Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9871

RECEIVED
DATE FEB 05 2024
TIME 4:19pm
BY

Introduced by REPRESENTATIVE JONATHAN KEITH T. FLORES

EXPLANATORY NOTE

The Technical Education and Skills Development Authority (TESDA) was established on August 25, 1994 by virtue of Republic Act No. 7796 or the "Technical Education and Skills Development Act of 1994". Since its creation, TESDA has remained an essential contributor to the National Government and its mission to provide Filipinos with quality-assured technical education and skills development programs, and to mobilize technical-vocational institutions in the Philippines.

Over two decades after its establishment, TESDA is now the leading government agency that sets the direction and ensures the efficient delivery of technical education and skills development programs across various sectors all over the country. However, TESDA has also experienced its share of challenges and limitations, especially within the context of today's ever-changing local and global environment. To address concerns such as the strengthening of TESDA's organizational structure and the modernization of skills training facilities, the overall system of the Authority must be advanced through an augmented budget along with adequate personnel, and resources.

Hence, this proposed measure seeks to repeal Republic Act No. 7796 or the "Technical Education and Skills Development Act of 1994" and to strengthen the powers and organization functions of TESDA by elevating it into a department. The department shall become the primary policy formulation, planning, coordinating, implementing, regulating, and administrative entity of the government for technical education and training and certification of policies, plans, and programs. It shall be headed by a Secretary, four (4) Undersecretaries, and four (4) Assistant Secretaries.

Such change will be necessary in addressing concerns and implementing reforms fitting with the Fourth Industrial Revolution and other advancements. With this proposed legislative measure, TESDA will be strengthened as an implementing and regulatory institution of the Technical and Vocational Sector of the country's trifocal education system. Most importantly, this measure is filed to benefit the interest and needs of the hard working and skilled Filipino workforce.

In view of the foregoing, approval of this bill is earnestly sought.

JONATHAN KEITH T. FLORES
2nd District, Bukidnon

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HOUSE BILL NO. 9871

Introduced by REPRESENTATIVE JONATHAN KEITH T. FLORES

AN ACT
CREATING THE DEPARTMENT OF TECHNICAL EDUCATION AND SKILLS DEVELOPMENT, DEFINING ITS POWERS AND FUNCTIONS, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 7796, OTHERWISE KNOWN AS THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY OR TESDA ACT OF 1994, AND APPROPRIATING FUNDS THEREFOR

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 "Department of Technical Education and Skills Development (DTESD) Act".

SEC. 2. ***Declaration of Policy.*** – It is hereby declared the policy of the State to provide relevant, accessible, high quality and efficient technical education and skills development in support of the development of high quality Filipino manpower responsive to and in accordance with Philippine development goals and priorities.

The State shall encourage active participation of various concerned sectors, public as well as private technical-vocational institutions (TVIs) particularly private enterprises, being direct participants in and immediate beneficiaries of a technically educated and trained workforce, in providing technical education services and training opportunities.

SEC. 3. ***Objectives.*** – The objectives of this Act are:

a) To promote and strengthen the quality of technical education and skills development programs to attain global competitiveness and inclusive growth;
b) To focus technical education and skills development on meeting the changing demands for quality manpower particularly in support of the development thrust of the country;
c) To encourage critical and creative thinking by disseminating the scientific and technical knowledge base of manpower development programs;

d) To recognize and encourage the complementary roles of public and private institutions, enterprises, local government units (LGUs) and civil society organizations (CSOs) in technical education and skills development;
e) To develop the capacities of stakeholders to participate in the planning and delivery of quality technical education and skills development systems;
f) To inculcate desirable values through the development of moral character with emphasis on work ethics, self-discipline, self-reliance and nationalism;
g) To strongly support the implementation of the Philippine Qualifications Framework or the PQF Act (Republic Act No. 10968), the Ladderized Education Act (Republic Act No. 10647) and the Dual Training System Act (Republic Act No. 7686); and other laws, decrees and orders on education;
h) To maximize returns to the country's investment in technical education and skills development through an efficient graduates' employment facilitation program within the framework of the national employment service network system; and
i) To support in the poverty alleviation efforts by providing the marginalized and vulnerable segments of the country's population access to income generating technical education and skills development opportunities.

