



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

23 JAN 11 P6:35

RECEIVED BY:

SENATE
S. No. 1653

Introduced by **Senator Raffy T. Tulfo**

AN ACT
STRENGTHENING THE LEGAL EDUCATION BOARD, THEREBY AMENDING
REPUBLIC ACT NO. 7662, OTHERWISE KNOWN AS THE "LEGAL
EDUCATION REFORM ACT OF 1993", AND APPROPRIATING FUNDS
THEREFOR

EXPLANATORY NOTE

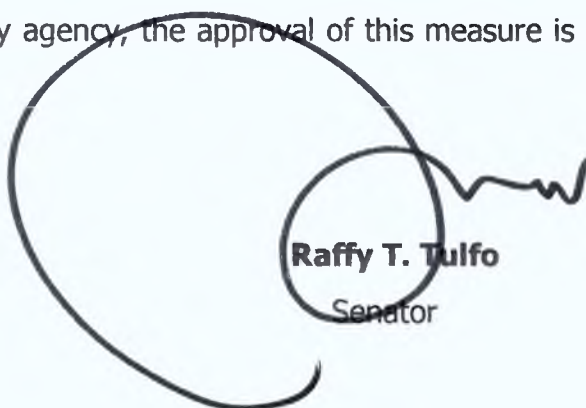
Legal education is a critical foundation relevant to the vital areas of our society. It affects the practice of law in courts, legal teaching, legal research, administration, law-making, and all other activities which postulate and require the use of legal knowledge and skill. To ensure the quality and competency of our legal institutions and educators, as well as uplift the standard of legal education in the Philippines, the Legal Education Board (LEB) was established pursuant to Republic Act No. 7662 or the Legal Education Reform Act of 1993.

The LEB was constituted as the independent agency that would govern both the legal education system and law schools. It was mandated to accredit and set standards for law schools and promulgate rules and regulations necessary for the attainment of the objectives of the Legal Education Reform Act. In the recent years, the flaws of Legal Education Reform Act have become apparent. Despite being an independent government agency with its own charter, the LEB is attached for

budgetary purposes and administrative support to the Commission on Higher Education (CHED). As a result, the financial and administrative operations of the LEB and the CHED were intertwined. Moreover, in 2019, some provisions of the Legal Education Reform Act were declared unconstitutional for intruding into areas which fell within the exclusive jurisdiction of the Supreme Court.

In order to allow the LEB to fully administer its duties and functions as provided by statutory law and highlighted by jurisprudence, amendments to the Legal Education Reform Act are necessary. This bill seeks to strengthen the authority of the LEB and establish clear parameters of its powers and to enable itself to operate at its highest potential, while pursuing and honoring every cornerstone of academic freedom.

In view of the foregoing, and the desire for a smooth transaction towards a more empowered legal regulatory agency, the approval of this measure is earnestly sought.



Raffy T. Tulfo
Senator



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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 "*Revised Legal*
2 *Education Reform Act.*"

3 Sec. 2. Section 2 of Republic No. 7662, otherwise known as the "Legal
4 Education Reform Act of 1993," is hereby amended to read as follows:

5 "Section 2. *Declaration of Policies.* - It is hereby declared the policy
6 of the State to uplift the standards of legal education in order to prepare law
7 students for advocacy, counselling, problem-solving and decision-making, so
8 as to infuse in them the ethics of the legal profession [tə] **AND** impress upon
9 them the importance, nobility and dignity of the legal profession as an equal
10 and indispensable partner of the Bench in the administration of justice and
11 to develop social competence.

1 Towards this end, the State shall undertake appropriate reforms in
2 the legal education system, [~~require proper selection of law students,~~
3 ~~maintain~~] **THAT WOULD ENSURE THE MAINTENANCE OF** quality
4 **STANDARDS** among [~~law schools, and require legal apprenticeship and~~
5 ~~continuing~~] **LEGAL EDUCATION INSTITUTIONS.**"

6 Sec. 3. Section 3 of Republic Act No. 7662 is hereby amended to read as
7 follows:

8 "Section 3. *General and Specific Objectives of Legal Education.* –

9 (a) Legal education in the Philippines is geared to attain the following
10 objectives:

- 11 (1) to prepare students for the practice of law **OR WORK IN**
12 **THE PUBLIC OR PRIVATE LEGAL SERVICES SECTOR;**
- 13 (2) to increase awareness among [~~members of the legal~~
14 ~~profession~~] **STUDENTS** of the needs of the poor, deprived
15 and oppressed sectors of society;
- 16 (3) to train [~~persons~~] **STUDENTS OF LAW** for leadership;
- 17 (4) to contribute towards the promotion and advancement of
18 justice and the improvement of [~~its~~] **THE administration** [~~, the~~
19 ~~legal system and legal institutions~~] **OF THE LEGAL SYSTEM**
20 **AND LEGAL EDUCATION INSTITUTIONS OF THE**
21 **COUNTRY** in the light of the historical and contemporary
22 developments of law [~~in the Philippines and in other~~
23 ~~countries~~] **WORLDWIDE; AND**
- 24 (5) **TO GENERATE LEGAL RESEARCH AND SCHOLARSHIP**
25 **THAT CONTRIBUTE TO THE EXPANSION OF LEGAL**
26 **KNOWLEDGE.**

27 (b) Legal education shall aim to accomplish the following specific
28 objectives:

- 1 (1) to impart among law students a broad knowledge of **THE** law
2 and its various fields and of legal **PHILOSOPHIES,**
3 **SYSTEMS AND** institutions;
- 4 (2) to enhance their legal research abilities to enable ~~[them]~~ **THE**
5 **STUDENTS** to analyze, articulate and apply the law
6 effectively, as well as to allow them to have a holistic
7 approach to legal problems and issues;
- 8 (3) to prepare law students for advocacy, counselling, problem-
9 solving and decision-making, and to develop their ability to
10 deal with recognized legal problems of the present and the
11 future;
- 12 (4) to develop competence in any field of law as is necessary for
13 gainful employment or sufficient as a foundation for future
14 training beyond the basic professional degree, and to develop
15 in ~~[them]~~ **THE STUDENTS** the desire and capacity for
16 continuing study and self-improvement **THROUGH THE**
17 **DIFFERENT LEGAL EDUCATION PROGRAMS;**
- 18 (5) to ~~[inculcate in them]~~ **INSTILL** in **THE STUDENTS** the
19 ethics and responsibilities of the legal profession; and
- 20 (6) to ~~[produce]~~ **CREATE AN ENVIRONMENT CONDUCIVE**
21 **TO THE TRAINING OF PROSPECTIVE** lawyers **AND**
22 **ALLIED PROFESSIONALS** who conscientiously pursue the
23 lofty goals of their profession ~~[and—to fully adhere]~~
24 **THROUGH STRICT ADHERENCE TO ITS ETHICAL**
25 **NORMS."**

26 Sec. 4. A new Section 4 is hereby inserted after Section 3 of Republic Act No.
27 7662, to read as follows:

28 "Section 4. **DEFINITION OF TERMS. AS USED IN THIS ACT:**

29 A. **ALLIED LEGAL STUDIES PROGRAMS – ACADEMIC**
30 **PROGRAMS INTENDED TO PROVIDE PARALEGALS AND OTHER**
31 **PROFESSIONALS WITH LEGAL KNOWLEDGE AND SKILLS THAT**

1 **WOULD MEET THE EXPANDING NEEDS OF THE PUBLIC AND**
2 **PRIVATE SECTORS OUTSIDE THE PRACTICE OF LAW. THE**
3 **PROGRAM MAY ALSO INCLUDE A PREPARATORY LAW**
4 **PROGRAM THAT MAY QUALIFY THE ENTRY OF STUDENTS TO**
5 **THE BASIC LAW PROGRAM IN CONFORMITY WITH THE**
6 **ADMISSION TO LEGAL STUDIES REQUIREMENTS OF THE**
7 **SUPREME COURT UNDER THE RULES OF COURT.**

8 **B. BASIC LAW PROGRAM – AN ACADEMIC PROGRAM**
9 **LEADING TO A PROFESSIONAL DOCTORATE DEGREE**
10 **PRIMARILY DESIGNED FOR THE TRAINING AND FORMATION**
11 **OF PROSPECTIVE LAWYERS TO QUALIFY THEM TO TAKE THE**
12 **BAR EXAMINATIONS IN ACCORDANCE WITH SUPREME COURT**
13 **RULES;**

14 **C. GRADUATE LAW PROGRAMS – ADVANCED**
15 **ACADEMIC STUDIES AFTER COMPLETION OF THE BASIC LAW**
16 **PROGRAM TO FURTHER LEGAL SCHOLARSHIP AND**
17 **PROFESSIONAL SKILLS; SUCH AS MASTER AND DOCTOR OF**
18 **LAWS, AND OTHER EQUIVALENTS;**

19 **D. LEGAL EDUCATION – THE TOTALITY OF VARIOUS**
20 **ACADEMIC PROGRAMS IN HIGHER EDUCATION DESIGNED**
21 **FOR THE TRAINING OF PROSPECTIVE LAWYERS, ALLIED**
22 **PROFESSIONALS AND LEGAL SCHOLARS. IT SHALL**
23 **ENCOMPASS THE BASIC AND GRADUATE LAW PROGRAMS**
24 **AND OTHER LEGAL STUDIES PROGRAMS; AND**

25 **E. LEGAL EDUCATION INSTITUTIONS – ALL HIGHER**
26 **EDUCATION INSTITUTIONS RECOGNIZED BY THE**
27 **COMMISSION ON HIGHER EDUCATION (CHED) AND**
28 **AUTHORIZED OR ACCREDITED UNDER THIS ACT TO OFFER**
29 **BASIC AND/OR GRADUATE LAW PROGRAMS, ALLIED LEGAL**
30 **STUDIES PROGRAMS AND/OR OTHER LEGAL STUDIES**
31 **PROGRAMS.**

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Sec. 5. A new Section 5 is hereby inserted after Section 4 of this Act, to read as follows:

“Section 5. **COVERAGE. – THIS ACT SHALL APPLY TO ALL EXISTING LEGAL EDUCATION INSTITUTIONS IN THE PHILIPPINES, INCLUDING THE LEGAL EDUCATION INSTITUTIONS IN THE BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO.**

ALL LEGAL EDUCATION INSTITUTIONS WHICH SHALL BE ESTABLISHED FOLLOWING THE APPROVAL OF THIS ACT SHALL LIKEWISE BE COVERED, INCLUDING LEGAL EDUCATION INSTITUTIONS WHICH SHALL BE ESTABLISHED IN AUTONOMOUS REGIONS.”

