



HOUSE OF REPRESENTATIVES

H. No. 6473

BY REPRESENTATIVES GO (M.), MARIANO-HERNANDEZ, GASATAYA, ACIDRE, KHONGHUN, CAOAGDAN, CARI, DAZA, RODRIGUEZ (E.), SUANSING (M.A.), CO-PILAR, ADIONG, BASCUG, MANUEL, MAGSINO, GULLAS, NAVA, VERZOSA, PADIERNOS, ZAMORA (M.C.), BUHAIN, SALO, QUIMBO, DUJALI, EUDELA, ORTEGA, SACDALAN, ABALOS, PRIMICIAS-AGABAS, GALEOS, TUTOR, HERNANDEZ, ALVAREZ (M.), AQUINO, MERCADO-REVILLA, YAP (C.), CO (E.), SINGSON-MEEHAN, ALBANO, PALMA, SUAREZ, ABANTE, ALVAREZ (J.), ARENAS, BAUTISTA-LIM, BONGALON, CABREDO, CAJAYON-UY, CELESTE, CUARESMA, ESPINA, GO (E.C.), GONZAGA, HARESCO, LOYOLA, MATUGAS, MOMO, TIANGCO, UMALI, VIOLAGO, YU (D.G.), ZUBIRI, ADVINCULA, ALMARIO, AMANTE, ANG, ASISTIO, AUMENTADO, BOSITA, BUSTOS, CHATTO, COJUANGCO (J.), CRUZ (A.), CRUZ (R.), DAGOOC, DIMAPORO (S.A.), DIONISIO, FORTES, FRESNEDI, GARCIA (D.), GARCIA (M.A.), GARDIOLA, GOLEZ, GUTIERREZ, LAGON (D.), LAGON (S.), LAZATIN, LEE, LEGARDA, LUISTRO, MACEDA, MANGAOANG, MANIQUIZ, MASTURA, MATIBAG, NOGRALES (M.I.), OUANO-DIZON, PADUANO, PANALIGAN, PANCHO, PLEYTO, REVILLA (R.J.), SAKALURAN, SALI, SANTOS, TAN (J.), TANCHAY, TULFO (J.), VARGAS, VERGARA, ENVERGA, ESCUDERO, MARIÑO, MARQUEZ, MIGUEL, ROMULO, ROQUE, SAULOG, YAP (C.T.), VILLAFUERTE (L.R.), SINGSON (R.V.), SALCEDA, TY, BRIONES, CHUNGALAO, REYES, SALIMBANGON, ORDANES, CAGAS, GATO, DEFENSOR, BERNOS, CALDERON, ROBES, GORRICETA, GARIN, NOEL, CUA, PUMAREN, TAN (S.J.), DELOS SANTOS, CASTRO (F.), HATAMAN, BROSAS, AMATONG, KHO (R.), FUENTEBELLA, RODRIGUEZ (R.) AND DALIPE, PER COMMITTEE REPORT NO. 195

AN ACT
ESTABLISHING THE PHILIPPINE ENTREPRENEURS ACADEMY 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 “Philippine Entrepreneurs Academy Act.”

2 **SEC. 2. *Establishment.*** – There is hereby established a learning institution, under the supervision of the
3 Commission on Higher Education (CHED), to be known as the “Philippine Entrepreneurs Academy”,
4 hereinafter referred to as the Academy.

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

10 The Academy shall formalize and integrate, under a school system, the nonformal entrepreneurship
11 programs and short-term technical-vocational courses of the Technical Education and Skills Development
12 Authority (TESDA), Department of Trade and Industry (DTI), Department of Science and Technology
13 (DOST), and other government agencies. It shall administer education and consultancy, and supervise
14 publication on entrepreneurship. It shall also conduct scientific and policy-oriented research and training.

15 The Academy shall comply with the requirements and standards of the CHED and the provisions of
16 Republic Act No. 8292, otherwise known as the “Higher Education Modernization Act of 1997”, and
17 other pertinent laws on higher education.

18 **SEC. 4. *Curricular Offerings.*** – The Academy shall offer undergraduate and graduate degree programs
19 and short-term diploma or certificate courses on entrepreneurship, including entrepreneurship
20 development in the fields of agriculture, trade, technology, and the manufacturing sector. The curriculum
21 and modules of the programs shall be designed and developed following the competency-based curriculum
22 model and in accordance with the mandate of this Act.

23 **SEC. 5. *School Sites.*** – The Academy shall have two (2) campuses, with the main campus to be established
24 in the Clark Freeport and Special Economic Zone located in the Provinces of Pampanga and Tarlac, to be
25 known as the “Philippine Entrepreneurs Academy Main Campus-Clark”. The other campus shall be
26 located in the City of Baguio, to be known as the “Philippine Entrepreneurs Academy-Baguio City
27 Campus”.

