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}

S E N A T E

S. No. 2587

(In substitution of Senate Bill No. 363 taking into
consideration House Bill No. 7400)

PREPARED AND SUBMITTED JOINTLY BY THE COMMITTEES ON
HIGHER, TECHNICAL AND VOCATIONAL EDUCATION; LABOR,
EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT; WAYS
AND MEANS; AND FINANCE WITH SENATORS VILLANUEVA,
ESCUADERO, GATCHALIAN, VILLAR (C.), TULFO, LAPID,
AND CAYETANO (P.) AS AUTHORS THEREOF

AN ACT STRENGTHENING THE ENTERPRISE-BASED
EDUCATION AND TRAINING FRAMEWORK AND
APPROPRIATING FUNDS THEREFOR

*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
2 the “Enterprise-Based Education and Training (EBET)
3 Framework Act”.

4 SEC. 2. *Declaration of Policy.* – Article XIII, Section 3
5 of the 1987 Constitution provides that the State shall

1 “promote full employment and equality of employment
2 opportunities for all”. Toward this end, it is hereby
3 declared the policy of the State to enhance the skills of the
4 workforce in partnership with the private sector, and to
5 meet the evolving skills and competencies requirement of
6 the rapidly changing world of work.

7 For this purpose, the State shall strengthen,
8 rationalize, and harmonize the different EBET training
9 modalities under one framework to effectively address
10 jobs-skill mismatch, unemployment, underemployment,
11 and other labor challenges, and to ensure a globally
12 competitive, educated, and highly skilled human resource
13 adaptable to the demands and standards of the labor
14 market. In addition, the State shall also develop and
15 strengthen the entrepreneurial know-how of individuals,
16 recognizing that entrepreneurship is a key driver of job
17 generation.

18 In order to achieve this, the EBET framework shall
19 ensure ease of implementation of training initiatives by
20 enterprises and access to training by individuals who

1 intend to develop and upgrade their skills in a
2 technologically changing world, in preparation for potential
3 employment, and to currently employed workers who
4 intend to upskill for career progression.

5 SEC. 3. *Statement of Objectives.* – This Act shall have
6 the following objectives:

7 (a) To provide Filipino workers with opportunities to
8 gain new skills and competencies or to upskill for career
9 advancement, allowing them to secure quality employment
10 and/or obtain entrepreneurial know-how;

11 (b) To meet the demand of the labor market for
12 human resources that are well-trained and adaptable to
13 the ever-evolving skills and competencies requirement of
14 the rapidly changing world of work, with a view to
15 addressing jobs-skills mismatch and strengthening the
16 development of higher levels of competencies;

17 (c) To engage the private sector as an indispensable
18 partner in the development of modules and competency
19 standards in technical-vocational education and training
20 (TVET), and in carrying out EBET Programs; and

1 (d) To strengthen, rationalize, and harmonize
2 programs, such as apprenticeship, learnership, and the
3 dual training system, under an EBET framework, which
4 shall be competency-based and industry-driven, and with
5 due regard to the rights and occupational safety and health
6 of trainees, through the active participation of employers,
7 trainees, technical-vocational institutions, and the
8 government.

9 SEC. 4. *Definition of Terms.* – As used in this Act:

10 (a) *Apprenticeship* refers to an EBET Program that
11 covers higher levels of competencies covered by National
12 Certificates (NC) 3 and above. Apprenticeship shall be for
13 trainees at least eighteen (18) years old and above;

14 (b) *Competency Assessment* refers to the process of
15 gathering and evaluating evidence to determine whether a
16 person can perform to the standards in the workplace
17 based on the defined competency standards;

18 (c) *Competency Standards* refers to a specification of
19 the knowledge, skills, attitudes, and values required for
20 the effective performance of a job, occupation, or trade;

1 (d) *Enterprise* refers to any individual, partnership,
2 corporation, or other entity organized and existing under
3 Philippine laws, excluding government agencies and
4 instrumentalities, government-owned and -controlled
5 corporations, and local government units;

