



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL No. 5462



Introduced by HONORABLE ERNESTO “ERNIX” M. DIONISIO, JR.

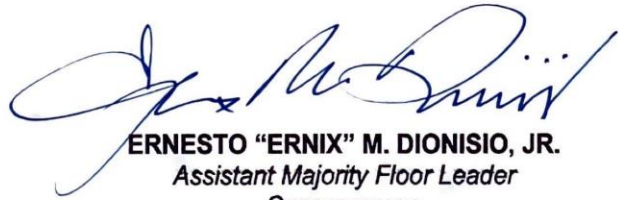
AN ACT
PROVIDING FOR A MORATORIUM ON STUDENT LOAN PAYMENTS DURING
DISASTERS AND OTHER EMERGENCIES

EXPLANATORY NOTE

Education is referred to as the great equalizer, as it can open opportunities for people from different walks of life. Education is also seen as the solution to escaping poverty. As such, the 1987 Constitution provides that the State shall protect and promote the right of all citizens to quality education at all levels, and to take measures to ensure that such education is accessible to all. Ensuring accessibility entails affordability for students. With that, measures must be adopted to ensure that students and their families are shielded from the financial strain caused by unforeseen occurrences such as natural disasters and other emergencies.

This proposed measure provides for a moratorium on the enforcement of payment of fees, charges, or costs related to student loans. The proposed bill seeks to protect families who might have lost their source of livelihood or income by easing their financial burden. With that, finances can go to immediate necessities such as food, clothing, and health-related essentials.

In view of the foregoing, the passage of this bill is highly sought.

A handwritten signature in blue ink, appearing to read 'Ernesto M. Dionisio, Jr.', with a stylized flourish at the end.

ERNESTO "ERNIX" M. DIONISIO, JR.

Assistant Majority Floor Leader

Congressman

First Congressional District of Manila



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

SECTION 1. Short Title. – This Act shall be known as the "*Student Loan Payment Moratorium during Calamities and Emergencies Act.*"

Section 2. Declaration of Policy. – It is hereby the declared policy of the State to uphold the right of Filipinos to quality education. Towards this end, the State shall ensure that adequate relief and protection is granted to students at all levels especially those who are affected by calamity and emergency situations.

Section 3. Definition of Terms. – For purposes of this Act, these terms are defined as follows:

- a. "*Disaster*" - a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources. Disasters are often described as a result of the combination of: exposure to a hazard; the conditions of vulnerability that are present; and insufficient capacity or measures to reduce or cope with the potential negative consequences. Disaster Impacts may include loss of life, injury, disease, and other negative effects on human, physical, mental, and social well-being, together with damage to property, destruction of assets, loss of services, social and economic disruption, and environmental degradation.
- b. "*Emergency*" - unforeseen or sudden occurrence, especially danger, demanding immediate action;

- c. "*State of Calamity*"- a condition involving mass casualty and/or major damages to property, disruption of means of livelihoods, roads, and normal way of life of people in the affected areas as a result of the occurrence of natural or human-induced hazard, as may be declared by proper authorities as provided by law;
- d. "*Higher education*" refers to the stage of formal education, or its equivalent, requiring completion of secondary education and covering programs of study leading to bachelor's and advanced degrees, including associate degrees;
- e. "*Technical-Vocational Education and Training (TVET)*" refers to the post-secondary education or training process which involves, in addition to general education, the study of technical and related fields and the acquisition of practical skills relating to occupations in various sectors, comprising formal (organized programs as part of the school systems) and nonformal (organized classes outside the school system) approaches;
- f. "*Higher Education Institution (HEI)*" refers to an education institution authorized and recognized by the CHED to offer bachelor's degree or graduate courses;
- g. "*Local universities and colleges (LUC)*" refers to CHED-accredited public HEIS established by local government units (LGUS) through an enabling ordinance, financially supported by the LGU concerned, and compliant with the policies, standards, and guidelines of the CHED;
- h. "*Private higher education institution*" refers to HEI not owned and controlled by the government or its instrumentalities; and
- i. "*Technical-Vocational Institutions (TVIS)*" refer to learning institutions offering Technical-Vocational Education and Training (TVET).

Section 4. Scope of Application. – This Act shall cover disasters and other kinds of emergencies which are: (1) national in scope, as declared through a State of Calamity or State of National Emergency by the President of the Philippines, and (2) provincial, city or municipal in scope, as declared through a State of Calamity or Emergency by the appropriate local government unit.

Section 5. Higher Education Institutions Covered. – This Act shall apply to all Higher Education Institutions (State Universities and Colleges, Local Universities and Colleges, and private HEIS) and private and public Technical-Vocational Institutions (TVIS).

Section 6. Moratorium on Student Loan Payments. – There shall be a moratorium on the enforcement of payment of all fees, charges, and costs relating to the student loan programs for Higher Education and Technical-Vocational Education and Training (TVET), whether administered by the HEIS or TVIS themselves or by the

Unified Student Financial Assistance System for Tertiary Education (UNIFAST) Board, the Commission on Higher Education (CHED) or any other government agency or instrumentality, for the duration of the State of Calamity or Emergency mentioned in Section 4 of this Act and for thirty (30) days from the termination of said State of Calamity or Emergency; *Provided*, that if the covered period exceeds a total of sixty (60) days, the payment of the fees, charges and costs shall be further deferred until the end of the next academic semester or term; *Provided further*, That the availment of the moratorium shall not adversely affect the status of the student regarding his/her eligibility for re-enrolment on the succeeding semesters or terms, or his/her eligibility for graduation; *Provided finally*, That no penalties or interests shall be collected on the payments made by virtue of this Act.

Nothing in this Act shall prevent: (1) the public or private HEIS/TVIS from implementing more favorable forms of payment relief or assistance to their students, or (2) the students from voluntarily waiving the benefit of the moratorium on student loan payments.

Section 7. Repealing Clause. – All laws, presidential decrees, executive orders, proclamations, rules, and regulations, or any part thereof, which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly

Section 8. Separability Clause. – If any provision or part of this Act, or the application thereof to any person or circumstance is held unconstitutional or invalid, the remainder of this Act shall not be affected thereby.

Section 9. Effectivity Clause. – This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) newspapers of general Circulation.

Approved,