

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



23 APR 25 P1:52

**SENATE**  
**S. No. 2090**

RECEIVED BY: 

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Introduced by Senator MARK A. VILLAR

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**AN ACT**  
**ESTABLISHING THE PHILIPPINE ENTREPRENEURS' ACADEMY, AND**  
**APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

The Philippine mindset had already shifted from employment to engaging into business. As of January 2023, eighty-one percent (81%) of Filipinos had shown interest for entrepreneurship – granting that they have a working knowledge on how to start a business<sup>1</sup>. However, many *kabayans* had, after starting their engagement, withdraw from the business and suffered financial drawbacks. This issue is not due to the lack of capability of Filipinos to do business but because of lack of knowledge on how to sustain it when they encounter corporate risk or loss, how to improve services, and how to maintain or increase sales, etc.

The Government must develop a scheme to support the growing business sector of the country especially those that are engaged into micro, small and medium enterprises (MSMEs). Primarily, there must be an institution that will provide professional and quality education to support Filipinos already starting a business and those planning to start a business.

This bill seeks to create a Philippine Entrepreneur Academy for purposes of mentoring entrepreneurs engaged into MSMEs. This will increase the interest of Filipinos to start their own business and develop their potential livelihood. The Philippine Entrepreneurship will offer undergraduate and graduate programs, short-term technical-vocational and non-degree courses, and modular trainings, including in the fields of agriculture, trade, technology and manufacturing. The curriculum and modules of the academy will be designed and developed according to the competency-based curriculum mode mandate of the Act.

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<sup>1</sup> Based on the October 2022 survey of the OCTA Research

With this, non-formal entrepreneurship programs and short-term technical-vocational courses of government agencies will also be formalized and integrated under a school system.

In view of the foregoing, immediate passage of the bill is earnestly sought.




**MARK A. VILLAR**

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*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 “*Philippine*  
2 *Entrepreneurs Academy Act.*”

3 Sec 2. *Establishment.* – A learning institution shall be established under the  
4 supervision of the Commission on Higher Education (CHED), to be known as the  
5 “*Philippine Entrepreneurs Academy*”, hereinafter referred to as the Academy.

6 Sec. 3. *General Mandate.* – The Academy shall provide undergraduate and  
7 graduate degree programs, short-term technical-vocational non-degree courses and  
8 modular trainings that will enhance the core competencies of individuals on  
9 entrepreneurship. It shall cater to technical-vocational, college, and graduate  
10 students. It shall also promote the relevance of entrepreneurship to job generation  
11 and its significant role to the sustainable economic growth of the country.

12 The Academy shall formalize and integrate, under a school system, the non-  
13 formal entrepreneurship programs and short-term technical-vocational courses of  
14 the Technical Education and Skills Development Authority (TESDA), Department of  
15 Trade and Industry (DTI), Department of Science and Technology (DOST), and  
16 other government offices. It shall also administer education and consultancy, and

1 supervise publication on entrepreneurship. It shall also conduct scientific and policy-  
2 oriented research and training.

3         *Sec. 4. Curricular Offerings.* – The Academy shall offer undergraduate and  
4 graduate degree programs and short-term diploma or certificate courses on  
5 entrepreneurship, including entrepreneurship development in the fields of  
6 agriculture, trade, technology, and the manufacturing sector. The curriculum and  
7 modules of the programs shall be designed and developed following the  
8 competency-based curriculum model and in accordance with the mandate of this  
9 Act.

10         *Sec. 5. School Sites.* – The Academy shall have two (2) campuses, with the  
11 main campus to be established in the Clark Freeport and Special Economic Zone  
12 located in the Provinces of Pampanga and Tarlac, to be known as the Entrepreneurs  
13 Academy-Clark Campus. The other campus shall be located in the City of Baguio, to  
14 be known as the Entrepreneurs Academy-Baguio City Campus. Other campuses may  
15 be established upon approval of the Governing Board.

