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SENATE

COMMITTEE REPORT NO. **548**

RECEIVED BY: 

Submitted Jointly by the Committees on Education, Arts and Culture and on Finance on AUG 10 2009.

Re: House Bill No. 4360, taking into consideration Senate Bill No. 3192

Recommending its approval with amendments.

Sponsors: Senators MAR Roxas, Francis G. Escudero and Edgardo J. Angara

Mr. President:

The Committees on Education, Arts and Culture and on Finance to which was referred House Bill No. 4360, introduced by Representatives Villafuerte, Villar, Lagman, Javier, Remulla and Abante, entitled:

“AN ACT

CONVERTING THE CAMARINES SUR STATE AGRICULTURAL COLLEGE IN THE MUNICIPALITY OF PILI, PROVINCE OF CAMARINES SUR INTO A STATE UNIVERSITY TO BE KNOWN AS THE CENTRAL BICOL STATE UNIVERSITY OF AGRICULTURE AND APPROPRIATING FUNDS THEREFOR”

taking into consideration Senate Bill No. 3192, introduced by Senator Francis G. Escudero, entitled:

“AN ACT

CONVERTING THE CAMARINES SUR STATE AGRICULTURAL COLLEGE IN THE MUNICIPALITY OF PILI, PROVINCE OF CAMARINES SUR INTO A STATE UNIVERSITY TO BE KNOWN AS THE CENTRAL BICOL STATE UNIVERSITY OF AGRICULTURE AND APPROPRIATING FUNDS THEREFOR”

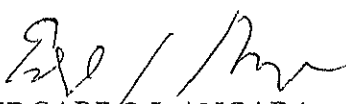
have considered the same and have the honor to report it back to the Senate with the recommendation that it be approved with the followings amendments:

1. On Page 2, Line 5, After the word “Region” insert: “PROVIDED, THAT NO DEGREE PROGRAM SHALL BE OFFERED WITHOUT THE APPROVAL OF THE COMMISSION ON HIGHER EDUCATION BEFORE THE SAME SHALL BE APPROVED BY ITS BOARD.”
2. On Page 10, Delete Lines 3-5, and replace with: “THE PRESIDENT OF THE UNIVERSITY SHALL BE ASSISTED BY THE VICE-PRESIDENT/S, WHO SHALL BE APPOINTED BY THE BOARD UPON RECOMMENDATION OF THE PRESIDENT.”
3. On Page 13, Line 3, Insert a new section:
“SECTION 21. CHED MONITORING AND EVALUATION. – THE COMMISSION ON HIGHER EDUCATION SHALL CONDUCT REGULAR

MONITORING AND EVALUATION TO DETERMINE CONTINUING COMPLIANCE WITH THE REQUIREMENTS ON UNIVERSITY STATUS. IN THE EVENT THAT THE COMMISSION FINDS THAT THE UNIVERSITY DOES NOT MAINTAIN COMPLIANCE THEREOF, IT SHALL SUBMIT THE APPROPRIATE RECOMMENDATION FOR THE REVOCATION OF THE UNIVERSITY STATUS TO THE SENATE COMMITTEE ON EDUCATION, ARTS, AND CULTURE, AND THE HOUSE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION.”

4. Renumber the subsequent sections accordingly.

RESPECTFULLY SUBMITTED:



