



Republic of the Philippines  
**Department of Education**  
Region IV-A  
SCHOOLS DIVISION OF QUEZON PROVINCE

09 December 2021

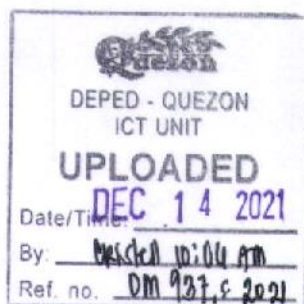
**DIVISION MEMORANDUM**


DM No. 937, s. 2021

**IMPLEMENTING RULES AND REGULATION OF REPUBLIC ACT NO. 10676  
(An Act Protecting the Amateur Nature of Student-Athletes in the Philippines  
by Regulating the Residency Requirement and Prohibiting  
the Commercialization of Student-Athletes)**

**To:** OIC - Assistant Schools Division Superintendents  
Public Schools District Supervisors  
Public and Private Elementary and Secondary School Heads  
All Others Concerned

1. Attached herewith is DepEd Order No. 052, s. 2021 titled Implementing Rules and Regulations of Republic Act No. 10676 (An Act Protecting the Amateur Nature of Student-Athletes in the Philippines by Regulating the Residency Requirement and Prohibiting the Commercialization of Student-Athletes) for your guidance and reference.
2. Immediate dissemination of this Memorandum is desired.



  
**ELIAS A. ALICAYA JR. EdD**  
Assistant Schools Division Superintendent  
Officer-in-Charge  
Office of the Schools Division Superintendent

cid-ims/isw/dmbd/12/09/2021

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Republic of the Philippines  
**Department of Education**

26 NOV 2021

DepEd ORDER  
No. **052**, s. 2021

**IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 10676**  
(An Act Protecting the Amateur Nature of Student-Athletes in the Philippines  
by Regulating the Residency Requirement and Prohibiting  
the Commercialization of Student-Athletes)

To: Undersecretaries  
Assistant Secretaries  
Minister, Basic, Higher and Technical Education, BARMM  
Bureau and Service Directors  
Regional Directors  
Schools Division Superintendents  
Public and Private Elementary and Secondary School Heads  
Presidents, State/Local Universities and Colleges Offering Basic Education  
All Others Concerned



1. For the information and guidance of all concerned, enclosed is a copy of the Implementing Rules and Regulations (IRR) of Republic Act No. 10676 titled **An Act Protecting the Amateur Nature of Student-Athletes in the Philippines by Regulating the Residency Requirement and Prohibiting the Commercialization of Student-Athletes, otherwise known as the Student-Athletes Protection Act.**

2. Section 17 (Effectivity Clause) of this IRR provides that it shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

3. This IRR was published in the Official Gazette on **July 12, 2021.**

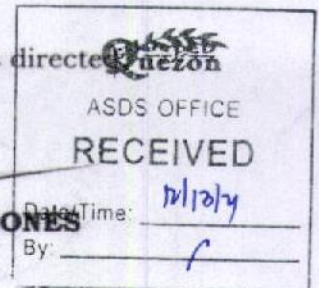
4. All DepEd Orders and related issuances, rules and regulations which are inconsistent with the IRR are repealed, rescinded, or modified accordingly.

5. Immediate dissemination of and strict compliance with this Order is directed



DEPED-OSEC-448264

*[Signature]*  
**LEONOR MAGTOLIS BRIONES**  
Secretary



Encl.: As stated  
Reference: None

To be indicated in the Perpetual Index under the following subjects:

ATHLETICS  
LEGISLATIONS  
POLICY

REQUIREMENTS  
RULES AND REGULATIONS  
STUDENTS



SMMA/APA/MPC, DO Implementing Rules and Regulations of Republic Act No. 10676  
0277 - September 21/27, 2021





**IMPLEMENTING RULES AND REGULATIONS OF THE  
STUDENT-ATHLETES PROTECTION ACT  
(REPUBLIC ACT NO. 10676)**

Pursuant to Section 9 of Republic Act No. 10676 titled, "An Act Protecting the Amateur Nature of Student-Athletes in the Philippines by Regulating the Residency Requirement and Prohibiting the Commercialization of Student-Athletes," otherwise known as the "Student-Athletes Protection Act," the Department of Education (DepEd) and the Commission on Higher Education (CHED), in consultation with the Philippine Sports Commission (PSC), hereby issue the following rules and regulations to implement the provisions of the Act:

**RULE I. GENERAL PROVISIONS**

**Section 1. Title.** These rules and regulations shall be referred to and cited as the Implementing Rules and Regulations (IRR) of Republic Act No. (RA) 10676 titled, "An Act Protecting the Amateur Nature of Student-Athletes in the Philippines by Regulating the Residency Requirement and Prohibiting the Commercialization of Student-Athletes," otherwise known as the "Student-Athletes Protection Act."

**Section 2. Scope and Application.** This IRR shall apply to all public and private basic education schools, Higher Education Institutions (HEIs), Technical-Vocational Institutions (TVIs), and athletic associations.

**Section 3. Declaration of Policy.** This IRR shall be interpreted in light of the Declaration of Policy found in Section 2 of RA No. 10676.

**Section 4. Definition of Terms.** For purposes of this IRR, the following terms shall mean or be understood as follows:

**4.1. Act** refers to Republic Act No. 10676 titled, "An Act Protecting the Amateur Nature of Student-Athletes in the Philippines by Regulating the Residency Requirement and Prohibiting the Commercialization of Student-Athletes," otherwise known as the "Student-Athletes Protection Act."

**4.2. Athletic Association** refers to any public or private organization that is responsible for governing inter-school athletic programs and competitions including, but not limited to, the Private Schools Athletic Associations (PRISAA), the University Athletic Association of the Philippines (UAAP), the National Collegiate Athletic Association of the Philippines (NCAA), the Women's National Collegiate Athletic Associations (WNCAA), the State Colleges and Universities Athletic Association (SCUAA), the Cebu Schools Athletic Foundation, Inc. (CESAFI), the National Capital Regional Athletic Association (NCRAA), the Association of Local Colleges and University Athletics Association (ALCUAA), the National Athletic Association of Schools, Colleges and Universities (NAASCU), and regional athletic



associations recognized and/or organized under Section 8 of RA No. 10588, otherwise known as the "Palarong Pambansa Act of 2013."

It may also refer to other organizations or associations conducting inter-school athletic programs and participated in by public or private schools whether duly recognized or not by DepEd, CHED, Technical Education and Skills Development Authority (TESDA), PSC, or any other agency performing such functions, where basic education, higher education, and technical-vocational institution student-athletes are involved, including persons with disability and indigenous peoples.

**4.3. School** refers to an institution recognized by the State which undertakes educational operations such as grade school, high school, college, university, or technical-vocational education and training institution. It may also refer to duly recognized DepEd, CHED, and TESDA learning centers and institutions offering non-formal and informal education, including the Alternative Learning System (ALS).

**4.4. Student-athlete** refers to a student currently enrolled in any school who is a member of any of the school's athletic teams or programs and who represents or has intentions of representing the school in an inter-school athletic program or competition. The student-athlete must be enrolled in at least a minimum full-time curricular program and must be in good standing to be eligible to represent the school in an inter-school athletic program or competition.

This may also refer to those who are enrolled under: (a) DepEd's Alternative Delivery Modes (ADM), including but not limited to Home Study Program or Modified In School Out School Approach (MISOSA) or Open High School Program (OHSP); (b) DepEd's and CHED's ALS programs; and (c) CHED's Expanded Tertiary Education Equivalency and Accreditation Program (ETEEAP).

**4.5. Residency** refers to enrollment in a school for at least a minimum full-time curricular program during a regular term of a school/academic year.

For purposes of this IRR, a summer term may not be used to satisfy an academic term or year of residence.

In relation to the succeeding Section 4.6 of this IRR, to satisfy an academic year of residence, a student shall be enrolled in and complete a minimum full-time curricular program of studies and must be in good standing.

**4.6. Residency requirement** refers to the minimum number of months or period that a student-athlete should satisfy or may be imposed by an athletic association before a student-athlete could participate and represent a school in any athletic competition, subject to Section 5, Rule II of this IRR and Section 4 of the Act.



