



HOUSE OF REPRESENTATIVES

H. No. 9023

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BY REPRESENTATIVES JAVIER, CASTELO, SUANSING (E.), ACOSTA-ALBA, TEJADA, ONG (H.), DE VERA, YU, CALDERON, CAMINERO, BORDADO, GASATAYA, ACHARON, UNGAB, CHAVEZ, ROA-PUNO, LABADLABAD, ZUBIRI, BELARO, SALO, NIETO, LOPEZ (B.), MANGAOANG, MARIÑO, CHIPECO, BIAZON, MARQUEZ, ESPINA, OLIVAREZ, FERNANDO, MADRONA, KHO, UYBARRETA, ARCILLAS, CASILAO, CASTRO (F.L.), ATIENZA, HOFER, ANDAYA, ZAMORA (M.C.), BOLILIA, PADUANO, VELASCO, NAVA, UNICO, MELLANA, ESCUDERO, YAP (A.), ORTEGA (P.), TAMBUNTING AND SY-ALVARADO, PER COMMITTEE REPORT NO. 1192

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AN ACT STRENGTHENING THE POLYTECHNIC UNIVERSITY OF THE PHILIPPINES BY DECLARING IT AS THE NATIONAL POLYTECHNIC UNIVERSITY, AND APPROPRIATING FUNDS THEREFOR

*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 "Revised Polytechnic University of  
2   the Philippines (PUP) Charter."
- 3   **SEC. 2. Declaration of Policy.** - The Polytechnic University of the Philippines,  
4   hereinafter referred to as the University, is hereby declared as the National  
5   Polytechnic University. For this purpose, the University shall be strengthened to  
6   guide and support other polytechnic state universities and colleges (SUCs) in  
7   developing professional courses and other technical programs.

1 **SEC. 3. *The University System.*** - The University shall be composed of its existing regular  
2 campuses and other campuses that maybe established.

3 **SEC. 4. *Fiscal and Institutional Autonomy.*** - As the National Polytechnic University, it shall  
4 enjoy institutional and fiscal autonomy. It shall be treated in a manner consistent with its  
5 institutional requirements. Taking into account national goals and priorities, it shall exclusively  
6 determine its teaching, research and extension thrusts, plans, policies, programs and standards. On  
7 the basis of such determination, the University shall recommend its annual budget to the President  
8 of the Republic of the Philippines and Congress. Appropriations for the University shall not be  
9 reduced by the legislature below the amount appropriated for the previous year and shall  
10 automatically and regularly be released to the University immediately after approval.

11 **SEC. 5. *General Mandate.*** - The University shall primarily provide higher occupational, technical  
12 and professional instruction and training in the fields of engineering and architecture, applied  
13 sciences, accountancy, law, education, business and management, and shall promote applied  
14 research, advance studies, and progressive leadership in these fields. As the national polytechnic  
15 university, the University shall implement programs designed to ameliorate pressing social needs  
16 by rendering services to individuals and communities and empowering the citizenry for sustainable  
17 development.

18 **SEC. 6. *Curricular Offerings.*** - The University shall offer undergraduate and graduate programs  
19 in the fields of accountancy, engineering, architecture, applied sciences, law, education, business  
20 and management, non traditional courses, and other fields of study. In addition, the University  
21 shall offer other programs in the polytechnic areas in light of its purpose as a national polytechnic  
22 university.

23 **SEC. 7. *The University Administration.*** - The administration of the University shall be vested  
24 in the President of the University who shall render full-time service. The President shall be  
25 appointed by the Board of Regents, upon the recommendation of a duly constituted search  
26 committee and shall have a term of six (6) years without reappointment: *Provided*, That the  
27 incumbent President shall become the first President of the University upon effectivity of this Act;  
28 *Provided further*, That in cases where no appointment is made, the incumbent President shall  
29 continue to serve in a hold-over capacity, for a period of not more than ninety (90) days.

30 The President shall be assisted by an Executive Vice President and Vice Presidents for  
31 Academic Affairs, Administration, Research, Finance and Student Affairs, who shall be appointed  
32 by the Board upon the recommendation of the President, without prejudice to the appointment of  
33 additional vice presidents when so warranted.