6 (e) *Enterprise-Based Education and Training*
7 *Program* or *Program* refers to a technical-vocational
8 education and training delivered by the enterprise,
9 including programs that are developed and recommended
10 by recognized industry boards, which may be stand-alone
11 or linked with a technical-vocational institution.
12 Theoretical instruction shall be a mandatory component of
13 all EBET Programs;

14 (f) *General EBET Training* refers to an EBET
15 Program that covers low- to mid-level skills, including
16 those classified under NC 1 and 2. This also refers to
17 competency standards which have no corresponding
18 NC levels. Programs classified under this category shall
19 not exceed six (6) months;

1 (g) *Qualification* refers to a formal certification that
2 a person has successfully achieved specific learning
3 outcomes relevant to the identified academic, industry, or
4 community requirements. A qualification confers official
5 recognition of value in the labor market and in further
6 education and training;

7 (h) *Training Plan* refers to a document which
8 describes the expected learning outcomes to be acquired
9 within the Program based on set competency standards,
10 learning experiences a trainee must undergo, and the
11 methods and arrangement of competency assessment; and

12 (i) *Upskilling* refers to an EBET Program for
13 employees of an enterprise to upgrade their skills,
14 regardless of NC level.

15 SEC. 5. *Coverage*. – This Act shall be applicable to all
16 EBET Programs, but excluding the following:

17 (a) Training programs administered by the
18 Commission on Higher Education (CHED) and the
19 Department of Education (DepEd): *Provided*, That a
20 student enrolled in an educational institution who is

1 required to undertake an internship or immersion as part
2 of an academic requirement may participate in registered
3 EBET Programs to fulfill such requirement: *Provided,*
4 *further,* That the Technical Education and Skills
5 Development Authority (TESDA) and CHED or DepEd
6 shall issue the necessary rules and regulations for this
7 purpose;

8 (b) Training programs for regulated professions as
9 provided by law: *Provided,* That such training programs
10 may be allowed to be registered as EBET Programs:
11 *Provided, further,* That the EBET Program shall be aligned
12 with the appropriate competencies that must be learned by
13 the trainee: *Provided, finally,* That TESDA, CHED, and
14 the Professional Regulation Commission (PRC) shall issue
15 the necessary rules and regulations for this purpose; and

16 (c) Training programs implemented by government
17 agencies, including those under the Department of Labor
18 and Employment (DOLE).

19 SEC. 6. *Common Entry Requirements for All EBET*
20 *Programs.* – For purposes of this Act, a trainee shall either

1 be a new entrant to the labor force or an employed worker
2 who opts to undergo training through an EBET Program to
3 acquire new skills, upgrade skills, and/or obtain
4 entrepreneurial know-how.

5 To participate in an EBET Program, a trainee shall:

6 (a) Except as provided under this Act, be at least
7 fifteen (15) years old, subject to the provisions of
8 Presidential Decree No. 442 or the “Labor Code of the
9 Philippines”, as amended, and the prohibition on the
10 employment of minors and against worst forms of child
11 labor under Republic Act No. 7610 or the “Special
12 Protection of Children Against Abuse, Exploitation and
13 Discrimination Act”, as amended by Republic Act No. 9231;

14 (b) Possess the appropriate aptitude and capacity to
15 understand and follow oral and written instructions; and

16 (c) Submit a recent “fit-to-work certificate”, which
17 shall be provided free of charge by a Department of Health
18 (DOH)-recognized health clinic or licensed physician, if
19 applying for an apprenticeship program. If this is not

1 feasible, the firm or entity screening the applicant shall
2 extend such service free of charge.

3 Notwithstanding the foregoing, enterprises may set
4 appropriate educational requirements for an EBET trainee
5 to qualify for a certain EBET Program.

6 An enterprise may also require additional
7 qualifications that shall be applicable to its employed
8 workers who intend to upskill for job promotion.

9 SEC. 7. *Promotion of Equal Protection and Safe*
10 *Spaces in EBET Programs.* – The enterprise shall ensure
11 the security and safety of trainees, pursuant to
12 Republic Act No. 11313, or the “Safe Spaces Act”.
13 An EBET Program shall provide equal opportunities for
14 trainees, regardless of their educational level, age, sex,
15 language, ethnicity, religion, disability, and social status.

