commissioners;
- (b) exercise personnel action of appointment, hiring, designation, reassignment, rotation, secondment, detail, and disciplining. Provided that when the action involves the removal of a personnel, it should be with the concurrence of the Commission Proper;
- (c) exercises full supervision and oversees the implementation of all programs, projects, services, and activities of the BSC;
- (d) represents the BSC in all its business transactions and signs, on its behalf, contracts, and obligations, and such other documents made pursuant to a resolution of the Commission Proper; and
- (e) performs such other powers as may be vested by the Commission Proper.

Section 17. Vacancy in the Office of the Chairperson. -In case of vacancy in the Office of the Chairperson, the regular Commissioner more senior shall automatically act as Chairperson without need of appointment. Such acting capacity shall be automatically terminated upon the assumption to office of the newly appointed Chairperson.

Section 18. Commissioners. - The powers and functions of the regular and *ex officio* Commissioners are limited to policy-making as members of the Commission Proper. The Commissioners as such shall not exercise executive powers and functions except when designated, in an Officer Order, by the Chairperson as Officer-in-Charge. A Commissioner can also be designated by the Chairperson as focal person for any mandated subject matter.

Section 19. Office of the Secretariat of the Commission.—There shall be Office of the Secretariat of the Commission, which shall be headed by a Director I, with Salary Grade 26, its function is to assist and support the Commission Proper.

Section 20. Policy, Research, and Development Division. —The Policy, Research and Development Division, which shall be headed by a Director I, with Salary Grade 26, shall assist the BSC in the research, policy, and development of sports in the Bangsamoro. It shall also develop the knowledge, skills, abilities, tools, and technical approaches of the BSC.

Section 21. Regulatory, Promotion, and Coordination Division.—The Regulatory, Promotion and Coordination Division, which shall be headed by a Director I, with Salary Grade 26, shall assist the BSC in regulatory powers such as issuance of rules and regulations, guidelines, compliance, monitoring and evaluation, and other related matters on regulatory power of the BSC. It shall also be responsible for sports education and training, programming, technical assistance, public information and production, coordination and cooperation, and linkages with other sports associations, commissions or organizations.

Section 22. Financial and Administrative Division.—The Financial and Management Division, which shall be headed by a Director I, with Salary Grade 26, shall provide advice, support and assist the BSC on matters of budget, finance, planning, management, information technology, planning, personnel, records, supplies and equipment and other support and administrative services.

Section 23. Assistance by Bangsamoro Government Entities. – The BSC may call upon any Bangsamoro Government entity for assistance in the performance of its functions and duties. All heads of ministries, agencies, and offices of the Bangsamoro Government are hereby enjoined to render full assistance and cooperation to the BSC to ensure the attainment of its mandates.

Section 24. Appropriations.— The initial amount of Six Million and Five Hundred Thousand Pesos (Php6,500,000.00) for the Personnel Services, One Million and Five Hundred Thousand Pesos (Php1,500,000.00) for the Miscellaneous and Other Operating Expenses, and One Million and Five Hundred Thousand Pesos (Php1,500,000.00) for the Capital Outlay of the Commission shall be sourced from the Miscellaneous Personnel Benefits Fund (MPBF) and the Contingent Fund, respectively in accordance with Bangsamoro Act No.3, subject to existing rules and regulations. Additional funding for personnel services, maintenance and other operating expenses and capital outlay may be charged to the MPBF and Contingent Fund. Subsequent funding requirements shall be included in the Bangsamoro Appropriations Act.

Section 25. Repealing Clause. –All regional laws, orders, rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

Section 26. Separability Clause.— If any part, section or provision of this Act shall be held invalid or unconstitutional, the remainder of the law or the provisions not otherwise affected shall remain valid and binding.

Section 27. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation in the Bangsamoro Autonomous Region in Muslim Mindanao.

Approved.

Authors:

GOVERNMENT OF THE DAY



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Chairperson, Committee on Rules

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Vice Chairperson, Committee on Rules

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