34  
35 In case of a vacancy by reason of death, resignation, removal for cause or incapacity of  
36 the President to perform the functions of the office, the Board of Regents shall have the authority  
37 to designate an Officer-In-Charge pending the appointment of a new President. The successor  
38 thereto shall serve only for the unexpired portion of the term.

1 **SEC. 8. Powers and Duties of the President.** - The President of the University shall have the  
2 following specific powers and duties in addition to those normally pertaining to the Office of the  
3 President of the University:  
4

- 5 (a) As the Chief Executive Officer of the University, to provide progressive and dynamic,  
6 ethical, and intellectual and administrative leadership in the University;  
7 (b) To serve as the head of the University faculties and of any branch thereof;  
8 (c) To have general supervision over all academic, business and financial operations of  
9 the University;  
10 (d) To promulgate and enforce general policies affecting any unit of the University and  
11 take such actions which in one's judgment are necessary for the protection of property  
12 and general interest of the University, its' students and personnel and the operation of  
13 the University as a whole and shall inform the Board on all matters relating to the  
14 operation and welfare of the University;  
15 (e) To appoint qualified persons to fill all vacancies and new positions subject to the  
16 approval of the Board and make such other arrangements to meet emergencies  
17 occurring between meetings of the Board so that work in the University shall not suffer;  
18 (f) To institute disciplinary action against any University personnel, faculty or non-faculty  
19 or any student of the University whose actions adversely affect the general interest of  
20 the University, subject to the approval of the Board of Regents;  
21 (g) To decide appeals in any controversy between ranking officials of the University; the  
22 decision being final and conclusive subject to the approval of the Board of Regents;  
23 (h) To grant or deny sabbatical leaves, leaves of absence without pay or extension of such  
24 leaves, extension of fellowships or any form of scholarships for a period not exceeding  
25 one (1) academic year, if the budget permits and for reasons the President may deem  
26 satisfactory;  
27 (i) To make ad-interim appointments, subject to the approval of the Board of Regents;  
28 (j) To grant or withhold permission to reveal confidential matters affecting the University  
29 or any unit thereof, any action taken by the Board of Regents;  
30 (k) To grant permission for the use of buildings and premises of the University for  
31 academic, professional and scientific conventions, student and other related activities,  
32 and to fix the fee thereof;  
33 (l) To be authorized to join in the execution of all contracts, deeds, and instruments for  
34 the proper conduct of the business of the University;  
35 (m) To prepare an annual report on the programs, projects, and accomplishments of the  
36 University for the previous year as well as the needs for the current year, including a  
37 budget covering the estimates of income and expenditures; and  
38 (n) To exercise such other powers as may be specifically authorized by the Board of  
39 Regents.  
40

41 **SEC. 9. The Board of Regents.** - The governing body of the University shall be the Board of  
42 Regents of the Polytechnic University of the Philippines, hereinafter referred to as the "Board". It  
43 shall be chaired and co-chaired by the Chairperson of the Commission on Higher Education  
44 (CHED) and the President of the University, respectively, and with the following as members:

- 45 (a) Chairperson of the Senate Committee on Education, Arts, and Culture;  
46 (b) Chairperson of the House Committee on Higher and Technical Education;

- 1 (c) Director-General of the National Economic and Development Authority (NEDA);  
2 (d) Director of the National Capital Region of the Department of Science and  
3 Technology (DOST);  
4 (e) President of the Alumni Association who shall serve for a period of two (2) years;  
5 (f) One (1) Faculty Regent representing all teaching personnel, chosen in accordance  
6 with the rules and qualifications set by the constituent university councils to serve  
7 for a term of two (2) years;  
8 (g) One (1) Student Regent, elected by the students in accordance with the rules and  
9 qualifications set out by said constituency, who shall serve for a period of one (1)  
10 year;  
11 (h) One (1) Staff Regent representing all non-teaching personnel, elected in accordance  
12 with the rules and regulations set out by said constituency, who shall serve for a  
13 period of two (2) years; and  
14 (i) Two (2) other Regents who are prominent citizens representing the private sector  
15 who shall serve for a period of two (2) years and who shall be appointed by the  
16 Board as recommended by the search committee organized for the purpose.  
17