16 SEC. 8. *Determination of EBET Priority Occupations.* –
17 TESDA shall issue a list of EBET priority occupations at
18 the national and regional level, which shall be consistent
19 with the *Trabaho Para sa Bayan* Plan mandated under
20 Republic Act No. 11962 or the “*Trabaho Para sa Bayan*

1 Act”, and taking into consideration the applicable levels
2 under Republic Act No. 10968 or the “Philippine
3 Qualifications Framework (PQF) Act”.

4 SEC. 9. *EBET Program Registration.* – All EBET
5 Programs shall be registered with TESDA prior to its
6 implementation and before an enterprise enters into an
7 EBET Agreement, as provided under Section 12 of this Act.

8 For this purpose, TESDA, in consultation with
9 industry, shall issue the appropriate rules and regulations
10 for the registration of EBET Programs, which shall
11 include, but not be limited to, the submission of a Training
12 Plan and proof of arrangement with a technical-vocational
13 institution, if any.

14 Sectors with recognized industry boards shall develop
15 and recommend EBET Programs for their respective
16 industries, for the approval and adoption of TESDA.
17 TESDA shall approve EBET Programs, as recommended,
18 not later than thirty (30) days from submission.

19 In the preparation of an EBET Program for
20 registration, an enterprise shall have the option to either

1 design its Program in accordance with laws, rules, and
2 regulations or customize it in accordance with its specific
3 needs and capacity, subject to the requirements under this
4 Act.

5 All enterprises with approved EBET Programs shall
6 be issued a Certificate of TVET Program Registration
7 (CTPR), which shall be made available to the public.

8 SEC. 10. *Aptitude Testing of Applicant-Trainees.* –

9 The enterprise may conduct its own aptitude test in the
10 selection of trainees, consistent with the minimum
11 qualifications of a trainee under Section 6 of this Act. In
12 the absence thereof, the enterprise may use the results of
13 the National Career Assessment Examination (NCAE), or
14 any government career assessment program, or its
15 equivalent.

16 SEC. 11. *Duration of the EBET Program.* – The
17 duration of an EBET Program shall be based on the
18 complexity of the competencies to be learned based on the
19 Training Plan, but shall in no case exceed three (3) years:
20 *Provided*, That any trainee who receives training for a

1 period over three (3) years or over the prescribed period as
2 may be determined by TESDA shall be a regular employee
3 of the enterprise concerned.

4 In setting the duration of an EBET Program, TESDA
5 shall, in consultation with industry stakeholders, consider
6 the competency standards, training methodology,
7 sequencing of modules, assessment and/or certification
8 arrangements, and other relevant factors.

9 SEC. 12. *Contents of EBET Agreement.* – An
10 enterprise shall enter into an EBET Agreement with a
11 trainee prior to the start of the Program. The EBET
12 Agreement shall include, but not be limited to, the
13 following:

- 14 (a) Training Plan;
15 (b) Hours of training per day and per week;
16 (c) Period of training;
17 (d) Training allowance;
18 (e) Other benefits as may be provided by the
19 enterprise;

1 (f) Schedule of training allowance payments, which
2 shall be at least twice a month, and other benefits;

3 (g) Process of termination of EBET Agreement; and

4 (h) General rights and obligations of both parties.

5 If an enterprise chooses to partner with a
6 technical-vocational institution to undertake the
7 theoretical instruction as outlined in the Training Plan,
8 the enterprise shall have the responsibility of ensuring
9 that the terms and conditions of its Agreement with the
10 technical-vocational institution is in accordance with the
11 requirements and rules and regulations of TESDA.

12 If the trainee is between fifteen (15) and eighteen (18)
13 years old, the Agreement shall be signed by the minor's
14 parent or guardian: *Provided*, That the Agreement shall
15 conform to protections for minors as provided under
16 Presidential Decree No. 442, as amended, Republic Act
17 No. 7610, as amended, and other relevant laws, rules, and
18 regulations.