EDGARDO J. ANGARA

Chairperson

Committee on Finance

*Member, Committee on Education,
Arts and Culture*

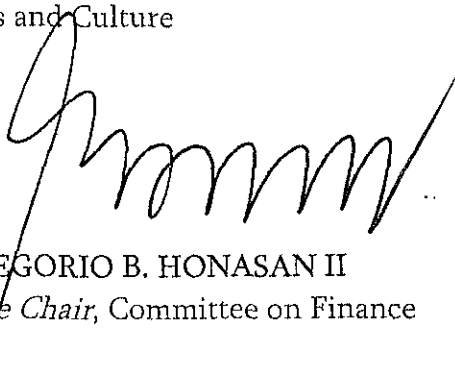


MAR ROXAS

Chairperson

Committee on Education, Arts and Culture

Member, Committee on Finance



GREGORIO B. HONASAN II

Vice Chair, Committee on Finance




JOKER P. ARROYO

Vice Chair, Committee on Finance

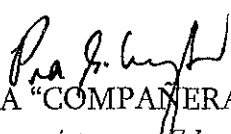
Members

MIRIAM DEFENSOR SANTIAGO
Committee on Finance

RICHARD J. GORDON
Committee on Education, Arts and
Culture; Committee on Finance



FRANCIS G. ESCUDERO
Committee on Education, Arts and
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PIA "COMPANERA" S. CAYETANO
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MANUEL M. LAPID
Committee on Education, Arts and
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RAMON B. REVILLA JR.
Committee on Education, Arts and
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LOREN B. LEGARDA
Committee on Education, Arts and
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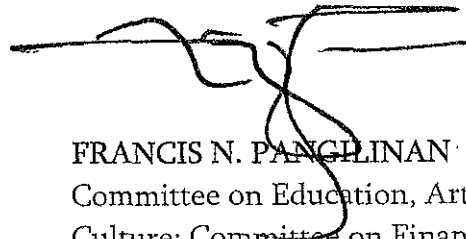
PANFILO M. LACSON
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M.A. MADRIGAL
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ALAN PETER S. CAYETANO
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RODOLFO G. BIAZON
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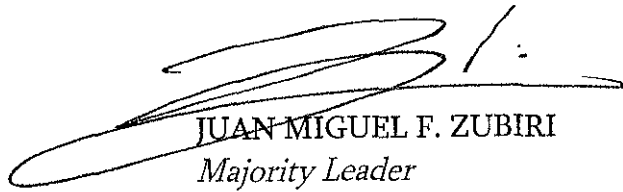
BENIGNO S. AQUINO III
Committee on Education, Arts and
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ANTONIO F. TRILLANES IV
Committee on Finance

Ex-Officio Members

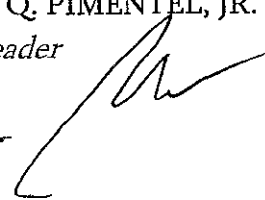


JINGCOY EJERCITO ESTRADA
President Pro-Tempore



JUAN MIGUEL F. ZUBIRI
Majority Leader

*Have the requirements
of law been observed?*
AQUILINO Q. PIMENTEL, JR.
Minority Leader



*I support
The bill if
yes.*

HON. JUAN PONCE ENRILE
President
Senate of the Philippines



HOUSE OF REPRESENTATIVES

H. No. 4360

BY REPRESENTATIVES VILLAFUERTE, VILLAR, LAGMAN, JAVIER, REMULLA
AND ABANTE, PER COMMITTEE REPORT NO. 708

AN ACT CONVERTING THE CAMARINES SUR STATE
AGRICULTURAL COLLEGE IN THE MUNICIPALITY OF PILI,
PROVINCE OF CAMARINES SUR INTO A STATE UNIVERSITY
TO BE KNOWN AS THE CENTRAL BICOL STATE UNIVERSITY
OF AGRICULTURE AND APPROPRIATING FUNDS THEREFOR

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

1 SECTION 1. *Conversion.* – The Camarines Sur State Agricultural
2 College in the Municipality of Pili, Province of Camarines Sur is hereby
3 converted into a state university to be known as the Central Bicol State
4 University of Agriculture, hereinafter referred to as the University.

5 SEC. 2. *General Mandate.* – The University shall primarily provide
6 both advanced instruction and research in agriculture and allied technological
7 sciences including education, arts and related sciences. It shall also undertake
8 extension and development programs, and provide the necessary instructional
9 and research leadership in agricultural, environmental and technological
10 development in the Bicol Region.

11 SEC. 3. *Curricular Offerings.* – The University shall offer
12 undergraduate and graduate courses in the fields of agriculture, environmental

1 management, engineering, education, arts and sciences, and other degree
2 courses within its areas of specialization and according to its capabilities, as
3 the Board of Regents may deem necessary to carry out its objectives and in
4 order to meet the needs of the Province of Camarines Sur and the Bicol
5 Region.

6 The existing high school shall be transferred to the jurisdiction and
7 supervision of the Department of Education (DepEd): *Provided*, That the high
8 school shall be allowed to remain and operate within the campus of the
9 University until the existing students shall have completed their high school
10 education: *Provided, further*, That the University may operate a reasonably-
11 sized laboratory school, if it has a College of Education.