1 **SEC. 6. *Governing Board.*** – The governing board of the Academy shall be the Board of Trustees,
2 hereinafter referred to as the Board, which shall be chaired and co-chaired by the Chairperson of the
3 CHED, and the President of the Academy, respectively, with the following as members:

- 4 (a) Chairperson of the Committee on Higher, Technical and Vocational Education of the Senate;
- 5 (b) Chairperson of the Committee on Higher and Technical Education of the House of Representatives;
- 6 (c) Director General of the TESDA;
- 7 (d) Director General of the National Economic and Development Authority (NEDA);
- 8 (e) Secretary of the DOST;
- 9 (f) Secretary of the DTI;
- 10 (g) President of the federation of faculty associations of the Academy;
- 11 (h) President of the federation of student councils of the Academy;
- 12 (i) President of the federation of alumni associations of the Academy; and
- 13 (j) two (2) prominent citizens from the private sector who have distinguished themselves in their
14 professions or fields of specialization.

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

18 **SEC. 7. *Powers and Duties of the Board.*** – The Board shall be the highest policymaking body of the
19 Academy. In addition to its general powers of administration and the exercise of all the powers granted to
20 the Board of a corporation under existing laws, the Board shall have the following specific powers and
21 duties:

- 22 (a) Promulgate and implement policies in accordance with the declared State policies and pertinent
23 provisions of the Philippine Constitution on education, as well as policies, standards and thrusts of the
24 CHED under Republic Act No. 7722, otherwise known as the “Higher Education Act of 1994”;
- 25 (b) Adopt rules and regulations not contrary to law, as may be necessary to carry out the purposes and
26 functions of the Academy, and to effectively discharge its responsibilities;
- 27 (c) Receive assistance from any legitimate source to augment the internal sources of funds, as may be
28 provided, for the support of the Academy in the manner it may determine, in its discretion, to carry out
29 the purposes and functions of the Academy;
- 30 (d) Constitute the Board, as herein defined;
- 31 (e) Appoint the President, and as many Vice-Presidents as may be necessary to assist the President in the
32 administration of the affairs of the Academy;
- 33 (f) Review periodically the administrative procedures and programs of the Academy;
- 34 (g) Receive, in kind and in trust, legacies, gifts and donations of real and personal properties of all kinds,
35 and to administer and dispose the same when necessary for the benefit of the Academy, subject to
36 limitations, discretions and instructions of the donors, if any;

- 1 (h) Fix the tuition fees and other school charges such as matriculation fees, graduation fees, laboratory
2 fees, and other miscellaneous fees as the Board may deem proper to impose after due consultations with
3 the involved sectors: *Provided*, That these fees shall not be prohibitive or unreasonable as to deviate from
4 the purpose for which the Academy was created based on the guidelines of the CHED;
- 5 Such fees and charges, including government subsidies and other incomes generated by the Academy,
6 shall constitute its regular fund and shall be deposited in any authorized government depository bank, and
7 all interests that shall accrue therefrom shall form part of the same fund for the use of the Academy.
- 8 Any provision of existing law, rule and regulation to the contrary notwithstanding, any income generated
9 by the Academy from tuition fees and other charges, as well as from the operation of auxiliary services
10 and land grants, shall be retained by the Academy, and may be disbursed by the Board for instruction,
11 research, extension services, or other programs and projects of the Academy: *Provided*, That all fiduciary
12 fees shall be disbursed for the specific purposes for which they were collected.
- 13 If for reason beyond its control, the Academy shall not be able to pursue any project for which funds have
14 been appropriated and allocated under its approved program of expenditures, the Board may authorize the
15 use of said funds for any reasonable purpose which, in its discretion, may be necessary and urgent for the
16 attainment of the objectives and goals of the Academy;
- 17 (i) Adopt and implement a socialized tuition scheme for greater access of poor, but deserving students
18 in accordance with Republic Act No.10931 or the “Universal Access to Quality Tertiary Education Act”;
- 19 (j) Authorize the construction or repair of its buildings, machineries, equipment, and other facilities,
20 as well as the purchase and acquisition of real and personal properties, including the necessary supplies,
21 materials, and equipment;
- 22 (k) Appoint, upon the recommendation of the President of the Academy, the deans, executive directors,
23 heads of departments, faculty members, and other officials and employees;
- 24 (l) Prescribe the salaries of faculty members and administrative officials and employees, subject to the
25 provisions of Republic Act No. 11466, otherwise known as the “Salary Standardization Law of 2019”,
26 and by such other laws amendatory thereto, which may hereinafter be enacted, and civil service rules and
27 regulations governing hours of service and related concerns, and other pertinent laws;
- 28 (m) Formulate and implement the curricula and institutional programs of the Academy: *Provided*, That
29 they comply with the minimum CHED requirements and guidelines;
- 30 (n) Formulate and promulgate the rules of discipline for the students of the Academy to ensure orderly
31 and effective governance thereof;
- 32 (o) Set policies on admission and graduation of students: *Provided*, That they conform with CHED
33 guidelines;

