

Localizing Sports-for-a-Purpose

- featuring a Template Ordinance for Sports-for-a-Purpose -

This 4<sup>th</sup> primer discusses and underscores the importance and role of local government units (LGUs) in propagating sports and advancing sports-for-a-purpose at the community level. A template ordinance on Sports-for-a-Purpose, developed by the Author, provides for policy and legislative direction and guide for LGUs.

1. What are LGUs?

The 1987 Constitution and the Local Government Code of 1991 (1991 LGC) identifies five levels of local government units (LGUs). The territorial and political subdivisions are the autonomous regions, provinces, cities, municipalities and barangays. They enjoy local autonomy, have residual powers, exercise delegated, devolved and decentralized powers, and possess governmental and proprietary authorities. As agents of the people, they are mandated to be **responsive** to their needs as they are in a **better position** than other administrative agencies to assess local problems and provide solutions.

4. What is the 11th Sustainable Development Goal (SDG)?

The 11<sup>th</sup> SDG of the United Nations is “**Sustainable Cities and Communities**,” i.e., making cities and human settlements inclusive, safe, resilient and sustainable. In the Author’s 2<sup>nd</sup> Primer, he proposed the inclusion of sports in the platform for active and healthy cities and communities, advocacy for sports as safe areas, building exercise or workout stations in public parks, and scheduling of intra- and inter-city/ community events for all sectors.

The other notable SDGs interlinked with the 11<sup>th</sup> are “No Poverty” (No. 1), “Good Health and Well-Being” (No. 3), “Reduced Inequalities” (No. 10), “Sustainable Cities and Communities” (No. 11) and “Partnerships for the Goals” (No. 17) all designed to be a “blueprint to achieve a better and more sustainable future for all.”

The United Nations Global Action Plan on Physical Activity 2018-2030 also calls cities, and communities to adopt a ‘**whole-of-system**’ **response** involving all sectors and stakeholders taking action at global, regional and local levels to provide the safe and supportive environments and more opportunities to help people increase their levels of physical activity.

5. What is Sports-for-a-Purpose?

Sports is not only for sports’ sake. Sports has a noble purpose beyond self, medals, winning in tournaments and athleticism. It has a pivotal role in achieving the 17 SDGs. It can contribute to better quality of life and can be an instrument for all to become better humans and to build active and better communities. This is at the heart of **Olympism**.

6. How can LGUs make Sports-for-a-Purpose happen in their respective communities?

The Author proposed policy-setting through **legislation then execution**. Through local legislation, LGUs can pass ordinances to institutionalize Sports-for-a-Purpose.

scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants”;

**WHEREAS**, Section 17(b)(2)(iv) of the 1991 LGC mandates the provision of basic services and facilities, particularly, “Social welfare services which include programs and projects on child and youth welfare, family and community welfare, women’s welfare, welfare of the elderly and disabled persons; community-based rehabilitation programs for vagrants, beggars, street children, scavengers, juvenile delinquents, and victims of drug abuse; livelihood and other pro-poor projects; nutrition services; and family planning services,” and under Section 17(b)(2)(vii), “Municipal buildings, cultural centers, public parks including freedom parks, playgrounds, and other sports facilities and equipment, and other similar facilities”;

**WHEREAS**, local chief executives are directed to organize annual games for traditional sports and disciplines under Sections 389, 444, 455 and 465 of the 1991 LGC but are not precluded from hosting games for alternative or emerging sports;

**WHEREAS**, the United Nations Sustainable Development Goals are a collection of 17 interlinked goals, such as “No Poverty” (No. 1), “Good Health and Well-Being” (No. 3), “Reduced Inequalities” (No. 10), “Sustainable Cities and Communities” (No. 11) and “Partnerships for the Goals” (No. 17) designed to be a “blueprint to achieve a better and more sustainable future for all”;

**WHEREAS**, the United Nations Global Action Plan on Physical Activity 2018-2030 calls for countries, cities, and communities to adopt a ‘whole-of-system’ response involving all sectors and stakeholders taking action at global, regional and local levels to provide the safe and supportive environments and more opportunities to help people increase their levels of physical activity;

**WHEREAS**, the Local Government of [Name of LGU] is committed to promoting a healthy and active local community through sports and physical activity, advancing Sports-for-a-Purpose and achieving the 17 SDGs in, around, with and through sports;

**NOW THEREFORE**, on motion of [Name of Local Legislator], duly seconded by [Name of Local Legislator], be it **RESOLVED**, as it is hereby resolved, to enact this ordinance:

**SECTION 3. SPORTS DEFINED.** As used in this Ordinance, “sports” is defined as “an activity involving physical exertion and skill in which an individual or team becomes better, develops, competes against another and/or interacts with others.”

**SECTION 4. CREATION OF SPORTS-FOR-A-PURPOSE COUNCIL.** There is hereby created the Sports-for-a-Purpose Council (SPC) which shall act as the coordinator of all sports and physical activities in [Name of LGU]. The SPC shall promote the principles and strategies defined in this Ordinance.

**SECTION 5. COMPOSITION OF THE SPC.** The SPC, all appointed or designated by the [Mayor/Governor], shall be composed of the following:

- a. [Mayor/Governor], as Chairperson,
- b. Local Sports Coordinator, as Vice-Chairperson, and
- as Members:
- c. [Name of LGU] Health Officer,
- d. Representative of [LGU Level] Schools,
- e. Sanggunian Committee Chair on Youth and Sports,
- f. One (1) representative each from two (2) local sports associations, at least one of whom shall be female, and
- g. Representative of the private sector active in the field of sports.

**SECTION 6. RESPONSIBILITIES OF THE SPC.** The SPC shall:

- a. Be the enabler of Sports-for-a-Purpose, and primary coordinator and organizer for all sports and physical activity initiatives of [Name of LGU];
- b. Design physical activity programs targeting at least fifty percent (50%) of the constituency of [Name of LGU];
- c. Identify the priority sports, whether traditional and alternative, that will be developed by [Name of LGU];

- s. Suggest projects that may be pursued through public-public, private-private and public-private partnerships to enable [Name of LGU] to achieve the purposes of this Ordinance;
- t. Develop programs to promote safe areas and safe sports by securing fair, respectful and non-discriminatory practices in sports and physical activities;
- u. Document and reward best practices in Sports-for-a-Purpose activities; and
- v. Coordinate with local public and private schools to boost the interest and participation of students in sports and other physical activities.

**SECTION 7. SPORTS-FOR-A-PURPOSE FUND.** (a) There is hereby created a Sports-for-a-Purpose Fund (SPF), the annual or supplementary budgets for which shall be approved by the Sanggunian, based on the determination of the SPC and the recommendation of the [Mayor/Governor].

(b) Upon the recommendation of the [Level of LGU] School Board and approved by the Sanggunian, earmark [Number] Percent [Percentage] of the Special Education Fund to fund the programs and activities under this Ordinance.

(c) Upon the recommendation of the [Level of LGU] Development Council and approved by the Sanggunian, apportion [Number] Percent [Percentage] of the Development Fund to support the programs and activities under this Ordinance.

(d) The general purpose of the SPF shall be to ensure the fulfillment of the purposes of this Ordinance through the activities and other initiatives created and organized by the SPC.

**SECTION 8. LOCAL SPORTS COORDINATOR.** The Local Sports Coordinator shall be the primary implementor of the initiatives determined by the SPC.

**SECTION 9. PENAL PROVISION.** Without prejudice to the other penalties that may be imposed under applicable laws, rules and regulations, any person who shall harass or discriminate another on the basis of race, gender, ability, religion, poverty, property, status, position, education, political affiliation, opinion and differences in sports spaces and activities shall be penalized with the following:

2. As frontliners, what are the broad mandates of LGUs under the 1991 LGC in advancing Sports-for-a-Purpose?

Under the 1991 LGC, there are three. LGUs shall:

1. Advance the **general welfare**. They must promote the health and safety, improve public morals, enhance social justice, maintain peace and order, and preserve the comfort and convenience of their inhabitants;
2. Perform **devolved functions**. They must undertake programs and projects on child and youth welfare, family and community welfare, women’s welfare, welfare of the elderly and disabled persons. LGUs must also build and maintain playgrounds, and sports facilities and equipment; and
3. Organize **annual games**. They must hold games for traditional sports and disciplines but are not precluded from developing and hosting competitions for alternative and emerging sports.

But LGUs can do more than what is stated in the 1991 LGC. Under the liberal view of local autonomy, for as long as no law is violated and the general welfare will be promoted, LGUs may exercise those powers and undertake those activities which will respond to the needs of the people. LGUs are called and challenged to think **outside-the-box** and to become innovative.

3. What is the role of sports in achieving sustainable development?

In the Toolkit for Action for “The Contribution of Sports to the Achievement of the Sustainable Development Goals” developed by the SDF Fund Secretariat, sport has been described as “**an important enabler of sustainable development**.” Quoting Nobel Peace Prize laureate and former South African President Nelson Mandela, “**Sport has the power to change the world**. It has the **power to inspire**, it has the **power to unite people** in a way that little else does. It speaks to youth in a language they understand. Sport can **create hope**, where once there was only despair.”

7. What are the salient features of the proposed Sports-for-a-Purpose local policy?

If and when passed by LGUs, the landmark ordinance will contain provisions providing for:

- a. A broad definition of ‘sports’ and the objectives of Sports-for-a-Purpose;
- b. An inclusive approach, i.e., Sports-for-all policy, free from any harassment and discrimination;
- c. The mandate to have at least half of the local populace to be active and engaged in sports and physical activities;
- d. The directive to use sports and physical activity in order to achieve the 17 SDGs;
- e. The formulation of a sports and physical activity development plan identifying priority sports, and traditional or alternative/ emerging and annual competitions;
- f. An incentive program for associations, clubs and leagues;
- g. The creation of a Sports-for-a-Purpose Council headed by the Local Chief Executive;
- h. The establishment of the Sports-for-a-Purpose Fund;
- i. Public-Private Partnerships in sports; and
- j. A penalty clause for any form of harassment or discrimination.

Here is the **template ordinance**:

LOCAL GOVERNMENT OF [Name of LGU]  
SANGGUNIAN [Level] of [Name of LGU]

**WHEREAS**, in, around, with and through sports, sustainable development and better quality of life can be achieved in communities, particularly in [Name of LGU];

**WHEREAS**, Section 16 of the Local Government Code of 1991 (1991 LGC) states that “Every local government unit shall exercise the powers expressly granted, those necessarily implied there from, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant

ORDINANCE NO. [Number]  
SERIES OF [Year]

SPORTS-FOR-A-PURPOSE ORDINANCE OF [Name of LGU]

**SECTION 1. TITLE.** This shall be known as “The [Name of LGU] Sports-for-a-Purpose Ordinance.”

**SECTION 2. DECLARATION OF POLICY.** It is hereby declared the policy of the Local Government of [Name of LGU] or the [Name of LGU] to;

- a. Build better humans and active communities in, around, with and through sports;
- b. Be more responsive to the needs and aspirations of the people and be more accountable to them;
- c. Perform the functions devolved to [Name of LGU] in connection with sports and physical activities;
- d. Promote sports and physical activity for the overall physical and mental health of all its residents;
- e. Enable the achievement of the 17 Sustainable Development Goals (17 SDGs) set by the United Nations General Assembly in 2015 in, around, with and through sports;
- f. Encourage the participation of all residents in sports and physical activities such as the able-bodied, persons with disabilities, youth and kids, and seniors;
- g. Develop traditional and alternative or emerging sports and disciplines;
- h. Undertake safe, secure, fair and non-discriminatory practices in sports and physical activities;
- i. Penalize any form of harassment or discrimination against another on account of gender, ability, religion, poverty, property, status, position, education, political affiliation, opinion and differences in sports spaces and activities;
- j. Use physical activities and sports to prevent its youth from engaging in harmful and deleterious activities resulting from a lack of healthy alternatives;
- k. Encourage the organization of competitive and purely recreational sports events;
- l. Pursue public-public, private-private and public-private partnerships for Sports-for-a-Purpose goals; and
- m. Convince other local governments to embark on a mission to increase its healthy and active residents through joint sporting events.

- d. Undertake programs activities in coordination with the appropriate department/ unit of [Name of LGU] and other administrative agencies that would lead to the attainment of the 17 SDGs;
- e. Formulate the sports and physical activity development plan with the roster of sports events and activities of [Name of LGU], which shall include activities and events for all abilities, sexes, and age groups;
- f. Craft a sports and physical activity program for the employees and officials of [Name of LGU];
- g. Partner with local and national sports associations for training and sports education opportunities for the residents of [Name of LGU];
- h. Draw up an incentive program/ package for athletes residing in [Name of LGU] who have excelled in local and international competitions;
- i. Extend benefits for clubs, leagues, non-governmental, community and people’s organizations who promote sports-for-all and who integrate physical activity in their programs;
- j. Conduct an annual review of the participation of the residents in its programs and activities;
- k. Prepare a budget for sports and physical activity initiatives of [Name of LGU] to be known as the Sports-for-a-Purpose Fund;
- l. Create a database of active residents to serve as benchmark for performance and progress;
- m. Accredited sports organizations, leagues and clubs;
- n. Pursue a sports-related education, coaching and learning program;
- o. Create campaigns to educate the residents of the benefits of sports and physical activities, and the risks of a sedentary lifestyle;
- p. Cause the procurement of sports facilities, supplies and equipment, and the allocation of prizes for local sports competitions, events;
- q. Ensure that all public spaces where sports and physical activities can take place such as public playgrounds, parks, courts, gyms and similar facilities are kept clean, safe, conducive, and available for public use;
- r. Boost the interest in sports and physical activities by inviting athletes and other sports personalities to public events, and to organize activities where these personalities can encourage all residents to take up their sport or any physical activity;

- a) First Offense: A fine of [Amount] Pesos;
- b) Second Offense: A fine of [Amount] Pesos; and
- c) Third and Succeeding Offenses: A fine of [Amount] Pesos and/ or maximum of imprisonment upon the discretion of the court.

**SECTION 10. SEPARABILITY.** If, for any reason any part or provision of this ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**SECTION 11. REPEALING CLAUSE.** All any ordinances, rules and regulation found inconsistent with any provision of this Ordinance are hereby repealed and amended accordingly.

**SECTION 12. EFFECTIVITY.** This ordinance shall take effect upon its publication.

ENACTED ON [Date].

For your comments, inquiries and suggestions, email the author at [agrasportslawforall@gmail.com](mailto:agrasportslawforall@gmail.com). To secure a soft and editable copy of the template ordinance and copies of previous editions of Sports Law-for-All, please visit [www.albertocagra.com](http://www.albertocagra.com).



The Author is the President of the Pilipinas Obstacle Sports Federation and Obstacle Sports Federation Asia-Pacific, and Vice-President of the Asia Freerunning Parkour Federation. He is also the General Counsel of the Philippine Olympic Committee. He is a Professor of Laws on Local Government Law and Administrative Law.