

23 MAY -3 P1 :32

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

RECEIVED BY: 

SENATE
S. No. 2120

Introduced by Senator MARK A. VILLAR

AN ACT
CREATING AN ADVANCED STUDIES DEVELOPMENT PROGRAM FOR
EXCEPTIONAL GOVERNMENT EMPLOYEES AND FOR OTHER PURPOSES

EXPLANATORY NOTE

It is the government's mandate to provide the Filipino people with public service that is responsive, efficient, and continually-improving. Nowadays, various countries explore the growing interest among national governments to initiate scholarship programs which aim to provide their citizens with the opportunity to study abroad. While this is not a new concept in our country, a legislation that would support a government employee's studies abroad would result to an exceptional performance in work and would fuel his/her aspiration for national development.

Under this bill, a "Pensionado" will receive assistance in the form of three years leave with pay, including allowances and other benefits; round-trip airfare and other expenses required for foreign travel; a clothing allowance; a monthly stipend; books/instructional materials/research allowance; and health, travel, and insurance fees.

This is a win-win situation for the Philippines as the country will develop a *think tank*, composed of first-rate specialists in various discipline and areas of specializations, who shall continuously place their knowledge and skills at the service of the nation. In the long run, this will lead to advanced economy, improved potential

for innovation, and expanded set of professional contacts that will help the country in developing partnerships, projects, and other opportunities abroad.

The country will never be on the losing side if we invest in knowledge and skills. Hence, the passage of this bill is earnestly sought.




MARK A. VILLAR

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

1 Section 1. *Declaration of Policies.* – Human resource development is essential
2 for economic development and progress. In the pursuit of economic development and
3 progress, the state shall give priority to the creation of a critical mass of professionals
4 who shall take the lead in harnessing science, technology, and related disciplines
5 towards accelerating the productivity of the country’s human resource.

6 Consonant with this trust, it is hereby declared a policy of the state to devise a
7 program for exceptionally able and highly motivated employees, preferably aged 30-
8 40, from the government to undertake advanced studies in a branch of science,
9 technology, or related fields of learning on which depends the development and
10 progress of the country. As such, it shall provide for fellowships to enable them to
11 pursue advanced studies or research in their fields of expertise.

12 The State shall develop a critical mass of specialists in various disciplines and
13 areas of specializations vital to national development to form a collective national
14 “think tank” who shall place continuously their knowledge and skills at the service of
15 the nation.

1 *Sec. 3. Definition of Terms.* – For purposes of this Act, the following terms are
2 hereunder defined accordingly:

- 3 a) *Post-graduate* refers to a formal degree course program of training/research
4 requiring a student pursuing such program to have obtained a Bachelor's
5 Degree for entry;
- 6 b) *Advanced studies* refer to a post-graduate problem-oriented program of
7 studies and/or research, not necessarily leading to a degree, undertaken for
8 further specialization or advanced knowledge in a specific field of study, or
9 to acquire specialized knowledge and/or skills in a particular area of science
10 and technology; and,
- 11 c) *Pensionado* refers to a Filipino citizen selected and supported by the
12 Philippine government under this program to undertake advanced studies
13 in selected institutions of higher learning or recognized research centers, in
14 fields relevant to the officially-declared priority areas for development.

15 *Sec. 4. Establishment of a Program.* – There shall be established under the
16 Commission on Higher Education (CHED), in coordination with non-government
17 organizations (NGOs), and other government agencies, namely, the National
18 Economic and Development Authority (NEDA), the Department of Trade and Industry
19 (DTI), and the Department of Science and Technology (DOST), a fellowship program
20 to be called as the “Pensionado Program” for Filipinos employed in the government.

21 The program shall pool together all fellowships, scholarships, training grants
22 sponsored or extended by foreign government, agencies and other bodies, as well as
23 by local agencies and organizations, whether public or private, intended for advanced
24 studies in international centers of advanced learning, scholarship, and research.

25 *Sec. 5. Establishment of a National Secretariat; Functions and Composition.* –
26 There shall be established a National Secretariat, hereafter referred to as the
27 “Secretariat”, with the following functions:

- 28 a) Identify, and assist in negotiations with sponsors (foreign and local, public
29 and private) of fellowships, scholarships and grants;
- 30 b) Provide assistance to the selection panel in accomplishing its work;

- 1 c) Provide the Pensionados continuing assistance from the time of selection
- 2 thru the time of their return to the country, including assistance for the
- 3 productive utilization of their newly-gained expertise;
- 4 d) Serve as the administrative arm of the government for the program; and,
- 5 e) In general, promulgate and implement the policies and guidelines governing
- 6 the Program.

7 The National Secretariat shall be headed by an Executive Officer with the rank
8 Assistance Secretary, to be appointed by the President of the Republic of the
9 Philippines, upon the recommendation of CHED. Member of the Secretariat shall
10 consist of representatives from CHED, NEDA, DTI, and DOST. These representatives
11 shall be seconded to the Secretariat, subject to the relevant Civil Service laws, rules
12 and regulations. Service rendered thereat shall be considered as part of their
13 performance for promotions purposes.

14 *Sec. 6. Number of Pensionados and Length of Grant.* – There shall be selected
15 twenty-four (24) fellows annually – three (3) fellows for each priority discipline/industry
16 field of the eight (8) vital disciplines or areas of specializations identified by the CHED
17 in consultation with the NEDA as frontiers or new areas essential for pushing the
18 economic and social development thrusts of the country. The scholarship shall be for
19 a period not exceeding three (3) years.

