



## HOUSE OF REPRESENTATIVES

H. No. 4791

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BY REPRESENTATIVES PALATINO, ANGARA, VILLAR, TEODORO, FERRIOL, LOPEZ (C.), MAGSAYSAY (E.), SYJUCO, CALIMBAS-VILLAROSA, HERRERA-DY, GOLEZ (A.), QUIMBO, DEL MAR, AGLIPAY, CASIÑO, ILAGAN, COLMENARES, TINIO, MARIANO, DALOG, FLORES, GUANLAO, CELESTE, DATUMANONG, DIMAPORO (F.), ERIGUEL, DUAVIT, DE VENECIA, AMANTE-MATBA, FERRER (A.), LAPUS, LAZATIN, NAVA, TEVES, MIRAFLORES, MATUGAS, RAMOS, MERCADO-REVILLA, MANDANAS, BONDOC, LOYOLA, HARESCO, MONTEJO, LOONG, FERNANDEZ, ROMULO, TEODORO, ACOP, PALMONES, BONOAN-DAVID, CO, BATOCABE, GARBIN, AUMENTADO AND CLIMACO, PER COMMITTEE REPORT NO. 1172

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AN ACT PENALIZING THE IMPOSITION OF A “NO PERMIT, NO EXAM” POLICY OR ANY SUCH POLICY THAT PROHIBITS STUDENTS OF POST-SECONDARY AND HIGHER EDUCATION FROM TAKING THEIR MIDTERM OR FINAL EXAMINATIONS DUE TO UNPAID TUITION AND OTHER SCHOOL FEES

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

1           SECTION 1. *Short Title.* – This Act shall be known as the “Anti-‘No  
2 Permit, No Exam’ Act of 2011”.

3           SEC. 2. *Declaration of Policy.* – It is hereby declared unlawful for  
4 any technical-vocational (tech-voc) institute or higher education institution  
5 (HEI), whether public or private, to disallow any student of post-secondary and

1 higher education from taking any midterm or final examination due to  
2 nonpayment of tuition and other school fees under the established terms of  
3 payment prescribed by the concerned educational institution and approved by  
4 the Technical Education and Skills Development Authority (TESDA) and the  
5 Commission on Higher Education (CHED), respectively.

6 SEC. 3. *Coverage.* – This Act shall cover all public and private  
7 post-secondary tech-voc institutes and HEIs, including local colleges and  
8 universities.

9 SEC. 4. *Right of Students.* – Students of post-secondary and higher  
10 education shall have the right to take the midterm or final examinations  
11 notwithstanding the existence of unpaid financial obligations to the school.

12 SEC. 5. *Obligation of Students.* – The students and/or their parents,  
13 unless waived by the school authorities concerned, shall be obligated to pay  
14 an interest for the unpaid tuition and other school fees, which shall not be more  
15 than six percent (6%) *per annum*, computed from the date of the examination  
16 taken by the students until the date when the overdue and unpaid tuition and  
17 other school fees are fully liquidated.

18 SEC. 6. *Rights of Schools.* – The school authorities shall have the  
19 following rights against students with financial obligations, which remain due  
20 and unsettled to their schools:

21 (a) To withhold the release of the grades of a student with delinquent  
22 account until the unpaid tuition and other school fees plus interest charges are  
23 fully paid;

24 (b) To deny admission or enrolment of any student having unsettled  
25 tuition or other school fees at the next succeeding semester classes, in the case  
26 of higher education, or at the next succeeding short-term course, in the case of  
27 post-secondary tech-voc education, as the case may be, until the previous  
28 delinquencies are fully paid; and

1 (c) To refuse issuance of school clearance to students with financial  
2 obligations to the school until all previous delinquencies are fully paid.

3 SEC. 7. *Unlawful Acts.* – In recognition of the students' right to take  
4 their midterm and final examinations, the following acts by tech-voc institutes  
5 and HEIs shall be considered unlawful:

6 (a) Disallowing students with due and unpaid tuition and other school  
7 fees from taking the midterm or final examination;

8 (b) Requiring the students to secure a permit to take the midterm or  
9 final examination from the school authorities prior to the administration of  
10 midterm periodic or final examination; and

11 (c) Compelling the students to pay upon enrollment a down payment or  
12 first installment equivalent to more than thirty percent (30%) of the total  
13 amount of tuition and other school fees for the entire semester or duration of  
14 the course.

15 SEC. 8. *Penalties.* – Any HEI or tech-voc institute official or  
16 employee, including deans, coordinators, advisers, professors, instructors and  
17 other concerned individuals found guilty of violating any of the unlawful acts  
18 enumerated in Section 7 of this Act shall be punished by a fine of not less than  
19 Twenty thousand pesos (P20,000.00) but not more than Fifty thousand pesos  
20 (P50,000.00).

21 SEC. 9. *Implementing Guidelines.* – The TESDA and the CHED  
22 shall promulgate the implementing guidelines necessary to enforce the  
23 objectives of this Act.

24 SEC. 10. *Separability Clause.* – If any provision or part of this Act  
25 is held invalid or unconstitutional, the other sections or provisions hereof shall  
26 not be affected thereby and shall remain in force and effect.

27 SEC. 11. *Repealing Clause.* – All laws, presidential decrees,  
28 executive orders, proclamations, issuances, administrative orders, rules and

1 regulations contrary to or inconsistent with any provision of this Act are hereby  
2 amended, repealed or modified accordingly.

3 SEC. 12. *Effectivity Clause.* – This Act shall take effect fifteen  
4 (15) days after its publication in a newspaper of general circulation.

Approved,

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