Sec. 6. Section 4 of Republic Act No. 7662 is hereby amended and renumbered as Section 6, to read as follows:

“Section ~~{4}~~ **6.** ~~[Legal Education Board;]~~ **COMMISSION ON LEGAL EDUCATION;** *Creation and Composition.* – To carry out the purpose of this Act, there is hereby created the ~~[Legal Education Board]~~ **COMMISSION ON LEGAL EDUCATION**, hereinafter referred to as the ~~[Board, attached solely for budgetary purposes and administrative support to the Department of Education, Culture and Sports]~~ **COMMISSION OR CLED.**

The ~~[Board]~~ **COMMISSION** shall be composed of a ~~[Chairman]~~ **CHAIRPERSON** and the following as regular members: a representative of the Integrated Bar of the Philippines (IBP); a representative of the Philippine Association of Law Schools (PALS); a representative from the ranks of active law practitioners; ~~[and]~~ a representative from the law students’ sector; **AND A REPRESENTATIVE FROM THE RANKS OF THE LAW PROFESSORS.** ~~[The Secretary of the Department of Education, Culture, and Sports, or his representative, shall be an *ex officio* member of the Board.]~~

With the exception of the representative of the law students’ sector, the ~~[Chairman]~~ **CHAIRPERSON** and regular members of the ~~[Board]~~ **COMMISSION** must be natural-born citizens of the Philippines and members

1 of the Philippine Bar, who have been engaged in the practice of law for at least
2 ten (10) years, as well as ~~[in the teaching of law]~~ **ACTIVELY ENGAGED** in
3 ~~[a duly authorized or recognized law school]~~ **LEGAL EDUCATION IN AN**
4 **ACCREDITED LEGAL EDUCATION INSTITUTION ALSO FOR AT LEAST**
5 **TEN (10) YEARS. RETIRED OR RESIGNED JUSTICES OF THE SUPREME**
6 **COURT AND COURT OF APPEALS, OR ELECTED OR APPOINTED**
7 **GOVERNMENT OFFICIALS WHOSE DUTIES AND FUNCTIONS**
8 **PROHIBIT THEM FROM ENGAGING IN THE PRACTICE OF LAW**
9 **AND/OR ACTIVELY ENGAGING IN LEGAL EDUCATION DURING THEIR**
10 **TERM OF OFFICE, MUST HAVE BEEN ENAGAGED IN THE PRACTICE OF**
11 **LAW OR LEGAL EDUCATION FOR AT LEAST FIVE (5) YEARS PRIOR TO**
12 **OR AFTER THEIR ELECTION OR APPOINTMENT AS SUCH.**

13 **THE CHAIRPERSON AND REGULAR MEMBERS, EXCEPT THE**
14 **REPRESENTATIVE OF THE LAW STUDENTS' SECTOR, MUST**
15 **PREFERABLY BE HOLDERS OF A MASTER OF LAWS DEGREE OR A**
16 **MASTERS DEGREE IN AN EDUCATION-RELATED FIELD, AND MUST**
17 **NOT HAVE BEEN CANDIDATES FOR ELECTIVE POSITIONS IN THE**
18 **ELECTIONS IMMEDIATELY PRECEDING THEIR APPOINTMENT. THEY**
19 **SHALL BE ACADEMICIANS KNOWN FOR THEIR HIGH DEGREE OF**
20 **PROFESSIONALISM AND INTEGRITY, WHO HAVE DISTINGUISHED**
21 **THEMSELVES AS AUTHORITIES IN THE FIELD OF LEGAL EDUCATION.**

22 Sec. 7. Section 5 of Republic Act No. 7662 is hereby amended and renumbered
23 as Section 7, to read as follows:

24 "Section ~~[5]~~ **7. *Term of Office; Compensation.*** – The ~~[Chairman]~~
25 **CHAIRPERSON** and regular members of the ~~[Board]~~ **COMMISSION** shall
26 be appointed by the President for a term of five (5) years, without **PREJUDICE**
27 **TO ONE** reappointment, from a list of at least three (3) nominees prepared,
28 with prior authorization from the Supreme Court, by the Judicial and Bar
29 Council, for every position or vacancy, and no such appointment shall need
30 confirmation by the Commission on Appointments. ~~[Of those first appointed,~~
31 ~~the Chairman and the representative of the IBP shall hold office for five (5)~~

1 ~~years, the representatives of the PALS and the PALP, for three (3) years; and~~
2 ~~the representative from the ranks of active law practitioners and the~~
3 ~~representative of the law students' sector, for one (1) year, without~~
4 ~~reappointment. Appointments to any vacancy shall be only for the unexpired~~
5 ~~portion of the term of the predecessor]~~ **IF THE APPOINTMENT IS MADE TO**
6 **FILL UP A VACANCY CAUSED BY DEATH, DISQUALIFICATION,**
7 **INCAPACITY, OR RESIGNATION, THE TERM OF OFFICE SHALL BE FOR**
8 **THE UNEXPIRED PORTION OF THE TERM OF THE PREDECESSOR. THE**
9 **CHAIRPERSON OR ANY REGULAR MEMBER OF THE COMMISSION,**
10 **WHOSE TERM HAS ENDED, SHALL SERVE IN A HOLDOVER CAPACITY,**
11 **IN CONSONANCE WITH JURISPRUDENTIAL DOCTRINES.**

12 The [~~Chairman~~] **CHAIRPERSON** and regular members of the ~~Board~~
13 **COMMISSION** shall have the same [~~salary and rank~~] **RANKS, SALARIES,**
14 **PRIVILEGES, RETIREMENT, AND OTHER BENEFITS** as the [~~Chairman~~]
15 **CHAIRPERSON** and members, respectively, of the Constitutional
16 Commissions: *Provided*, That their salaries shall not be diminished during their
17 term of office."