20 *Sec. 7. Selection Process.* – There shall be a Selection Panel under the
21 Secretariat consisting of three (3) university presidents and two (2) eminent members
22 from the academe to be appointed by the CHED. They shall serve on a staggered
23 basis for the purposes of continuity and consistency, each for a term of three (3) years.
24 The Selection Panel shall make the final selection of the Pensionados from among the
25 nominees. The integrity and objectives of the program are paramount considerations
26 for the panel in making the selection.

27 *Sec. 8. Qualifications.* – In order to qualify for the Fellowship Program, the
28 applicant must be:

- 29 a) A Filipino citizen;
- 30 b) Employed in the Government;
- 31 c) A college degree graduate, with honors;
- 32 d) With proven exceptional performance in his/her present work; and

- 1 e) Willing to sign a contract requiring him/her to return to his/her job in another
2 capacity after training.

3 Sec. 9. *Place of Study*. – The Pensionados shall be sent to a foreign country
4 well-known for its advanced stage in the particular discipline of the area of
5 specialization. Training and education may be given by an academic institution,
6 research and development (R&D) center, or a major industrial establishment with an
7 R&D program. It may or may not lead to an advanced academic degree.

8 Sec. 10. *Assistance to Grantees*. – The Pensionado is entitled to the following
9 benefits:

- 10 a) Up to three (3) years leave with pay, including allowances and other
11 benefits;
- 12 b) One economy round-trip air fare to and from the host country plus other
13 travel expenses required for foreign travel;
- 14 c) Clothing allowance to be determined by the Secretariat;
- 15 d) Monthly stipend while on study abroad, of such amount to determined by
16 the Secretariat;
- 17 e) Books/Instructional Materials/Research allowance of such amount to be
18 determined by the Secretariat; and,
- 19 f) Health, Travel, and Insurance fees of such amount to be determined by the
20 Secretariat.

21 Sec. 11. *Program Funding*. – The cost of each fellowship grant shall be
22 shouldered by the National Government. With the transfer of all pertinent foreign and
23 local grants for coordination under the Program, the government, through the
24 Program, may negotiate bilateral arrangements with hosts governments, host
25 universities, host research institutions, and host corporations to share at least 50%
26 of the total cost of items b, c, d, e, and f under Section 10 hereof.

27 The National Government may also negotiate bilateral agreements with host
28 governments, host universities, research institutions, and corporations to enable our
29 scholars to stay abroad and continue their studies or training at a minimal cost to the
30 National Government. A sharing program can be established where the host
31 government, host-universities, research institutions, and corporations can shoulder
32 the expenses of the scholars while abroad.

1 Sec. 12. *Service Obligation.* – Immediately upon completion of the studies or
2 training, a fellow shall be required to return to their job or in another capacity approved
3 by the Secretariat and serve on a full-time basis for a minimum period equivalent to
4 twice the period covered by the fellowship grant. In addition, the scholar shall be
5 required to hold seminars or training sessions for employees from the government and
6 the private sectors on topic related to the course or training he has completed. Any
7 recipient of the program who has not completed his course shall reimburse the
8 Fellowship the grant received or render service to the sponsoring agency or company
9 for a period equivalent to the period covered by the fellowship grant. Any Pensionado
10 who violates the service obligation imposed under this section shall reimburse the
11 sponsoring agency or company and the National Government of the Fund Assistance
12 received under this Act in full or in part as the case may be.

13 Sec. 13. *Mechanism for Utilization of Returned Fellows.* – There shall be
14 established and developed a National Network of Specialized Institutes for Advanced
15 Studies in universities selected by CHED in consultation with the DOST and other
16 appropriate agencies to be determined by the Secretariat to provide returned scholars
17 an office, laboratory, library, and conference facilities for their continuing activities. The
18 Institute shall also serve as a place for an Exchange Program and Collaborative
19 Research among local and international scientists and scholars in priority areas of
20 research and development.

21 Sec. 14. *Appropriations.* – The amount needed to initially implement the
22 provisions of this Act shall be charged against the appropriations of the current year
23 of the concerned departments and agencies. Thereafter, such sums, as may be
24 necessary, for its continued implementation shall be included in the appropriation of
25 the concerned departments and agencies in the annual General Appropriations Act
26 (GAA).

27 Sec. 15. *Transfer of other fellowship, scholarship, and training grants.* – All
28 foreign and locally sponsored fellowship, scholarship and training grants will be
29 transferred to the program for coordination. The pertinent rules and regulations of the
30 Civil Service Commission (CSC) shall apply for government employees who may be
31 affected by the transfer.

1 Sec. 16. *Implementing Rules and Regulations.* – Within ninety (90) days from
2 the approval of this Act, CHED, in coordination with NEDA, DTI, DOST, and CSC, and
3 upon consultation with the relevant stakeholders, shall promulgate the necessary rules
4 and regulations for the effective implementation of the provisions thereof.

5 Sec. 17. *Separability Clause.* – If any portion or provision of this Act is
6 subsequently declared invalid or unconstitutional, other provisions hereof which are
7 not affected thereby shall remain in full force and effect.

8 Sec. 18. *Repealing Clause.* – All other laws, acts, presidential decrees,
9 executive orders, presidential proclamations, issuances, rules and regulations, or
10 parts thereof which are contrary to or inconsistent with any of the provisions of this Act
11 are hereby repealed, amended, or modified accordingly.

12 Sec. 19. *Effectivity.* – This Act take effect fifteen (15) days after its publication
13 in the Official Gazette or in a newspaper of general circulation.

Approved,