SEC. 4. *Definition of Terms.* – As used in this Act:

a) *Apprenticeship* refers to the training within employment with compulsory related theoretical instruction involving a contract between an apprentice and an employer on an approved apprenticeable occupation;
b) *Apprentice* refers to a person undergoing training for an approved apprenticeable occupation during an apprenticeship agreement;
c) *Apprenticeship Agreement* refers to a contract wherein a prospective employer binds himself to train the apprentice who in turn accepts the terms of training for a recognized apprenticeable occupation emphasizing the rights, duties and responsibilities of each party;
d) *Apprenticeable Occupation* refers to an occupation officially endorsed by a tripartite body and approved as apprenticeable by the Department;
e) *Dual Training System* refers to an instructional delivery system of technical and vocational education and training that combines in-plant training and in-school training based on a training plan collaboratively designed and implemented by an accredited dual system educational institution/training center and accredited dual system agricultural, industrial and business establishments with prior notice and advice to the local government unit concerned. Under this system, said establishments and the educational institution share the responsibility of providing the trainee with the best possible job qualifications, the former essentially through practical training and the latter by securing an adequate level of specific, general and occupation-related theoretical instruction. The word "dual" refers to the two parties providing

instruction: the concept "system" means that the two instructing parties do not operate independently of one another, but rather coordinate their efforts.

f) *Ladderized education* refers to the harmonization of all education and training mechanisms that allow students and workers to progress between technical-vocational and higher education programs, or vice-versa. It opens opportunities for career and educational advancement to students and workers. It creates a seamless and borderless education and training system that will allow transfers in terms of flexible entry and exit between technical-vocational and higher education programs in the post-secondary school educational system;

g) *Leading Technology Center* refers to centers that provide high quality and efficient technical education, training and certification in support of the development of high quality Filipino manpower responsive to and in accordance with Philippine development goals and priorities;

h) *Learner* refers to persons hired as trainees in semi-skilled and other industrial occupations which are non-apprenticeable. Learnership programs must be approved by the Department;

i) *Levy Grant System* refers to a legal contribution from participating employers who would be beneficiaries of the program (often as a percentage of the payroll) which is subsequently turned over or rebated to enterprises offering employee training programs;

j) *Middle-Level Manpower* refers to those who have acquired practical skills and knowledge through formal or non-formal education and training equivalent to at least a secondary education but preferably at post-secondary education with a corresponding degree of diploma; or skilled workers who have become highly competent in their trade or craft as attested by the industry;

k) *Philippine Qualifications Framework (PQF)* refers to the national policy which describes the levels of educational qualifications and sets the standards for qualifications outcomes. It is a quality assured national system for the development, recognition and award of qualifications based on standards of knowledge, skills, and values acquired in different ways and methods by learners and workers of a certain country;

l) *Private Enterprise* refers to an economic system under which property of all kinds can be privately owned and in which individuals, alone or in association with another, can embark on a business activity. This includes industrial, agricultural, or agro-industrial establishments engaged in the production, manufacturing, processing, repacking or assembly of goods including service-oriented enterprises;

m) *Skill* refers to the acquired and practiced ability to carry out a task or job;

n) *Skills Development* refers to the process through which learners and workers are systematically provided with learning opportunities to acquire or upgrade, or both, their ability, knowledge and behavior pattern required as qualifications for a job or range of jobs in a given occupational area;

o) *Technical Education* refers to the education process designed at upper secondary and lower tertiary levels, aligned with the levels of the PQF, with the pathways to higher education

through the credit transfer system based on learning outcomes aimed at preparing technicians, technologists, para-professionals and other categories of workers and/or entrepreneurs by providing them with a broad range of general education, theoretical, scientific and technological studies, and related job skills training;

p) *Trade* refers to any group of interrelated jobs or any occupation which is traditionally or officially recognized as craft or artisan in nature requiring specific qualifications that can be acquired through work experience and/or training;

q) *Trainee* refers to persons who are participants in a vocational, administrative or technical training program for the purpose of acquiring and developing job-related skills;

r) *Trainer* refers to persons who direct the practice of skills towards immediate improvement in some task;

s) *Training* refers to teaching or developing oneself or others, any skills and knowledge that relate to specific useful competencies;

t) *Trainer's training* refers to training trainers aimed at developing the latter's capacities for imparting attitudes, knowledge, skills and behavior patterns required for specific jobs, tasks, occupations or group of related occupations; and

u) *User-Led" or "Market-Driven Strategy* refers to a strategy which promotes strengthened linkages between educational/training institutions and industry to ensure that appropriate skills and knowledge are provided by the educational system.