12 SEC. 4. *Administration.* – The University shall have the general powers
13 of a corporation set forth in Batas Pambansa Blg. 68, as amended, otherwise
14 known as the “Corporation Code of the Philippines”. The administration of the
15 University and the exercise of its corporate powers shall be vested exclusively
16 in the Board of Regents and the President of the University.

17 SEC. 5. *The Governing Board.* – The governing board of the
18 University shall be the Board of Regents, hereinafter referred to as the Board,
19 which shall be composed of the following:

20 (a) The Chairperson of the Commission on Higher Education (CHED),
21 Chairperson;

22 (b) The President of the University, Vice Chairperson;

23 (c) The Chairperson of the Committee on Education, Arts and Culture
24 of the Senate, member;

25 (d) The Chairperson of the Committee on Higher and Technical
26 Education of the House of Representatives, member;

27 (e) The Regional Director of the National Economic and Development
28 Authority (NEDA), member;

- 1 (f) The Regional Director of the Department of Agriculture (DA),
2 member;
3 (g) The President of the faculty association of the University, member;
4 (h) The President of the student council of the University, member;
5 (i) The President of the alumni association of the University, member;
6 and
7 (j) Two (2) prominent citizens from the private sector who have
8 distinguished themselves in their profession or fields of specialization of the
9 University, members.

10 The Board shall appoint the two (2) prominent citizens from among a
11 list of at least five (5) qualified persons in the Province of Camarines Sur, as
12 recommended by the search committee constituted by the University President,
13 in consultation with the Chairperson of the CHED and other members of the
14 Board, based on the normal standards and qualifications for the position.

15 The term of office of the President of the faculty association, the
16 President of the student council and the President of the alumni association
17 shall be coterminous with their respective terms of office, as set forth in their
18 respective constitutions and bylaws.

19 The two (2) prominent citizens shall serve for a term of two (2) years
20 from the date of appointment.

21 SEC. 6. *Promulgation and Implementation of Policies.* – The Board
22 shall promulgate and implement policies in accordance with the declared State
23 policies on education and other pertinent provisions of the Philippine
24 Constitution on education, agriculture, science and technology, as well as the
25 policies, standards and thrusts of the CHED under Republic Act No. 7722,
26 otherwise known as the “Higher Education Act of 1994”.

27 SEC. 7. *Powers and Duties of the Board of Regents.* – The Board shall
28 have the following specific powers and duties, in addition to its general powers

1 of administration and the exercise of all the powers granted to the board of
2 directors of a corporation under existing laws:

3 (a) To promulgate rules and regulations as may be necessary to carry
4 out the purposes and functions of the University;

5 (b) To receive and appropriate all sums as may be provided for the
6 support of the University in the manner it may determine in its discretion, in
7 order to carry out the purposes and functions of the University;

8 (c) To import duty-free economic, technical and cultural books and/or
9 publications, upon certification by the CHED that such imported books and/or
10 publications are for economic, technical, vocational, scientific, philosophical,
11 historical or cultural purposes, in accordance with the provisions of the Tariff
12 and Customs Code of the Philippines, as amended;

13 (d) To receive in trust legacies, gifts and donations of real and personal
14 properties of all kinds and to administer and dispose of the same when
15 necessary for the benefit of the University, and subject to the limitations,
16 directions and instructions of the donor, if any.

17 Such donations shall be exempt from the donor's tax and the same shall
18 be considered as allowable deductions from the gross income in the
19 computation of the income tax of the donor, in accordance with the provisions
20 of the National Internal Revenue Code (NIRC) of 1997, as amended: *Provided,*
21 That such donations shall not be disposed of, transferred or sold;

22 (e) To fix the tuition fees and other necessary school charges such as,
23 but not limited to, matriculation fees, graduation fees and laboratory fees, as
24 the Board may deem proper to impose, after due consultations with the
25 involved sectors.

26 Such fees and charges, including government subsidies and other
27 income generated by the University, shall constitute special trust funds and
28 shall be deposited in any authorized government depository bank, and all

1 interests that shall accrue therefrom shall form part of the same funds for the
2 use of the University.

