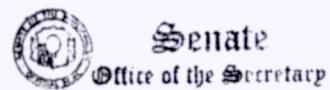


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



SENATE  
S. B. No. 961

19 AUG 27 P 3:05

RECEIVED BY: SF

Introduced by Senator SONNY ANGARA

**AN ACT**

**CREATING AN ADVANCED STUDIES DEVELOPMENT PROGRAM FOR EXCEPTIONAL EMPLOYEES FROM THE GOVERNMENT AND THE PRIVATE SECTOR AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

Thousands of Filipino students have acquired advanced degrees and specialized training in foreign countries through various scholarships grants either of local or foreign funding. While these local and overseas scholarship programs have produced a sizeable number of high-level professionals for the country, these programs have also resulted in a significant brain drain for our country. Moreover, some of the returning scholars have not found the opportunity the maximum utilization of newly acquired knowledge and training. As a result, many of them leave the country in search of greener pastures abroad.

It is imperative that the Philippines should devise a program for overseas education and training for the brightest and most promising Filipinos who are already employed (or self-employed) in a branch of science or technology along identified priority areas. Such a program shall affect the pooling together of all foreign and local (public or private) sponsorship intended for further education, enrichment and training of exceptionally able and highly motivated and employed Filipinos.

The proposed legislation endeavors to provide the Philippines a continuing supply of highly trained leaders for industry, research and academe. Under the bill, the maximum utilization of returning talents will be coordinated under a single governing body where all scholarships under foreign and local sponsorship are pooled together.

Approval of the bill is, thus earnestly requested.



**SONNY ANGARA**

EIGHTEENTH CONGRESS OF THE )  
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Senate  
Office of the Secretary

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**AN ACT**

**CREATING AN ADVANCED STUDIES DEVELOPMENT PROGRAM FOR  
EXCEPTIONAL EMPLOYEES FROM THE GOVERNMENT AND THE PRIVATE  
SECTOR AND FOR OTHER PURPOSES**

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

1       Section 1. *Short Title.* – This bill shall be known as the “*Pensionado Act of  
2 2019*”.

3       Sec. 2. *Declaration of Policies.* – Human resources developments are essential  
4 for economic development and progress. In the pursuit of economic development  
5 and progress, the state shall give priority to the creation of a critical mass of elite  
6 professionals who shall take the lead in harnessing science, technology and related  
7 disciplines towards accelerating the productivity of the country’s human resources.

8       Consonant with this trust, it is hereby declared a policy of the state to devise  
9 a program for exceptionally able and highly motivated employees, preferably age  
10 30-40, from the government, the private sector and/or the self-employed to  
11 undertake advanced studies in a branch of science, technology or related fields of  
12 learning on which depends the development and progress of the country. As such, it  
13 shall provide for fellowships to enable them to pursue advanced studies or research  
14 in their field of expertise.

15       The state shall develop a critical mass of first-rate specialist in various  
16 disciplines and areas of specializations vital to national development to form a  
17 collective national “think tank” who shall place continuously their knowledge and

1 skills at the service of the nation, be it in industry, the academe or the highest  
2 policy-making levels of government, with the government taking the lead in  
3 harnessing their knowledge and skills for the greatest good of the country.

4 Sec. 3. *Definition of Terms.* – For purposes of this Act, the following terms are  
5 hereunder defined accordingly:

- 6 a) *Post-graduate* refers to formal degree course program of training/research  
7 requiring at least a Master's Degree for entry; a student pursuing such  
8 program;
- 9 b) *Advanced studies* refer to a post-graduate problem-oriented program of  
10 studies and/or research, not necessarily leading to a degree, undertaken for  
11 further specialization or advanced knowledge in a specific field of a study, or  
12 to acquire specialized knowledge and/or skills in a particular area of science  
13 or technology; and
- 14 c) *Pensionado* refers to a Filipino citizen selected and supported by the  
15 Philippine government under this program to undertake advanced studies in  
16 selected institutions of higher learning or recognized research centers, in  
17 fields relevant to the officially-declared priority areas for development.

18 Sec. 4. *Establishment of a Program.* – There shall be established under the  
19 Commission on Higher Education (CHED), in coordination with the non-government  
20 organizations (NGOs), the private sector and other government agencies, namely,  
21 the National Economic and Development Authority (NEDA), the Department of Trade  
22 and Industry (DTI), and the Department of Science and Technology (DOST), a  
23 fellowship program to be called as the “Pensionado Program” for Filipinos employed  
24 in the government and the private sectors and those who are self-employed.

25 The program shall pool together all fellowships, scholarships, training grants  
26 sponsored or extended by foreign government, agencies and other bodies, as well  
27 as by local agencies and organizations, whether public or private, intended for  
28 advanced studies in international centers of advanced learning, scholarship and  
29 research.