SEC. 5. ***Creation and Mandate of the Department of Technical Education and Skills Development.*** – There is hereby created a Department of Technical Education and Skills Development (DTESD), which shall be the primary policy formulation, planning, coordinating, implementing, regulating and administrative entity of the government for technical education and skills development (TESD) agenda.

SEC. 6. ***Powers and Functions.*** – The DTESD shall have the following powers and functions:

a) Formulate a roadmap for Philippine TESD and set the general directions for education and training policies and standards that shall be embodied in a National Technical Education and Skills Development Plan (NTESDP);

b) Formulate and recommend national policies and guidelines and conduct in-depth studies on all policy areas and options that will promote technical education and skills development in consultation with the relevant stakeholders, and address job mismatch between technical vocational education and training (TVET) and industry requirements;

c) Assess, review, harmonize and coordinate all TESD policies and programs to ensure overall consistency and implementation of the national policies;

d) Organize and constitute various standing committees, subsidiary groups, or technical working groups for efficient integration, coordination and monitoring of TESD programs at the national, regional, and local levels;

e) Enter into, make, execute, perform and carry-out domestic and foreign contracts subject to existing laws, rules and regulations;

f) Restructure the entire sub-sector consisting of all institutions and programs involved in the promotion and development of middle-level manpower through upgrading, merger and/or phase-out following a user-led strategy;

g) Approve training standards and assessment packages as established and conducted by private industries;

h) Establish and administer a system of accreditation of both public and private technical vocational institutions;

i) Establish, develop and support institutions trainers' training and/or programs;

j) Exact reasonable fees and charges for such assessment and trainings conducted and retain such earnings for its own use, subject to guidelines promulgated by the DTESD;

k) Allocate resources for the programs and projects it shall undertake pursuant to the approved NTESDP;

l) Determine and approve systematic funding schemes such as the levy and grant scheme for technical education and skills development purposes.

m) Create, when deemed necessary, an Advisory Committee which shall provide expert and technical advice to the Secretary to be chosen from the academe and the private sector: *Provided,* That in case the Advisory Committee is created, the DTESD is hereby authorized to set aside a portion of its appropriation for its operations;

n) Review and recommend action to concerned authorities on proposed technical assistance programs and grants-in-aid for technical education and skills development, including those which may be entered into between the Government of the Philippines and other nations, including international and foreign organizations, both here and abroad;

o) Promulgate rules and regulations for the implementation of its policies and related laws; and

p) Perform such other functions as maybe needed to achieve its goals and objectives to the fullest and as may be provided by this Act.

SEC. 7. *Composition.* - The DTESD shall be composed of the Office of the Secretary, and the various bureaus, services, regional and provincial/district offices.

SEC. 8. *Powers and Functions of the Secretary.* The Secretary shall have the following powers and functions:

a) Provide executive direction and supervision over the entire operations of the DTESD;

b) Organize the DTESD for its efficient and effective performance of its functions to achieve the objectives and mandate of this Act;
c) Establish TESD policies and standards for the effective, efficient and economical operation of the DTESD, in accordance with the programs of the government;
d) Represent and advocate TESD concerns in national and international bodies;
e) Mobilize resources and ensures prudent utilization of and access to TESD investments and incentives according to national development plans and priorities;
f) Designate and appoint officers and employees of the DTESD, including regional and provincial directors, but excluding the Undersecretaries and Assistant Secretaries, in accordance with Civil Service laws, rules and regulations;
g) Undertake consultations with other members of the Cabinet and officers of the government relating to TESD concerns;
h) Advise the President of the Philippines on the promulgation of executive and administrative orders and formulation of regulatory and legislative proposals on matters pertaining to TESD;
i) Promulgate rules, regulations and other issuances in carrying out the DTESD's mandate, objective, policies, plans, programs and projects;
j) Direct and manage the implementation of DTESD's programs and services; and
k) Perform such other functions as may be authorized.

SEC. 9. ***Undersecretaries and Assistant Secretaries.*** - The Secretary shall be assisted by four (4) Undersecretaries and four (4) Assistant Secretaries who shall be appointed by the President upon recommendation of the Secretary: *Provided,* that the two (2) Undersecretaries and the two (2) Assistant Secretaries shall be career officers.