18 In case of vacancy in the Board, except for the President of the University, such vacancy  
19 shall be filled in the same manner as provided for the predecessor, and such appointee shall hold  
20 office only for the unexpired portion of the term. In the case of Regents representing a particular  
21 sector, their membership shall cease upon suspension, separation, or recall. No person, however,  
22 who has succeeded and served for more than three (3) years of the unexpired portion of the term  
23 shall be eligible for appointment as Regent.  
24

25 **SEC. 10. Powers and Duties of the Board of Regents.** - In addition to its general powers of  
26 administration and the exercise of all the powers granted to the Board of Directors of a corporation  
27 under Section 36 of *Batas Pambansa Blg. 68* or the Corporation Code of the Philippines, the Board  
28 shall have the following specific powers and duties:  
29

- 30 (a) Promulgate and implement policies in accordance with the declared state policies and  
31 the provisions of the Philippine Constitution on education, agriculture, science and  
32 technology, as well as the policies, standards and thrusts of the CHED under Republic  
33 Act No. 7722, otherwise known as the "Higher Education Act of 1994";  
34 (b) Approve the curricula, institutional programs and rules of discipline drawn by the  
35 administrative and academic councils as herein provided;  
36 (c) Appoint, upon the recommendation of the President, the Vice Presidents of the  
37 University;  
38 (d) Fix and adjust salaries of faculty members and administrative officials and employees  
39 subject to the provisions of the revised compensation and classification system and  
40 other pertinent budget and compensation laws governing hours of service, and such  
41 other duties and conditions as it may deem proper, grant them, at its discretion, leaves  
42 of absence under such regulations as it may promulgate, any provision of existing laws  
43 to the contrary notwithstanding; and remove them for cause in accordance with the  
44 requirements of due process of law;

- 1 (e) Establish professorial chairs in the university and provide fellowships for qualified
- 2 faculty members and scholarships to deserving students;
- 3 (f) Receive and appropriate all sums as may be provided for the support of the
- 4 University in the manner it may determine, in its discretion, in order to carry out the
- 5 purposes and functions of the University;
- 6 (g) Set policies on admission and graduation of students;
- 7 (h) Award honorary degrees upon persons in recognition of outstanding contribution in
- 8 the field of education, public service, arts, science and technology or in any field of
- 9 specialization within the academic competence of the university and to authorize the
- 10 award of certificates of completion of non-degree and non-traditional courses;
- 11 (i) Establish research and extension centers of the SUC where such will promote the
- 12 development of the latter;
- 13 (j) Develop academic arrangements for institution capability building with appropriate
- 14 institutions and agencies, public or private, local or foreign, and to appoint
- 15 experts/specialists as consultants, or visiting or exchange professors, scholars,
- 16 researchers, as the case may be;
- 17 (k) Set up the adoption of modern and innovative modes of transmitting knowledge such
- 18 as the use of information technology, the dual system, open learning, community
- 19 laboratory, for the promotion of greater access to higher education that shall possess
- 20 international character and shall have international linkages and adopt internationally
- 21 recognized curricula;
- 22 (l) Collaborate with other governing boards of SUCs, in restructuring said colleges and
- 23 universities to make them more efficient, relevant, productive, and competitive, in
- 24 coordination with the CHED and the Department of Budget and Management
- 25 (DBM);
- 26 (m) Absorb non-chartered tertiary institutions within their respective provinces in
- 27 coordination with the CHED and in consultation with the DBM, and to offer therein
- 28 needed programs or courses, to promote and carry out equal access to educational
- 29 opportunities as mandated by the Constitution;
- 30 (n) Create, organize, reorganize, merge or abolish colleges, institutes, and other
- 31 academic and administrative units of the University;
- 32 (o) Authorize an external management audit of the University and to institute reforms,
- 33 including academic and structural changes, on the basis of the audit results and
- 34 recommendations;
- 35 (p) Develop consortia and other forms of linkages with local government units,
- 36 institutions and agencies, both public and private, local and foreign, in furtherance of
- 37 the purposes and objectives of the institution;
- 38 (q) Enter into joint ventures with business and industry for the profitable development
- 39 and management of the economic assets of the college or institution, the proceeds
- 40 from which to be used for the development and strengthening of the University;
- 41 (r) Import economic, technical and cultural books and publications;

