



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

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RECEIVED BY:                     

SENATE  
S.B. No. 923

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Introduced by Senator Loren Legarda

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AN ACT

MAKING R.A 7323 MORE EFFECTIVE AND RELEVANT TO PRESENT AND FUTURE CONDITIONS BY EXPANDING ITS COVERAGE IN TERMS OF EMPLOYER PARTICIPATION, ADJUSTING THE INCOME CLASSIFICATION REQUIREMENT THEREIN PROVIDING AUTOMATIC AND NON-DIMINUTION CLAUSES ON ITS BUDGETARY ALLOCATION AND PROVIDING PENALTIES FOR THOSE WHO DISHONOR THE EDUCATION VOUCHERS, AMENDING FOR ~~THESE~~ PURPOSES R.A. 7323 ENTITLED "~~AN~~ ACT TO HELP POOR BUT DESERVING STUDENTS PURSUE THEIR EDUCATION BY ENCOURAGING THEIR EMPLOYMENT DURING SUMMER AND/OR CHRISTMAS VACATIONS, THROUGH INCENTIVES GRANTED TO EMPLOYERS, ALLOWING THEM TO PAY ONLY SIXTY PER CENTUM OF THEIR SALARIES OR WAGES AND THE FORTY PER CENTUM THROUGH EDUCATION VOUCHERS TO BE PAID BY THE GOVERNMENT PROHIBITING AND PENALIZING THE FILING FRAUDULENT OR FICTITIOUS CLAIMS, AND FOR OTHER PURPOSES"

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

SECTION 1. Section 1 of R.A 7323 otherwise known as "Special Program for Employment of Students (SPES)" is hereby amended to read as follows:

SECTION 1. Any provision of law to the contrary notwithstanding. Any person or entity **EXCEPT NATIONAL AND LOCAL GOVERNMENT UNITS** employing at least [fifty (50)] **TWENTY (20)** persons may during the summer and/or Christmas vacation employ poor but deserving students fifteen (15) years of age but not more than twenty-five years old, paying them a salary or wage not lower than the minimum wage provided by law and other applicable labor rules and regulations.

For purposes of this Act, poor but deserving students refer to those whose parents' combined incomes, together with their incomes, if any, do not exceed [thirty-six thousand pesos (P36,000) per annum] **THE ANNUAL APPLICABLE REGIONAL POVERTY THRESHOLD LINE FOR A FAMILY SIX FOR THE PRECEDING YEAR AS MAY BE DETERMINED BY THE NATIONAL ECONOMIC DEVELOPMENT AUTHORITY (NEDA)**. Employment should be at the Labor Exchange Center of the Department of Labor and Employment (DOLE)".

SECTION 2. Section 2 of the same law is hereby amended to read as follows:

"SEC. 2. Sixty per centum (60%) of said salary wage shall be paid by the employer in cash and forty per centum (40%) by the Government in the form of a voucher which shall be applicable in the payment for his tuition fees and books in any education institution for secondary, tertiary, vocational or technological education. The amount of the education voucher shall be paid by the Government to the Educational institution concerned within (30) days from its presentation to the officer or agency designated by the secretary of Finance. The voucher shall not be transferable except when the payee thereof dies or for a justifiable cause stops in his duties in which case it can be transferred to his brother and sisters. If there be none, the amount thereof shall be paid his heirs or to the payee himself, as the case may be.

ANY PERSON OR ENTITY WHO REFUSES OR DISHONOR AN EDUCATIONVOUCHER, SHALL UPON CONVICTION BE PUNISHED UNDER SECTION 4 OF THIS ACT".

SECTION 3. Section 5 of the same law is hereby amended to read as follows:

"SEC. 5. The amount necessary to carry out the purposes of this Act is hereby authorized to be appropriated in the General Appropriations Act for 1992 and subsequent annual general appropriations acts; **PROVIDED THAT, THE APPROPRIATION, FOR PURPOSES OF THIS ACT, SHALL NOT BE REDUCED BY CONGRESS BELOW THE AMOUNT APPROPRIATED FOR THE PREVIOUS YEAR AND, AFTER APPROVAL, SHALL BE AUTOMATICALLY AND REGULARLY RELEASED; PROVIDED FURTHER, THAT THE APPROPRIATION HEREIN SHALL BE INCREASED BY AT LEAST TWENTY (20%) PER CENTUM ANNUALLY"**.

SECTION 4. All laws, rules and regulations, decrees, issuance or any parts thereof inconsistent with this Act, are hereby repealed, modified or amended accordingly.

SECTION 5. *Separability Clause.* - If any provision of this Act is declared invalid, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SECTION 6. *Repealing Clause.* - All laws, presidential decrees, executive orders and their implementing rules, inconsistent with the provisions of this act are hereby repealed, amended or modified accordingly.

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

Approved,