

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

H. B. No. 563

Introduced by HONORABLE JUAN EDGARDO "SONNY" M. ANGARA

EXPLANATORY NOTE

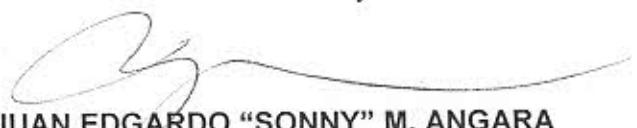
This bill seeks to amend certain provisions of Republic Act No. 7323, otherwise known as the Special Program for Employment of Students (SPES).

R.A. No. 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.



JUAN EDGARDO "SONNY" M. ANGARA
Representative
Lone District, Province of Aurora

Introduced by Honorable JUAN EDGARDO "SONNY" M. ANGARA

AN ACT
EXPANDING AND STRENGTHENING THE COVERAGE OF
REPUBLIC ACT NO. 7323, OTHERWISE KNOWN AS THE SPECIAL PROGRAM
FOR EMPLOYMENT OF STUDENTS

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

SECTION 1. Section 1 of Republic Act No. **7323**, otherwise known as the Special Program for Employment of Students (SPES) is hereby amended to read as follows:

"SEC. 1. Any provision of the law to the contrary notwithstanding, any person or entity employing [at least 501 **MORE THAN TEN (10)** persons may [during the summer and / or Christmas vacations] employ poor but deserving students, fifteen **(15)** years of age but not more than twenty-five **(25)** years old, paying them a salary or wage not lower than the minimum wage **FOR PRIVATE EMPLOYERS AND THE APPLICABLE HIRING RATE FOR THE NATIONAL AND LOCAL GOVERNMENT AGENCIES: PROVIDED, THAT STUDENTS ENROLLED IN THE SECONDARY LEVEL SHALL ONLY BE EMPLOYED DURING THE SUMMER AND t OR CHRISTMAS VACATIONS; PROVIDED FURTHER, THAT STUDENTS ENROLLED IN THE TERTIARY, VOCATIONAL OR TECHNOLOGICAL . EDUCATION MAY BE EMPLOYED AT ANY TIME OF THE YEAR; PROVIDED FINALLY, THAT STUDENTS EMPLOYED IN ACTIVITIES RELATED TO THEIR COURSE SHALL EARN EQUIVALENT ACADEMIC CREDITS AS MAY BE DETERMINED BY APPROPRIATE GOVERNMENT AGENCIES** [provided by law and other applicable labor rules and regulations].

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

SEC. 2. Section 3 of the same law is hereby amended to read as follows:

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

SEC. 3. Section 4 of the same law is hereby amended to read as follows:

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

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

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

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

Approved,