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

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

16 (f) To adopt and implement a socialized scheme of tuition and school
17 fees for greater access to poor but deserving students;

18 (g) To authorize the construction or repair of its buildings, machinery,
19 equipment and other facilities, and the purchase and acquisition of real
20 property, including necessary supplies, materials and equipment;

21 (h) To appoint upon recommendation of the President of the
22 University, Vice Presidents, deans, directors, heads of campuses, faculty
23 members, and other officials and employees of the University;

24 (i) To fix and adjust salaries of faculty members and administrative
25 officials and employees, subject to the provisions of the Revised Compensation
26 and Position Classification System and other pertinent budget and
27 compensation laws governing hours of service and such other duties and
28 conditions as it may deem proper; to grant them, at its discretion, leaves of

1 absence under such regulations as it may promulgate, any provision of existing
2 law to the contrary notwithstanding; and to remove them for cause in
3 accordance with the requirements of due process of law;

4 (j) To approve the curricula, instructional programs and rules of
5 discipline drawn by the Administrative and Academic Councils herein
6 provided;

7 (k) To set policies on admission and graduation of students;

8 (l) To award honorary degrees upon persons in recognition of their
9 outstanding contribution in the fields of education, public service, arts, science
10 and technology, agriculture or in any field of specialization within the
11 academic competence of the University; and to authorize the awarding of
12 certificates of completion of nondegree and nontraditional courses;

13 (m) To establish and absorb nonchartered tertiary institutions within
14 the Province of Camarines Sur as branches and centers in coordination with the
15 CHED, and in consultation with the Department of Budget and Management
16 (DBM), and to offer therein programs or courses, to promote and carry out
17 equal access to educational opportunities as mandated by the Constitution;

18 (n) To establish research and extension centers of the University
19 where such will promote the development of the latter;

20 (o) To establish professorial chairs in the University and to provide
21 fellowships for qualified faculty members and scholarships to deserving
22 students;

23 (p) To delegate any of its powers and duties provided hereinabove to
24 the President and/or other officials of the University as it may deem
25 appropriate, so as to expedite the administration of the affairs of the
26 University;

27 (q) To authorize an external management audit of the University, to be
28 financed by the CHED, subject to the rules and regulations of the Commission

1 on Audit (COA); and to institute reforms, including academic and structural
2 changes, on the basis of the audit results and recommendations;

3 (r) To collaborate with other governing boards of the state colleges
4 and universities within the Province of Camarines Sur or the Bicol Region,
5 under the supervision of the CHED and in consultation with the DBM, and
6 work towards the restructuring of the University to become more efficient,
7 relevant, productive and competitive;

8 (s) To enter into joint ventures with business and industry for the
9 profitable development and management of the economic assets of the
10 University, the proceeds from which shall be used for the development and
11 strengthening of the University;

12 (t) To develop consortia and other economic forms of linkages with
13 local government units, institutions and agencies, both public and private, local
14 and foreign, in the furtherance of the purposes and objectives of the University;

15 (u) To develop academic arrangements for institutional capability
16 building with appropriate institutions and agencies, public and private, local
17 and foreign, and to appoint experts/specialists as consultants, part-time or
18 visiting or exchange professors, scholars or researchers, as the case may be;

19 (v) To set up the adoption of modern and innovative modes of
20 transmitting knowledge such as the use of information technology, the dual
21 learning system, open or distance education and community laboratory for the
22 promotion of greater access to education;

23 (w) To establish policy guidelines and procedures for participative
24 decision-making and transparency within the University;

25 (x) To privatize, where most advantageous to the University,
26 management of nonacademic services such as health, food, building or grounds
27 or property maintenance and such other similar activities; and

1 (y) To extend the term of the President of the University beyond the
2 age of retirement but not beyond the age of seventy (70), whose performance
3 has been unanimously rated by the Board as outstanding based on the
4 guidelines, qualifications and/or standards set by the Board, after unanimous
5 recommendation by the search committee.

6 SEC. 8. *Meetings of the Board.* – The Board shall regularly convene at
7 least once every quarter. However, the Chairperson of the Board may, upon
8 three (3) days' prior written notice, call a maximum of two (2) special
9 meetings whenever necessary.

10 A quorum of the Board shall consist of majority of all its members
11 holding office at the time of the meeting: *Provided, however,* That the
12 Chairperson of the Board or the President of the University is among those
13 present in the meeting.