- 1 (s) Receive, in trust, legacies, gifts and donations of real and personal properties of all  
2 kinds, to administer and dispose the same when necessary for the benefit of the  
3 University, subject to limitations, directions and instructions of the donors, if any;  
4 (t) Delegate any of its powers and duties provided for hereinabove to the President and  
5 other officials of the university as it may deem appropriate so as to expedite the  
6 administration of the affairs of the university;  
7 (u) Establish policy guidelines and procedures for participative decision-making and  
8 transparency within the institution;  
9 (v) Authorize the construction or repair of its buildings, machineries, equipment and  
10 other facilities and the purchase and acquisition of real and personal properties  
11 including necessary supplies, materials and equipment;  
12 (w) Privatize, where most advantageous to the institution, the management of non-  
13 academic services such as health, food, building or grounds or property maintenance  
14 and other similar services; and  
15 (x) Enact rules and regulations not contrary to law as may be necessary to carry out the  
16 purposes and functions of the university.

17  
18 **SEC. 11. *Quorum and Service of Processes.*** - A quorum of the Board shall consist of a  
19 majority of all members. All processes against the Board shall be served on the President or  
20 Secretary thereof of the Board.

21  
22 **SEC. 12. *Meetings.*** - Regular meetings of the Board shall be held every third (3<sup>rd</sup>) Tuesday of  
23 the month. Special meetings of the Board may be called upon by the Chairperson or upon the  
24 request by the four (4) members of the Board. In both cases, all notices of such meetings shall be  
25 issued at least three (3) calendar days prior to the meeting. The members shall serve without  
26 compensation, but shall be reimbursed for actual and necessary expenses incurred in their  
27 attendance to the meetings of the Board or in connection with their official business authorities  
28 by resolution of the Board subject to the existing laws and regulations.

29  
30 In the absence of the CHED Chairperson, a Commissioner of the CHED, duly designated  
31 by the CHED Chairperson as representative, in the meeting, shall have all the rights and  
32 responsibilities of a regular member: *Provided*, however, That during this meeting, the President  
33 of the University, as Vice-Chairperson, shall be the Presiding Officer: *Provided further*, That this  
34 *proviso*, notwithstanding, the Chairperson of the CHED is hereby authorized to designate a  
35 CHED Commissioner as the regular Chairperson of the Board, in which case the said CHED  
36 Commissioner shall act as the Presiding Officer.

37  
38 In case the Chairpersons of the Senate Committee on Education, Arts and Culture and the  
39 House Committee on Higher and Technical Education will not be able to attend the board  
40 meeting, they may designate their respective representatives to attend the meeting. These  
41 representatives shall have the same rights and responsibilities as the regular members of the  
42 Board.

43  
44 **SEC. 13. *University Officials.*** - The administration of the University shall be vested in the  
45 University President who shall be assisted by the Executive Vice-President, the Vice-Presidents,  
46 the Secretary of the University, and such other academic and administrative officials whose

1 positions and functions are deemed necessary to assist in the effective and efficient administration  
2 of the University, as may be determined by the Board.

3  
4 **SEC. 14. Heads of University Campuses.** - The Campus Directors shall serve as heads or  
5 administrators of the University campuses and shall render full-time service.

6  
7 They shall be appointed/designated by the Board upon the recommendation of the Search  
8 Committee and the President, subject to the guidelines, qualifications and standards set by the  
9 Board: *Provided*, That the incumbent Campus Directors of the existing campuses shall serve as  
10 Campus Directors of their respective campuses upon the effectivity of this Act.

11  
12 **SEC. 15. The Faculty.** - The teaching staff of each college shall constitute its faculty. The College  
13 Faculty shall be headed by a Dean who shall be chosen by the President from a shortlist of three  
14 (3) nominees submitted by a special search committee established for the purpose. If a Dean fails  
15 to complete the term, the President shall appoint an Acting Dean while a search process is in  
16 progress. In no case shall the search and election of the next Dean be longer than sixty (60) calendar  
17 days from the date of the vacancy.

