

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
Second Regular Session

House Bill No. **5431**



Introduced by Reps. JOEL G. VIRADOR, SATUR C. OCAMPO, TEODORO A. CASIÑO,
LIZA L. MAZA, RAFAEL V. MARIANO

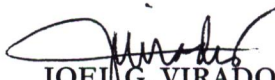
EXPLANATORY NOTE

The economic realities brought about by unperturbed increases in costs of basic commodities and services, aggravated by the current imposition of excessive and regressive taxes, have compelled ordinary citizens to scrimp on their expenses. Oftentimes, unfortunately, poor families, weighed down by such additional burdens have defaulted on otherwise vital expenditures, foremost is education for their children.

The translation of the economic crisis on the student sector has been in the form of almost unaffordable matriculation and other school fees. Such a general condition has rendered education more of a privilege than an actual right of every individual. The Constitution, particularly Article XIV, Section 1, is explicit with regards the State's primordial task to "protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all." Notwithstanding that the responsibility of service provision, including education, rests primarily on the State, measures must be initiated and instituted to enjoin all concerned sectors of society to contribute to ensuring the provision of such fundamental rights.

While there are existing benefits accorded to students, these remain few and far between. If at all, such privileges have been random and no legislation incorporating these entitlements has been made. This Bill seeks to institutionalize the granting of various benefits and privileges to students. It is envisioned that the provision of these entitlements would significantly offset the current expenses of families, and allow the channeling of already meager resources to educational spending. The net effect, it is hoped, is that the chances of students to pursue quality education and attain a better future are enhanced.

The immediate passage of this Bill is thus earnestly sought.


JOEL G. VIRADOR
Bayan Muna Party-List
Principal Author

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AN ACT
GRANTING BENEFITS AND PRIVILEGES TO STUDENTS AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. – This Act shall be known as the “Student Entitlements Act of 2006”

SEC. 2. Declaration of Policies and Objectives. – It is the State’s policy to promote the welfare of Students, recognizing their sector’s crucial role in nation-building and in the country’s future. It is also the State’s policy to establish and maintain a system of scholarship grants, student loans, subsidies and other incentives in support of the Student sector. While recognizing that the provision of adequate social services rests primarily on the State, instituting measures that would contribute to the making of education accessible to all is likewise its responsibility. Consistent with such policies, the following are the objectives of this Act:

- a) To institutionalize and make available the comprehensive provision of various student entitlements that directly or indirectly contribute to making education more accessible;
- b) To mobilize and enjoin the cooperation of various sectors to extend assistance to students, especially the poor;
- c) To encourage students, especially the underprivileged, to avail and pursue quality education that would provide the opportunity for individual and social development.

SEC. 3. Definition of Terms. – For purposes of this Act, the following terms shall be defined:

- a) “Student” shall mean any resident of the Philippines, regardless of age, and enrolled in the elementary, secondary, or tertiary level, or in any technical or vocational course, either public or private, or any educational institution duly recognized by the Commission on Higher Education (CHED), the Department of Education (DepEd), and/or the Technical Education and Skills Development Authority (TESDA);
- b) “Student Identification Card” (hereon referred to as “Identification Card”) shall mean a card or article duly issued and authenticated by the School Head or designated school officer containing personal data and information of the student or enrollee;

- c) "School" shall mean any institution of learning duly registered and recognized by the CHED, DepEd and/or TESDA. It shall include Elementary and Secondary Schools, Colleges and Universities, and vocational and technical skills development institutions offering certificate or diploma courses, whether private or State-owned;
- d) "Transport Utilities" shall refer to companies, groups or individuals both private and public duly authorized to convey passengers whether by land, water or air for a fixed fare rate, using vehicles such as but not limited to tricycles, vans, taxi cabs, cars, buses, trains and other rail transit, boats, ships and other water vessels, and airplanes and other commercial air transport;
- e) "Drugstores" shall refer to all retail shops, private or public, that dispense and sell medicines and other medical articles;
- f) "Hospitals" shall refer to both public and private institutions or centers with an organized staff, which provide medical care and services to patients for a fee;
- g) "Food Establishments" shall refer to buildings, shops, canteens or stores dispensing and selling food and meals at fixed rates, whether public or private;
- h) "School Supplies" shall refer to items or articles used by students and are deemed essential to learning and necessary to any field of study, such as but not limited to notebooks, paper, pen and pencils and other writing materials, school bags, and laboratory and technical instruments;
- i) "Cultural Centers" shall refer to establishments, institutions or centers that feature and promote historical and artistic appreciation, impart knowledge and values, and contribute to the development of the sensibilities of the nation, especially the youth. These include, but not limited to, museums, historical sites, libraries, art galleries and other establishments that feature art exhibitions, theatres, movie houses and other establishments that feature stage plays, musical concerts, both government and privately sponsored, which require admission and other fees.

