



## HOUSE OF REPRESENTATIVES

H. No. 146

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BY REPRESENTATIVES CHATTO, DADIVAS, BARINAGA, AMIN,  
MAGSAYSAY (E.), NANTES AND CODILLA

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AN ACT STRENGTHENING FURTHER AND BROADENING  
THE COVERAGE OF THE SPECIAL PROGRAM FOR  
EMPLOYMENT OF STUDENTS (SPES), AMENDING FOR  
THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT  
NO. 7323

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

1           SECTION 1. Section 1 of Republic Act No. 7323, otherwise known  
2 as the “Special Program for Employment of Students (SPES)”, is hereby  
3 amended to read as follows:

4                   “SECTION 1. Any provision of law to the contrary  
5 notwithstanding, any person or entity employing [at least fifty  
6 (50)] **MORE THAN TEN (10)** persons may[ during the summer  
7 and/or Christmas vacations] employ poor but deserving  
8 students fifteen (15) years of age but not more than twenty-  
9 five (25) years old, paying them a salary or wage not lower

1 than the minimum wage [provided by law and other  
2 applicable labor rules and regulations] FOR PRIVATE  
3 EMPLOYERS AND THE APPLICABLE HIRING RATE FOR THE  
4 NATIONAL AND LOCAL GOVERNMENT AGENCIES:  
5 *PROVIDED, HOWEVER, THAT THEIR EMPLOYMENT SHALL*  
6 *NOT EXCEED THREE (3) MONTHS: PROVIDED, FURTHER,*  
7 *THAT STUDENTS EMPLOYED IN ACTIVITIES RELATED TO*  
8 *THEIR COURSE SHALL EARN EQUIVALENT ACADEMIC*  
9 *CREDITS AS MAY BE DETERMINED BY APPROPRIATE*  
10 *GOVERNMENT AGENCIES.*

11 "For purposes of this Act, poor but deserving students  
12 refer to those whose parents' combined income[s], together  
13 with their [income] OWN, if any, do not exceed [Thirty-six  
14 thousand pesos (P36,000) *per annum*] THE ANNUAL  
15 NATIONAL POVERTY THRESHOLD LEVEL FOR A FAMILY OF  
16 SIX (6) FOR THE PRECEDING YEAR AS MAY BE DETERMINED  
17 BY THE NATIONAL STATISTICS COORDINATION BOARD  
18 (NSCB). Employment [should be at the Labor Exchange  
19 Center of the Department of Labor and Employment  
20 (DOLE)] FACILITATION SERVICES FOR APPLICANTS TO THE  
21 PROGRAM SHALL BE DONE BY THE PUBLIC EMPLOYMENT  
22 SERVICE OFFICE (PESO)."

1           SEC. 2. Section 2 of the same law is hereby amended to read as  
2 follows:

3           “SEC. 2. Sixty *per centum* (60%) of said salary or wage  
4 shall be paid by the employer in cash and forty *per centum*  
5 (40%) by the Government in the form of a voucher which shall  
6 be applicable in the payment for his tuition fees and books in  
7 any educational institution for secondary, tertiary, vocational or  
8 technological education. The amount of the educational  
9 voucher shall be paid by the Government to the educational  
10 institution concerned within thirty (30) days from its  
11 presentation to the officer or agency designated by the Secretary  
12 of Finance.

13           “The voucher shall not be transferable except when the  
14 payee thereof dies or for a justifiable cause stops in his duties,  
15 in which case it can be transferred to his brothers or sisters. If  
16 there be none, the amount thereof shall be paid his heirs or to  
17 the payee himself, as the case may be.”

18           SEC. 3. Section 3 of the same law is hereby amended to read as  
19 follows:

20           “SEC. 3. The Secretary of Labor and Employment, the  
21 Secretary of Education, [ Culture and Sports] THE  
22 CHAIRMAN OF THE COMMISSION ON HIGHER EDUCATION

1 and the Secretary of Finance shall issue the corresponding  
2 rules and regulations to carry out the [purposes] **PROVISIONS**  
3 of this Act.

4 “The Secretary of Labor and Employment shall be the  
5 [Project Director of this] [p]**Program CHAIRMAN.**”

6 SEC. 4. Section 4 of the same law is hereby amended to read as  
7 follows:

8 “SEC. 4. Any person or entity who shall make any  
9 fraudulent or fictitious claim under this Act, regardless of  
10 whether payment has been made, **AND ANY PERSON OR**  
11 **ENTITY WHO REFUSES TO HONOR AN EDUCATIONAL**  
12 **VOUCHER** shall, upon conviction, be punished with  
13 imprisonment of not less than six (6) months and not more  
14 than one (1) year and a fine of not less than Ten thousand  
15 pesos (P10,000), without prejudice to their prosecution and  
16 punishment for any other offense punishable under the  
17 Revised Penal Code or any other penal statute.

18 “In case of partnerships or corporations, the managing  
19 partners, general manager, or chief executive officer, as the  
20 case may be, shall be criminally liable.”

21 SEC. 5. If any provision or part of this Act, or the application  
22 thereof to any person or circumstance is held invalid or unconstitutional,