


FOURTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*First Regular Session*

} } 7 JUL -3 P6:22

SENATE  
S. B. No. 907RECEIVED BY: 

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**Introduced by SENATOR EDGARDO J. ANGARA**

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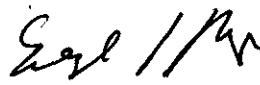
**EXPLANATORY NOTE**

Thousands of Filipino students have acquired advanced degrees and specialized trainings 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 for 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 endeavors 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.

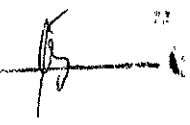
  
EDGARDO J. ANGARA  
Senator

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AN ACT CREATING AN ADVANCED STUDIES DEVELOPMENT  
PROGRAM FOR EXCEPTIONAL EMPLOYEES FROM THE  
GOVERNMENT AND THE PRIVATE SECTOR AND FOR OTHER  
PURPOSES

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

1       **SECTION 1. *Short Title.*** - This bill shall be known as “The  
2 Pensionado Act of 2007.”

3  
4       **SECTION 2. *Declaration of Policies.*** - Human resources  
5 development is essential for economic development and progress. In the  
6 pursuit of economic development and progress, the state shall give priority to  
7 the creation of a critical mass of elite professionals who shall take the lead in  
8 harnessing science, technology and related disciplines towards accelerating  
9 the productivity of the country’s human resources.

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

17       The state shall develop a critical mass of first-rate specialist in various  
18 disciplines and areas of specializations vital to national development to form  
19 a collective national “think tank” who shall place continuously their  
20 knowledge and skills at the service of the nation, be it in industry, the  
21 academe or the highest policy-making levels of government, with the  
22 government taking the lead in harnessing their knowledge and skills for the  
23 greatest good of the country.

1           **SEC 3. *Definition of Terms.*** - For purposes of this Act, the following  
2 terms are hereunder define accordingly:

3           (a) **“Post-graduate”** - a formal degree course program of training  
4           /research requiring at least a Master’s Degree for entry; a student  
5           pursuing such program;

6           (b) **“Advanced studies”** - a post-graduate problem-oriented program  
7           of studies and/or research, not necessarily leading to a degree,  
8           undertaken for further specialization or advanced knowledge in a  
9           specific field of a study, or to acquire specialized knowledge and/or  
10          skills in a particular area of science or technology;

11          (c) **“Pensionado”** - a Filipino citizen selected and supported by the  
12          Philippines government under this program to undertake  
13          advanced studies in selected institutions of higher learning or  
14          recognized research centers, in fields relevant to the officially-  
15          declared priority areas for development.

16  
17          **SECTION 4. *Establishment of a Program.*** - There shall be  
18          established under the Commission on Higher Education, hereafter referred to  
19          as CHED, in coordination with the non-government organizations (NGOs),  
20          the private sector and other government agencies, namely, the National  
21          Economic and Development authority (NEDA), the Department of Trade and  
22          Industry (DTI), the Department of Science and Technology (DOST) and the  
23          Department of Education (DepED), fellowship program to be called as the  
24          “Pensionado Program” for Filipinos employed in the government and the  
25          private sectors and those who are self-employed.

26          The Program shall pool together all fellowships, scholarships, training  
27          grants sponsored or extended by foreign government, agencies and other  
28          bodies, as well as by local agencies and organizations, whether public or  
29          private, intended for advanced studies in international centers of advanced  
30          learning, scholarship and research.

31  
32          **SECTION 5. *Establishment of a National Secretariat; Functions***  
33          ***and Composition*** - .There shall be established a National Secretariat,  
34          hereafter referred to as the *Secretariat*, with the following functions:

35          (1) To identify, and assists in negotiations with, sponsors (foreign and  
36          local, public and private) of fellowships, scholarships and grants;

1 (2) To provide assistance to the selection Panel in accomplishing its  
2 work;

3 (3) To provide the Pensionados continuing assistance from the time of  
4 selection thru the time of their return to the country, including  
5 assistance for the productive utilization of their newly-gained  
6 expertise;

7 (4) To serve as the administrative arm of the government for the  
8 program;

9 (5) In general, to promulgate and implement the policies and  
10 guidelines governing the Program.

11 The National Secretariat shall be headed by an Executive Officer, with  
12 the rank of Assistant secretary, to be appointed by the President of the  
13 Republic of the Philippines upon the recommendation of the CHED. Members  
14 of the Secretariat shall consist of representatives from the National Economic  
15 and Development Authority (NEDA), Department of Trade and Industry  
16 (DTI), Department of Science and technology (DOST) and the Commission on  
17 Higher Education (CHED). These representatives shall be seconded to the  
18 Secretariat for a period of one year, subject to renewal every year. Service  
19 rendered thereafter shall be considered as service in their prospective  
20 agencies and shall be considered as part of their performance for promotions  
21 purposes.

22  
23 **SECTION 6. *Number of Pensionados and Length of Grant.*** –

24 There shall be selected twenty-four (24) fellows annually - three (3) fellows  
25 for each priority discipline/industry field of the eight (8) vital disciplines or  
26 areas of specializations identified by the CHED in consultation with the  
27 NEDA as frontiers or new areas essential for pushing the economic and social  
28 development thrusts of the country. The scholarship shall be for one year  
29 only.

