



## HOUSE OF REPRESENTATIVES

H. No. 5388

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BY REPRESENTATIVES CHATTO, CODILLA, RODRIGUEZ, SUSANO, VILLANUEVA,  
GUNIGUNDO, PINGOY AND FUA, PER COMMITTEE REPORT NO. 1470

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AN ACT STRENGTHENING FURTHER AND BROADENING THE  
COVERAGE OF THE SPECIAL PROGRAM FOR THE  
EMPLOYMENT OF STUDENTS (SPES), AMENDING FOR THE  
PURPOSE 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 as  
2 the Special Program for the 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] persons or entit[y]IES employing [at least  
6 fifty (50)] MORE THAN TEN (10) persons may [during the  
7 summer and/or Christmas vacations] employ poor but deserving  
8 students fifteen (15) years of age but not more than twenty-five  
9 (25) years old, paying them a salary or wage not lower than the  
10 minimum wage [provided by law and other applicable labor

1 rules and regulations] FOR PRIVATE EMPLOYERS AND THE  
2 APPLICABLE HIRING RATE FOR THE NATIONAL AND LOCAL  
3 GOVERNMENT AGENCIES: *PROVIDED*, THAT STUDENTS  
4 ENROLLED IN THE SECONDARY LEVEL SHALL ONLY BE  
5 EMPLOYED DURING SUMMER AND/OR CHRISTMAS VACATIONS,  
6 WHILE THOSE ENROLLED IN TERTIARY, VOCATIONAL OR  
7 TECHNICAL EDUCATION MAY BE EMPLOYED AT ANY TIME OF  
8 THE YEAR: *PROVIDED, FURTHER*, THAT THEIR PERIOD OF  
9 EMPLOYMENT SHALL BE FROM TWENTY (20) TO FIFTY-TWO  
10 (52) WORKING DAYS ONLY, WHICH MAY BE COUNTED AS PART  
11 OF THE STUDENTS' PROBATIONARY PERIOD SHOULD THEY  
12 APPLY IN THE SAME COMPANY OR AGENCY AFTER  
13 GRADUATION: *PROVIDED, FINALLY*, THAT STUDENTS  
14 EMPLOYED IN ACTIVITIES RELATED TO THEIR COURSE MAY  
15 EARN EQUIVALENT ACADEMIC CREDITS AS MAY BE  
16 DETERMINED BY THE APPROPRIATE GOVERNMENT AGENCIES.

17 "For purposes of this Act, poor but deserving students  
18 refer to those whose parents' combined income[s], together with  
19 their [income] OWN, if any, DOES not exceed [Thirty-six  
20 thousand pesos (P36,000.00) *per annum*] THE ANNUAL  
21 REGIONAL POVERTY THRESHOLD LEVEL FOR A FAMILY OF SIX  
22 (6) AS MAY BE DETERMINED BY THE NATIONAL ECONOMIC  
23 AND DEVELOPMENT AUTHORITY (NEDA) FOR THE  
24 PRECEDING YEAR. Employment [should be at the Labor  
25 Exchange Center of the Department of Labor and Employment  
26 (DOLE)] FACILITATION SERVICES FOR APPLICANTS TO THE  
27 PROGRAM SHALL BE DONE BY THE PUBLIC EMPLOYMENT  
28 SERVICE OFFICE (PESO).

1                   **“NO BENEFICIARY OF THE SPES MAY AVAIL OF ANY**  
2                   **OTHER GOVERNMENT EMERGENCY OR TEMPORARY**  
3                   **EMPLOYMENT PROGRAM CONCURRENTLY.”**

4                   SEC. 2. Section 2 of the same Act is hereby amended to read as  
5 follows:

6                   “SEC. 2. Sixty *per centum* (60%) of said salary or wage  
7 shall be paid by the employers in cash and forty *per centum*  
8 (40%) by the [G]Government in the form of [a] vouchers which  
9 shall be applicable in the payment for [his] **THE STUDENTS'**  
10 tuition fees and books in any educational institution for  
11 secondary, tertiary, vocational or [technological] **TECHNICAL**  
12 education[.]: **PROVIDED, THAT LOCAL GOVERNMENT UNITS**  
13 **(LGUs) MAY ASSUME RESPONSIBILITY FOR PAYING IN FULL**  
14 **THE SALARY OR WAGES OF THE STUDENTS.** The amount of the  
15 education vouchers shall be paid by the [G]Government to the  
16 educational institutions concerned within thirty (30) days from  
17 [its] presentation to the officer or agency designated by the  
18 Secretary of Finance.