SEC. 4. Benefits and Privileges. – Upon the presentation of an Identification Card, or current validated enrolment forms or registration cards supported by other documents to establish identity, duly issued and validated by a recognized Philippine school, a Student shall be entitled to the following:

- a) Twenty-five percent (25%) discount on transportation fares in all transport utilities. The discount shall be in effect and made available during the entire school year for elementary and secondary students, during the semester for college students, and during the duration of a course for vocational and technical students, including Saturdays and Sundays, official holidays, and semestral and Christmas breaks;
- b) Twenty-five percent (25%) discount on medicine, medical and dental services, and diagnostic and laboratory fees, including professional fees of attending physicians, in drugstores, clinics, hospitals and medical facilities, both government and private;
- c) Fifty percent (50%) discount on admission and/or other fees in all Cultural Centers as defined in Section 3 (i) hereof;
- d) Ten percent (10%) discount on basic school supplies as defined in Section 3 (h);

- e) Twenty-five percent (25%) discount on meals in all food establishments as defined in Section 3 (g).

The parties granting the discounts as herein enumerated may claim the costs incurred as tax credits.

SEC. 5. Coverage. – This act shall cover all students as defined in Section 3 (a) hereof.

SEC. 6. Student Identification Cards. – For the purpose of this Act, the Schools as defined and identified in Section 3 (c) hereof shall issue an identification card to their students duly signed and validated by their heads or designated officials. Aside from personal identifying information, the identification card shall contain the list of entitlements granted by this Act. The identification card is non-transferable.

SEC. 7. Non-Diminution of Entitlements. – Nothing in this Act shall be construed to diminish or negate existing privileges granted to students by other laws.

SEC. 8. Posting of Notices – All establishments and institutions covered by this Act shall post or cause to be posted, in conspicuous places within their premises, notices enumerating the benefits provided for under this Act.

SEC. 9. Complaints. – Complaints by students who are denied of the privileges contained in this Act, shall be addressed with the Monitoring, Implementing and Coordinating Body to be created as provided under Section 11 hereof. The Body, after due notice and hearing, shall direct the concerned agency/agencies or authority/authorities to take appropriate action.

SEC. 10. Penalties. – Any person who violates any provision of this Act shall suffer the following penalties:

- a) For the first violation, a fine of not less than One thousand pesos (P1,000) but not more than Five thousand pesos (P5,000);
- b) For the second violation, a fine of not less than Five thousand pesos (P5,000) but not exceeding Ten thousand pesos (P10,000), and one (1) month imprisonment;
- c) For the third violation, a fine of not less than Twenty thousand pesos (P20,000) but not more than One hundred thousand pesos (P100,000), and imprisonment of not less than six (6) months but not more than two (2) years;
- d) For subsequent violations, a fine of not less than One hundred thousand pesos (P100,000) but not exceeding Five hundred thousand pesos (P500,000), and imprisonment for not less than two (2) years but not more than six (6) years.

If the offender is a corporation, organization, or any similar entity, the official thereof directly involved shall be liable therefore.

If the offender is an alien or a foreigner, he shall be deported immediately after service of sentence without further deportation proceedings.

Upon filing an appropriate complaint, and after due notice and hearing, the proper authorities may also cause the cancellation or revocation of the business permit, permit to operate, franchise and other similar privileges granted to any business entity that fails to abide by the provisions of this Act.

Any person who abuses the privileges granted herein shall be punished with a fine of not less than One thousand pesos (P1,000) but not more than Twenty-thousand pesos (P20,000).

SEC. 11. Monitoring and Coordinating Mechanism. – A Monitoring, Implementing and Coordinating Body shall be established to be chaired by the DepEd, and co-chaired by the CHED and TESDA, with the following agencies and organizations as its members:

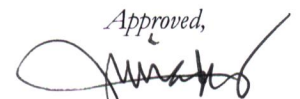
- a) Department of Transportation and Communications (DOTC);
- b) Department of Trade and Industry (DTI);
- c) Department of Justice (DOJ);
- d) Department of Health (DOH);
- e) Department of Interior and Local Government (DILG);
- f) Department of Finance (DOF);
- g) National Economic and Development Authority (NEDA); and,
- h) Five (5) representatives from non-governmental organizations, three (3) of which are from reputable Student and/or Youth organizations.

SEC. 12. Implementing Rules and Regulations – The Secretary of the DepEd, within sixty (60) days from the Approval of this Act, shall promulgate the implementing rules and regulations for the effective implementation of this Act, in consultation and coordination with the agencies and organizations indicated in Section 11 hereof.

SEC. 13. Repealing Clause. – All laws, orders, decrees, rules and regulations or part thereof, contrary to, or inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 14. Separability Clause. – Should any provision of this Act be found unconstitutional by a court of law, such provision shall be severed from the remainder of this Act, and such action shall not affect the enforceability of the remaining provisions of this Act.

SEC. 15. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in any two (2) national newspapers of general circulation.

Approved,

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RAFAEL V. MARIANO
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