


Republic of the Philippines
SENATE OF THE PHILIPPINES
Pasay City



Senate
Office of the Secretary

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SIXTEENTH CONGRESS
First Regular Session

RECEIVED BY: 

S. B. No. 204

Introduced by SENATOR JUAN EDGARDO "SONNY" M. ANGARA

EXPLANATORY NOTE

Thousands of Filipino students have acquired advanced degrees and specialized training in foreign countries through various scholarships grants either of local or foreign funding. While these local and overseas scholarship programs have produced a sizeable number of high-level professionals for the country, these programs have also resulted in a significant brain drain for our country. Moreover, some of the returning scholars have not found the opportunity the maximum utilization of newly acquired knowledge and training. As a result, many of them leave the country in search of greener pastures abroad.

It is imperative that the Philippines should devise a program for overseas education and training for the brightest and most promising Filipinos who are already employed (or self-employed) in a branch of science or technology along identified priority areas. Such a program shall affect the pooling together of all foreign and local (public or private) sponsorship intended for further education, enrichment and training of exceptionally able and highly motivated and employed Filipinos.

The proposed legislation endeavours to provide the Philippines a continuing supply of highly trained leaders for industry, research and academe. Under the bill, the maximum utilization of returning talents will be coordinated under a single governing body where all scholarships under foreign and local sponsorship are pooled together.

Approval of the bill is, thus earnestly requested.


JUAN EDGARDO "SONNY" M. ANGARA



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9 Introduced by Senator JUAN EDGARDO "SONNY" M. ANGARA
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13 AN ACT
14 CREATING AN ADVANCED STUDIES DEVELOPMENT PROGRAM FOR
15 EXCEPTIONAL EMPLOYEES FROM OTHER GOVERNMENT AND THE PRIVATE
16 SECTOR AND FOR OTHER PURPOSES
17

18 *Be it enacted by the Senate and House of Representatives of the Philippines in*
19 *Congress assembled:*
20

21 SECTION 1. *Short Title.* This bill shall be known as the "*The Pensionado Act of*
22 *2013*".
23

24 SEC. 2. *Declaration of Policies.* Human resources developments are essential for
25 economic development and progress. In the pursuit of economic development and progress,
26 the state shall give priority to the creation of a critical mass of elite professionals who shall take
27 the lead in harnessing science, technology and related disciplines towards accelerating the
28 productivity of the country's human resources.
29

30 Consonant with this trust, it is hereby declared a policy of the state to devise a program
31 for exceptionally able and highly motivated employees, preferably age 30-40, from the
32 government, the private sector and/or the self-employed to undertake advanced studies in a
33 branch of science, technology or related fields of learning on which depends the development
34 and progress of the country. As such, it shall provide for fellowships to enable them to pursue
35 advanced studies or research in their field of expertise.
36

37 The state shall develop a critical mass of first-rate specialist in various disciplines and
38 areas of specializations vital to national development to form a collective national "think tank"
39 who shall place continuously their knowledge and skills at the service of the nation, be it in
40 industry, the academe or the highest policy-making levels of government, with the government
41 taking the lead in harnessing their knowledge and skills for the greatest good of the country.
42

43 SEC. 3. *Definition of Terms.* For purposes of this Act, the following terms are
44 hereunder define accordingly:
45

- 46 a) Post-graduate -- formal degree course program of training/research requiring at least a
47 Master's Degree for entry; a student pursuing such program;

1
2 b) Advanced studies – a post-graduate problem-oriented program of studies and/or
3 research, not necessarily leading to a degree, undertaken for further specialization or
4 advanced knowledge in a specific field of a study, or to acquire specialized knowledge
5 and/or skills in a particular area of science or technology.

6
7 c) Pensionado – a Filipino citizen selected and supported by the Philippine government
8 under this program to undertake advanced studies in selected institutions of higher
9 learning or recognized research centers, in fields relevant to the officially-declared
10 priority areas for development.

11
12 **SEC. 4. Establishment of a Program.** There shall be established under the
13 Commission on Higher Education, hereafter referred to as CHED, in coordination with the non-
14 government organizations (NGOs), the private sector and other government agencies, namely,
15 the National Economic and Development Authority (NEDA), the Department of Trade and
16 Industry (DTI), the Department of Science and Technology (DOST) and the Department of
17 Education (DepEd), fellowship program to be called as the "Pensionado Program" for Filipinos
18 employed in the government and the private sectors and those who are self-employed.