For purposes of this IRR and in determining the minimum number of months to satisfy the residency requirement provided for under this IRR, a student is considered enrolled from the date or time a student has paid his/her tuition and other school fees and validation of such payment is inscribed in his/her registration form or a certificate of official enrolment is issued by the school in the case of HEIs and TVIs; and/or upon presentation of minimum documentary requirements in the case of DepEd schools; and upon the submission of minimum documentary requirements, and satisfaction of other conditions that the educational institution may require, subject to the existing laws and regulations, in the case of private schools and State Universities and Colleges (SUCs)/Local Universities and Colleges (LUCs) offering basic education.

- 4.7. Other individuals or organizations conducting inter-school athletic programs and competitions** refer to all other individuals or organizations which do not satisfy the definition of an athletic association as provided for in the preceding Section 4.2. of this Rule but are conducting or managing inter-school athletic programs and competitions.

## **RULE II. RULES ON RESIDENCY OF STUDENT-ATHLETES**

**Section 5. Residency of Student-Athletes.** Without prejudice to the respective rules of athletic associations on student-athletes who are foreign imports, the following rules on residency shall be applied:

- 5.1.** Residency requirement shall not be imposed on a student-athlete who is a high school graduate enrolling in a college or university.
- 5.2.** Residency requirement shall not likewise be imposed on a student-athlete who is: a) an elementary graduate enrolling in another junior high school; or b) a junior high school completer enrolling in another senior high school.
- 5.3.** Residency requirement shall likewise not be imposed on a high school student-athlete transferring from one high school to another school; Provided, That to address the issue of piracy, a maximum of one (1) year residency may be imposed by an athletic association on a high school student-athlete who transfers from one member school to another.
- 5.4.** In the case of a tertiary student-athlete transferring from one college or university to another, a maximum of one (1) year residency may be imposed by an athletic association before a student-athlete could participate and represent a school in any athletic competition.



**5.5.** The residency rules mentioned in paragraphs (5.1) and (5.2) of this section shall likewise apply to all Filipino student-athletes from other countries enrolling in a school in the Philippines.

**5.6.** DepEd and CHED shall issue separate orders providing for the residency requirements involving student-athletes defined under the second paragraph of Section 4.4 of this IRR.

**Section 6. Prohibited Acts.** No school, or its representative, shall be authorized to perform the following acts on a student-athlete on the sole reason of his/her transfer to another school:

**6.1.** File an administrative charge for possible violation of school rules and regulations.

**6.2.** Require the payment of tuition and other miscellaneous fees covered by the scholarship granted, including monies given and the cash equivalent of non-monetary benefits received.

**6.3.** Refuse to issue or delay the release of grades and school records, clearance, or transfer eligibility.

**6.4.** Give incomplete grades in subjects in which the student-athlete is exempted by virtue of being a student-athlete.

**6.5.** Impose other forms of punishment. Such other forms of punishment may include, but shall not be limited to, requiring the completion of projects or submission of research papers and performance of other school tasks which shall not otherwise be required if a student-athlete did not transfer.

### **RULE III. BENEFITS AND INCENTIVES**

**Section 7. Benefits and Incentives.** Schools may grant a deserving student-athlete the following benefits and incentives:

**7.1.** Tuition and miscellaneous school fees including books and other learning materials;

**7.2.** Full board and lodging;

**7.3.** School and athletic uniforms including supplies, equipment and paraphernalia;



- 7.4.** A reasonable regular monthly living allowance, the amount of which shall be set and standardized by the athletic association to which the school is affiliated with.

For purposes of this IRR, the athletic association concerned shall issue the required rules or guidelines within three (3) months from the effectivity of this IRR relative to the standard reasonable regular monthly living allowance that a school may give a deserving student-athlete. Such rules shall be submitted to the DepEd and the CHED within the said period;

- 7.5.** Medical examinations and consultations, emergency medical services, life and medical insurance, and other reasonable and similar benefits that would further enhance the academic and athletic performance of the student-athlete. Similar benefits may include rehabilitation program or physical therapy sessions or other similar services to rehabilitate and treat injured student-athletes; and

- 7.6.** Other reasonable and similar benefits that would further enhance the student-athlete's academic and athletic performance may include, but shall not be limited to, the following:

**7.6.1.** Award of recognition or citation for excellent performance in athletic competitions by student-athletes;

**7.6.2.** Reasonable cash incentives for excellent performance in athletic competitions by student-athletes;

**7.6.3.** Membership fees for physical fitness clinics or health clubs;

**7.6.4.** Trips abroad to join international and athletic sports competitions, trainings or educational programs, subject to compliance with relevant CHED Memorandum Orders (CMOs) on international trainings or educational programs with regard to higher education students. For purposes of this Section, schools may shoulder the travel expenses, board and lodging expenses, and reasonable allowance or honorarium of the student-athlete in connection with the travel;

**7.6.5.** Attendance to on-campus or off-campus tutorial classes or after-school remediation programs, subject to compliance of the institution with relevant CMOs on off-campus activities with regard to higher education students;

**7.6.6.** Gadgets such as laptop computers, computer tablets, mobile phones, and smartwatches that will maximize the use of technology as a tool for learning of the student-athletes. Towards this end, the school providing such gadgets shall ensure that the proper



computer applications and/or modules should be pre-uploaded in the said gadgets and will monitor the use of the same so as to preclude the student-athletes from using the gadgets for purposes other than what is intended by the Act and this IRR. The public or private schools concerned shall issue the necessary guidelines on the proper use, upkeep and return of gadgets in the event that such gadgets are only lent and not given or donated to student-athletes; and

- 7.6.7.** Discount or privilege cards to purchase healthy food and vitamins, athletic apparel, sports supplies, equipment, and other paraphernalia.

#### **RULE IV. RULE AGAINST THE COMMERCIALIZATION OF STUDENTS**

**Section 8. Commercialization of Student-Athletes.** Schools, athletic associations, and all other entities shall not offer a student-athlete or the immediate family members benefits or incentives beyond those enumerated under Section 5 of the Act and Section 7 of this IRR which are contrary to the nature of amateur sports and which may result in the commercialization of a student-athlete. Towards this end, such schools, athletic associations, and all other entities who intend to offer benefits or incentives to a student-athlete should be guided by the principle that a student-athlete is, first and foremost, a student, and that any benefit or incentive to be offered to them as provided for under Section 5 of the Act and Section 7 of this IRR shall be guided by the basic principle that such benefits or incentives shall seek to ensure that the student-athlete attains quality education while honing his/her skill and reaching his/her full potential as an athlete in an amateur sports training.

#### **RULE V. SUPERVISION OF EDUCATION INSTITUTIONS AND SCHOOL ATHLETIC ASSOCIATIONS**

**Section 9. Authority of the Department of Education and the Commission on Higher Education.** The DepEd, in furtherance of its mandate to supervise all basic education institutions, and the CHED, with its mandate to supervise higher education institutions, are hereby further authorized to regulate and oversee school athletic associations, and are tasked to ensure that the rights of student-athletes are respected and protected. They are likewise authorized to handle complaints against the school athletic associations, and schools. They may consult the PSC for technical expertise, as may be needed. *du*

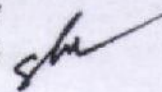
Consistent with Section 3(b) of the Act where "school" may also refer to a technical-vocational education and training institution, TESDA shall have the same mandate as DepEd and CHED as provided for in the preceding paragraph to regulate and oversee school athletic associations involving TVI student-athletes; Provided, That CHED shall have jurisdiction over TVI student-athletes in case of TVIs playing under school athletic associations where HEIs are also members. TESDA shall also ensure that the rights of student-athletes in TVIs are respected and protected. TESDA is likewise authorized to



handle complaints against the school athletic associations and TVIs or schools with respect to student-athletes under its jurisdiction in relation to Rule VI of this IRR.

DepEd and CHED shall likewise take appropriate steps, consistent with the Act and other existing relevant laws, rules and regulations, to ensure that the rights of student-athletes are respected and protected in cases of individual, group, or interschool athletic programs and competitions, including but not limited to sports clinics, leagues, tournaments, or "Little Olympics", managed and sponsored by other individuals, associations, organizations, Securities and Exchange Commission (SEC)-registered private corporations (in connection with their corporate social responsibility programs), and local government units that do not satisfy the definition of an athletic association as provided for under Section 4.2. of this IRR, but basic education, higher education, and technical-vocational institution student-athletes are involved.

**Section 10. Submission of Required Documents by School Athletic Associations.** Upon the effectivity of this IRR, DepEd and CHED shall require all school athletic associations to submit, among others, the following documents:

- 10.1.** Constitution and By-Laws;
- 10.2.** Certification of Registration with the SEC, if applicable;
- 10.3.** Operations manual and technical guidelines as to how athletic associations are managing and conducting each sport that they are holding during their athletic competitions;
- 10.4.** Eligibility requirements and manner of accreditation of athletes who may be allowed to compete;
- 10.5.** List of coaches, officiating officials and other technical officials involved in the conduct of sports conducted by the Athletic Associations including their profile and clearances from National Bureau of Investigation (NBI) or Philippine National Police (PNP), appropriate licenses authorizing them to serve as technical officials and Certificate of Good Moral Character issued by their school, if applicable where they are currently employed and/or by the National Sports Association (NSA) where they are presently a member; and 
- 10.6.** Other relevant documents deemed necessary by DepEd to exercise its authority to regulate and oversee school athletic associations.

Consistent with the developmental function of CHED in relation to its exercise of its power of supervision over HEIs, CHED may not require the submission of documents enumerated under Sections 10.1 to 10.6 of this IRR and may just require that aforementioned documents are made available to CHED if it finds it necessary to inspect them to fulfill its mandate as provided for under Sections 7 and 8 of the Act. This subsection is equally applicable in case of TESDA.



**Section 11. Supervision of Other Individuals or Organizations Conducting Interschool Athletic Programs and Competitions.** The DepEd, in furtherance of its mandate to supervise all basic education institutions, the CHED, with its mandate to supervise higher education institutions, and TESDA, with its mandate to supervise TVI student-athletes, are hereby further authorized to regulate and oversee other individuals or organizations conducting inter-school athletic programs and competitions involving basic education, higher education, and TVI student-athletes and students. The DepEd, CHED, and TESDA are tasked to ensure that the rights of student-athletes and students are respected and protected. They are likewise authorized to handle complaints against the said private athletic associations. They may consult the PSC for technical expertise, as may be needed.

## **RULE VI. ADMINISTRATIVE PROCEDURES ON VIOLATIONS OF THE PROVISIONS OF THE ACT**

### **Section 12. Prosecution of Action**

- 12.1. Who May File.** Consistent with the Act, a written complaint may be filed by a student-athlete, his/her parents or guardians, member schools or their alumni, or any person or any entity on behalf of a student-athlete who, or a school which, may be affected by any violation of the Act. The DepEd, CHED, and TESDA may also file a written complaint on behalf of a student who may be affected by any violation of the Act.
- 12.2. Who are Liable.** School officials, athletic directors, coaches, members of the coaching staff, administrators, alumni, or representatives shall be liable for any violation of this Act. Athletic associations or schools shall likewise be liable for knowingly permitting or failing to prevent such violations, without prejudice to any direct liability by the aforementioned individuals.
- 12.3. Investigation and Hearing.** Athletic associations may, *SH* motu proprio or upon written complaint, investigate violations of the Act and impose the appropriate penalties, such as suspending or banning the student-athlete from playing and/or the school from participating in their respective leagues: Provided, That if the respondent is the athletic association, or if there is reason to believe that the athletic association will not act upon the complaint, a written complaint may be filed directly with the DepEd for basic education schools and the CHED for HEIs; Provided Further, That the basic rules on procedural due process which includes the rights of parties to be heard and the respondent to defend himself/itself shall be observed.



- 12.4. Appeal.** Within fifteen (15) days upon receipt of the decision of the athletic association, an appeal may be filed with the DepEd or the CHED.
- 12.5. Motion for Reconsideration.** A Motion for Reconsideration may also be filed with the athletic association by the aggrieved party prior to the filing of an appeal with the DepEd or the CHED, within 15 days from receipt of the decision of the athletic association.
- 12.6. Inaction or inhibition.** Within thirty (30) days from filing of the complaint, there being no action from the athletic association, the student-athlete or his/her representative may directly file a written complaint with the DepEd or the CHED.
- 12.7. Sanctions and penalties.** Upon notice and hearing, the DepEd or the CHED may impose the appropriate penalties under relevant laws, rules or regulations, including:
- 12.7.1.** On erring schools: Any violation of the provisions of the Act shall be punishable by suspension from participating in the athletic organization/s and/or a fine ranging from One Hundred Thousand Pesos (P100,000.00) to One Million Pesos (P1,000,000.00) depending on the gravity of the offense; and
- 12.7.2.** On erring athletic associations: Any violation of the provisions of the Act shall be punishable by a fine ranging from One Hundred Thousand Pesos (P100,000.00) to One Million Pesos (P1,000,000.00) depending on the gravity of the offense.
- 12.8. Other Legal Remedies.** The availment of remedies under the Act will not preclude the complainant from seeking further recourse from the courts of law.
- 12.9. Injunctive Relief.** Nothing in this Section shall prevent any of the persons mentioned herein from filing for a temporary restraining order or any other injunctive relief in court if there is no other plain, speedy, and adequate remedy in the ordinary course of law.
- 12.10. Promulgation of Rules.** Within three (3) months upon the effectivity of the IRR, athletic associations shall issue the necessary rules and guidelines on the conduct of administrative proceedings and/or investigation consistent with Section 8 of the Act in relation to Rule VI of this IRR. Within the same period, DepEd and CHED, as the case may be, shall promulgate the necessary rules and regulations on the conduct of administrative and appellate proceedings. Such rules



and regulations may include rules on mediation proceedings in case of minor complaints which may be a result of pure misunderstanding and do not constitute a violation of any provision of the Act and this IRR; Provided, That the limitations on what acts or complaints may be the subject of mediation as provided for under the 2017 Revised Rules on Administrative Cases in the Civil Service (RRACCS) shall apply.

- 12.11. Suppletory Application of Existing Rules on Administrative Proceedings.** DepEd Order No. 49, s. 2006 titled, "Revised Rules of Procedure of the Department of Education in Administrative Cases" and the relevant issuance of CHED with respect to the regulation of private HEIs, including the 2017 RRACCS, shall apply suppletorily to Rule VI of this IRR (or the rules on administrative procedure on violations of the provisions of the Act) and the rules and regulations that may be promulgated by the athletic associations, DepEd, and CHED as provided for under Section 12.10 of Rule VI of this IRR.

## **RULE VII. FINAL PROVISIONS**

**Section 13. Additional Implementing Details/Policies and Guidelines.** DepEd and CHED, in consultation with the PSC, may issue such orders enumerating the additional implementing details/policies and guidelines necessary to further implement this IRR. This Section shall also be applicable to TESDA in relation to its jurisdiction over TVIs and TVI student-athletes as provided for in this IRR.

**Section 14. Amendments.** Amendments to this IRR shall be jointly issued by DepEd and CHED, in consultation with the PSC.

**Section 15. Separability Clause.** If any provision of this IRR is declared unconstitutional, the remainder of this IRR or any provision hereof not affected thereby shall remain in full force and effect.


**Section 16. Repealing Clause.** All provisions of existing implementing rules and regulations, circulars, department issuances, and procedures corresponding to laws and any other law or parts of law inconsistent with this IRR are hereby repealed, amended or modified accordingly.

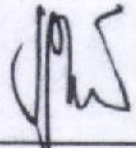
**Section 17. Effectivity.** This IRR shall take effect fifteen (15) days after its publication in the Official Gazette (OG) or in a newspaper of general circulation.



This IRR shall be registered with the Office of the National Administrative Register (ONAR), University of the Philippines Law Center, UP Diliman, Quezon City.

Done this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

  
\_\_\_\_\_  
**LEONOR MAGTOLIS BRIONES**  
Secretary  
Department of Education

  
\_\_\_\_\_  
**J. PROSPERO E. DE VERA III, DPA**  
Chairperson  
Commission on Higher Education

IRR RA NO. 10676 STUDENT-ATHLETES PROTECTION ACT\_OFFICIAL GAZETTE