30  
31 **SECTION 7. *Selection Process.*** - There shall be a Selection Panel

32 under the Secretariat consisting of three (3) university presidents and two (2)  
33 eminent members from the academe to be appointed by the CHED. They  
34 shall serve on a staggered basis for the purposes of continuity and  
35 consistency, each for a term of three (3) years. The Selection Panel shall  
36 make the final selection of the Pensionados from among the nominees from

1 the academe, industry and research centers. The integrity and objectives of  
2 the program are paramount considerations for the panel in making the  
3 selection.

4  
5 **SECTION 8. *Qualifications.*** - In order to qualify for the Fellowship  
6 Program, the applicant must be:

- 7 (a) A Filipino citizen;
- 8 (b) Gainfully employed;
- 9 (c) A college degree graduate, with honors;
- 10 (d) With demonstrated leadership and proven exceptional performance  
11 in his/her present work;
- 12 (e) Enthusiastic in undergoing further training;
- 13 (f) Willing to sign a contract requiring him/her to return to his/her job  
14 or in another capacity after one year of training.

15  
16 **SECTION 9. *Place of Study*** - The Pensionados shall be sent to a  
17 foreign country well-known for its advanced stage in particular discipline or  
18 area of specialization. Training and education may be an academic  
19 institution, research and development center (R&D) or a major industrial  
20 establishment with an R&D program. It may or may not lead to an advanced  
21 academic degree.

22  
23 **SECTION 10. *Assistance to Grantees*** - The Pensionado is entitled to  
24 the following benefits:

- 25 (a) One year leave with pay, including allowances and other benefits;
- 26 (b) One economy round -trip air fare to and from the host country plus  
27 other travel expenses required for foreign travel;
- 28 (c) Clothing allowance to be determined by the Secretariat;
- 29 (d) Monthly stipend while on study abroad, of such amount to be  
30 determined by the Secretariat;
- 31 (e) Books/instructional Materials/Research allowance of such amount  
32 to be determined by the Secretariat;
- 33 (f) Health, Travel and Insurance fees of such amount to be determined  
34 by the Secretariat.

1           **SEC 11. *Program Funding.*** - The cost of each fellowship grant shall  
2 be shared by the Pensionado's employer and the National Government. The  
3 employer pays the salary, allowances and other benefits due the Fellow as  
4 employed during one year period of advanced studies overseas while the  
5 National Government, thru the program, shall be responsible for items No. b,  
6 c, d, e, and f as enumerated in Section 10

7           The National Government may also negotiate bilateral arrangements  
8 with hosts governments, host universities, research institutions and  
9 corporations to enable our scholars to stay abroad and continue their studies  
10 or training at a minimal cost to the National Government. A sharing program  
11 can be established where the host government, host-universities, research  
12 institutions and corporations can pick up part of the expenses of the scholars  
13 while he is abroad.

14  
15           **SECTION 12. *Service Obligation*** - Immediately upon completion of  
16 the studies or training, a fellow shall be required to return to his job or in  
17 another capacity approved by the Secretariat and serve on a full-time basis  
18 for a minimum period equivalent to twice the period covered by the  
19 fellowship grant. In addition, the scholar shall be required to hold seminars  
20 or training sessions for employees from the government and the private  
21 sectors on topics related to the course or training he has completed. Any  
22 recipient of the program who has not completed his course shall reimburse  
23 the Fellowship the grant received or render service to the sponsoring agency  
24 or company for a period equivalent to the period covered by the fellowship  
25 grant. Any Pensionado who violates the service obligation imposed under this  
26 section shall reimburse the sponsoring agency or company and the National  
27 Government of the Fund assistance received under this act in full or in part  
28 as the case may be.

29  
30           **SECTION 13. *Mechanism for Utilization of Returned Fellows*** -  
31 There shall be established and developed a National Network of Specialized  
32 Institutes for Advanced studies in universities selected by CHED in  
33 consultation with the DOST and other appropriate agencies to be determined  
34 by the Secretariat to provide returned scholars an office, laboratory, library  
35 and conference facilities for their continuing activities. The Institute shall  
36 also serve as a place for an Exchange Program and Collaborative research

1 among local and international scientist and scholars in priority areas of  
2 research and development.

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

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

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

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

27  
28 **SECTION 16. *Rules and Regulations*** - Within ninety (90) days from  
29 the approval of this Act, the Secretariat shall promulgate the necessary rules  
30 and regulations for the effective implementation of the provisions thereof.

31  
32 **SECTION 17. *Repealing Clause*** - All laws, decrees, orders, rules  
33 and regulations, or portions thereof inconsistent with this Act are hereby  
34 repealed or modified accordingly.

35

1           **SECTION 18. *Separability Clause*** - In the event any of the  
2 provisions of this Act is declared unconstitutional, the validity of the other  
3 provisions shall not be affected by such declaration.

4

5           **SECTION 19. *Effectivity*** - This Act shall take effect fifteen (15) days  
6 after its publication in the Official Gazette or in at least two(2) national  
7 newspapers of general circulation.

8

9           *Approved,*