18  
19 **SEC. 16. Academic Freedom.** - The University, as the National Polytechnic University, shall  
20 have the right and responsibility to exercise academic freedom.

21  
22 **SEC. 17. Internationalization.** - The University shall be a polytechnic university of international  
23 character and shall have international linkages. It shall also adopt internationally recognized  
24 curricula.

25  
26 **SEC. 18. Land Grants and Other Real Properties of the University.** -

27  
28 (a) The State shall support the University in the form of lump sum amount, through the  
29 annual General Appropriations Act (GAA) and other financial benefits, and in kind, through land  
30 grants and donations and use of other real properties. To carry out the intent of these grants, income  
31 derived from the development of all land grants and real properties shall be used to further the end  
32 of the National Polytechnic University, as may be decided by the Board;

33 (b) Such parcels of land ceded by law, decree or presidential issuance to the Polytechnic  
34 University of the Philippines are hereby declared to be reserved for the purposes intended. The  
35 absolute ownership of the National Polytechnic University over these landholdings, including  
36 those covered by original and transfer certificates of title in the name of the Polytechnic University  
37 of the Philippines and their future derivatives, is hereby confirmed. Where the issuance of proper  
38 certificates of title is yet pending for these landholdings, the appropriate government office shall  
39 expedite the issuance thereof within six (6) months from the date of effectivity of this  
40 Act: *Provided*, that all registration requirements necessary for the issuance of the said titles have  
41 been submitted and complied with;

42 (c) The Board may plan, design, approve and cause the implementation of land  
43 leases: *Provided*, that such mechanisms and arrangements shall sustain and protect the  
44 environment in accordance with law, and be exclusive of the academic core zone of the campuses  
45 of the University: *Provided further*, That such mechanisms and arrangements shall not be in  
46 conflict with the academic mission of the National Polytechnic University;

1 (d) The Board may allow the use of the income coming from real properties of the  
2 National Polytechnic University as security for transactions to generate additional revenues when  
3 needed for educational purposes;

4 (e) The Board may approve the implementation of joint ventures: *Provided*, That in the  
5 event real properties of the University are involved, only its income derived from the use of the  
6 real properties shall be the subject of its participation or obligation in the joint ventures: *Provided*  
7 *further*, That no joint venture shall result in the alienation of the real properties of the national  
8 polytechnic university; and

9 (f) Any plan to generate revenues and other sources from land grants and other real  
10 properties entrusted to the National Polytechnic University shall be consistent with its academic  
11 mission and orientation and shall protect it from undue influence and control of commercial  
12 interests: *Provided*, That such programs, projects or mechanisms shall be approved by the Board  
13 subject to a transparent and democratic process of consultation with the constituents of the  
14 National Polytechnic University: *Provided further*, That funds generated from such programs,  
15 projects or mechanisms shall not be meant to replace, in part or in whole, the annual appropriations  
16 it is receiving as provided by the national government.

17  
18 **SEC. 19. Safeguards on Assets Disposition.** - The preservation of the value of the assets of the  
19 University shall be of primordial consideration.

20  
21 The sale of any existing real property of the University shall be prohibited: *Provided*, That  
22 the Board may alienate real property donated after the effectivity of this Act if the terms of the  
23 donation specifically allow it.

24  
25 Notwithstanding the provision of this Act or any other law to the contrary, the lease of  
26 more than five (5) years of the assets of the University and any transaction referred to in Section  
27 18 of this Act shall be subject to the following conditions and procedures:

28  
29 (a) The transactions shall be discussed with the members of the Board in any of its  
30 formally convened regular or special meeting at least one (1) month before a decision shall be  
31 made;

32 (b) The transactions shall be based on a multi-year comprehensive development plan,  
33 crafted and developed by qualified urban planning professionals having at least five (5) years  
34 experience, with prior consultation with and concurrence of third-party experts and duly approved  
35 by a majority vote of all the members of the Board;

36 (c) The transactions shall be subject to competitive and public bidding, as provided under  
37 R.A. No. 9184, otherwise known as the "Government Procurement Reform Act"; and

38 (d) If the contract or transaction involves an amount more than Fifty million pesos  
39 (P50,000,000.00), it shall be approved by three-fourths (3/4) of all the members of the  
40 Board: *Provided*, That the splitting of contracts, which is by breaking up a contract into smaller  
41 quantities or amounts or dividing contract implementation into artificial or arbitrary phases or  
42 subcontracts for the purpose of circumventing this provision, shall not be allowed.

