

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

13 JUL -3 P 2:36

SENATE
S. No. 401

RECORDED BY: *ja*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Academic credentials are very important in obtaining employment, a promotion or higher compensation in employment, or admission to a qualified institution. There are unscrupulous people who use or claim to have false academic credentials to get the job, promotion, admission, loan, or recognition they seek. The evil result of this deception is the possible damage to the other party and to the public because unqualified or under-qualified people may get jobs, positions, or responsibilities which they are ill-equipped to handle, or recognition and adulation which they do not deserve.

This bill seeks to protect the public from falling prey to the use of false academic credentials. It likewise penalizes those engaged in the issuance, manufacture, and sale of such false academic credentials.¹

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Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

¹ This bill was originally filed during the Thirteenth Congress, First Regular Session.

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13 JUL -3 22:6

SENATE
S. No. 401

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Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 PROHIBITING THE USE, ISSUANCE, MANUFACTURE, AND SALE
3 OF FALSE ACADEMIC CREDENTIALS

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

4 SECTION 1. *Short Title.* - This Act shall be known as the “Authentic Academic
5 Credentials Act.”

6 SECTION 2. *Declaration of Policy.* - It is the policy of the State to promote the general
7 welfare of the people. Pursuant to this policy, this Act seeks to protect the public from falling
8 prey to the use of false academic credentials. It likewise penalizes those engaged in the issuance,
9 manufacture, and sale of false academic credentials.

10 SECTION 3. *Definition of Terms.* - For purposes of this Act, the term:

11 (A) “Academic credential” means a degree or a diploma, transcript, educational or
12 completion certificate, or similar document that indicates completion of a program of study or
13 instruction or completion of one or more courses at an institution of higher education or the grant
14 of an associate, bachelor, master, or doctoral degree;

15 (B) “False academic credential” means an academic credential issued or manufactured by
16 a person that is not a qualified institution, or by a person who is not the qualified institution
17 which purportedly issued the academic credential;

18 (C) “Qualified institution” means an educational institution that:

1 (1) Admits as regular students only persons having a certificate of graduation from a
2 school providing secondary education, or the recognized equivalent of such a certificate;

3 (2) Is legally authorized within such to provide a program of education beyond secondary
4 education;

5 (3) Provides an educational program for which the institution awards a bachelor's degree
6 or provides not less than a 2-year program that is acceptable for full credit toward such a degree;

7 (4) Is a public or other nonprofit institution; and

8 (5) Is accredited by the Commission on Higher Education, or if not so accredited, is an
9 institution that has been granted pre-accreditation status by such agency, and the Secretary of
10 Education has determined that there is satisfactory assurance that the institution will meet the
11 accreditation standards of such the agency within a reasonable time.

12 SECTION 4. *Prohibition Against Using False Academic Credentials.* - It shall be
13 unlawful for any person to knowingly use a false academic credential to obtain employment, a
14 promotion or higher compensation in employment, or admission to a qualified institution; or in
15 connection with any loan, business, trade, profession, or occupation.

16 SECTION 5. *Prohibition against the Issuance, Manufacture, or Sale of False Academic*
17 *Credentials.* - It shall be unlawful for any person to knowingly issue, manufacture, or sell a false
18 academic credential to any person in order to obtain employment, a promotion or higher
19 compensation in employment, or admission to a qualified institution; or in connection with any
20 loan, business, trade, profession, or occupation.

21 SECTION 6. *Penalties.* - Any person found guilty of violating Sections 4 and 5 of this
22 Act shall be punished by a penalty of imprisonment of *arresto menor*, or a fine of not more than
23 Ten Thousand Pesos (P10,000.00), or both, at the discretion of the court, taking into
24 consideration all attending circumstances. If the person found guilty of the violation is a
25 corporation, trust or firm, partnership, association, or any other entity, the penalty of

1 imprisonment of *arresto menor* shall be imposed on the entity's responsible officers, including,
2 but not limited to, the owner, proprietor, operator, president, vice-president, chief executive
3 officer, general manager, managing director or officer directly responsible therefore, if any of
4 them are found to have knowingly consented to such issuance, manufacture, or sale. The court
5 shall take into consideration all attending circumstances.

6 SECTION 7. *Separability Clause.* - If any provision or part hereof is held invalid or
7 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
8 valid and subsisting.

9 SECTION 8. *Repealing Clause.* - Any law, presidential decree or issuance, executive
10 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
11 with the provisions of this act is hereby repealed, modified, or amended accordingly.

12 SECTION 9. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
13 publication in at least two (2) newspapers of general circulation.

Approved,