H. No. 6312

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AN ACT ESTABLISHING THE NATIONAL ACADEMY OF SPORTS SYSTEM AND APPROPRIATING FUNDS THEREFOR

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 Sports (NAS) System Act".

2. Sec. 2. Declaration of Principles. — The State recognizes the vital role of the youth in nation-building. Thus, it shall advance and protect their physical, moral, spiritual, intellectual, and social well-being by promoting physical education and encouraging sports programs, league competitions, and amateur sports, including training in international competitions; fostering self-discipline, teamwork, and excellence for the development of a healthy and alert citizenry; and developing athletes with a strong sense of patriotism and love of country. It shall likewise provide adequate training for students with athletic abilities to produce world-class athletes for competitive sports with solid academic background and strong patriotic ideals.

3. Towards this end, an educational system geared towards promoting and preparing the youth for a long-term career in sports is hereby instituted.

4. Sec. 3. Creation and Establishment of the National Academy of Sports System. — There is hereby instituted a National Academy of Sports (NAS) System to develop the athletic skills and talents of students.

5. The NAS System is hereby mandated to implement initially a secondary education program, combined with a special curriculum on sports. It shall be geared to the early recognition and development of highly talented and exceptionally gifted children in the field of sports. It shall likewise be a continuing source of excellent athletes and sports leaders for the preservation and promotion of competitive sports in the Philippines.

6. The NAS System shall be administratively attached to the Department of Education (DepEd) for budgetary purposes.

7. Sec. 4. Purpose of the NAS System. — The NAS System shall initially offer, on full scholarship basis, a secondary education to natural-born Filipino citizens with considerable potential in sports. The curriculum shall have a significant emphasis on developing the athletic skills of the students through subjects pertaining to physical education and sports, with the end-view of providing
quality education to students in preparation for a sports-related career.

For purposes of this Act, foundlings who are born in the Philippines and those who acquired Filipino citizenship by virtue of Section 4 of Republic Act No. 9225, otherwise known as the “Citizenship Retention and Re-acquisition Act of 2003”, shall be considered natural-born Filipino citizens.

SEC. 5. Construction and Site of the NAS. — After a period of planning not exceeding one (1) year upon the effectivity of this Act, the main campus of the NAS System shall be established at the existing New Clark City Sports Complex, Capas, Tarlac, and shall be equipped with the necessary sports facilities, housing and other amenities according to current international standards. School buildings with sufficient number of classrooms and facilities shall be constructed at the complex.

SEC. 6. Board of Trustees. — The NAS System shall be governed by a Board of Trustees, hereinafter referred to as the Board, which shall be composed of the DepEd Secretary as the Chairperson, the Chairperson of the Philippine Sports Commission (PSC) as Vice Chairperson, and the following as members: (a) the Chairperson of the Commission on Higher Education; (b) the Executive Director of the NAS System; (c) a representative from the Philippine Olympics Committee; (d) a respected member of the academe in the field of sports science and human kinetics; and (e) a representative from the sports community of known expertise, integrity and probity.

The members from the academe and sports community shall be appointed by the Chairperson of the Board, subject to the confirmation of the members of the Board. They shall have a fixed term of four (4) years, without reappointment.

SEC. 7. Powers and Functions of the Board. — The exercise of the corporate powers of the NAS System is hereby vested exclusively in the Board.

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

(a) To formulate policies and guidelines for the administration and operation of the NAS System;

(b) To determine the sites for the regional branches of the NAS System for later expansion after the establishment of main campus of the NAS System as provided in Section 5 hereof;

(c) To approve the curricula, course of study, and rules of discipline drawn up by the Executive Council as hereinafter provided;

(d) To formulate policies on personnel organization, appointment, promotion, retention or renewal of contracts, compensation, removal for just cause, rewards, incentives and other conditions of employment for administrators, faculty, and staff of the NAS System;

(e) To approve appointments and contracts entered into by the Executive Director in connection with the employment of administrative officers, teachers, lecturers, and other employees of the school;

(f) To provide and approve fellowship grants and trainings for administrators, faculty members, and staff;
(g) To approve the grant of scholarships, stipends, and such other allowances to deserving students based on the guidelines and implementing rules and regulations of this Act;

(h) To establish the criteria for the selection and admission of students which shall include, among others, national competitive trials and examinations;

(i) To approve the issuance of certificates or diplomas to successful candidates for graduation;

(j) To receive and appropriate for the ends herein specified such sums as may be provided by law for the support of the NAS System;

(k) To receive, in trust, legacies, gifts, and donations of real and personal property of all kinds and to administer the same for the benefit of the NAS System or for aid to any of its students;

(l) To enact rules and regulations not contrary to law as may be necessary to carry out the purposes and functions of the NAS System; and

(m) To perform any and all other acts incident to or required by virtue of its creation.


In addition to the powers and functions vested to the Board under Section 7 of this Act, the Board shall be allowed to approve the hiring of licensed foreign coaches, trainers and consultants: Provided, That the PSC shall certify the necessity of hiring such coaches, trainers, and consultants, including a justification that their competence and skills are not locally available or proven to be incomparable with their local counterparts.

The Board shall provide guidelines and mechanisms to ensure that the new knowledge and training methods introduced by foreign coaches, trainers, and consultants shall be passed on to student-athletes and local coaches, trainers, and consultants of the NAS System.

SEC. 9. Meetings of the Board. – The Board shall regularly convene at least once every quarter of the NAS school calendar: Provided, That upon the effectivity of this Act, the Board shall immediately convene and conduct monthly meetings for purposes of choosing and appointing the Executive Director, the members from the academe and sports community, and an organization plan for the NAS System.

The Chairperson of the Board may call a special meeting whenever necessary: Provided, That members are notified in writing at least three (3) days before said meeting.

A majority of all members holding office shall constitute a quorum for board meetings: Provided, That the Chairperson and the Vice Chairperson of the Board are among those present in the meeting. In the absence of the Chairperson, an Undersecretary of the DepEd shall be duly designated by the Chairperson as alternate to sit in the meeting.

All members who are not receiving regular compensation from the government shall receive reasonable per diem to be determined by the Board for every meeting of the Board, subject to existing rules and regulations observed by the boards of similar specialized institutions.

SEC. 10. Executive Director of the NAS System. – The NAS System shall be headed by an Executive Director who shall serve for a period of six (6) years. The Executive Director shall be appointed by the Chairperson of the Board, subject to the approval of the members of the Board, based on the guidelines and qualifications
set forth in the implementing rules and regulations of this Act. The Board shall likewise fix the compensation of the Executive Director subject to existing Compensation and Position Classification System.

The Executive Director shall be responsible for the administration and operation of the NAS System, and shall coordinate the implementation of policies and guidelines set by the Board, in addition to those specifically provided for in this Act.

SEC. 11. Executive Council. — There shall be an Executive Council consisting of the Executive Director, the Deputy Executive Director, as created in Section 12 of this Act, the heads of departments of the NAS System, and such other ranking faculty members or officials of the NAS System, as may be determined by the Board.

The Council shall have the power to screen and select the students for admission and the recipients of scholarships, stipends and other allowances as well as to develop the curricula, course of study, and rules of discipline. It shall be responsible for the development of the athletic potential of students by providing training programs to train athletes who can compete in international competitions. It shall also implement and execute policies laid down by the Board and exercise such other functions, powers and duties as the Board may prescribe.

SEC. 12. Deputy Executive Director of the NAS System. — There shall be a Deputy Executive Director who shall assist the Executive Director. In the absence of the Executive Director, the Deputy Executive Director shall assume the administrative and supervisory functions of the Executive Director.

The Deputy Executive Director, whose compensation shall be fixed by the Board, shall be appointed by the Chairperson of the Board, subject to the approval of the members of the Board and to existing Compensation and Position Classification System.

SEC. 13. Registrar of the NAS System. — There shall be a Registrar of the NAS System who shall act as the Board Secretary and keep all the records of the NAS System. The Registrar shall be appointed by the Executive Director, with the approval of the Board.

SEC. 14. Treasurer of the NAS System. — There shall be a Treasurer of the NAS System who shall keep custody of its funds and properties. The Executive Director shall appoint the Treasurer of the NAS System, with the approval of the Board.

All accounts and expenses of the NAS System shall be audited by the Commission on Audit (COA) or its duly authorized representative.

SEC. 15. Personnel of the NAS System. — The Executive Director shall, upon approval of the Board, employ professional and highly skilled managers, educators, teachers, and personnel with long and vast experience in sports education and administration to ensure the proper operation and maintenance of the NAS System, subject to existing Compensation and Position Classification System.

Officers or employees of the government engaged as lecturers in the NAS System may receive compensation in addition to their salary at a rate to be fixed by the Board subject to existing rules and regulations: Provided, That their duties as lecturers are performed outside of the regular office hours.

SEC. 16. Tax Exemptions of the NAS System. — The importation of sportswear, equipment, books, supplies, instruments,
materials and goods, including those donated to the NAS System shall be exempted from customs duty in accordance with the provisions of Republic Act No. 10863, otherwise known as the "Customs Modernization and Tariff Act (CMTA)". Provided, That these are of international sports standards and are not locally available: Provided, further, That the importation shall only be in such numbers as may be required in the development of various sports or training of the students: Provided, finally, That all importations shall be made in the name of the NAS System and shall immediately be registered in its name.

SEC. 17. Tax on Donations. – All grants, bequests, endowments, donations and contributions made to the NAS System and used actually, directly and exclusively by the NAS System shall be exempt from donor's tax and the same shall be considered as allowable deduction from the gross income in the computation of the income tax of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

SEC. 18. Campuses. – The Board shall provide for policies on the absorption of existing nationally-funded high schools for sports and the establishment and eventual absorption of future regional high schools for sports as extension campuses or branches of the NAS System, in coordination with the DepEd and in consultation with the Department of Budget and Management (DBM).

SEC. 19. Annual Report. – The Board shall submit to the Office of the President of the Philippines and the Congress of the Philippines a detailed report on the progress, condition and needs of the NAS two (2) months before the opening of every school year.

SEC. 20. Joint Congressional Oversight Committee on the NAS System. – There is hereby created a Joint Oversight Committee to oversee, monitor, and evaluate the implementation of this Act.

The Oversight Committee shall be composed of five (5) members each from the Senate and the House of Representatives, including the Chairpersons of the Committees on Basic Education and Culture, Youth and Sports Development, and Finance in the Senate and Appropriations in the House of Representatives. The membership of the Committee for each House shall have at least one (1) minority member.

SEC. 21. Appropriations. – The amount necessary for the effective implementation of this Act shall be included in the budget of the DepEd in the annual General Appropriations Act.

SEC. 22. Implementing Rules and Regulations. – The DepEd and PSC, in consultation and coordination with the DBM, the Department of Public Works and Highways and the Bases Conversion and Development Authority, shall promulgate within thirty (30) days upon the effectivity of this Act, the necessary rules and regulations for its effective implementation: Provided, That the failure to promulgate the rules and regulations shall not prevent the implementation of this Act upon its effectivity.

SEC. 23. Separability Clause. – If any provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in full force and effect.

SEC. 24. Repealing Clause. – All laws, executive orders, presidential decrees, proclamations, rules, regulations, issuances, and enactments or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.
SEC. 25. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,