14 In the absence of the Chairperson of the CHED, a Commissioner of the
15 CHED, duly designated by him/her, shall represent him/her in the meeting with
16 all the rights and responsibilities of a regular member: *Provided, however,*
17 That during this meeting, the President of the University as Vice Chairperson
18 shall be the Presiding Officer: *Provided, further,* That this *proviso*
19 notwithstanding, the Chairperson of the CHED is hereby authorized to
20 designate a CHED Commissioner as the regular Chair of the Board, in which
21 case said CHED Commissioner shall act as the Presiding Officer.

22 In case the Chairpersons of the Congressional Committees on Education
23 shall not be able to attend the Board meeting, they may duly designate their
24 respective representatives to attend the said meeting, who shall have the same
25 rights and responsibilities as a regular member of the Board.

26 The members of the Board shall not receive any salary but shall be
27 entitled to reimbursements for actual and necessary expenses incurred, either in
28 their attendance to meetings of the Board or in connection with other official

1 business authorized by resolution of the Board, subject to existing laws and
2 regulations.

3 *SEC. 9. The University President.* – The University shall be headed by
4 a President, who shall render full-time service. He/she shall be appointed by
5 the Board, subject to the guidelines, qualifications and/or standards set by the
6 Board, upon recommendation of a duly constituted search committee. He/she
7 shall serve for a term of four (4) years and shall be eligible for reappointment
8 for another term; *Provided*, That in order to effect a smooth transition to a state
9 university, the incumbent President of the Camarines Sur State Agricultural
10 College shall *ipso facto* become the first President of the University.

11 Within six (6) months before the expiration of the term of office of the
12 incumbent President of the University, the Board shall constitute the Search
13 Committee for the Presidency (SCP).

14 In case of vacancy in the Office of the President by reason of death,
15 compulsory retirement, resignation, removal for cause or incapacity of the
16 president to perform the functions of his/her office, the Board shall have the
17 authority to designate an Officer-in-Charge of the University pending the
18 appointment of a new President.

19 In case of vacancy in the Office of the President as mentioned in the
20 immediately preceding paragraph, his/her successor or the Officer-in-Charge
21 shall serve only the unexpired portion of the term.

22 The powers and duties of the President of the University, in addition to
23 those specifically provided in this Act, shall be those usually pertaining to the
24 Office of the President of similar universities, and those delegated by the
25 Board.

26 The salary of the President of the University shall be in accordance with
27 the Revised Compensation and Position Classification System and shall be

1 comparable to that being received by the Presidents of similar educational
2 institutions.

3 The President of the University shall be assisted by a Vice President for
4 Academic Affairs and a Vice President for Administration, who shall be
5 appointed by the Board upon recommendation of the President.

6 SEC. 10. *The Administrative Council.* -- There shall be an
7 Administrative Council consisting of the President of the University as
8 Chairperson, Vice Presidents, deans, directors and other officials of equal rank
9 as members, whose duty is to review and recommend to the Board the policies
10 governing the administration, management and development planning of the
11 University.

12 SEC. 11. *The Academic Council.* -- There shall be an Academic Council
13 to be composed of the President of the University, who shall act as
14 Chairperson, and all the academic staff with the rank of at least an assistant
15 professor, as members.

16 The Academic Council shall have the power to review and recommend
17 the curricular offerings and rules of discipline of the University, subject to the
18 approval of the Board. It shall fix the requirements for the admission of
19 students as well as for their graduation and the conferment of degrees, subject
20 to review and/or approval by the Board through the President of the
21 University. It shall have the disciplinary power over students of the University
22 and shall formulate academic policies and rules and regulations on discipline,
23 subject to the approval of the Board.

24 SEC. 12. *The Secretary of the University.* -- The Board shall appoint a
25 Secretary, who shall serve as such for both the Board and the University and
26 shall keep all records and proceedings of the Board. He/she shall serve upon
27 each member of the Board the appropriate notice of the Board meetings.

1 SEC. 13. *The Treasurer of the University.* – The Treasurer of the
2 Philippines shall be the *ex officio* treasurer of the University.

3 SEC. 14. *The Faculty.* – No political beliefs, gender preference,
4 cultural or community affiliation or ethnic origin, and religious opinion or
5 affiliation shall be a matter of inquiry in the appointment of faculty members of
6 the University: *Provided, however,* That said appointment shall be subject to
7 the guidelines, qualifications and/or standards set by the Board: *Provided,*
8 *further,* That no member of the faculty shall teach for or against any particular
9 church or religious sect.