19 If the trainee is currently employed by the enterprise
20 implementing the upskilling EBET Program, the

1 Agreement shall ensure that the trainee is given the same
2 treatment as that of comparable employees working at the
3 enterprise, including security of tenure and
4 non-diminution of benefits. Nothing in this Act shall be
5 construed to diminish existing benefits under present laws,
6 the employment agreement between the parties, company
7 policies, and collective bargaining agreements.

8 SEC. 13. *Training Allowance and Training Hours.* –

9 (a) General EBET Program. A trainee shall receive
10 training allowance from the enterprise, which shall be
11 sufficient to cover transportation costs, meals, and any
12 other expenses that may be agreed upon between the
13 enterprise and the trainee.

14 Training hours shall be determined by the enterprise,
15 which shall not exceed eight (8) hours per day: *Provided,*
16 That the training hours of minors shall not exceed forty
17 (40) hours per week and shall in no case be allowed to
18 render overtime.

19 (b) Apprenticeship. A trainee under an
20 apprenticeship program shall receive a training allowance

1 not lower than seventy-five percent (75%) of the applicable
2 minimum wage rates: *Provided*, That in programs
3 exceeding one (1) year, a trainee shall be entitled to a
4 yearly increase, subject to evaluation of performance as a
5 trainee and commensurate with labor market wage rates
6 in the sector.

7 Training hours for an apprentice shall be eight (8)
8 hours per day, subject to an additional twenty-five percent
9 (25%) of the hourly rate for every hour in excess of eight (8)
10 hours for programs that require additional training hours.
11 In no case shall overtime period be more than two (2) hours
12 per day.

13 (c) Upskilling program. A trainee under an upskilling
14 program shall be entitled to full wages and benefits
15 enjoyed by a regular employee of the enterprise, including
16 entitlements to overtime pay, night shift differential, and
17 other benefits as provided by law.

18 SEC. 14. *Scholarships*. – Training scholarships,
19 including the Training for Work Scholarship Program and
20 the *Tulong-Trabaho* Fund under Republic Act No. 11230,

1 or the “*Tulong-Trabaho Act*”, shall be made available to
2 EBET trainees, subject to applicable TESDA rules,
3 regulations and guidelines.

4 SEC. 15. *Training Certificate.* – A training certificate
5 shall be issued by the enterprise and/or its partner
6 technical-vocational institution to the trainee upon
7 completion of the EBET Program. It shall contain the
8 number of training hours and the list of competencies
9 acquired.

10 If the enterprise hires the trainee before the
11 completion of the program, a training certificate shall
12 likewise be issued to the trainee.

13 SEC. 16. *Competency Assessment and Certification.* –
14 A trainee shall undergo assessment and certification for
15 qualifications with corresponding competency standards.
16 Successful candidates who demonstrate competence for the
17 full or partial qualifications shall be awarded an NC or a
18 Certificate of Competency (COC), as the case may be.

19 If an EBET Program has no established certification
20 system, such arrangements shall be designed and

1 implemented in accordance with the assessment and
2 certification arrangements approved in the Training Plan.

3 SEC. 17. *Grievance Mechanism.* – There shall be an
4 EBET Committee established in every enterprise
5 implementing an EBET Program, composed of
6 representatives from the employees and management. For
7 unionized enterprises, the employees' representative shall
8 come from the existing labor unions. For non-unionized
9 enterprises, the employees' representative shall be elected
10 by the employees of the enterprise, or from the members of
11 the Labor-Management Council, if any.

12 The EBET Committee shall have the responsibility of
13 settling differences upon the filing of a complaint by an
14 aggrieved party.

15 Notwithstanding the preceding paragraph, TESDA
16 may take cognizance of complaints pertaining to any
17 violation of the EBET Agreement or pertaining to the
18 registration of the EBET Program. The National Labor
19 Relations Commission (NLRC) and the National
20 Conciliation and Mediation Board (NCMB) shall continue

1 to have jurisdiction over complaints properly falling within
2 their jurisdiction.