19
20 The program shall pool together all fellowships, scholarships, training grants sponsored
21 or extended by foreign government, agencies and other bodies, as well as by local agencies
22 and organizations, whether public or private, intended for advanced studies in international
23 centers of advanced learning, scholarship and research.

24
25 **SEC. 5. Establishment of a National Secretariat; Functions and Composition.**
26 There shall be established a National Secretariat, hereafter referred to as the *Secretariat*, with
27 the following functions:

- 28
29 a) Identify, and assist in negotiations with sponsors (foreign and local, public and
30 private) of fellowships, scholarships and grants;
31 b) Provide assistance to the selection panel in accomplishing its work;
32 c) Provide the Pensionados continuing assistance from the time of selection thru the
33 time of their return to the country, including assistance for the productive utilization of
34 their newly-gained expertise;
35 d) Serve as the administrative arm of the government for the program;
36 e) In general, promulgate and implement the policies and guidelines governing the
37 Program.

38
39 The National Secretariat shall be headed by an Executive Officer with the rank of
40 Assistant Secretary, to be appointed by the President of the Republic of the Philippines
41 upon the recommendation of the CHED. Members of the Secretariat shall consist of
42 representatives from the National Economic and Development Authority (NEDA),

1 Department of Trade and Industry (DTI), the Department of Science and Technology
2 (DOST) and the Commission on Higher Education (CHED). These representatives shall be
3 seconded to the Secretariat for a period of one year, subject to renewal every year. Service
4 rendered thereat shall be considered as part of their performance for promotions purposes.
5

6 **SEC. 6. *Number of Pensionados and Length of Grant.*** There shall be selected
7 twenty-four (24) fellows annually – three (3) fellows for each priority discipline/industry field of
8 the eight (8) vital disciplines or areas of specializations identified by the CHED in consultation
9 with the NEDA as frontiers or new areas essential for pushing the economic and social
10 development thrusts of the country. The scholarship shall be for one year only.
11

12 **SEC. 7. *Selection Process.*** There shall be a Selection Panel under the Secretariat
13 consisting of three (3) university presidents and two (2) eminent members from the academe to
14 be appointed by the CHED. They shall serve on a staggered basis for the purposes of continuity
15 and consistency, each for a term of three (3) years. The Selection Panel shall make the final
16 selection of the Pensionados from among the nominees from the academe, industry and
17 research centers. The integrity and objectives of the program are paramount considerations for
18 the panel in making the selection.
19

20 **SEC. 8. *Qualifications.*** In order to qualify for the Fellowship Program, the applicant
21 must be:
22

- 23 a) A Filipino citizen;
- 24 b) Gainfully employed;
- 25 c) A college degree graduate, with honors;
- 26 d) With demonstrated leadership and proven exceptional performance in his/her
27 present work;
- 28 e) Enthusiatic in undergoing further training;
- 29 f) Willing to sign a contract requiring him/her to return to his/her job in another capacity
30 after one year of training.
31

32 **SEC. 9. *Place of Study.*** The Pensionados shall be sent to a foreign country well-known
33 for its advanced stage in particular discipline of area of specialization. Training and education
34 may be an academic institution, research and development center (R&D) or a major industrial
35 establishment with and R & D program. It may or may not lead to an advanced academic
36 degree.
37

38 **SEC. 10. *Assistance to Grantees.*** The Pensionados is entitled to the following benefits:
39

- 40 a) One year leave with pay, including allowances and other benefits;
- 41 b) One economy round-trip air fare to and from the host country plus other travel expenses
42 required for foreign travel;

- 1 c) Clothing allowance to be determined by the Secretariat;
- 2 d) Monthly stipend while on study abroad, of such amount to determined by the Secretariat;
- 3 e) Books/Instructional Materials/Research allowance of such amount to be determined by
- 4 the Secretariat;
- 5 f) Health, Travel and Insurance fees of such amount to be determined by the Secretariat.

