

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



'22 DEC 20 P1:50

SENATE  
S. No. 1628

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**Introduced by SENATOR RAMON BONG REVILLA, JR.**

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**AN ACT  
ESTABLISHING THE PHILIPPINE ENTREPRENEURS' ACADEMY, AND  
APPROPRIATING FUNDS THEREFOR**

**EXPLANATORY NOTE**

In a research conducted by the Philippine Institute for Development Studies (PIDS), low rate of business entry, low productivity and failure to grow are among the challenges needed to be hurdled by the Micro, Small and Medium Enterprises (MSMEs) in the country. Despite being the backbone of the economy, the country is yet to fully realize the potential of the MSMEs for productivity and job creations.

Almost two-thirds of the present work force in the country is employed in the MSME sector. The MSMEs could provide a solution to the unemployment in the country and a platform for countryside development. By cultivating the culture of entrepreneurship through an institute directly catering to its curriculum and training, the growth of the MSMEs are taken in the right direction.

This proposed measure aims to establish the Philippine Entrepreneurship Academy - a higher educational institution which shall provide training and programs in order to enhance the core competencies in entrepreneurship. It shall formalize and integrate the non-formal entrepreneurship program and short courses offered by the Technical Education and Skills Development Authority (TESDA), Department of Trade and Industry (DTI), Department of Science and Technology (DOST), and other government agencies under one school system.

In recognition of the vital role of the MSMEs in our economy, early passage of this bill is sought.

  
**RAMON BONG REVILLA, JR.** 

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*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 "Philippine Entrepreneurs  
2 Academy Act."

3 Sec. 2. *Establishment of the Academy.* - There is hereby established a learning  
4 institution under the supervision of the Commission on Higher Education (CHED), to  
5 be known as the "Philippine Entrepreneurs Academy", hereinafter referred to as the  
6 Academy.

7 Sec. 3. *General Mandate.* - The Academy shall provide undergraduate and  
8 graduate degree programs, short-term technical-vocational non degree courses and  
9 modular training that will enhance the core competencies of individuals  
10 on entrepreneurship. It shall also promote the relevance of entrepreneurship to job  
11 generation and its significant role to the sustainable economic growth of the country.  
12 The Academy shall formalize and integrate, under a school system, the nonformal  
13 entrepreneurship programs and short-term technical-vocational courses of the  
14 Technical Education and Skills Development Authority (TESDA), Department of Trade  
15 and Industry (DTI), Department of Science and Technology (DOST), and other  
16 government agencies. It shall also administer education and consultancy, and  
17 supervise publication on entrepreneurship. It shall also conduct scientific and policy-  
18 oriented research and training.

1           Sec. 4. *Curricular Offerings.* - The Academy shall offer undergraduate and  
2 graduate degree programs and short-term diploma or certificate courses on  
3 entrepreneurship, including entrepreneurship development in the fields of agriculture,  
4 trade, technology, and the manufacturing sector. The curriculum and modules of the  
5 programs shall be designed and developed following the competency-based  
6 curriculum model, and in accordance with the mandate of this Act.

7           Sec. 5. *School Sites.* - The Academy shall have two (2) campuses, with the  
8 main campus to be established in the Clark Freeport and Special Economic Zone  
9 located in the Provinces of Pampanga and Tarlac, to be known as the Entrepreneurs  
10 Academy-Clark Campus. The other campus shall be located in the City of Baguio, to  
11 be known as the Entrepreneurs Academy-Baguio City Campus. Other campuses  
12 may be established upon approval of the Governing Board.