3 SEC. 18. *Other Instances of Implementation of the*
4 *EBET Program.* –

5 (a) When national security or particular requirements
6 of economic development demand, the President of the
7 Philippines may require compulsory EBET in certain
8 sectors where shortage of trained human resource is
9 deemed critical; and

10 (b) Where foreign nationals with valid employment
11 permits are employed, the enterprise shall be encouraged
12 to set up appropriate EBET Programs as a tool for
13 technology transfer.

14 SEC. 19. *Donations to Technical-Vocational Institutions.* –
15 Donations, contributions, bequests, subsidies, or financial
16 aid actually paid or made to a technical-vocational
17 institution implementing theoretical instructions for EBET
18 Programs within the taxable year shall be exempt from
19 donor's tax and shall be deductible from the gross income

1 of the donor subject to the provisions of the National
2 Internal Revenue Code (NIRC) of 1997, as amended.

3 For this purpose, technical-vocational institutions
4 shall not be required to obtain accreditation,
5 notwithstanding any law to the contrary, but they shall
6 secure the proper certification from TESDA.

7 Donations, contributions, bequests, subsidies, or
8 financial aid made under this section shall be exempt from
9 taxes and duties: *Provided*, That the importation of these
10 items shall be certified by TESDA to be actually, directly,
11 and exclusively used in connection with the conduct of the
12 registered EBET Program.

13 The Department of Finance (DOF), Bureau of
14 Internal Revenue (BIR), Bureau of Customs (BOC), and
15 TESDA, in consultation with relevant stakeholders, shall
16 formulate the necessary rules and regulations to
17 implement the provisions of this section, which shall
18 include streamlined processes to encourage broader
19 participation of enterprises.

1 SEC. 20. *Deductible Training Expense.* –

2 Notwithstanding any law to the contrary, an enterprise
3 implementing a registered EBET Program shall
4 be qualified to avail of an additional deduction from
5 taxable income equivalent to fifty percent (50%) of actual
6 training expenses from the effectivity of this Act up to
7 December 31, 2027: *Provided*, That starting January 1,
8 2028, the additional deduction shall increase to seventy-
9 five percent (75%) of the actual training expenses:
10 *Provided, further*, That such deduction shall not exceed
11 five percent (5%) of total direct labor expenses, or shall not
12 exceed Twenty-five million pesos (P25,000,000.00) a year,
13 whichever is lower. The enterprise shall secure the proper
14 certification from TESDA for this purpose.

15 An enterprise registered with an investment
16 promotion agency and implementing an EBET Program
17 may opt to avail of the incentives either under this Act or
18 the applicable fiscal incentives under Title XIII of the
19 NIRC of 1997, as amended by Republic Act No. 11534,
20 otherwise known as the “Corporate Recovery and Tax

1 Incentives for Enterprises Act”: *Provided*, That the
2 availment of incentives under Title XIII of the NIRC, as
3 amended, shall preclude the simultaneous availment of
4 fiscal incentives under this Act.

5 The DOF, TESDA, and BIR, in consultation with
6 relevant stakeholders, shall formulate the necessary rules
7 and regulations to implement the provisions of this section,
8 which shall include streamlined processes to encourage
9 broader participation of enterprises.

10 SEC. 21. *EBET One-Stop Shop or Online Portal for*
11 *Incentives.* – TESDA, in coordination with DOF, BIR, BOC,
12 and the Department of Information and Communications
13 Technology (DICT), shall establish a one-stop shop and/or
14 an online portal to facilitate the effective, efficient, and
15 more accessible availment of the incentives provided under
16 this Act.

17 SEC. 22. *Employment Status of EBET Trainees.* – An
18 EBET trainee shall not be considered an employee of the
19 enterprise for the duration of the EBET Program.

1 EBET graduates shall be given preference in the
2 hiring of workers by the enterprise that implemented the
3 EBET Program and shall be exempted from probationary
4 employment therein when hired for a position requiring
5 the competencies and qualifications obtained from the
6 EBET Program.

7 EBET trainees may also be hired by the enterprise
8 even before the completion of the EBET Program, which
9 shall result in the automatic termination of the EBET
10 Agreement between them: *Provided*, That such trainees
11 shall likewise be exempt from probationary employment.

