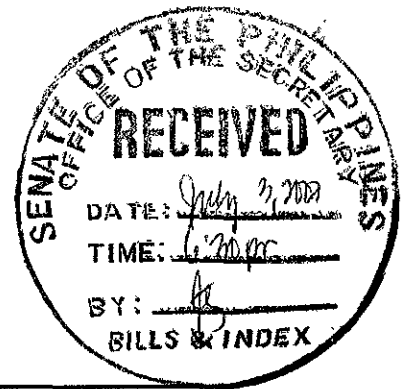


FOURTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

SENATE

S. B. No. 917



Introduced by SENATOR EDGARDO J. ANGARA

EXPLANATORY NOTE

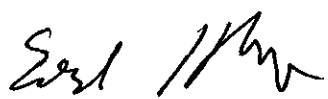
This bill seeks to amend certain provisions of Republic Act No. 7323, otherwise known as the Special Program for Employment of Students (SPES).

RA 7323, which was passed in 1992, is an earn-and-learn program to develop productive work ethics in the youth.

This proposal endeavors to strengthen the program by broadening its application: *First*, by allowing students enrolled in the tertiary, vocational or technological education to work not only during summer and / or Christmas break, but at any time of the year; *Second*, by allowing small and medium scale enterprises or entities with more than ten (10) employees to adopt the program; and *Third*, by penalizing persons or entities who make fraudulent claims, as well as persons or entities who refuse to honor an education voucher under this Act.

It is hoped that in introducing these innovations, the State shall continue to inculcate in the youth discipline and forbearance.

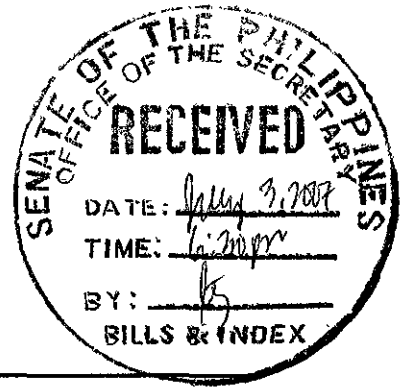
Towards this end, approval of the bill is earnestly sought.


EDGARDO J. ANGARA
Senator

FOURTEENTH CONGRESS OF THE
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Introduced by SENATOR EDGARDO J. ANGARA

AN ACT EXPANDING AND STRENGTHENING THE COVERAGE OF
RA 7323, OTHERWISE KNOWN AS THE SPECIAL PROGRAM FOR
EMPLOYMENT OF STUDENTS

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

1 **SECTION 1.** Section 1 of Republic Act Nr. 7323, otherwise known as
2 the Special Program for Employment of Students (SPES) is hereby amended
3 to read as follows:

4 “SEC. 1. Any provision of the law to the contrary
5 notwithstanding, any person or entity employing [at least 50]
6 **MORE THAN TEN (10)** persons may [during the summer and /
7 or Christmas vacations] employ poor but deserving students,
8 fifteen (15) years of age but not more than twenty-five (25)
9 years old, paying them a salary or wage not lower than the
10 minimum wage **FOR PRIVATE EMPLOYERS AND THE**
11 **APPLICABLE HIRING RATE FOR THE NATIONAL AND**
12 **LOCAL GOVERNMENT AGENCIES: PROVIDED, THAT**
13 **STUDENTS ENROLLED IN THE SECONDARY LEVEL**
14 **SHALL ONLY BE EMPLOYED DURING THE SUMMER**
15 **AND / OR CHRISTMAS VACATIONS; PROVIDED**
16 **FURTHER, THAT STUDENTS ENROLLED IN THE**
17 **TERTIARY, VOCATIONAL OR TECHNOLOGICAL**
18 **EDUCATION MAY BE EMPLOYED AT ANY TIME OF**
19 **THE YEAR; PROVIDED FINALLY, THAT STUDENTS**
20 **EMPLOYED IN ACTIVITIES RELATED TO THEIR**
21 **COURSE SHALL EARN EQUIVALENT ACADEMIC**
22 **CREDITS AS MAY BE DETERMINED BY APPROPRIATE**

1 **GOVERNMENT AGENCIES** [provided by law and other
2 applicable labor rules and regulations].

3 For purposes of this Act, poor but deserving students refer
4 to those whose parent's combined income[s], together with their
5 [income] **OWN**, if any, do not exceed [Thirty-six thousand pesos
6 (P36,000.00) *per annum*] **THE ANNUAL NATIONAL**
7 **POVERTY THRESHOLD LEVEL FOR A FAMILY OF SIX**
8 **(6) FOR THE PRECEDING YEAR AS MAY BE**
9 **DETERMINED BY THE NATIONAL STATISTICS**
10 **COORDINATION BOARD (NSCB).** Employment [should be
11 at the Labor Exchange Center of the Department of Labor and
12 Employment (DOLE)] **FACILITATION SERVICES FOR**
13 **APPLICANTS TO THE PROGRAM SHALL BE DONE BY**
14 **THE PUBLIC EMPLOYMENT SERVICE OFFICE (PESO)."**

15
16 **SECTION 2.** Section 3 of the same law is hereby amended to read as
17 follows:

18 "SEC. 3. The Secretary of Labor and Employment, the
19 Secretary of Education, **THE CHAIRMAN OF THE**
20 **COMMISSION ON HIGHER EDUCATION** and the Secretary
21 of Finance shall issue the corresponding rules and regulations to
22 carry out the purposes of this Act."

23 **SECTION 3.** Section 4 of the same law is hereby amended to read as
24 follows:

25 "SEC. 4. Any person or entity who shall make any
26 fraudulent or fictitious claim under this Act, regardless of
27 whether payment has been made, **AND ANY PERSON OR**
28 **ENTITY WHO REFUSES TO HONOR AN EDUCATION**
29 **VOUCHER,** shall upon conviction be punished with
30 imprisonment of not less than six (6) months and not more than
31 one (1) year and a fine of not less than Ten thousand pesos
32 (P10,000), without prejudice to their prosecution and
33 punishment for any other offenses punishable under the Revised
34 Penal Code or any other penal statute.

1 **SECTION 4. *Separability Clause.*** – If any provision of this Act or an
2 application thereof to any person or circumstance is held to be invalid, the
3 other provisions of this Act, and the application of such provision to other
4 persons or circumstances, shall not be affected thereby.

5

6 **SECTION 5. *Repealing Clause.*** All existing laws, orders, rules and
7 regulations or parts thereof deemed inconsistent with the provisions of this
8 Act are hereby repealed or modified accordingly.

9

10 **SECTION 6. *Effectivity.*** This Act shall take effect fifteen (15) days
11 following the date of its publication in the Official Gazette or in at least two
12 (2) newspapers of general circulation.

13

14 *Approved,*