The Undersecretaries and Assistant Secretaries shall assist the Secretary in the performance of his powers and functions to achieve the objectives of this Act. The Undersecretaries and Assistant Secretaries shall be given specific areas of responsibility.

SEC. 10. ***Qualifications and Appointments.*** – The person appointed as Secretary, Undersecretary, or Assistant Secretary of the DTESD must be a citizen and a resident of the Philippines, of good moral character, of proven integrity, and with at least five (5) years relevant experience.

SEC. 11. ***Bureaus, Services, and Personnel.*** – The bureaus under the Office of the Secretary of DTESD shall be headed by an Executive Director to be appointed by the President upon the recommendation of the Secretary. The Executive Directors shall have the rank and emoluments of Director IV.

SEC. 12. ***Regional Office*** – There shall be stablished a Regional Office in each region of the country to be headed by the Regional Director with the rank and emoluments of Director IV and appointed by the President upon the recommendation of the Secretary. The Regional Office shall have the following functions:

a) Direct implementation of TESD programs, projects and related activities in the region;
b) Develop and recommends TESD programs for local level implementation within set policies;
c) Deploy policies to stakeholders;
d) Manage TESD resources in the region;
e) Plan and implement policy inputs;
f) Monitor and evaluate program implementation; and
g) Perform such other functions as may be authorized.

SEC. 13. ***The Provincial or District Offices***- The Provincial/District Office shall be headed by a Provincial/District Director who shall have the rank and emoluments of a Director III and appointed by the President upon the recommendation of the Secretary. The Provincial/District office shall have the following functions:

a) Serve as secretariat to the Provincial TESD Committees;
b) Provide technical assistance to the local government units for effective supervision, coordination, integration of all technical education and training programs within their localities;
c) Review and recommends priority technical education and training programs within their localities; and
d) Perform such other functions as may be authorized.

SEC. 14. ***Technical Education and Training Centers.*** - The DTESD shall absorb and enhance existing Technical Education and Training Centers and establish a network of national, regional and local technical education and skills development centers for the purpose of promoting technical education and skills development. This network shall include leading training technology centers, training centers in technical-vocational schools, including TESDA-administered and supervised TVIs, including arts and trades schools/colleges and polytechnic institutes, and all other duly accredited public and private dual system educational institutions. The TESD centers shall be administered and operated under such rules and regulations as may be established by the DTESD in accordance with the NTESDP.

These centers and schools shall have the following functions:

a) Provide responsive formal and non-formal TESD programs;
b) Conduct applied research and development programs and provides extension services in coordination with Regional Offices (ROs)/Provincial Offices (POs);
c) Undertake entrepreneurship development program;

d) Conduct outreach programs in coordination with ROs/POs;
e) Provide job linkages;
f) Provide assessment and certification;
g) Devise mechanisms for sustainable operation and development;
h) Monitor and evaluate program implementation; and
i) Perform such other functions as may be authorized.

SEC. 15. ***Structure and Staffing Pattern.*** - Subject to the approval of the Department of Budget and Management (DBM), the DTESD shall determine its organizational structure, staffing, pattern, qualification standards, and placement of personnel in the DTESD in accordance with the civil service rules, and regulations.

SEC. 16. ***Compliance with the Salary Standardization Law.*** - The compensation and emoluments of the officials and employees of the DTESD shall be in accordance with the Salary Standardization Law and other applicable laws under the national compensation and clarification plan.

SEC. 17. ***Consultancy, Technical Assistance, Publication, and Research.*** - In pursuance of its objectives, the DTESD is hereby authorized to set aside a portion of its appropriation for the hiring of services of qualified consultants, and private organizations for research work and publication in the field of technical education and training. It shall avail itself of the services of other agencies of the government, as may be required.

SEC. 18. ***Formulation of a Comprehensive Development Plan for Middle Level Manpower.*** - The DTESD shall formulate a comprehensive development plan for middle manpower based on a national employment plan or policies for the optimum allocation, development and utilization of skilled workers for employment entrepreneurship and technology development for economic and social growth. This plan shall be updated periodically and submitted to the President for approval. Thereafter, it shall be the plan for the technical education, training, and certification for the entire country within the framework of the National Development Plan. The DTESD shall direct through its offices to call on public agencies, the private sector and academe to assist in this effort. The comprehensive plan shall provide for a reformed industry-based training program including apprenticeship, dual training system and other similar schemes intended to:

a) Promote maximum protection and welfare of the worker-trainee;
b) Improve the quality and relevance and social accountability of technical education and training;
c) Accelerate the employment generation effort of the government; and
d) Expand the range of opportunities for upward social mobility of the school going population beyond the traditional higher levels of formal education. All government and non-government

agencies receiving financial and technical assistance from the government shall be required to formulate their respective annual agency technical education and training plan. The budget to support such plan shall be subject to review and endorsement by the DTESD to the DBM. The DTESD shall evaluate the efficiency and effectiveness of agencies skills development program and schemes to make them conform to the quantitative and qualitative objectives of the national technical education and skills development plan.