18 Sec. 8. Section 6 of Republic Act No. 7662 is hereby repealed and a new Section
19 8 is hereby inserted after Section 7, to read as follows:

20 "Section 8. *Secretariat*. – **THE COMMISSION SHALL ORGANIZE A**
21 **SECRETARIAT WHICH SHALL BE HEADED BY AN EXECUTIVE**
22 **DIRECTOR WHO SHALL BE APPOINTED BY THE COMMISSION AND**
23 **WHO SHALL REPORT TO, AND BE UNDER THE CHAIRPERSON'S**
24 **GENERAL SUPERVISION AND CONTROL. THE SECRETARIAT SHALL**
25 **CONSIST OF OFFICES FOR ACCREDITATION AND ADMISSION**
26 **STANDARDS, PROGRAMS, RESEARCH, LEGAL, FINANCE,**
27 **ACCOUNTING, HUMAN RESOURCES, AND OTHERS NECESSARY FOR**
28 **THE EFFECTIVE PERFORMANCE OF THE COMMISSION'S POWERS AND**
29 **FUNCTIONS, SUBJECT TO THE NATIONAL COMPENSATION AND**
30 **POSITION CLASSIFICATION PLAN. THE COMMISSION, UPON THE**
31 **RECOMMENDATION OF THE EXECUTIVE DIRECTOR, SHALL FIX THE**

1 **SECRETARIAT'S STAFFING PATTERN, DETERMINE THE DUTIES,**
2 **QUALIFICATIONS, RESPONSIBILITIES AND FUNCTIONS, AS WELL AS**
3 **THE COMPENSATION SCHEME FOR THE POSITIONS TO BE CREATED.**

4 **THE COMMISSION SHALL ALSO PREPARE ITS BUDGETARY**
5 **SUBMISSION TO CONGRESS.**

6 **THE COMMISSION, UPON THE EXECUTIVE DIRECTOR'S**
7 **RECOMMENDATION, MAY APPOINT SUCH OFFICERS AND**
8 **EMPLOYEES AS IT MAY DEEM NECESSARY IN THE PERFORMANCE OF**
9 **ITS POWERS AND FUNCTIONS.**

10 **THE COMMISSION SHALL ESTABLISH A FIELD OFFICE OR**
11 **OFFICES IN THE LUZON, VISAYAS AND IN MINDANAO REGIONS AS**
12 **IT MAY DEEM NECESSARY."**

13 Sec. 9. Section 7 of Republic Act No. 7662 is hereby amended and renumbered
14 as Section 9, to read as follows:

15 "Section [7] 9. *Powers and Functions.* - For the purpose of achieving the
16 objectives of this Act, the [Board] **COMMISSION** shall have the following
17 powers and functions:

18 (a) [~~to administer the legal education system in the country in a~~
19 ~~manner consistent with the provisions of this Act.] **TO FORMULATE**~~

20 **DEVELOPMENT PLANS, POLICIES, PRIORITIES AND**

21 **PROGRAMS ON LEGAL EDUCATION AND RESEARCH, AND**

22 **IMPLEMENT THE SAME UNDER THE PROVISIONS OF THIS ACT,**

23 **OR IN THE ABSENCE OF SUCH PROVISIONS, TO RECOMMEND**

24 **TO THE LEGISLATIVE BRANCH APPROPRIATE REMEDIAL**

25 **LEGISLATION;**

26 (b) [te] **WITHIN THE PARAMETERS OF ITS POWERS AND**

27 **FUNCTIONS AS HEREIN ENUMERATED, TO ADMINISTER THE**

28 **LEGAL EDUCATION SYSTEM AND supervise [the law schools]**

29 **LEGAL EDUCATION INSTITUTIONS in the country, BOTH PUBLIC**

30 **AND PRIVATE, IN RELATION TO THEIR LEGAL EDUCATION**

31 **PROGRAMS;**

1 (c) to set the standards of accreditation for ~~[law schools]~~ **LEGAL**
2 **EDUCATION INSTITUTIONS AND OTHER LEGAL EDUCATION**
3 **PROGRAMS**, taking into account, among others, **THE NEED FOR**
4 **SUCH QUALITY PROGRAMS AS WELL AS THE NUMBER OF**
5 **EXISTING LEGAL EDUCATION INSTITUTIONS AND OTHER**
6 **LEGAL EDUCATION PROGRAMS IN THE COMMUNITY**, the size of
7 enrollment, the qualifications, **AND AVAILABILITY** of the members of
8 the faculty, library **AND** other **PHYSICAL** facilities, **INCLUDING THE**
9 **CAPACITY TO INSTALL AND PROVIDE HARDWARE/SOFTWARE**
10 **FOR THE VIRTUAL TRANSMISSION OF KNOWLEDGE, AND SUCH**
11 **OTHER REASONABLE STANDARDS**, without encroaching upon the
12 academic freedom of institutions of higher learning;