- 1 (p) Award honorary degrees upon persons in recognition of outstanding contribution in the field of
2 education, public service, arts, science and technology, or any field of specialization within the academic
3 competence of the Academy and to authorize the issuance of certificates of completion of non-
4 baccalaureate programs and nontraditional or innovative courses: *Provided*, That these conform with the
5 applicable guidelines of the CHED and TESDA;
- 6 (q) Establish research and extension centers of the Academy where such will promote the development
7 of the latter;
- 8 (r) Establish professorial chairs in the Academy and provide fellowships for qualified faculty
9 members and scholarships to deserving students;
- 10 (s) Enter into any agreements or joint ventures with business and industry for the profitable management
11 of the economic and manpower assets of the Academy, the proceeds from which shall be used for the
12 upgrading of facilities and its development;
- 13 (t) Authorize an external management audit of the Academy, to be financed by the CHED, subject to the
14 rules and regulations of the Commission on Audit, and institute reforms, including academic and structural
15 changes, on the basis of the audit results and recommendations;
- 16 (u) Import economic, technical, and cultural books and publications;
- 17 (v) Develop consortia, academe-industry linkages and other forms of networks with other institutions
18 and agencies, both public and private, local and foreign: *Provided*, That these comply with the applicable
19 guidelines of the CHED in furtherance of the purposes and objectives of the institution as well as develop
20 academic arrangements for institution capacity and capability building with appropriate institutions and
21 agencies, public and private;
- 22 (w) Appoint experts and specialists as consultants, or visiting or exchange professors, scholars,
23 researchers, as the case may be: *Provided*, That the appointment shall conform with CHED guidelines;
- 24 (x) Set up the adoption of modern and innovative modes of transmitting knowledge, such as the use of
25 information technology, the dual training system, open distance learning, and community laboratory for
26 the promotion of greater access to education;
- 27 (y) Outsource, where most advantageous to the institution, the management of non-academic services
28 such as health, food, building or grounds or property maintenance and similar objectives;
- 29 (z) Delegate any of its powers and duties to the President or the other officials of the Academy, as it
30 may deem appropriate, so as to expedite the administration of the affairs of the Academy;
- 31 (aa) Extend the term of the President of the Academy beyond the age of retirement, when deemed
32 meritorious due to outstanding performance, but not beyond the age of seventy (70) years old; and
- 33 (bb) Promulgate rules and regulations, as may be necessary, to carry out the purposes and functions of
34 the Academy.

1 **SEC. 8. *President of the Academy.*** – The Academy shall be headed by a President, who shall render full-
2 time service and shall be appointed by the Board upon the recommendation of a duly constituted Search
3 Committee. The President shall also be the chief executive officer of the Academy.

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

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

11 The President shall exercise the following powers and duties:

12 (a) Submit, for the consideration of the Board and the Executive Committee, the policies and measures
13 which are necessary to carry out the purposes of the Academy;

14 (b) Recommend, coordinate, and administer the programs and projects of the Academy;

15 (c) Direct and supervise the operations and internal administration of the Academy, and delegate
16 administrative responsibilities in accordance with the rules and regulations of the Academy;

17 (d) Submit an annual report to the Board setting forth the accomplishments of the Academy during
18 the year, its financial operations and status, and a program and budget for the ensuing year; and

19 (e) Exercise other powers and discharge other functions, as may be vested by the Board and the
20 Executive Committee.

21 The Board shall designate an Officer-In-Charge (OIC) of the Academy in case of vacancy in the Office
22 of the President by reason of death, compulsory retirement, resignation, removal for cause or incapacity
23 of the President to perform the functions of the office, pending the appointment of a new President:
24 *Provided*, That the OIC shall serve only during the unexpired portion of the term.

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

28 **SEC. 9. *Executive Committee.*** – There shall be an Executive Committee consisting of the President of the
29 Academy and four (4) other members to be elected by the Board from its members. Each Members of the
30 Executive Committee, other than the President of the Academy, shall hold office for a term of two (2)

1 years, and shall be eligible for re-election, unless at the time of election, a shorter term is specified. The
2 Board shall elect the Chairperson of the Executive Committee from the membership of the Board.

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

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

9 **SEC. 12. *Tax Exemption.*** – The importation of economic, technical and cultural books and publications,
10 which are for the economic, technical, vocational, scientific, philosophical, historical or cultural purposes
11 of the Academy, upon certification by the CHED, shall be exempt from customs duties in accordance with
12 the provisions of Republic Act No. 10863, otherwise known as the “Customs Modernization and Tariff
13 Act”.

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

18 **SEC. 13. *Appropriations.*** – The amount necessary to carry out the provisions of this Act shall be included
19 in the annual General Appropriations Act.

20 **SEC. 14. *Implementing Rules and Regulations.*** – Within ninety (90) days from the effectivity of this Act,
21 the CHED shall, in coordination with the TESDA and the DTI, formulate the necessary rules and
22 regulations to fully implement the provisions of this Act.

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

25 **SEC. 16. *Repealing Clause.*** – All laws, presidential decrees, executive orders, proclamations or
26 administrative regulations that are inconsistent with the provisions of this Act are repealed, amended, or
27 modified accordingly.

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

Approved,