SEC. 19. ***Technical Education and Skills Development Committees.*** - The DTESD shall establish Technical Education and Skills Development Committees at the regional and local levels to coordinate and monitor the delivery of all training activities by the public and private sectors, and recommend policy, program and project. This committee shall likewise serve as the Technical Education and Skills Development Committees of the regional and local development councils. The composition of the Technical Education and Skills Development Committees shall be determined by the Secretary.

SEC. 20. ***Enterprise-Based Training Program.*** - The DTESD shall promote Enterprise-Based Training as a major mode of training rather than an employment arrangement and shall see to it that it is not subject to abuse by unscrupulous entities.

SEC. 21. ***Establishment and Administration of National Training Standards.*** - There shall be national training standards to be established by DTESD-accredited industry committees. The DTESD shall develop and implement a certification and accreditation program in which private industry groups and trade associations are accredited to conduct approved assessment packages, and the local government units to promote such assessment in their respective areas in accordance with the guidelines set by the DTESD.

The Secretary shall determine the occupational trades for mandatory certification. All certificates relating to the national training standards and certification system shall be issued by the DTESD through its Regional and Provincial Offices.

In consonance with the PQF, the DTESD shall closely collaborate with the Professional Regulation Commission (PRC) as regards to the assessment of technicians, master craftsman and technologists.

SEC. 22. ***Administration of Training Programs.*** - The DTESD shall design and administer training programs and schemes that will develop the capabilities of public and private institutions to provide quality and cost-effective technical education and skills development and related opportunities. Such training programs and schemes shall include teachers'/trainers' training in occupational trades and related fields of employment, and value development as an integral component of all technical education and training programs.

SEC. 23. ***Assistance to Employers and Organizations.*** - The DTESD shall assist any employer or organization engaged in technical education and training schemes design to attain its objectives under rules and regulations established by the DTESD for this purpose.

SEC. 24. ***Accreditation and Regulation of TESD Programs.*** - All TESD shall be duly accredited by the DTESD before it is offered to the public by any public, private entity or non-government organization.

Non-compliance with the accreditation requirements of the DTESD shall form part of the bases for the possible suspension or cancellation of the entities' license to operate issued by competent authorities.

SEC. 25. ***Coordination of All TESD Schemes.*** – In order to integrate the national technical education and skills development efforts, all technical education and skills development schemes as provided for in this Act shall comply with national standards as determined by the DTESD particularly those having to do with competency standards. For this purpose, existing technical education and skills development programs in the Government and in the private sector, specifically those wholly or partly financed with government funds, shall be reported to the DTESD which shall assess and evaluate such programs to ensure their efficiency and effectiveness.

Noncompliance with the above-mentioned standards as well as reportorial requirements shall be disqualified from any form of government assistance in the field of technical education and skills development.

SEC. 26. ***Enterprise-Based Partnerships and Linkages.*** - The DTESD shall establish effective and efficient institutional arrangements with industry bodies and such other organizations or associations to ensure direct participation of employers and workers in the design and implementation of technical education and skills development schemes, competency standardization and certification; and such other functions in the fulfillment of the DTESD's objectives.

SEC. 27. ***Inclusive Training Opportunities.*** - The DTESD shall likewise design and implement a delivery system for community based technical education and skills development opportunities for the marginalized and disadvantaged sectors of the population, including the beneficiaries of Pantawid Pamilyang Pilipino Program (4Ps) as provided under Republic Act No. 11310 or the Pantawid Pamilyang Pilipino Program Act, providing them with new tools of wealth creation and with the capability to take on higher value-added gainful activities; and, to share equitably in productivity gains eventually leading to poverty alleviation and reduction.

SEC. 28. ***Skills Competitions.*** - To promote quality technical education and skills development in the country and with the view of participating in international skills competitions, the DTESD, with the active participation of private industries, shall organize and conduct annual skills competitions.