13 (d) to accredit ~~[law schools]~~ **LEGAL EDUCATION INSTITUTIONS**
14 that meet the standards of accreditation, **AND PROVIDE**
15 **INCENTIVES, INCLUDING SUBSIDIES, TO ACCREDITED LEGAL**
16 **EDUCATION INSTITUTIONS, PUBLIC OR PRIVATE, AND TO**
17 **THEIR STUDENTS AND FACULTY MEMBERS;**

18 (e) to prescribe minimum standards for law admission **TO THE**
19 **BASIC LAW PROGRAM AND THE ALLIED LEGAL STUDIES**
20 **PROGRAMS** and the minimum qualifications of faculty members
21 **WITHOUT ENCROACHING UPON THE ACADEMIC FREEDOM OF**
22 **INSTITUTIONS OF HIGHER LEARNING;**

23 (f) to prescribe the basic curricula ~~[for the course of study aligned to~~
24 ~~the requirements for admission to the Bar, law practice, and social~~
25 ~~consciousness]~~ **AND OTHER MINIMUM STANDARDS FOR THE**
26 **DIFFERENT LAW PROGRAMS ALIGNED TO THE PREPARATION**
27 **FOR PROFESSIONAL PRACTICE AND SOCIAL CONSCIOUSNESS,**
28 and such other courses of study as may be prescribed by the ~~[law~~
29 ~~schools]~~ **LEGAL EDUCATION INSTITUTIONS** under the different
30 levels of accreditation status. **NOTHING IN THIS ACT SHALL BE**
31 **CONSTRUED AS LIMITING THE ACADEMIC FREEDOM OF LEGAL**

1 **EDUCATION INSTITUTIONS. IN PARTICULAR, NO**
2 **ABRIDGMENT BY THE COMMISSION OF CURRICULAR**
3 **FREEDOM OF ANY LEGAL EDUCATION INSTITUTION SHALL BE**
4 **MADE, EXCEPT FOR THE FOLLOWING:**

5 **i. MINIMUM UNIT REQUIREMENTS FOR GENERAL**
6 **LEGAL EDUCATION AS MAY BE DETERMINED BY THE**
7 **COMMISSION;**

8 **ii. MINIMUM UNIT REQUIREMENTS FOR SPECIFIC**
9 **ACADEMIC PROGRAMS; AND**

10 **iii. SPECIFIC PROFESSIONAL SUBJECTS AS MAY BE**
11 **MANDATED BY RULES PROMULGATED BY THE SUPREME**
12 **COURT.**

13 **ACADEMIC CURRICULAR RESTRICTIONS SHALL BE THE SAME**
14 **FOR ALL LEGAL EDUCATION INSTITUTIONS, PUBLIC OR**
15 **PRIVATE, COVERED BY THIS ACT.**

16 ~~(g) to [establish a law practice internship as a requirement for taking the~~
17 ~~Bar which a law student shall undergo with any duly accredited private or public~~
18 ~~law office or firm or legal assistance group anytime during the law course for a~~
19 ~~specific period that the Board may decide, but not to exceed a total of twelve~~
20 ~~(12) months. For this purpose, the Board shall prescribe the necessary~~
21 ~~guidelines for such accreditation and the specifications of such internship which~~
22 ~~shall include the actual work of a new member of the Bar]~~ **MONITOR AND**
23 **EVALUATE THE PERFORMANCE AND QUALITY OF LEGAL EDUCATION**
24 **PROGRAMS AND LEGAL EDUCATION INSTITUTIONS FOR**
25 **APPROPRIATE INCENTIVES, INCLUDING SUBSIDIES, AND TO**
26 **IMPOSE ADMINISTRATIVE PENALTIES SUCH AS, BUT NOT LIMITED**
27 **TO, THE DIMINUTION OR WITHDRAWAL OF SUBSIDY OR**
28 **INCENTIVES, WITHDRAWAL OF ACCREDITATION, PROGRAM**
29 **TERMINATION OR CLOSURE OF THE LEGAL EDUCATION**
30 **INSTITUTION;**

31 ~~(h) to [adopt a system of continuing legal education. For this purpose, the~~
32 ~~Board may provide for the mandatory attendance of practicing lawyers in such~~

1 ~~courses and for such duration as the Board may deem necessary and;]~~

2 **IDENTIFY, SUPPORT AND DEVELOP POTENTIAL AREAS OF**
3 **EXCELLENCE IN LEGAL EDUCATION PROGRAMS NEEDED FOR**
4 **THE DEVELOPMENT OF WORLD-CLASS SCHOLARSHIPS,**
5 **PROMOTION OF THE RULE OF LAW AND ATTAINMENT OF THE**
6 **GOALS OF NATION BUILDING;**

7 (i) **TO RESOLVE ALL MATTERS INVOLVING ACTS OR**
8 **OMISSIONS IN RELATION TO REPUBLIC ACT NO. 7662 AND ITS**
9 **AMENDMENTS, AS WELL AS ORDERS, MEMORANDA AND**
10 **CIRCULARS ISSUED BY THE COMMISSION IN THE**
11 **PERFORMANCE OF ITS REGULATORY AND QUASI-JUDICIAL**
12 **FUNCTIONS;**

13 (j) **TO HOLD HEARINGS, CONDUCT INVESTIGATIONS AND**
14 **OTHER APPROPRIATE DISPUTE RESOLUTIONS TO ENSURE**
15 **SPEEDY DISPOSITION OF CASES IN THE PERFORMANCE OF ITS**
16 **QUASI-JUDICIAL FUNCTIONS;**

