

13TH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

5 191/25 1/13



SENATE

S.B. NO. 1811

Introduced by Senator Edgardo J. Angara

EXPLANATORY NOTE

This bill seeks to amend certain provisions of Republic Act No. 7323, otherwise known as the Special Program for Employment of Students (SPES).

RA 7323, which was passed in 1992, is an earn-and-learn program to develop productive work ethics in the youth.

This proposal endeavors to strengthen the program by broadening its application: *First*, by allowing students enrolled in the tertiary, vocational or technological education to work not only during summer and / or Christmas break, but at any time of the year; *Second*, by allowing small and medium scale enterprises or entities with more than ten (10) employees to adopt the program; and *Third*, by penalizing persons or entities who make fraudulent claims, as well as persons or entities who refuse to honor an education voucher under this Act.

It is hoped that in introducing these innovations, the State shall continue to inculcate in the youth discipline and forbearance.

Towards this end, approval of the bill is earnestly sought.


EDGARDO J. ANGARA

SENATE

S.B. NO. 1801

Introduced by Senator Edgardo J. Angara

AN ACT EXPANDING AND STRENGTHENING
THE COVERAGE OF RA 7323, OTHERWISE KNOWN AS
THE SPECIAL PROGRAM FOR EMPLOYMENT OF STUDENTS.

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

1 **SECTION 1.** Section 1 of Republic Act Nr. 7323, otherwise known as the
2 Special Program for Employment of Students (SPES) is hereby amended to read as
3 follows:

4
5 "SEC. 1. Any provision of the law to the contrary notwithstanding, any
6 person or entity employing [at least 50] **MORE THAN TEN (10)**
7 persons may [during the summer and / or Christmas vacations]
8 employ poor but deserving students, fifteen (15) years of age but not
9 more than twenty-five (25) years old, paying them a salary or wage
10 not lower than the minimum wage **FOR PRIVATE EMPLOYERS AND**
11 **THE APPLICABLE HIRING RATE FOR THE NATIONAL AND LOCAL**
12 **GOVERNMENT AGENCIES: PROVIDED, THAT STUDENTS**
13 **ENROLLED IN THE SECONDARY LEVEL SHALL ONLY BE**
14 **EMPLOYED DURING THE SUMMER AND / OR CHRISTMAS**
15 **VACATIONS; PROVIDED FURTHER, THAT STUDENTS ENROLLED**
16 **IN THE TERTIARY, VOCATIONAL OR TECHNOLOGICAL**

1 EDUCATION MAY BE EMPLOYED AT ANY TIME OF THE YEAR;
2 *PROVIDED FINALLY*, THAT STUDENTS EMPLOYED IN ACTIVITIES
3 RELATED TO THEIR COURSE SHALL EARN EQUIVALENT
4 ACADEMIC CREDITS AS MAY BE DETERMINED BY APPROPRIATE
5 GOVERNMENT AGENCIES [provided by law and other applicable
6 labor rules and regulations].

7
8 For purposes of this Act, poor but deserving students refer to
9 those whose parent's combined income[s], together with their
10 [income] OWN, if any, do not exceed [Thirty-six thousand pesos
11 (P36,000.00) per annum] **THE ANNUAL NATIONAL POVERTY**
12 **THRESHOLD LEVEL FOR A FAMILY OF SIX (6) FOR THE**
13 **PRECEDING YEAR AS MAY BE DETERMINED BY THE NATIONAL**
14 **STATISTICS COORDINATION BOARD (NSCB). Employment [should**
15 **be at the Labor Exchange Center of the Department of Labor and**
16 **Employment (DOLE)] *FACILITATION SERVICES FOR APPLICANTS***
17 **TO THE PROGRAM SHALL BE DONE BY THE PUBLIC**
18 **EMPLOYMENT SERVICE OFFICE (PESO)."**

19
20 **SECTION 2.** Section 3 of the same law is hereby amended to read as follows:

21
22 "SEC. 3. The Secretary of Labor and Employment, the Secretary of
23 Education, Culture and Sports, **THE CHAIRMAN OF THE**
24 **COMMISSION ON HIGHER EDUCATION** and the Secretary of
25 Finance shall issue the corresponding rules and regulations to carry
26 out the purposes of this Act."
27

1 **SECTION 3.** Section 4 of the same law is hereby amended to read as follows:

2
3 “SEC. 4. Any person or entity who shall make any fraudulent or
4 fictitious claim under this Act, regardless of whether payment has
5 been made, **AND ANY PERSON OR ENTITY WHO REFUSES TO**
6 **HONOR AN EDUCATION VOUCHER,** shall upon conviction be
7 *punished with imprisonment of not less than six (6) months and not*
8 *more than one (1) year and a fine of not less than Ten thousand pesos*
9 *(P10,000), without prejudice to their prosecution and punishment for*
10 *any other offenses punishable under the Revised Penal Code or any*
11 *other penal statute.*

12
13 **SECTION 4. *Separability Clause.*** – If any provision of this Act or an
14 application thereof to any person or circumstance is held to be invalid, the other
15 provisions of this Act, and the application of such provision to other persons or
16 circumstances, shall not be affected thereby.

17
18 **SECTION 5. *Repealing Clause.*** All existing laws, orders, rules and
19 regulations or parts thereof deemed inconsistent with the provisions of this Act are
20 hereby repealed or modified accordingly.

21
22 **SECTION 6. *Effectivity.*** This Act shall take effect fifteen (15) days following
23 the date of its publication in the Official Gazette or in at least two (2) newspapers of
24 general circulation.

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26 Approved,

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