

Republic of the Philippines
Congress of the Philippines

Metro Manila

Fourteenth Congress

Second Regular Session

Begun and held in Metro Manila, on Monday, the twenty-eighth day of July, two thousand eight.

[REPUBLIC ACT NO. 9547]

AN ACT STRENGTHENING AND EXPANDING THE COVERAGE OF THE SPECIAL PROGRAM FOR EMPLOYMENT OF STUDENTS, AMENDING FOR THE PURPOSE PROVISIONS OF R. A. NO. 7323, OTHERWISE KNOWN AS THE SPECIAL PROGRAM FOR EMPLOYMENT OF STUDENTS

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

SECTION 1. Section 1 of R. A. No. 7323, otherwise known as the "Special Program for the Employment of Students (SPES)", is hereby amended to read as follows:

"SECTION 1. Any provision of law to the contrary notwithstanding, any person or entity employing at least ten (10) persons may employ poor but deserving students fifteen (15) years of age but

not more than twenty-five (25) years old, paying them a salary or wage not lower than the minimum wage for private employers and the applicable hiring rate for the national and local government agencies: *Provided*, That students enrolled in the secondary level shall only be employed during summer and/or Christmas vacations, while those enrolled in tertiary, vocational or technical education may be employed at any time of the year: *Provided, further*, That their period of employment shall be from twenty (20) to fifty-two (52) working days only, except that during Christmas vacation, employment shall be from ten (10) to fifteen (15) days which may be counted as part of the students' probationary period should they apply in the same company or agency after graduation: *Provided, finally*, That students employed in activities related to their course may earn equivalent academic credits as may be determined by the appropriate government agencies.

"For purposes of this Act, poor but deserving students refer to those whose parents' combined income, together with their own, if any, does not exceed the annual regional poverty threshold level for a family of six (6) for the preceding year as may be determined by the National Economic and Development Authority (NEDA). Employment facilitation services for applicants to the program shall be done by the Public Employment Service Office (PESO).

"Participating employers, in coordination with the PESO, must inform their SPES employees of their rights, benefits, and privileges under existing laws, company policies, and employment contracts."

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

"SEC. 2. Sixty *per centum* (60%) of the said salary or wage shall be paid by the employer in cash and forty *per centum* (40%) by the government

in the form of a voucher which shall be applicable in the payment for the student's tuition fees and books in any educational institution for secondary, tertiary, vocational or technical education: *Provided*, That local government units (LGUs) may assume responsibility for paying in full his salary or wages. The amount of the education voucher shall be paid by the government to the educational institution concerned within thirty (30) days from its presentation to the officer or agency designated by the Secretary of Finance.

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

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

"SEC. 3. The Secretary of Labor and Employment, the Secretary of Education, the Chairman of the Commission on Higher Education, the Secretary of Budget and Management, the Secretary of Social Welfare and Development and the Secretary of Finance shall issue the corresponding rules and regulations to carry out the purposes of this Act.

"The Secretary of Labor and Employment shall be the Program Chairman."

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

"SEC. 4. Any person or entity who refuses to honor education vouchers or makes any fraudulent or fictitious claim under this Act, regardless of whether payment has been made, shall upon conviction be punished with imprisonment of not less than six (6) months and not more than one (1)

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year and a fine of not less than Ten thousand pesos (P10,000.00), without prejudice to their prosecution and punishment for any other offense punishable under the Revised Penal Code or any other penal statute.

"In case of partnerships or corporations, the managing partner, general manager, or chief executive officer, as the case may be, shall be criminally liable."

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

"SEC. 5. The Secretary of the Department of Labor and Employment shall include in the Department's program the operationalization of the expanded Special Program for the Employment of Students.

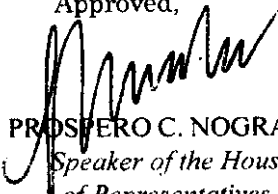
"The amount necessary to carry out the purposes of this Act is hereby authorized to be appropriated in the General Appropriations Act for 1992 and the subsequent annual general appropriations acts: *Provided*, That the appropriation, for the purposes of this Act, shall not be reduced by Congress below the amount appropriated for the previous year and, after approval, shall be automatically and regularly released: *Provided, further*, That the appropriation herein shall be increased by at least twenty *per centum* (20%) annually."

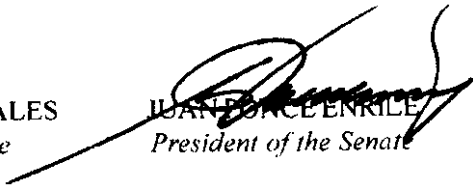
SEC. 6. If any provision or part of this Act, or the application thereof to any person or circumstance is held invalid or unconstitutional, the remainder of this Act or the application of such provision or part thereof to other persons or circumstances shall not be affected thereby.

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


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


Approved,


PROSPERO C. NOGRALES
*Speaker of the House
of Representatives*



JUAN PONCE ENRILE
President of the Senate

This Act which is a consolidation of Senate Bill No. 2116 and House Bill No. 5388 was finally passed by the Senate and the House of Representatives on March 5, 2009 and March 3, 2009, respectively.


MARLYN B. BARUA
*Secretary General
House of Representatives*


EMMA LIRIO-REYES
Secretary of the Senate

Approved: 322 11 2009


GLORIA MACAPAGAL-ARROYO
President of the Philippines