17 (k) **TO HAVE APPELLATE JURISDICTION IN THE**
18 **RESOLUTION OF CONTROVERSIES BETWEEN AND AMONG**
19 **LEGAL EDUCATION INSTITUTIONS AND THEIR STUDENTS OR**
20 **FACULTY MEMBERS IN MATTERS INVOLVING LEGAL**
21 **EDUCATION, AND IMPOSE ADMINISTRATIVE PENALTIES**
22 **INCLUDING FINES, PROVIDED THAT THIS POWER DOES NOT**
23 **ENCROACH UPON THE ACADEMIC FREEDOM OF THE**
24 **INSTITUTION OR INTRUDE INTO THE JURISDICTION OF**
25 **REGULAR AND SPECIAL COURTS, LABOR AND OTHER QUASI-**
26 **JUDICIAL TRIBUNALS;**

27 (l) **TO COLLECT FEES FOR THE ISSUANCE OF GOVERNMENT**
28 **PERMIT OR GOVERNMENT RECOGNITION, AND OFFICIAL**
29 **CERTIFICATIONS, AND FOR THE HOLDING OF SEMINARS AND**
30 **OTHER SERVICES PROVIDED BY THE COMMISSION;**

1 (m) TO IMPOSE REASONABLE FINES NOT EXCEEDING ONE
2 HUNDRED THOUSAND PESOS (P100,000.00), AND OTHER
3 ADMINISTRATIVE SANCTIONS FOR VIOLATIONS OF THIS ACT
4 OR THE RULES AND REGULATIONS OF THE COMMISSION
5 ADOPTED PURSUANT TO THIS ACT: *PROVIDED*, THAT THE
6 AMOUNT OF FINES SHALL BE AUTOMATICALLY ADJUSTED TO
7 THE VALUE PREVAILING AT THE TIME OF ADJUSTMENT USING
8 THE CONSUMER PRICE INDEX (CPI) AS PUBLISHED BY THE
9 PHILIPPINE STATISTICAL AUTHORITY (PSA);

10 (n) TO ACCEPT DONATIONS, GRANTS, AID, FUNDING AND
11 ANY GRATUITOUS TRANSFERS, WHETHER IN CASH, REAL OR
12 PERSONAL PROPERTY, TO BE USED FOR ACCOMPLISHING THE
13 OBJECTIVES OF THIS ACT OR FOR THE ADVANCEMENT OF
14 LEGAL EDUCATION IN THE COUNTRY; AND

15 [(i)] (o) to perform such other **ADMINISTRATIVE** functions and
16 prescribe such rules and regulations necessary for the attainment of the
17 policies and objectives of this Act.”

18 Sec. 10. Sections 8 and 9 of Republic Act No. 7662 are hereby amended,
19 integrated and renumbered as Section 10, to read as follows:

20 “Section 10. Accreditation of [~~Law-School~~] **LEGAL EDUCATION**
21 **INSTITUTIONS.** – **LEGAL** [~~Educational~~] **EDUCATION** Institutions may not
22 operate [~~a-law-school~~] **AS SUCH OR OFFER LAW EDUCATION**
23 **PROGRAMS** unless accredited by the [~~Board~~] **COMMISSION.** Accreditation
24 of [~~law-schools~~] **LEGAL EDUCATION INSTITUTIONS** may be granted only
25 to [~~educational-institutions~~] **THOSE** recognized by the government **AND**
26 **WHOSE CHARTERS OR ARTICLES OF INCORPORATION EXPRESSLY**
27 **OR IMPLIEDLY AUTHORIZE THEM TO OFFER LAW COURSES.**

28 The [~~Board~~] **COMMISSION** may withdraw or downgrade the
29 accreditation status of a [~~law-school~~] **LEGAL EDUCATION INSTITUTION**
30 **WHICH** if it fails to maintain the standards set for its accreditation status.

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Sec. 11. Section 10 of Republic Act No. 7662 is hereby amended, to read as follows:

“Section 10. *Effectivity of Withdrawal or Downgrading of Accreditation.* – The withdrawal or downgrading of accreditation status shall be effective after the lapse of the [~~semester or trimester~~] **TERM** following the receipt by the school of the notice of withdrawal or downgrading unless, in the meantime, the school meets and/or upgrades the standards or corrects the deficiencies upon which the withdrawal or downgrading of the accreditation status is based.”

Sec. 12. Section 11 of Republic Act No. 7662 is hereby amended, to read as follows:

“Section 11. *Legal Education Fund.* - There is hereby created a special endowment fund, to be known as the Legal Education Fund or **FUND, TO BE USED EXCLUSIVELY FOR THE IMPROVEMENT AND STRENGTHENING OF LEGAL EDUCATION IN THE ENTIRE COUNTRY. THE FUND** shall be under the control of the [~~Board~~] **COMMISSION**, and administered as a separate fund by the Social Security System (SSS) which shall invest the same with due and prudent regard to its solvency, safety, and liquidity.