12 For the avoidance of doubt, this section shall not
13 apply to trainees who are already regularly employed by
14 the enterprise, who shall continue to enjoy their status as
15 such.

16 Enterprises shall be prohibited from training the
17 same trainee twice consecutively: *Provided*, That any
18 trainee who receives training from the same enterprise
19 twice consecutively shall be considered a regular employee
20 of the enterprise concerned.

1 SEC. 23. *System of Equivalency.* – TESDA, in
2 consultation with CHED and other relevant government
3 agencies, shall ensure that EBET graduates shall be
4 awarded equivalent unit credits in the formal system of
5 education that can be used in pursuing tertiary degree
6 courses, subject to the integrated policies and guidelines of
7 equivalency and credit transfer by TESDA and CHED, in
8 consultation with relevant stakeholders.

9 SEC. 24. *Insurance Coverage and Occupational Safety*
10 *and Health Standards.* – An enterprise implementing an
11 EBET Program which belongs to a medium or high-risk
12 industry, as determined by the DOLE, shall provide their
13 trainees, free of charge, the appropriate life and/or accident
14 insurance policy.

15 Standards of occupational safety and health under
16 Republic Act No. 11058 or “An Act Strengthening
17 Compliance with Occupational Safety and Health
18 Standards and Providing Penalties for Violations Thereof”
19 shall likewise be observed in all EBET Programs.

1 SEC. 25. *Limitation on the Number of Trainees.* –

2 Except for enterprises implementing an upskilling
3 program for their employees, no enterprise shall be allowed
4 to have EBET trainees more than twenty percent (20%) of
5 the total number of its regular employees: *Provided*, That
6 any trainee in excess of the twenty percent (20%) threshold
7 shall be considered a regular employee of the enterprise
8 concerned: *Provided, further*, That TESDA may increase
9 the cap, if necessary, considering the capacity of the
10 enterprise in implementing the EBET Program based on
11 the Training Plan and the track record of such enterprise
12 in implementing EBET Programs.

13 SEC. 26. *Implementing Agency.* – TESDA shall be the

14 primary agency responsible for the implementation of this
15 Act. It shall set the policies and guidelines for the
16 implementation of the EBET framework and shall be
17 responsible for quality assurance and evaluation of
18 registered EBET Programs.

19 It shall have the following duties and responsibilities:

1 (a) Determine and issue the list of EBET priority
2 occupations and approve new EBET occupations as
3 endorsed by industry boards or industry associations and
4 other concerned stakeholders;

5 (b) Approve and certify EBET Programs applied for
6 registration by enterprises;

7 (c) Issue policies and guidelines on the
8 implementation of the EBET Programs;

9 (d) Monitor the conduct of EBET Programs by
10 enterprises, and their compliance with the Training Plan,
11 EBET Agreement, general labor standards, and
12 occupational safety and health standards, in coordination
13 with DOLE;

14 (e) Validate and certify trainees who successfully
15 passed the assessment process;

16 (f) Conduct audits on EBET Programs and
17 implementers;

18 (g) Cancel CTPRs of enterprises that fail to comply
19 with this Act; and

1 (h) Perform other functions as may be necessary for
2 the effective implementation of this Act.

3 SEC. 27. *TESDA and Industry Participation.* – The
4 TESDA and industry boards shall undertake the
5 identification and prioritization of qualifications and the
6 development and/or updating of competency standards,
7 assessment tools, and curricula to continuously improve
8 EBET policies and guidelines, and to ensure broader
9 participation of all stakeholders in the implementation of
10 EBET Programs.

11 Pending the establishment of an industry board in a
12 specific sector, TESDA shall undertake the development
13 and/or updating of competency standards, assessment
14 tools, and curricula.

15 SEC. 28. *EBET Support Integrators.* – TESDA shall
16 organize a network of EBET support integrators who shall
17 provide technical assistance to micro and small enterprises
18 on the following:

19 (a) Analysis of available data for labor market
20 information at the provincial and community level;

1 (b) Linking enterprises with related training and/or
2 assessment and certification needs;

3 (c) Development of training plan/s;

4 (d) Organization of documentary and technical
5 requirements for EBET Program registration;

6 (e) Promotion of EBET Programs for the placement
7 of trainees in such enterprises; and

8 (f) Other forms of support to encourage EBET
9 Programs in micro and small enterprises.