43  
44 **SEC. 20. Tax Exemptions.** - The provisions of any general or special law to the contrary  
45 notwithstanding:



1 (a) All revenues and assets of the University used for educational purposes, or in  
2 support thereof, shall be exempt from all taxes and duties;

3 (b) Gifts and donations of real and personal properties of all kinds shall be exempt from  
4 the donor's tax and the same shall be considered as allowable deductions from the gross income of  
5 the donor, in accordance with the provisions of the National Internal Revenue Code of 1997, as  
6 amended;

7 (c) Importation of economic, technical, vocational, scientific, philosophical, historical,  
8 legal and cultural books, supplies and materials duly certified by the Board, including scientific  
9 and educational computer and software equipment, shall be exempt from customs duties; and

10 (e) All academic awards shall be exempt from income taxes.

11  
12 **SEC. 21. *Development Plan and Organizational Structure.*** - Within a period of one hundred  
13 twenty (120) days after the approval of this Act, the University shall accomplish the following:  
14

15 (a) Submit a five (5)- year development plan, including its corresponding program budget  
16 to the CHED, for corresponding recommendation to the DBM;

17 (b) Undergo a management audit in cooperation with the CHED; and

18 (c) Set up its new organizational, administrative as well as academic structure, including  
19 the appointment of the key officials of the University.  
20

21 **SEC. 22. *Filing of Report Period.*** - On or before the fifteenth (15<sup>th</sup>) day of the second (2<sup>nd</sup>) month  
22 after the opening of the regular classes each year, the Board shall file with the Office of the  
23 President of the Philippines through the Chairperson of the CHED, based on the recommendation  
24 of a panel of experts, that the institution has complied with the requirements for a national  
25 polytechnic university status. The CHED shall regularly provide technical assistance to the  
26 institution and monitor compliance with the requirements of the Commission.  
27

28 The CHED shall designate a panel of experts who shall prepare, provide, and define the  
29 specific indicators and levels of accomplishments based on the acceptable international practices  
30 to be used as benchmarks in declaring the PUP as the National Polytechnic University. This  
31 benchmarks prepared by the panel of experts shall be recommended to the Commission *en Banc*.  
32

33 The institution shall retain its status prior to the effectivity of this Act, unless it is available  
34 to comply with the requirements provided herein.  
35

36 **SEC. 23. *Rules of Construction.*** - No statutory or other issuances shall diminish the powers,  
37 rights, privileges and benefits accorded to the University under this Act or enjoyed at present, by  
38 it under other issuances not otherwise modified or repealed under this Act, unless subsequent  
39 legislation expressly provides for their repeal, amendment or modification. Any case of doubt in  
40 the interpretation of any of the provisions of this Charter shall be resolved in favor of the academic  
41 freedom and fiscal autonomy of the University.  
42

43 **SEC. 24. *Appropriations.*** - The amount necessary to carry out the initial implementation of this  
44 Act shall be charged against the current year's appropriations of the PUP. Thereafter, such sums

1 as may be necessary for the continued implementation of this Act shall be included in the annual  
2 GAA.

3  
4 **SEC. 25. *Implementing Rules and Regulations.*** - Within sixty (60) days from the effectivity of  
5 this Act, the Board shall, in consultation with the CHED, formulate the rules and regulations to  
6 fully implement the provisions of this Act.

7  
8 **SEC. 26. *Separability Clause.*** - Should any provision herein be declared unconstitutional, the  
9 same shall not affect the validity of the other provisions of this Act.

10  
11 **SEC. 27. *Repealing Clause.*** - Presidential Decree No. 1341, R.A. No. 8292, and all laws, decrees,  
12 orders, rules, and regulations, and other issuances or parts thereof that are inconsistent with the  
13 provisions of this Act are hereby repealed or modified accordingly.

14  
15 **SEC. 28. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in the *Official*  
16 *Gazette* or in a newspaper of general circulation.

17  
18 *Approved,*