

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 5892



Introduced by Honorable Sherwin T. Gatchalian

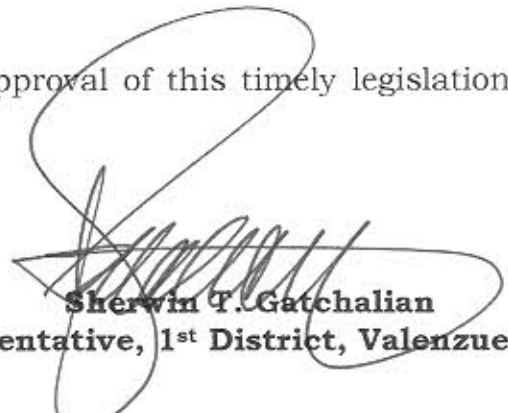
Explanatory Note

The most important inalienable right which our parents bequeaths to us, whether we are rich or poor, is our education. Its value never diminishes and our individual successes largely hinge upon the quality of the education that we receive. In line with this, the fundamental character of the Filipino's right to education is clearly and unequivocally enshrined within the provisions of the 1987 Constitution.

One of the primary factors concerning the right to education is its accessibility. Currently, the high cost of education has turned this right into a burdensome privilege for many poor and middle-class Filipino families which struggle to pay for tuition and other schools fees. Indeed, the Annual Poverty Indicators Survey published annually by the government has regularly shown that the high cost of education is one of the foremost, if not *the* foremost, reason why out-of-school youth are not currently participating in the formal education system.

The full implementation of the K-12 education program will result in a lengthened program of basic education. This means that parents will be responsible for paying for an additional two years of school fees. In order to help parents cope with the additional expenses they will incur in supporting the education of their children, this legislation seeks to impose a two-year moratorium on tuition and other fee increases in private institutions offering basic education programs.

The swift passage and approval of this timely legislation is earnestly and emphatically sought.


Sherwin T. Gatchalian
Representative, 1st District, Valenzuela City

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AN ACT
IMPOSING A TWO-YEAR MORATORIUM ON TUITION AND OTHER FEE
INCREASES IN ALL PRIMARY AND SECONDARY EDUCATIONAL
INSTITUTIONS

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 **“Tuition Fee Moratorium Act”**.

SEC. 2. **Declaration of Policy.** – It is the policy of the State to make education accessible to all. Pursuant to this policy, the State shall promulgate measures that will ensure every Filipino citizen's right to education by providing them relief from increases in tuition and other fees when public welfare so demands.

The State is also cognizant that due to the implementation of the K-12 Program which effectively lengthens the duration in school years of a student, the continued rise in tuition and other fees in private and public institutions of learning are significant contributory factors which it recognizes as impinging on the ability of parents to cope with, hence the need for a moratorium on tuition and other fee increases in all primary and secondary educational institutions.

Sec. 3. **Imposition of a Two-Year Moratorium.** – A two-year moratorium on any increase in tuition, miscellaneous or other school fees on all primary and secondary educational institutions in the country shall be imposed.

The moratorium shall be implemented during the school years 2016-2017 and 2017-2018.

The Department of Education shall monitor the implementation and ensure compliance with the provisions of this Act.

Sec. 4. **Exemption.** – Only those educational institutions which has incurred net losses in their annual financial statement of the year immediately following the enactment of this Act shall be granted an exemption in accordance with the rules and guidelines that shall be implemented pursuant to this Act.

Misrepresentation or misdeclaration of the incomes and liabilities required herein shall constitute prima facie evidence of violation of this Act.

Sec. 5. **Penalty.** – The head of the educational institution or the officials responsible for non-compliance with the moratorium herein imposed shall be punished with a fine of not less than One hundred thousand pesos (P100,000.00) and not more than Five hundred thousand (P500,000.00) or imprisonment of not more than six (6) years, or both, at the discretion of the court.

Sec. 6. **Repealing Clause.** – All laws, presidential decrees or issuance, executive orders, letter of instruction, administrative order, rules or regulations contrary to or inconsistent with the provisions of this Act is hereby repealed or modified accordingly.

Sec. 7. **Separability Clause.** – If any part or provision hereof is held unconstitutional or invalid, the remaining parts not otherwise affected shall remain valid and subsisting.

Sec. 8. **Effectivity Clause.** – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,