13           Sec. 6. *Governing Board.* - The governing board of the Academy shall be the  
14 Board of Trustees, hereinafter referred to as the Board, which shall be chaired and  
15 co-chaired by the Chairperson of the CHED, and the President of the Academy,  
16 respectively, with the following as members:

- 17 a. Chairperson of the Committee on Higher, Technical and Vocational Education  
18 of the Senate;
- 19 b. Chairperson of the Committee on Higher and Technical Education of the House  
20 of Representatives;
- 21 c. Director General of the TESDA;
- 22 d. Director General of the National Economic and Development Authority (NEDA);
- 23 e. Secretary of the DOST;
- 24 f. Secretary of the DTI;
- 25 g. President of the Federation of Faculty Associations of the Academy;
- 26 h. President of the Federation of Student Councils of the Academy;
- 27 i. President of the Federation of Alumni Associations of the Academy; and
- 28 j. Two (2) prominent citizens from the private sector who have distinguished  
29 themselves in their professions or fields of specialization. The members of the Board  
30 shall not receive any compensation or remuneration for their services as such, but  
31 may be reimbursed for actual and necessary expenses incurred in discharging the  
32 business of the Academy.

1            *Sec. 7. Powers and Duties of the Board.* - The Board shall be the highest policy  
2 making body of the Academy. In addition to its general powers of administration and  
3 the exercise of all the powers granted to the Board of a corporation under existing  
4 laws, the Board shall have the following specific powers and duties:

5 a.        Promulgate and implement policies in accordance with the declared State  
6 policies and pertinent provisions of the Philippine Constitution on education, as well  
7 as policies, standards and thrusts of the CHED under Republic Act No. 7722, otherwise  
8 known as the "*Higher Education Act of 1994*";

9 b.        Prepare, adopt and enact rules and regulations in accordance with applicable  
10 laws, as may be necessary to carry out the purposes and functions of the Academy,  
11 and to effectively discharge its responsibilities;

12 c.        Receive assistance from any legitimate source to augment the internal sources  
13 of funds, as may be provided, for the support of the Academy in the manner it may  
14 determine, in its discretion, to carry out the purposes and functions of the Academy;

15 d.        Constitute the Board, as herein defined;

16 e.        Appoint the President and the necessary Vice-Presidents to assist the President  
17 in the administration of the affairs of the Academy;

18 f.        Review periodically the administrative procedures and programs of the  
19 Academy;

20 g.        Receive, in kind and in trust, legacies, gifts and donations of real and personal  
21 properties of all kinds, to administer and dispose the same when necessary for the  
22 benefit of the Academy, subject to the limitations, discretions and instructions of the  
23 donors, if any;

24 h.        Fix the tuition fees and other school charges such as matriculation fees,  
25 graduation fees, laboratory fees, and other miscellaneous fees as the Board may deem  
26 proper to impose after due consultations with the involved sectors: *Provided*, That  
27 these fees shall not be prohibitive or unreasonable as to deviate from the purpose for  
28 which the Academy was created based on the guidelines of the CHED:

- 29            1. Such fees and charges, including government subsidies and other  
30            incomes generated by the Academy, shall constitute its regular fund and  
31            shall be deposited in any authorized government depository bank, and

1 all interests that shall accrue therefrom shall form part of the same fund  
2 for the use of the Academy.

3 2. Any provision of existing laws, rules and regulations to the contrary  
4 notwithstanding, any income generated by the Academy from tuition  
5 fees and other charges, as well as from the operation of auxiliary  
6 services and land grants, shall be retained by the Academy, and may be  
7 disbursed by the Board for instruction, research, extension services, or  
8 other programs and projects of the Academy: *Provided*, That all fiduciary  
9 fees shall be disbursed for the specific purposes for which they were  
10 allocated.

11 3. Of for reason beyond its control, the Academy shall not be able to pursue  
12 any project for which funds have been appropriated and allocated under  
13 its approved program of expenditures, the Board may authorize the use  
14 of said funds for any reasonable purpose which, in its discretion, may be  
15 necessary and urgent for the attainment of the objectives and goals of  
16 the Academy.

17 i. Adopt and implement a socialized tuition scheme for greater access of poor but  
18 deserving students, in accordance with Republic Act No. 10931, or the "*Universal*  
19 *Access to Quality Tertiary Education Act*";

20 j. Authorize the construction or repair of its buildings, machineries, equipment,  
21 and other facilities, as well as the purchase and acquisition of real and personal  
22 properties, including the necessary supplies, materials, and equipment;

23 k. Appoint, upon the recommendation of the President of the Academy, the deans,  
24 executive directors, heads of departments, faculty members, and other officials and  
25 employees;

26 l. Prescribe the salaries of faculty members and administrative officials and  
27 employees, subject to the provisions of Republic Act No. 11466, otherwise known as  
28 the "*Salary Standardization Law of 2019*", and civil service rules and regulations  
29 governing hours of service and related concerns, and other pertinent laws;

30 m. Formulate and implement the curricula and institutional programs of the  
31 Academy: *Provided*, That they comply with the minimum CHED requirements and  
32 guidelines;

- 1 n. Formulate and promulgate the rules of discipline for the students of the  
2 Academy to ensure orderly and effective governance thereof;
- 3 o. Set policies on admission and graduation of students: *Provided*, That they  
4 conform with the CHED guidelines;
- 5 p. Award honorary degrees upon persons in recognition of outstanding  
6 contribution in the field of education, public service, arts, science and technology, or  
7 any field of specialization within the academic competence of the Academy, and to  
8 authorize the issuance of certificates of completion of non-baccalaureate programs  
9 and nontraditional or innovative courses: *Provided*, That these conform with the  
10 applicable guidelines of the CHED and TESDA;
- 11 q. Establish research and extension centers of the Academy where such will  
12 promote the development of the latter;
- 13 r. Establish professional chairs in the Academy and provide fellowships  
14 for qualified faculty members and scholarships to deserving students;
- 15 s. Enter into any agreements or joint ventures with business and industry for the  
16 profitable management of the economic and manpower assets of the Academy, the  
17 proceeds from which shall be used for upgrading of facilities and its development;
- 18 t. Authorize an external management audit of the Academy, to be financed by  
19 the CHED, subject to the rules and regulation of the Commission on Audit (COA), and  
20 institute reforms, including academic and structural changes, on the basis of the audit  
21 results and recommendations;
- 22 u. Import economic, technical and cultural books and publications;
- 23 v. Develop consortia, academe-industry linkages and other forms of networks with  
24 other institutions and agencies, both public and private, local and foreign: *Provided*,  
25 That these comply with the applicable guidelines of the CHED in furtherance of the  
26 purposes and objectives of the institutions, as well as develop academic arrangements  
27 for institution capacity and capability building with appropriate institutions and  
28 agencies, public and private;
- 29 w. Appoint experts and specialists as consultants, or visiting or exchange  
30 professors, scholars, researchers, as the case may be: *Provided*, That the appointment  
31 shall conform to the CHED guidelines;

- 1 x. Set up the adoption of modern and innovative modes of transmitting  
2 knowledge, such as the use of information technology, the dual training system, open  
3 distance learning, and community laboratory for the promotion of greater access to  
4 education;
- 5 y. Outsource, where most advantageous to the institution, the management of  
6 non-academic services such as health, food, building or grounds or property  
7 maintenance and similar objectives;
- 8 z. Delegate any of its powers and duties to the President or the other officials of  
9 the Academy, as it may deem appropriate, so as to expedite the administration of the  
10 affairs of the Academy;
- 11 aa. Extend the term of the President of the Academy beyond the age of retirement,  
12 when deemed meritorious due to outstanding performance, but not later than the age  
13 of seventy (70) years old; and
- 14 bb. Promulgate rules and regulations, as may be necessary, to carry out  
15 the purposes and functions of the Academy.

16       Sec. 8. *President of the Academy.* - The Academy shall be headed by  
17 a President, who shall render full-time service, and shall be appointed by the Board,  
18 upon the recommendation of a duly constituted Search Committee. The President shall  
19 also be the chief executive officer of the Academy. The President shall have a term of  
20 four (4) years and shall be eligible for reappointment to another term. Within six (6)  
21 months before the expiration of the term of office of the incumbent President of the  
22 Academy, the Board shall constitute the Search Committee for the Presidency. The  
23 President shall receive such compensation and remuneration in accordance with  
24 Republic Act No. 11466, or the "*Salary Standardization Law of 2019*", and by such  
25 other laws amendatory thereto, which may hereinafter be enacted, and shall be  
26 comparable to that being received by the Presidents of similar educational institutions.  
27 The President shall exercise the following powers and duties:

- 28 a. Submit, for the consideration of the Board and Executive Committee, the  
29 policies and measures which are necessary to carry out the purposes of the Academy;
- 30 b. Recommend, coordinate, and administer the programs and projects of the  
31 Academy;

- 1 c. Direct and supervise the operations and internal administration of the Academy,  
2 and delegate administrative responsibilities in accordance with the rules and  
3 regulations of the Academy;
- 4 d. Submit an annual report to the Board setting forth the accomplishments of the  
5 Academy during the year, its financial operations and status, and a program and  
6 budget for the ensuing year; and
- 7 e. Exercise other powers and discharge other functions, as may be vested by the  
8 Board and the Executive Committee.

9 The Board shall designate an Officer-In-Charge (OIC) of the Academy in case of  
10 vacancy in the Office of the President by reason of death, compulsory retirement,  
11 resignation, removal for cause or incapacity of the President to perform the functions  
12 of the office, pending the appointment of a new President: *Provided*, That the OIC  
13 shall not serve beyond the unexpired portion of the term in such capacity. The powers  
14 and duties of the President of the Academy, in addition to those provided in this Act,  
15 shall be those usually pertaining to the Office of the President of similar educational  
16 institutions, and those delegated by the Board.

17 *Sec. 9. Executive Committee.* - There shall be an Executive Committee  
18 consisting of the President of the Academy and four (4) other members to be elected  
19 by the Board from its members. Each Member of the Executive Committee, other than  
20 the President of the Academy, shall hold office for a term of two (2) years, and shall  
21 be eligible for re-election, unless at the time of election, a short term is specified. The  
22 Board shall elect the Chairperson of the Executive Committee from the membership  
23 of the Board.

24 *Sec. 10. Functions of the Executive Committee.* - The Executive Committee shall  
25 administer the affairs of the Academy in accordance with such functions, powers and  
26 responsibilities as may be delegated by the Board.

27 *Section 11. Government Support and Coordination.* - The CHED Chairperson is  
28 hereby authorized to call upon any department, bureau, agency or instrumentality of  
29 the government for such assistance as may be necessary for the effective  
30 implementation of this Act.

31 *Sec. 12. Tax Exemption.* - The importation of economic, technical and cultural  
32 books and publications, which are for economic, technical, vocational, scientific,



1 philosophical, historical or cultural purposes made by the Academy, upon certification  
2 by the CHED, shall be exempt from customs duties, in accordance with the provisions  
3 of Republic Act No. 10863, otherwise known as the "*Customs Modernization and Tariff*  
4 *Act*".

5 All grants, bequest, endowments, donations and contributions made to the  
6 Academy, to be used actually, directly and exclusively by it, shall be exempt from  
7 donor's tax, and the same shall be considered as allowable deduction from the gross  
8 income in the computation of the income tax of the donor, in accordance with the  
9 provisions of the "*National Internal Revenue Code of 1997*", as amended.

10 Section 13. *Appropriations*. - The amount necessary for the immediate  
11 implementation of this Act shall be included in the annual General Appropriations Act.

12 Section 14. *Implementing Rules and Regulations (IRR)*. - Within ninety (90)  
13 days from the approval of this Act, the CHED, in coordination with the TESDA and the  
14 DTI, shall formulate the IRR to fully implement the provisions of this Act.

15 Section 15. *Separability Clause*. - If, for any reason, any part or provision of  
16 this Act is declared invalid or unconstitutional, the remaining parts or provisions not  
17 affected shall remain in full force and effect.

18 Section 16. *Repealing Clause*. - All laws, presidential decrees, executive orders,  
19 rules and regulations contrary to, or inconsistent with, the provisions of this Act are  
20 repealed or modified accordingly.

21 Section 17. *Effectivity*. - This Act shall take effect fifteen (15) days after its  
22 complete publication either in the Official Gazette or in two (2) newspapers of general  
23 circulation in the Philippines.

*Approved,*