10 EBET support integrators shall have proven TVET
11 experience and capability in providing advisory services to
12 enterprises. In performing their functions as such, they
13 shall receive appropriate remuneration from TESDA. For
14 this purpose, TESDA shall issue the necessary guidelines
15 for the establishment of such network.

16 SEC. 29. *Termination of EBET Agreement.* – The
17 EBET Agreement shall be binding during its term.
18 However, the trainee or the enterprise may terminate the
19 Agreement for cause or by mutual consent of the parties
20 upon prior written notice to the other party.

1 SEC. 30. *Prohibited Acts and Penalties.* – The
2 following acts are hereby prohibited:

3 (a) Commission of fraud or deceit in the application,
4 registration, and implementation of the EBET Program;

5 (b) Discontinuation of a registered EBET Program
6 without notice to TESDA;

7 (c) Non-payment of training allowance or payment of
8 training allowance below the prescribed amount;

9 (d) Assignment of trainees to hazardous places not
10 covered by the Training Plan; and

11 (e) Non-compliance with any of the provisions of this
12 Act or its implementing rules and regulations.

13 An enterprise who commits any of the
14 above-enumerated acts shall be administratively liable to
15 TESDA, and shall be imposed a fine in the amount of Ten
16 thousand pesos (P10,000.00) to One hundred thousand
17 pesos (P100,000.00). Additionally, TESDA may also order
18 the suspension or revocation of the CTPR granted to an
19 enterprise.

1 The penalties under this section are without
2 prejudice to other liabilities arising from existing civil,
3 administrative, and criminal laws for the same act or
4 violation.

5 SEC. 31. *Transitory Provision.* – All existing EBET
6 Programs shall be valid until after the TESDA has
7 conducted an assessment and revalidation of these
8 programs in accordance with this Act.

9 SEC. 32. *Implementing Rules and Regulations.* –
10 Within ninety (90) days from the effectivity of this Act,
11 TESDA shall, upon consultation with the DOLE, National
12 Tripartite Industrial Peace Council (NTIPC), DOF, BIR,
13 BOC, DICT, and other relevant stakeholders, issue the
14 implementing rules and regulations for the effective
15 implementation of this Act.

16 SEC. 33. *Appropriations.* – The amount needed for the
17 initial implementation of this Act shall be charged against
18 the current year's appropriation of TESDA. Thereafter,
19 such sums as may be necessary for the continued

1 implementation of this Act shall be included in the annual
2 General Appropriations Act.

3 SEC. 34. *Reportorial Requirement.* – Two (2) years
4 after the effectivity of this Act and every year thereafter,
5 the TESDA shall review the implementation and
6 accomplishments of this Act, including the employability,
7 retention rates, and income levels of trainees post-training,
8 and submit a report to the President of the Philippines and
9 to the Congress not later than June 30 following the year
10 of review. The report shall also include recommendations
11 to address gaps in the law and/or the implementation of
12 this Act.

13 SEC. 35. *Separability Clause.* – If any provision of this
14 Act is held invalid or unconstitutional, the same shall not
15 affect the validity and effectivity of the other provisions
16 hereof.

17 SEC. 36. *Repealing Clause.* – Republic Act No. 7686,
18 or the “Dual Training System Act of 1994”, is hereby
19 repealed.

1 Book Two, Title II, Chapters 1 and 2 of Presidential
2 Decree No. 442, or the Labor Code of the Philippines, as
3 amended, are hereby repealed.

4 Section 34(A)(1)(a)(v) of the NIRC of 1997, as
5 amended, is hereby repealed.

6 All laws, decrees, orders, rules, and regulations or
7 parts thereof inconsistent with this Act are hereby
8 repealed or modified accordingly.

9 SEC. 37. *Effectivity.* – This Act shall take effect after
10 fifteen (15) days following its publication in the *Official*
11 *Gazette* or in a newspaper of general circulation.

Approved,