The [~~Legal Education Fund~~] **FUND** shall be established out of, and maintained from, [~~the amounts appropriated pursuant to paragraph 2, Section 13 hereof, and from sixty percent (60%) of the privilege tax paid by every lawyer effective Fiscal Year 1994, and from such donations, legacies, grant-in-aid and other forms of contributions received by the Board for the purposes of this Act.~~] **THE GOVERNMENT’S CONTRIBUTION TO THE FUND, CONSISTING OF THE FOLLOWING:**

1. **THE AMOUNT OF FIVE HUNDRED MILLION PESOS (P500,000,000.00) AS SEED CAPITAL;**
2. **THE COLLECTIONS OF FEES FOR THE ISSUANCE OF GOVERNMENT PERMITS OR GOVERNMENT RECOGNITIONS, FEES FOR OFFICIAL CERTIFICATIONS**

1 **AND REGISTRATION FEES IN SEMINARS AND THE LIKE**
2 **CONDUCTED BY THE COMMISSION; AND**

3 **3. ADMINISTRATIVE FINES COLLECTED BY THE**
4 **COMMISSION.**

5 **THE FUND SHALL HAVE A PRIVATE PORTION SOURCED FROM**
6 **DONATIONS, CONTRIBUTIONS, BEQUESTS, AND GRANTS, IN CASH,**
7 **MADE FOR THE PURPOSE OF CONTRIBUTING TO THE FUND.**

8 **THE EARNINGS OF THE FUND SHALL BE UTILIZED EQUITABLY**
9 **ACCORDING TO REGIONS AND PROGRAMS.**

10 Being a special endowment fund, only the interests earned on the [~~Legal~~
11 ~~Education Fund~~] **FUND** shall be used exclusively for the purposes of this Act,
12 **WHICH SHALL** include support for faculty development grants, professorial
13 chairs, library improvements, **SUBSIDIES FOR STUDENTS' TUITION FEES,**
14 **AND OTHER FORMS OF FINANCIAL ASSISTANCE AND PROGRAMS** for
15 the advancement of [~~law teaching and education in accredited law schools.~~]
16 **LEGAL EDUCATION IN ACCREDITED LEGAL EDUCATION**
17 **INSTITUTIONS: PROVIDED, THAT IN THE ALLOCATION OF FUNDS,**
18 **PREFERENCE SHALL BE GIVEN TO LOCAL AND STATE COLLEGES AND**
19 **UNIVERSITIES; AND PROVIDED, FURTHER, THAT NO PART OF ANY**
20 **INCOME FROM THE FUND SHALL BE USED FOR THE OPERATIONAL**
21 **EXPENSES OF THE COMMISSION SUCH AS PAYMENT OF STAFF**
22 **COMPENSATION AND BENEFITS, CAPITAL OUTLAYS, MAINTENANCE**
23 **AND OPERATING EXPENSES, ETC.**

24 [~~The Fund shall also be used for the operation of the Board.~~] For [this
25 purpose] **THE PURPOSE OF DETERMINING THE AVAILABLE AMOUNT**
26 **FOR EXPENDITURE**, an amount not exceeding [~~ten percent (10%)~~] **FIFTY**
27 **PERCENT (50%)** of the interest on the Fund shall be utilized.

28 **THE FUND SHALL BE IMMEDIATELY AVAILABLE, AND IN NO**
29 **CASE LATER THAN TWO (2) YEARS FROM THE EFFECTIVITY OF THIS**
30 **ACT.**

1 The ~~[Board]~~ **COMMISSION**, in consultation with the SSS, shall issue
2 the necessary rules and regulations for the collection, administration and
3 utilization of the Fund.”

4 Sec. 13. A new Section 13 is hereby inserted after Section 12 to read as follows:

5 **“SECTION 13. TAX EXEMPTIONS – ANY DONATION,**
6 **CONTRIBUTION, BEQUEST, AND GRANT, IN CASH OR PROPERTY,**
7 **REAL OR PERSONAL, DESTINED TO BE PART OF THE LEGAL**
8 **EDUCATION FUND, WHICH MAY BE MADE TO THE COMMISSION,**
9 **SHALL CONSTITUTE AS ALLOWABLE DEDUCTION FROM THE INCOME**
10 **TAX DUE OF THE DONOR, AND SHALL BE EXEMPT FROM DONOR’S**
11 **TAX, SUBJECT TO SUCH CONDITIONS AS PROVIDED UNDER THE**
12 **NATIONAL INTERNAL REVENUE CODE, AS AMENDED. VALUATION OF**
13 **DONATIONS, IN OTHER THAN MONEY, SHALL BE BASED ON**
14 **WHICHEVER IS LOWER BETWEEN THE ACQUISITION COST AND FAIR**
15 **MARKET VALUE OF THE PROPERTY AT THE TIME OF THE DONATION.**

16 **IF THE DONOR PROVIDES THAT THE DONATION SHALL NOT**
17 **FORM PART OF THE LEGAL EDUCATION FUND, THE DONATION IS**
18 **EXEMPT FROM DONOR’S TAXES BUT THE AMOUNT DONATED SHALL**
19 **BE ALLOWED ONLY AS A DEDUCTION FROM GROSS INCOME AS**
20 **PROVIDED UNDER THE PROVISIONS OF THE NATIONAL INTERNAL**
21 **REVENUE CODE.”**