16         *Sec. 6. Governing Board.* – The governing board of the Academy shall be the  
17 Board of Trustees, hereinafter referred to as the Board, which shall be chaired and  
18 co-chaired by the Chairperson of the CHED, and the President of the Academy,  
19 respectively, with the following as members:

- 20         a) Chairperson of the Committee on Higher, Technical and Vocational  
21             Education of the Senate;
- 22         b) Chairperson of the Committee on Higher, Technical Education of the  
23             House of Representatives;
- 24         c) Director General of the TESDA;
- 25         d) Director General of the National Economic and Development Authority  
26             (NEDA);
- 27         e) Secretary of the DOST;
- 28         f) Secretary of the DTI;
- 29         g) President of the federation of faculty associations of the Academy;
- 30         h) President of the federation of student councils of the Academy;
- 31         i) President of the federation of alumni associations of the Academy; and

1 j) Two (2) prominent citizens from the private sector who have distinguished  
2 themselves in their professions or fields of specialization.

3 The members of the Board shall not receive any compensation or  
4 remuneration for their services as such, but may be reimbursed for actual and  
5 necessary expenses incurred in discharging the business of the Academy.

6 *Sec. 7. Powers and Duties of the Board.* – The Board shall be the highest  
7 policymaking body of the Academy. In addition to its general powers of  
8 administration and the exercise of all the powers granted to the Board of a  
9 corporation under existing laws, the Board shall have the following specific powers  
10 and duties:

11 a) Promulgate and implement policies in accordance with the declared State  
12 policies and pertinent provisions of the Philippine Constitution on  
13 education, as well as policies, standards and thrusts of the CHED under  
14 Republic Act No. 7722, otherwise known as the “Higher Education Act of  
15 1994”;

16 b) Prepare, adopt and enact rules and regulations in accordance with  
17 applicable laws, as may be necessary to carry out the purposes and  
18 functions of the Academy, and to effectively discharge its responsibilities;

19 c) Receive assistance from any legitimate source to augment the internal  
20 sources of funds, as may be provided, for the support of the Academy in  
21 the manner it may determine, in its discretion, to carry out the purposes  
22 and functions of the Academy;

23 d) Constitute the Board, as herein defined;

24 e) Appoint the President and as many Vice-Presidents as may be necessary  
25 to assist the President in the administration of the affairs of the Academy;

26 f) Review periodically the administrative procedures and programs of the  
27 Academy;

28 g) Receive, in kind and in trust, legacies, gifts and donations of real and  
29 personal properties of all kinds, to administer and dispose the same when  
30 necessary for the benefit of the Academy, subject to the limitations,  
31 discretions and instructions of the donors, if any;

1 h) Fix the tuition fees and other school charges such as matriculation fees,  
2 graduation fees, laboratory fees, and other miscellaneous fees as the  
3 Board may deem proper to impose after due consultations with the  
4 involved sectors: *Provided*, That these fees shall not be prohibitive or  
5 unreasonable as to deviate from the purpose for which the Academy was  
6 created based on the guidelines of the CHED;

7 1. Such fees and charges, including government subsidies and other  
8 incomes generated by the Academy, shall constitute its regular fund  
9 and shall be deposited in any authorized government depository  
10 bank, and all interests that shall accrue therefrom shall form part of  
11 the same fund for the use of the Academy.

12 2. Any provisions of existing laws, rules and regulations to the  
13 contrary notwithstanding, any income generated by the Academy  
14 from tuition fees and other charges, as well as from the operation  
15 of auxiliary services and land grants, shall be retained by the  
16 Academy, and may be disbursed by the Board for instruction,  
17 research, extension services, or other programs and projects of the  
18 Academy: *Provided*, That all fiduciary fees shall be disbursed for the  
19 specific purposes for which they were allocated.

20 3. Of for reason beyond its control, the Academy shall not be able to  
21 pursue any project for which funds have been appropriated and  
22 allocated under its approved program of expenditures, the Board  
23 may authorize the use of said funds for any reasonable purpose  
24 which, in its discretion, may be necessary and urgent for the  
25 attainment of the objectives and goals of the Academy.