10 SEC. 15. *Scholarship Program/Admission.* – The University shall
11 provide a scholarship program and other affirmative action programs to assist
12 poor but deserving students who qualify for admission to the University.

13 No student shall be denied admission to the University by reason of sex,
14 religion, cultural or community affiliation or ethnic origin.

15 SEC. 16. *Academic Freedom and Institutional Autonomy.* – The
16 University shall enjoy academic freedom and institutional autonomy, pursuant
17 to paragraph 2, Section 5 of Article XIV of the Constitution of the Republic of
18 the Philippines.

19 SEC. 17. *Authority to Loan or Transfer Apparatus/Equipment/Supplies*
20 *and Detail of Personnel.* – The heads of the bureaus and offices of the national
21 government are hereby authorized to loan or transfer, upon the request of the
22 President of the University, such apparatus, equipment or supplies as may be
23 needed by the University, and to detail employees for duty therein when, in the
24 judgment of the head of bureau or office, such apparatus, equipment, supplies
25 or services of such employees can be spared without serious detriment to the
26 public service. The employees so detailed shall perform such duties as
27 required of them by the President of the University, and the time so employed
28 shall be counted as part of their regular services.

1 SEC. 18. *Assets, Liabilities and Personnel.* – All assets, real and
2 personal, personnel and records of the Camarines Sur State Agricultural
3 College, as well as liabilities or obligations, are hereby transferred to the
4 University. The positions, rights and security of tenure of faculty members and
5 personnel therein employed under existing laws prior to the conversion into a
6 University shall be respected.

7 All parcels of land belonging to the government occupied by the
8 Camarines Sur State Agricultural College are hereby declared to be property of
9 the University and shall be titled under that name; *Provided*, That should the
10 University cease to exist or be abolished or should such parcels of land
11 aforementioned be no longer needed by the University, the same shall revert to
12 the national government.

13 SEC. 19. *Appropriations.* – The amount necessary to carry out the
14 provisions of this Act shall be charged against the current year's appropriations
15 of the Camarines Sur State Agricultural College, except the sums needed to
16 continue the operations of the existing high school. Thereafter, such sums as
17 may be necessary for the continued operation and maintenance of the Central
18 Bicol State University of Agriculture shall be included in the annual General
19 Appropriations Act.

20 SEC. 20. *Development Plan, Management Audit, Organizational/
21 Administrative/Academic Structure.* – Within the period of one hundred twenty
22 (120) days after the approval of this Act, the University shall accomplish the
23 following:

24 (a) Submit a five (5)-year development plan, including its
25 corresponding program budget to the CHED, for corresponding
26 recommendation to the DBM;

27 (b) Undergo a management audit in cooperation with the CHED; and

1 (c) Accordingly set up its organizational, administrative as well as
2 academic structure, including the appointment of the University key officials.

3 SEC. 21. *Filing of Report.* – On or before the fifteenth (15th) day of the
4 second (2nd) month after the opening of the regular classes each year, the
5 Board shall file with the Office of the President of the Philippines through the
6 Chairperson of the CHED, and with both Houses of Congress a detailed report
7 on the progress, conditions and needs of the University.

8 SEC. 22. *Suppletory Application.* – The provisions of Republic Act
9 No. 8292, otherwise known as the “Higher Education Modernization Act of
10 1997”, shall be an integral part of this Act and shall serve as part of the
11 Governing Charter of the University.

12 SEC. 23. *Parity Clause.* – All other powers, functions and privileges,
13 responsibilities and limitations to state universities and/or their officials under
14 existing laws shall be deemed granted to or imposed upon the University
15 and/or its officials, whenever appropriate.

16 SEC. 24. *Implementing Rules and Regulations.* – The Board, in
17 consultation with the CHED, shall formulate the guidelines to fully implement
18 the provisions of this Act.

19 SEC. 25. *Separability Clause.* – If, for any reason, any part or provision
20 of this Act is declared invalid or unconstitutional, the remaining parts or
21 provisions not affected thereby shall remain in full force and effect.

22 SEC. 26. *Repealing Clause.* – All laws, presidential decrees, executive
23 orders, rules and regulations contrary to or inconsistent with the provisions of
24 this Act are hereby repealed or modified accordingly.

25 SEC. 27. *Effectivity.* – This Act shall take effect fifteen (15) days after
26 its publication in two (2) newspapers of general circulation.

Approved,

○