22 Sec. 14. Section 13 of Republic Act No. 7662 is hereby amended and
23 renumbered as Section 14, to read as follows:

24 **“Section ~~[13]~~ 14. Appropriations.** – The amount of ~~[One Million Pesos~~
25 ~~(P-1,000,000.00)]~~ **THREE HUNDRED MILLION PESOS (P300,000,000.00)**
26 is hereby authorized to be charged against the current year’s appropriation of
27 the Contingent Fund for the initial expenses of the ~~[Board]~~ **REORGANIZED**
28 **COMMISSION, EXCLUDING CAPITAL OUTLAY. THEREAFTER, THE**
29 **BUDGET FOR THE OPERATIONS OF THE COMMISSION SHALL BE**
30 **INCLUDED IN THE GENERAL APPROPRIATIONS ACT.**

1 ~~[To form part of the Legal Education Fund, there shall be appropriated~~
2 ~~annually, under the budget of the Department of Education, Culture and Sports,~~
3 ~~the amount of Ten Million Pesos (P10,000,000.00) for a period of ten (10) years~~
4 ~~effective Fiscal Year 1994.]”~~

5 Sec. 15. A new Section 15 is hereby inserted after Section 14, to read as
6 follows:

7 **“SECTION 15. IMPLEMENTING RULES AND REGULATIONS. –**
8 **WITHIN ONE HUNDRED TWENTY (120) DAYS FROM THE**
9 **EFFECTIVITY OF THIS ACT, THE COMMISSION, IN COORDINATION**
10 **WITH THE UNIVERSITY OF THE PHILIPPINES LAW CENTER, THE IBP,**
11 **PALS, AND OTHER RELEVANT STAKEHOLDERS, SHALL ISSUE THE**
12 **RULES AND REGULATIONS FOR THE IMPLEMENTATION OF THIS ACT:**
13 **PROVIDED, THAT, THE RULES AND REGULATIONS PREVIOUSLY**
14 **ISSUED BY THE COMMISSION IN THE FORM OF MEMORANDUM**
15 **ORDERS, RESOLUTIONS AND OTHER ISSUANCES SHALL CONTINUE**
16 **TO BE IN FULL FORCE AND EFFECT UNLESS THEY DIRECTLY**
17 **CONTRAVENE ANY PROVISION OF THIS ACT OR ARE AMENDED OR**
18 **REPEALED BY SUBSEQUENT COMMISSION ISSUANCES.”**

19 Sec. 16. A new Section 16 is hereby inserted after Section 15, to read as follows:

20 **“SECTION 16. TRANSITORY PROVISIONS. – UPON THE**
21 **EFFECTIVITY OF THIS ACT, THE INCUMBENT CHAIRPERSON AND**
22 **COMMISSIONERS OF THE COMMISSION SHALL CONTINUE TO**
23 **PERFORM THEIR RESPECTIVE DUTIES AND RESPONSIBILITIES AND**
24 **RECEIVE THEIR CORRESPONDING SALARIES AND BENEFITS**
25 **ACCORDINGLY. WITH THE EXCEPTION OF THE REPRESENTATIVE OF**
26 **THE LAW STUDENTS’ SECTOR, WHO SHALL SERVE UNTIL THE**
27 **EXPIRATION OF HIS TERM AS INDICATED IN HIS APPOINTMENT,**
28 **THE CHAIRPERSON AND OTHER COMMISSIONERS SHALL EACH**
29 **SERVE A FRESH TERM OF FIVE (5) YEARS RECKONED FROM**
30 **EFFECTIVITY OF THIS ACT TO ENSURE THE SMOOTH TRANSITION TO**
31 **THE NEW ORGANIZATIONAL STRUCTURE AND STAFFING PATTERN**

1 OF THE COMMISSION. THE PREPARATION AND APPROVAL OF THE
2 SAID NEW ORGANIZATION STRUCTURE AND STAFFING PATTERN
3 SHALL, AS FAR AS PRACTICABLE, RESPECT AND ENSURE THE
4 SECURITY OF TENURE AND SENIORITY RIGHTS OF AFFECTED
5 GOVERNMENT EMPLOYEES. THOSE PERSONNEL, WHOSE POSITIONS
6 ARE NOT INCLUDED IN THE NEW STAFFING PATTERN AS APPROVED
7 BY THE COMMISSION, OR WHO ARE NOT REAPPOINTED, OR WHO
8 CHOOSE TO BE SEPARATED AS A RESULT OF THE REORGANIZATION,
9 SHALL BE PAID THEIR SEPARATION OR RETIREMENT BENEFITS
10 UNDER EXISTING LAWS.

11 WITHIN THREE (3) MONTHS AFTER THE EFFECTIVITY OF THE
12 ACT, THE COMMISSION SHALL APPOINT THE EXECUTIVE DIRECTOR
13 WHO WILL HEAD THE SECRETARIAT.

14 Sec. 17. Section 14 of Republic Act No. 7662 is hereby renumbered as Section

15 17.

16
17 Sec. 18. Section 15 of Republic Act No. 7662 is hereby renumbered as Section

18 18.

19 Sec. 19. Section 16 of Republic Act No. 7662 is hereby renumbered as Section

20 19.

21 Sec. 20. *Separability Clause.* – Should any part or provision of this Act be
22 determined to be unconstitutional or invalid, the other parts or provisions not affected
23 thereby shall remain in full force and effect.

24 Sec. 21. *Repealing Clause.* – All laws, decrees, executive orders, rules and
25 regulations and other issuances or parts thereof inconsistent with the provisions of
26 this Act are hereby repealed or modified accordingly.

27 Sec. 22. *Effectivity.* – This Act shall take effect fifteen (15) days after its
28 publication in the Official Gazette or in a newspaper of general circulation.

29 *Approved,*