26 i) Adopt and implement a socialized tuition scheme for greater access of  
27 poor, but deserving students in accordance with Republic Act No. 10931 or  
28 the "Universal Access to Quality Tertiary Education Act";

29 j) Authorize the construction or repair of its buildings, machineries,  
30 equipment, and other facilities, as well as the purchase and acquisition of  
31 real and personal properties, including the necessary supplies, materials,  
32 and equipment;

- 1 k) Appoint, upon the recommendation of the President of the Academy, the  
2 deans, executive directors, heads of department, faculty members, and  
3 other officials and employees;
- 4 l) Prescribe the salaries of faculty members and administrative officials and  
5 employees, subject to the provisions of Republic Act No. 11466, otherwise  
6 known as the "Salary Standardization Law of 2019" and civil service rules  
7 and regulations governing hours of service and related concerns, and  
8 other pertinent laws;
- 9 m) Formulate and implement the curricula and institutional programs of the  
10 Academy; *Provided*, That they comply with the minimum CHED  
11 requirements and guidelines;
- 12 n) Formulate and promulgate the rules of discipline for the students of the  
13 Academy to ensure orderly and effective governance thereof
- 14 o) Set policies on admission and graduation of students: *Provided*, That they  
15 conform with the CHED guidelines;
- 16 p) Award honorary degrees upon persons in recognition of outstanding  
17 contribution in the field of education, public service, arts, science and  
18 technology, or any field of specialization within the academic competence  
19 of the Academy and to authorize the issuance of certificate of completion  
20 of non-baccalaureate programs and non-traditional or innovative courses:  
21 *Provided*, That these conform with the applicable guidelines of the CHED  
22 and TESDA;
- 23 q) Establish research and extension centers of the Academy where such will  
24 promote the development of the latter;
- 25 r) Establish professional chairs in the Academy and provide fellowships for  
26 qualified faculty members and scholarships to deserving students;
- 27 s) Enter into any agreements or joint ventures with business and industry for  
28 the profitable management of the economic and manpower assets of the  
29 Academy, the proceeds from which shall be used for upgrading of facilities  
30 and its development;
- 31 t) Authorize an external management audit of the Academy, to be financed  
32 by the CHED, subject to the rules and regulations of the Commission on

1           Audit and institute reforms, including academic and structural changes, on  
2           the basis of the audit results and recommendations;

- 3           u) Import economic, technical and cultural books and publications;
- 4           v) Develop consortia, academe-industry linkages and other forms of networks  
5           with other institutions and agencies, both public and private, local and  
6           foreign: *Provided*, That these comply with the applicable guidelines of the  
7           CHED in furtherance of the purposes and objectives of the institutions as  
8           well as develop academic arrangements for institution capacity and  
9           capability building with appropriate institutions and agencies, public and  
10          private;
- 11          w) Appoint experts and specialists as consultants, or visiting or exchange  
12          professors, scholars, researchers, as the case may be: *Provided*, That the  
13          appointment shall conform to the CHED guidelines;
- 14          x) Set up the adoption of modern and innovative modes of transmitting  
15          knowledge, such as the use of information technology, the dual training  
16          system, open distance learning, and community laboratory for the  
17          promotion of greater access to education;
- 18          y) Outsource, where most advantageous to the institution, the management  
19          of non-academic services such as health, food, building or grounds or  
20          property maintenance and similar objectives;
- 21          z) Delegate any of its powers and duties to the President or other officials of  
22          the Academy, as it may deem appropriate, so as to expedite the  
23          administration of the affairs of the Academy;
- 24          aa) Extend the term of the President of the Academy beyond the age of  
25          retirement, when deemed meritorious due to outstanding performance,  
26          but not later than the age of seventy (70) years old; and
- 27          bb) Promulgate rules and regulations, as may be necessary, to carry out the  
28          purposes and functions of the Academy.

29          Sec. 8. *President of the Academy.* – The Academy shall be headed by a  
30          President, who shall render full-time service and shall be appointment by the Board  
31          upon the recommendation of a duly constituted Search Committee. The President  
32          shall also be the chief executive officer of the Academy.



1 The President shall have a term of four (4) years and shall be eligible for  
2 reappointment to another term. Within six (6) months before the expiration of the  
3 term of office of the incumbent President of the Academy, the Board shall constitute  
4 the Search Committee for the President.

5 The President shall receive such compensation and remuneration in  
6 accordance with Republic Act No. 11466 or the "Salary Standardization Law of  
7 2019", and by such other laws amendatory thereto, which may be hereinafter be  
8 enacted, and shall be comparable to that being received by the Presidents of similar  
9 educational institutions.

10 The President shall exercise the following powers and duties:

- 11 a) Submit, for the consideration of the Board and Executive Committee, the  
12 policies, and measures which are necessary to carry out the purposes of  
13 the Academy;
- 14 b) Recommend, coordinate, and administer the programs and projects of the  
15 Academy;
- 16 c) Direct and supervise the operations and internal administration of the  
17 Academy, and delegate administrative responsibilities in accordance with  
18 the rules and regulations of the Academy;
- 19 d) Submit an annual report to the Board setting forth the accomplishments of  
20 the Academy during the year, its financial operations and status, and a  
21 program and budget for the ensuring year; and
- 22 e) Exercise other powers and discharge other functions, as may be vested by  
23 the Board and the Executive Committee.

24 The Board shall designate an Officer-in-Charge (OIC) of the Academy in case  
25 of vacancy in the Office of the President by reason of death, compulsory retirement,  
26 resignation, removal for cause or incapacity of the President to perform the  
27 functions of the office, pending the appointment of a new President: *Provided*, That  
28 the OIC shall not serve beyond the unexpired portion of the term in such capacity.

29 The powers and duties of the President of the Academy, in addition to those  
30 provided in this Act, shall be those usually pertaining to the Office of the President of  
31 similar educational institutions, and those delegated by the Board.

1           Sec. 9. *Executive Committee.* – There shall be an Executive Committee  
2 consisting of the President of the Academy and four (4) other members to be  
3 elected by the Board from its members. Each Member of the Executive Committee,  
4 other than the President of the Academy, shall hold office for a term of two (2)  
5 years, and shall be eligible for re-election, unless at the time of election, a short  
6 term is specified. The Board shall elect the Chairperson of the Executive Committee  
7 from the membership of the Board.

8           Sec. 10. *Functions of the Executive Committee.* – The Executive Committee  
9 shall administer the affairs of the Academy in accordance with such functions,  
10 powers and responsibilities as may be delegated by the Board.

11           Sec. 11. *Government Support and Coordination.* – The CHED Chairperson is  
12 hereby authorized to call upon any department, bureau, agency or instrumentality of  
13 the government for such assistance as may be necessary for the effective  
14 implementation of this Act.

15           Sec. 12. *Tax Exemption.* – The importation of economic, technical and cultural  
16 books and publications, which are for economic, technical, vocational, scientific,  
17 philosophical, historical or cultural purposes made by the Academy, upon  
18 certification by the CHED, shall be exempt from customs duties in accordance with  
19 the provisions of Republic Act No. 10863, otherwise known as "Customs  
20 Modernization and Tariff Act".

21           All grants, bequests, endowments, donations and contributions made to the  
22 Academy, to be used actually, directly and exclusively by it, shall be exempt from  
23 donor's tax and the same shall be considered as allowable deduction from the gross  
24 income in the computation of the income tax of the donor, in accordance with the  
25 provisions of the National Internal Revenue Code of 1997, as amended.

26           Sec. 13. *Appropriations.* – The amount necessary for the immediate  
27 implementation of this Act shall be included in the annual General Appropriations  
28 Act.

29           Sec. 14. *Implementing Rules and Regulations.* – Within ninety (90) days from  
30 the approval of this Act, the CHED, in coordination with the TESDA and the DTI,  
31 shall formulate the necessary rules and regulations to fully implement the provisions  
32 of this Act.

1           Sec. 15. *Separability Clause.* – If for, any reason, any part or provision of this  
2 Act is declared invalid or unconstitutional, the remaining parts or provisions not  
3 affected shall remain in full force and effect.

4           Sec. 16. *Repealing Clause.* – All laws, presidential decrees, executive orders,  
5 rules and regulations contrary to or inconsistent with the provisions of this Act are  
6 repealed or modified accordingly.

7           Sec. 17. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
8 publication in the Official Gazette or in a newspaper of general circulation.

*Approved,*