6
7 **SEC. 11. Program Funding.** The cost of each fellowship grant shall be shared by the
8 Pensionado's employer and the National Government. The employer pays the salary,
9 allowances and other benefits due the Fellow as employed during one year period of advanced
10 studies overseas while the national Government, thru the program, shall be responsible for
11 items b, c, d, e, and f as enumerated in Section 10 hereof. With the transfer of all pertinent
12 foreign and local grants for coordination under the Program, the government, thru the Program,
13 may negotiate bilateral arrangements with hosts governments, host universities, host research
14 institutions and host corporations to share at least 50% of the total cost of items b,c,d,e and f
15 under Section 10 hereof.

16
17 The National Government may also negotiate bilateral agreements with host
18 governments, host universities, research institutions and corporations to enable our scholars to
19 stay abroad and continue their studies or training at a minimal cost to the national Government.
20 A sharing program can be established where the host government, host-universities, research
21 institutions and corporations can pick up of the expenses of the scholars while he is abroad.

22
23 **SEC. 12. Service Obligation.** Immediately upon completion of the studies or training, a
24 fellow shall be required to return to his job or in another capacity approved by the Secretariat
25 and serve on a full-time basis for a minimum period equivalent to twice the period covered by
26 the fellowship grant. In addition, the scholar shall be required to hold seminars or training
27 sessions for employees from the government and the private sectors on topics related to the
28 course or training he has completed. Any recipient of the program who has not completed his
29 course shall reimburse the Fellowship the grant received or render service to the sponsoring
30 agency or company for a period equivalent to the period covered by the fellowship grant. Any
31 Pensionado who violates the service obligation imposed under this section shall reimburse the
32 sponsoring agency or company and the national Government of the Fund assistance received
33 under this act in full or in part as the case may be.

34
35 **SEC. 13. Mechanism for Utilization of Returned Fellows.** There shall be established and
36 developed a National Network of Specialized Institutes for Advanced studies in universities
37 selected by CHED in consultation with the DOST and other appropriate agencies to be
38 determined by the Secretariat to provide returned scholars an office, laboratory, library and
39 conference facilities for their continuing activities. The Institute shall also serve as a place for
40 an Exchange Program and Collaborative research among local and international scientist and
41 scholars in priority areas of research and development.

1 The National Government may, thru CHED and/or the National Secretariat, negotiate
2 bilateral agreements with foreign government, universities, research institutions and
3 corporations, public and private, to effect exchange of scholars and scientists for collaborative
4 advanced studies, as well as to equip the Institute for purposes of benefit to the cause of
5 scholar and scientists for collaborative advanced studies, as well as to equip the Institute for
6 purposes of benefit to the cause of scholarly or scientific advancement and national
7 development.

8
9 A sharing program may be established whereby the host government/university/institution/
10 corporation can pick up part of the expenses of the Fellow in pursuit of his/her Fellowship.

11
12 **SEC. 14. Appropriations.** The amount necessary to carry out the initial implementation of
13 this Act shall be drawn from the savings of the national government. Thereafter, the funds
14 necessary for the continuous implementation of the program shall be included in the General
15 Appropriations Act. The Program shall receive 2% from the share of the DOST and 1% from
16 the share if the Philippine Youth Commission in the Bases Conversion Development Authority
17 (BCDA) proceeds.

18
19 **SEC. 15. Transfer of other fellowship, scholarship and training grants.** All foreign and
20 locally sponsored fellowship, scholarship and training grants will be transferred to the program
21 for coordination. With respect to government employees who may be affected by the transfer,
22 the pertinent rules and regulations of the Civil Service Commission (CSC) shall apply.

23
24 **SEC. 16. Rules and Regulations.** Within ninety (90) days from the approval of this Act, the
25 Secretariat shall promulgate the necessary rules and regulations for the effective
26 implementation of the provisions thereof.

27
28 **SEC. 17. Repealing Clause.** All laws, decrees, orders, rules and regulations, or portions
29 thereof inconsistent with this Act are hereby repealed or modified accordingly.

30
31 **SEC. 18. Separability Clause.** In the event any of the provisions of this Act is declared
32 unconstitutional, the validity of the other provisions shall not be affected by such declaration.

33
34 **SEC. 19. Effectivity.** This Act shall take effect fifteen (15) days after its publication in the
35 Official Gazette or in at least two (2) national newspapers of general circulation.

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37 Approved,
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