19                   “The vouchers shall not be transferable except when the  
20 payees thereof die[s] or for a justifiable cause stop[s] in [his  
21 duties] **THEIR EDUCATION**, in which case [it] **THESE** can be  
22 transferred to [his] **THEIR** brothers or sisters. If there be none,  
23 the amount thereof shall be paid [his] **TO THEIR** heirs or to the  
24 payees [himself] **THEMSELVES**, as the case may be.”

25                   SEC. 3. Section 3 of the same Act is hereby amended to read as  
26 follows:

1           “SEC. 3. The Secretary of Labor and Employment, the  
2           Secretary of Education, [Culture and Sports] **THE CHAIRMAN OF**  
3           **THE COMMISSION ON HIGHER EDUCATION, THE SECRETARY**  
4           **OF BUDGET AND MANAGEMENT, THE SECRETARY OF SOCIAL**  
5           **WELFARE AND DEVELOPMENT** and the Secretary of Finance  
6           shall issue the corresponding rules and regulations to carry out  
7           the [purposes] **PROVISIONS** of this Act.

8           “The Secretary of Labor and Employment shall be the  
9           [Project Director of this] program **CHAIRMAN.**”

10          SEC. 4. Section 4 of the same Act is hereby amended to read as  
11          follows:

12           “SEC. 4. [Any p]Persons or entit[y]IES who shall make  
13           any fraudulent or fictitious claim under this Act, regardless of  
14           whether payment has been made, **AND PERSONS OR ENTITIES**  
15           **WHO REFUSE TO HONOR EDUCATION VOUCHERS**, shall upon  
16           conviction be punished with imprisonment of not less than six  
17           (6) months and not more than one (1) year and a fine of not less  
18           than Ten thousand pesos (P10,000.00), without prejudice to their  
19           prosecution and punishment for any other offense punishable  
20           under the Revised Penal Code or any other penal statute.

21           “In case of partnerships or corporations, the managing  
22           partner, general manager, or chief executive officer, as the case  
23           may be, shall be criminally liable.”

24          SEC. 5. Section 5 of the same Act is hereby amended to read as  
25          follows:

26           “SEC. 5. [The amount necessary to carry out the purposes  
27           of this Act is hereby authorized to be appropriated in the General

1           Appropriations Act for 1992 and the subsequent annual general  
2           appropriations acts.] **THE SECRETARY OF THE DEPARTMENT**  
3           **OF LABOR AND EMPLOYMENT SHALL INCLUDE IN THE**  
4           **DEPARTMENT'S PROGRAM THE OPERATIONALIZATION OF THE**  
5           **EXPANDED SPECIAL PROGRAM FOR THE EMPLOYMENT OF**  
6           **STUDENTS, THE INITIAL FUNDING OF WHICH SHALL BE**  
7           **CHARGED AGAINST THE CURRENT YEAR'S APPROPRIATION OF**  
8           **THE SPES. THEREAFTER, SUCH SUMS AS MAY BE NECESSARY**  
9           **FOR THE CONTINUED IMPLEMENTATION OF THE SPES SHALL**  
10          **BE INCLUDED IN THE ANNUAL GENERAL APPROPRIATIONS**  
11          **ACT."**

12          SEC. 6. If any provision or part of this Act, or the application thereof to  
13          any person or circumstance is held invalid or unconstitutional, the remainder of  
14          this Act or the application of such provision or part thereof to other persons or  
15          circumstances shall not be affected thereby.

16          SEC. 7. All laws, orders, issuances, rules and regulations or parts  
17          thereof inconsistent with the provisions of this Act are hereby repealed,  
18          amended or modified accordingly.

19          SEC. 8. This Act shall take effect fifteen (15) days after its complete  
20          publication in the *Official Gazette* or in at least two (2) newspapers of national  
21          circulation, whichever comes earlier.

Approved,