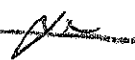


THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

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RECEIVED BY: 

SENATE

S. No. 1417

Introduced by Senator Franklin M. Drilon

EXPLANATORY NOTE

The *Special Program for Employment of Students (SPES)* was instituted under Republic Act No. 7323 in early 1992 to help poor but deserving students in pursuing their education by encouraging their employment during summer and/or Christmas vacations.

RA 7323 advances such program by enabling companies or businesses to employ students during the summer and/or Christmas vacations and allowing them to pay only 60% of the salaries and wages and the 40% through education vouchers to be paid by the government. Such vouchers are then applicable in the payment of the student's tuition fees and books in any educational institution for secondary, tertiary, vocational technological education.

This bill proposes to strengthen the program by allowing the employment of students not only during the summer or Christmas vacations but for the whole year. Also, this amendatory measure encourages employers engaged in small and medium - scale enterprises to adopt the program and employ working students.

This bill likewise penalizes any person or entity who refuses or dishonors the educational voucher paid by the government to the student-employee with imprisonment of not less than 6 months to 1 year and a fine of not less than Ten thousand pesos.

With the improvement and expansion of the *Special Program for Employment of Students*, it is hoped that this will allow more Filipino youth to pursue their education.


In view of the foregoing, immediate approval of this bill is earnestly sought.


FRANKLIN M. DRILON

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**AN ACT
TO STRENGTHEN THE SPECIAL PROGRAM
FOR EMPLOYMENT OF STUDENTS
BY AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 7323**

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

SECTION 1. Section 1 of Republic Act No. 7323 is hereby amended to read as follows:

"Section 1. Any provision of law to the contrary notwithstanding, any person or entity employing at least [fifty (50) TEN (10) persons may [during the summer and/or Christmas vacation] *FOR THE WHOLE YEAR employ poor but deserving students fifteen (15) years of age but not more than twenty – five (25) years old, paying them a salary not lower than the minimum wage provided by law and other applicable labor rules and regulations.*

"For purposes of this Act, poor but deserving students refer to those whose parents' combined incomes, together with their income, if any, do not exceed [Thirty six thousand pesos (P36,000) per annum] *THE ANNUAL FAMILY INCOME OF SIX FOR THE PRECEDING YEAR AS MAY BE DETERMINED BY THE NATIONAL ECONOMIC DEVELOPMENT AUTHORITY (NEDA). Employment should be at the Labor Exchange Center of the Department of Labor and Employment (DOLE).*"

SECTION 2. Section 4 of the same Act is hereby amended to read as follows:

"Section 4. Any person or entity who shall make any fraudulent or fictitious claim under this Act, regardless of whether payment has been made, AND ANY PERSON OR ENTITY WHO REFUSES OR DISHONORS AN EDUCATIONAL VOUCHER, shall, upon conviction be punished with imprisonment of not less than six (6) months and not more than one (1) year and a fine of not less than Ten thousand pesos (P10,000), without prejudice to their

prosecution and punishment for any other offense punishable under the Revised Penal Code or any other penal statute.

"In case of partnerships or corporations, the managing partner, general manager, or chief executive officer, as the case may be, shall be criminally liable."

SECTION 3. *Rules and Regulations.* – Within thirty (30) days from the effectivity of this Act, the Department of Labor and Employment, the Department of Education, the Commission on Higher Education, and the Department of Finance shall issue and publish the corresponding rules and regulations to carry out the purposes of this Act.

SECTION 4. *Appropriations.* – The amount necessary to carry out the purposes of this Amendatory Act shall be charged against the appropriations of the budget of the Department of Labor and Employment. Thereafter, such sums as may be needed shall be included in the Annual General Appropriations Act.

SECTION 5. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, such sections or parts not affected thereby shall remain in full force and effect.

SECTION 6. *Repealing Clause.* – All laws, executive orders, presidential decrees, presidential proclamations, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 7. *Effectivity.* – This Act shall take effect (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,