

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. **5538**



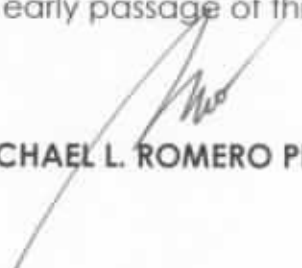
Introduced by REP. Michael L. Romero and Enrico A. Pineda

EXPLANATORY NOTE

It is highly imperative that the State shall protect, foster and promote the right of all citizens to affordable quality education at all levels and shall take appropriate steps to ensure that education shall be accessible to all. The State shall likewise ensure and protect academic freedom and shall promote its exercise and observance for the continuing intellectual growth, the advancement of learning and research, the development of responsible and effective leadership, the education of high-level and middle-level professionals, and the enrichment of our historical and cultural heritage.

This House Bill seeks to promote and support all State-supported institutions of higher learning shall gear their programs to national, regional or local development plans. To foster all institutions of higher learning shall exemplify through their physical and natural surroundings the dignity and beauty of, as well as their pride in, the intellectual and scholarly life.

Thus, the early passage of this bill is earnestly requested.


MICHAEL L. ROMERO Ph.D


ENRICO A. PINEDA

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Introduced by REP. Michael L. Romero and Enrico A. Pineda

AN ACT
AMENDING REPUBLIC ACT NO. 7722 OTHERWISE KNOWN AS
THE "HIGHER EDUCATION ACT OF 1994", TO PROVIDE ADDITIONAL
DEVELOPMENTAL FUNDING, TO FOSTER PUBLIC AND PRIVATE
INSTITUTIONS OF HIGHER EDUCATION AS WELL AS DEGREE-
GRANTING PROGRAMS IN ALL POST-SECONDARY EDUCATIONAL
INSTITUTIONS, TO PROMOTE IMPROVEMENTS AND OTHER SIMILAR
PROGRAMS FOR THE ADVANCEMENT OF TEACHING, AND FOR
OTHER PURPOSES

*Be it enacted by the Senate and House of Representative of the
Philippines in congress assembled;*

SECTION 1. TITLE - This Act shall be known as the "**Higher Education
Act of 2017**"

SECTION 2. DECLARATION OF POLICY -

Section 10 of Republic Act No. 7722, is hereby amended to read as follows:

Section 10. The Higher Education Development Fund -A Higher Education Development Fund, hereinafter referred to as the Fund, is hereby established exclusively for the strengthening of higher education in the entire country.

a. The Government's contribution to the Fund shall be the following:

1. the amount of Five hundred million pesos **(P500,000,000.00)** as additional seed capital;
2. the amount of One hundred million pesos **(P100,000,000.00)** for additional operational expenses of the Commission;
3. the equivalent of fifty percent **(50%)** annual share on the total gross collections of the travel tax;
4. the equivalent of forty percent **(40%)** share of the collections from the Professional Registration Fee; and
5. the equivalent of five percent **(5%)** of the gross sales of the lotto operation of the Philippine Charity Sweepstakes Office (PCSO).

b. Starting Fiscal Year **2018** and every year thereafter, government financing institutions identified and requested by the Commission may contribute to the Fund an amount equivalent to not less than five percent **(5%)** but not more than eight percent **(8%)** of their unimpaired surplus realized during the immediately preceding year.

c. The Fund shall have a private portion to be raised from donations, gifts, and other conveyances including materials, equipment, properties and services by gratuitous title.

SECTION 3. DECLARATION OF POLICY -

Section 17 of Republic Act No. 7722, is hereby amended to read as follows:

Section 17. Appropriation - The amount of Five hundred million pesos (**P500,000,000.00**) is hereby authorized to be appropriated for the additional seed capital of the Fund.

The additional amount of One hundred million pesos (**P100,000,000.00**) is hereby authorized to be appropriated out of the funds in the National Treasury not otherwise appropriated or out of the Philippine Amusement and Gaming Corporation (PAGCOR) funds for additional operational expenses of the Commission.

The sum equivalent to the appropriations for the current year for the Bureau of Higher Education and the degree-granting-programs of the Bureau of Technical-Vocational Education, including those for higher and tertiary education and degree granting vocational and technical programs of the Bureau of Technical-Vocational Education in the regional offices, as well as parts of the budgetary items under the CHED budget that are concerned with higher and tertiary education and degree-granting vocational and technical programs such as those for personal services, maintenance and other operating expenses and capital outlay, shall be transferred to the Commission.

Thereafter, the funds necessary shall be included in the General Appropriations Act (GAA).

SECTION 4. IMPLEMENTING RULES AND REGULATIONS. – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty (60) days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 5. REPEALING CLAUSE. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 6. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 7. EFFECTIVITY CLAUSE. – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,