The DTESD shall promulgate the necessary rules and guidelines for the effective and efficient conduct of national skills competitions and for the country's participation in internationals skills competitions such as ASEAN and World Skills Olympics.

SEC. 29. ***The TESD Development Fund.*** - A Technical Education and Skills Development Fund is hereby established, to be managed/administered by the DTESD, the income from which shall be utilized exclusively in awarding of grants and providing assistance to training institutions, industries, local government units for upgrading their capabilities and to develop and implement training and training-related activities.

The contribution to the fund shall be the following:

a) A one-time lump sum appropriation from the National Government;
b) An annual contribution from the Overseas Workers Welfare Administration Fund, the amount of which shall be determined by the Overseas Workers Welfare Administration and based on the study on financing capacity of the OWWA fund;
c) Donations, grants, endowments, and other bequests or gifts, and any other income generated by the DTESD.

The Secretary shall be the administrator of the fund, and as such, shall formulate the necessary implementing guidelines for the management of the fund, subject to the following:

a) Unless otherwise stipulated by the private donor, only earnings of private contributions shall be used; and
b) No part of the seed capital of the fund, including earnings, thereof, shall be used to underwrite expenses for the administration of the Fund.

The Secretary shall appoint a reputable government-accredited investment institution as fund manager, subject to existing government rules and regulations.

SEC. 30. ***Technical Assistance, Incentives and Scholarship Grants.*** - The DTESD shall adopt a system of providing technical assistance, incentives and scholarship grants which shall be designed to encourage public and private sector and clientele participation in technical education and training activities along the priorities identified by the National Development Plan/Agenda.

SEC. 31. ***Placement Centers.*** - There shall be established a network of placement centers or PLACERS in all the Provincial/District Offices to cater specifically to the job placement of graduates of

TESD institutions. These Centers shall be financed and administered by the DTESD. In coordination with the Department of Labor and Employment (DOLE), these centers shall be part of the National Employment Service Network of the DOLE.

SEC. 32. ***Separation and Retirement from Service.*** - Employees who are separated from service within six (6) months from the effectivity of this Act as a result of the abolition or reorganization under the provisions of this Act shall receive separation benefits to which they may be entitled under existing laws, orders and issuances: *Provided,* that those who are qualified to retire under existing retirement laws shall be allowed to retire and receive retirement benefits to which they may be entitled under applicable laws, orders and issuances.

SEC. 33. ***Transitory Provision.*** – The TESDA Secretariat created under Sections 10-15 of R.A. 7796 shall comprise the initial manpower complement of the DTESD: *Provided,* that, no employee shall be terminated by virtue of this transfer.

The laws and rules on government reorganization as provided under Republic Act No. 6656, otherwise known as the Reorganization Law, shall govern the transfer and reorganization process of the DTESD.

The Personnel of the TESDA shall, in a holdover capacity, continue to perform their respective duties and responsibilities and receive their corresponding salaries and benefits until such time when the organizational structure pattern of the DTESD shall have been approved: *Provided,* That the preparation and approval of the said new organizational structure and staffing pattern shall, as far as practicable, respect and ensure the security of tenure and seniority rights of affected government employees. Those personnel whose positions are not included in the new staffing pattern or who are not reappointed or who choose to be separated as a result of the reorganization shall be paid their separation or retirement benefits under existing laws.

SEC. 34. ***Appropriations.*** - The amount needed for the initial implementation of this Act shall be taken from the current fiscal year's appropriation of TESDA. Thereafter, the amount needed for the operation and maintenance of the DTESD shall be included in the General Appropriations Act.

SEC. 35. ***Implementing Rules and Regulations.*** - The DTESD, in consultation with concerned government agencies including the Presidential Legislative Liaison Office (PLLO), shall issue, within a period of ninety (90) days after the effectivity of this Act, the rules and regulations for the effective implementation of this Act.

SEC. 36. ***Separability Clause.*** - If, for any reason, any portion or provision of this Act shall be held unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

SEC. 37. ***Repealing Clause.*** - Republic Act No. 7796, otherwise known as the *"TESDA Act of 1994,"* is hereby repealed. All laws, presidential decrees, executive orders, rules and regulations, issuances or parts thereof which are inconsistent with the provisions of this Act are repealed, amended or modified accordingly.

SEC. 38. ***Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved.