

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

House Bill No. 9923



Introduced by the Honorable Precious Hipolito Castelo

EXPLANATORY NOTE

This bill seeks to grant additional benefits and privileges to public school teachers. Republic Act No. 4670 or the Magna Carta for Public School Teachers was enacted in 1966 to promote and improve the social and economic status of public school teachers. Frankly, the age-old law is due for revision.

Public school teachers mold the youth into future leaders who fuel the nation's progress. The extent and complexity of their work is immeasurable. Their impact on the society is inter-generational, as they educate the next generation who they hope to be the best version of individuals that can lead us to progressively develop over time.

Even as the Constitution provides for the "highest budgetary priority to education and the guarantee that teaching will attract and retain its rightful share of the best available talents through adequate remuneration and other means of job satisfaction and fulfillment," our public school teachers, in reality, are underpaid and undervalued.

Furthermore, the advent of distance learning due to the Coronavirus Disease 2019 (COVID-19) pandemic has presented added difficulties in the form of auxiliary work and expenses to the public school teachers.

With the ever-growing challenges that face our public school teachers, it is only fitting to accord them the additional benefits and privileges they rightfully deserve. Through this bill, it is aspired that the overall quality of education in the country will improve.

The immediate passage of this measure is sought for.


PRECIOUS HIPOLITO CASTELO

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AN ACT
GRANTING ADDITIONAL BENEFITS AND PRIVILEGES TO PUBLIC SCHOOL TEACHERS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 4670, OTHERWISE KNOWN AS THE MAGNA CARTA FOR PUBLIC SCHOOL TEACHERS

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

SECTION 1. *Short Title.* – This Act shall be referred to as the “Expanded Magna Carta for Public School Teachers”.

SEC. 2. *Declaration of Policy.* – It is the declared policy of the State to promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living and an improved quality of life. It is further declared that the State shall provide social justice in all phases of national development and that the State values the dignity of every human person and guarantees full respect for human rights. The Constitution also provides that the State shall assign the highest budgetary priority to education and ensure that teaching will attract and retain its rightful share of the best available talents through adequate remuneration and other means of job satisfaction and fulfillment.

Towards these objectives, this Act aims to give full support to the improvement of the total well-being of public school teachers, considering that they play an important role in honing the overall development of the youth.

SEC. 3. *Coverage.* – This Act shall apply to all public school teachers except those in the professorial staff of state colleges and universities.

As used in this Act, the term "public school teacher" shall mean all persons engaged in classroom teaching, in any level of instruction, on full-time basis, including guidance counselors, school librarians, industrial arts or vocational instructors, and all other persons performing supervisory and/or administrative functions in all schools, colleges and universities operated by the government or its political subdivisions; but shall not include school nurses, school physicians, school dentists, and other school employees.

SEC. 4. *Privileges for Public School Teachers.* – Public school teachers shall be entitled to the following:

- (a) the grant of twenty percent (20%) discount and exemption from the value -added tax (VAT), if applicable, on the sale of the following goods and services from all establishments, for the exclusive use and enjoyment or availment of the public school teacher:

- (1) on the purchase of medicines and such other essential medical supplies, accessories and equipment to be determined by the Department of Health (DOH). The DOH shall establish guidelines and mechanism of compulsory rebates in the sharing of burden of discounts among retailers, manufacturers and distributors, taking into consideration their respective margins;
 - (2) on medical and dental services, diagnostic and laboratory fees in all private hospitals, medical facilities, outpatient clinics, and home health care services, in accordance with the rules and regulations to be issued by the DOH, in coordination with the Philippine Health Insurance Corporation (PhilHealth);
 - (3) in actual fare for land transportation travel in public utility buses (PUBs), public utility jeepneys (PUJs), taxis, Asian utility vehicles (AUVs), shuttle services and public railways, including Light Rail Transit (LRT), Mass Rail Transit (MRT), and Philippine National Railways (PNR);
 - (4) in actual transportation fare for domestic air transport services and sea shipping vessels and the like, based on the actual fare and advanced booking;
 - (5) on admission fees charged by theaters, cinema houses and concert halls, circuses, leisure and amusement; and
 - (6) on funeral and burial services on the death of public school teachers;
- (b) the grant of a minimum of five percent (5%) discount relative to the monthly utilization of water and electricity supplied by the public utilities: *Provided*, That the individual meters for the foregoing utilities are registered in the name of the public school teacher residing therein: *Provided, further*, That the monthly consumption does not exceed one hundred kilowatt hours (100 kWh) of electricity and thirty cubic meters (30 m³) of water: *Provided, furthermore*, That the privilege is granted per household regardless of the number of public school teachers residing therein;
 - (c) the grant of internet allowance of a minimum of One thousand five hundred pesos (Php1,500.00) per month;
 - (d) exemption from training fees for socioeconomic programs;
 - (e) DOH shall administer free vaccination against the influenza virus, pneumococcal disease, and COVID-19 including booster shots, if necessary, for all public school teachers;
 - (f) opportunities for further academic growth through the provision of scholarships, grants, financial aids, subsidies and other incentives to qualified public school teachers, including support for books, learning materials, and uniform allowances, to the extent feasible: *Provided*, That public school teachers shall meet minimum admission requirements;
 - (g) retirement benefits of retirees from both the government and the private sector shall be regularly reviewed to ensure their continuing responsiveness and sustainability, and to the extent practicable and feasible, shall be upgraded to be at par with the current scale enjoyed by those in actual service;
 - (h) to the extent possible, the government may grant special discounts in special programs for public school teachers on purchase of basic commodities, subject to the guidelines to be issued for the purpose by the Department of Trade and Industry (DTI) and the Department of Agriculture (DA);
 - (i) death benefit assistance of a minimum of Ten thousand pesos (Php10,000.00) shall be given to the nearest surviving relative of a deceased public school teacher which amount shall be subject to adjustments due to inflation in accordance with the guidelines to be issued by the DSWD;
 - (j) In the availment of the privileges mentioned above, the public school teacher, may submit as proof of his/her entitlement thereto an identification card issued by the Department of Education (DepEd) or Commission on Higher Education (CHED), as the case may be.

In the purchase of goods and services which are on promotional discount, the public school teacher can avail of the promotional discount or the discount provided herein, whichever is higher.

The establishment may claim the discounts granted under subsections (a) and (c) of this section as tax deduction based on the cost of the goods sold or services rendered: Provided, That the cost of the discount shall be allowed as deduction from gross income for the same taxable year that the discount is granted: Provided, further, That the total amount of the claimed tax deduction net of VAT, if applicable, shall be included in their gross sales receipts for tax purposes and shall be subject to proper documentation and to the provisions of the National Internal Revenue Code (NIRC), as amended.

SEC. 5. *Penalties.* – Any person who refuses to honor the public school teacher identification card issued by this government or violates any provision of this Act shall suffer the following penalties:

- (a) For the first violation, imprisonment of not less than two (2) years but not more than six (6) years and a fine of not less than Fifty thousand pesos (Php50,000.00) but not exceeding One hundred thousand pesos (Php100,000.00);
- (b) For any subsequent violation, imprisonment of not less than two (2) years but not more than six (6) years and a fine of not less than One Hundred thousand pesos (Php100,000.00) but not exceeding Two hundred thousand pesos (Php200,000.00); and
- (c) Any person who abuses the privileges granted herein shall be punished with imprisonment of not less than six (6) months and a fine of not less than Fifty thousand pesos (Php50,000.00) but not more than One hundred thousand pesos (Php100,000.00).

If the offender is a corporation, partnership, organization or any similar entity, the officials thereof directly involved such as the president, general manager, managing partner, or such other officer charged with the management of the business affairs shall be liable therefor.

If the offender is an alien or a foreigner, he/she shall be deported immediately after service of sentence.

Upon filing of 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 person, establishment or business entity that fails to abide by the provisions of this Act.

SEC. 6. *Monitoring and Coordinating Mechanism.* – A National Coordinating and Monitoring Board shall be established with shall be composed of the following:

- (a) Chairperson - the Secretary of the Department of Social Welfare and Development (DSWD) or an authorized representative;
- (b) Vice Chairperson - the Secretary of DepEd or an authorized representative;
- (c) Vice Chairperson - the Chairman of CHED or an authorized representative; and
- (d) Members:
 - (1) the Secretary of the Department of Justice or an authorized representative;
 - (2) the Secretary of the DOH or an authorized representative;
 - (3) the Secretary of the DTI or an authorized representative; and
 - (4) representatives from three (3) NGOs for public school teachers which are duly accredited by the DSWD and have service primarily for public school teachers. Representatives of NGOs shall serve a period of three (3) years.

The Board may call on other government agencies and other relevant organizations to serve as resource persons as the need arises. Resource persons have no right to vote in the National Coordinating and Monitoring Board.

SEC. 7. *Implementing Rules and Regulations.* - Within sixty (60) days from the effectivity of this Act, the Secretary of the DSWD, DepEd and Chairman of CHED shall formulate the

implementing rules and regulations to carry out the objectives of this Act, in consultation with other relevant government agencies and stakeholders.

SEC. 8. *Appropriations.* – The amount necessary for the effective implementation of this Act shall be charged against the current General Appropriations Act. Thereafter, such amount as may be necessary for its continued implementation shall be included in the annual General Appropriations Act.

SEC. 9. *Separability Clause.* – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 10. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

SEC. 11. *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,