30 Sec. 5. *Establishment of a National Secretariat; Functions and Composition.* –  
31 There shall be established a National Secretariat, hereafter referred to as the  
32 “Secretariat”, with the following functions:

- 1        a) Identify, and assist in negotiations with sponsors (foreign and local, public  
2                  and private) of fellowships, scholarships and grants;
- 3        b) Provide assistance to the selection panel in accomplishing its work;
- 4        c) Provide the Pensionados continuing assistance from the time of selection thru  
5                  the time of their return to the country, including assistance for the productive  
6                  utilization of their newly-gained expertise;
- 7        d) Serve as the administrative arm of the government for the program; and
- 8        e) In general, promulgate and implement the policies and guidelines governing  
9                  the Program.

10                  The National Secretariat shall be headed by an Executive Officer with the rank  
11                  of Assistant Secretary, to be appointed by the President of the Republic of the  
12                  Philippines, upon the recommendation of CHED. Members of the Secretariat shall  
13                  consist of representatives from CHED, NEDA, DTI, and DOST. These representatives  
14                  shall be seconded to the Secretariat for a period of one year, subject to renewal  
15                  every year. Service rendered thereat shall be considered as part of their  
16                  performance for promotions purposes.

17                  Sec. 6. *Number of Pensionados and Length of Grant.* – There shall be  
18                  selected twenty-four (24) fellows annually – three (3) fellows for each priority  
19                  discipline/industry field of the eight (8) vital disciplines or areas of specializations  
20                  identified by the CHED in consultation with the NEDA as frontiers or new areas  
21                  essential for pushing the economic and social development thrusts of the country.  
22                  The scholarship shall be for a period not exceeding three (3) years.

23                  Sec. 7. *Selection Process.* – There shall be a Selection Panel under the  
24                  Secretariat consisting of three (3) university presidents and two (2) eminent  
25                  members from the academe to be appointed by the CHED. They shall serve on a  
26                  staggered basis for the purposes of continuity and consistency, each for a term of  
27                  three (3) years. The Selection Panel shall make the final selection of the  
28                  Pensionados from among the nominees from the academe, industry and research  
29                  centers. The integrity and objectives of the program are paramount considerations  
30                  for the panel in making the selection.

31                  Sec. 8. *Qualifications.* – In order to qualify for the Fellowship Program, the  
32                  applicant must be:

- 1      a) A Filipino citizen;
- 2      b) Gainfully employed;
- 3      c) A college degree graduate, with honors;
- 4      d) With demonstrated leadership and proven exceptional performance in his/her  
5            present work;
- 6      e) Enthusiastic in undergoing further training; and
- 7      f) Willing to sign a contract requiring him/her to return to his/her job in another  
8            capacity after training.

9            Sec. 9. *Place of Study.* – The Pensionados shall be sent to a foreign country  
10          well-known for its advanced stage in particular discipline of area of specialization.  
11          Training and education may be an academic institution, research and development  
12          (R&D) center or a major industrial establishment with and R&D program. It may or  
13          may not lead to an advanced academic degree.

14          Sec. 10. *Assistance to Grantees.* – The Pensionado is entitled to the following  
15          benefits:

- 16      a) Up to three (3) years leave with pay, including allowances and other benefits;
- 17      b) One economy round-trip air fare to and from the host country plus other  
18            travel expenses required for foreign travel;
- 19      c) Clothing allowance to be determined by the Secretariat;
- 20      d) Monthly stipend while on study abroad, of such amount to be determined by the  
21            Secretariat;
- 22      e) Books/Instructional Materials/Research allowance of such amount to be  
23            determined by the Secretariat; and
- 24      f) Health, Travel and Insurance fees of such amount to be determined by the  
25            Secretariat.

26          Sec. 11. *Program Funding.* – The cost of each fellowship grant shall be shared  
27          by the Pensionado's employer and the National Government. The employer pays the  
28          salary, allowances and other benefits due the Fellow as employed during the one-  
29          year period of advanced studies overseas while the national Government, thru the  
30          program, shall be responsible for items b, c, d, e, and f as enumerated in Section 10  
31          hereof. With the transfer of all pertinent foreign and local grants for coordination  
32          under the Program, the government, through the Program, may negotiate bilateral

1 arrangements with hosts governments, host universities, host research institutions  
2 and host corporations to share at least 50% of the total cost of items b, c, d, e, and  
3 f under Section 10 hereof.

4 The National Government may also negotiate bilateral agreements with host  
5 governments, host universities, research institutions and corporations to enable our  
6 scholars to stay abroad and continue their studies or training at a minimal cost to  
7 the national Government. A sharing program can be established where the host  
8 government, host-universities, research institutions and corporations can pick up of  
9 the expenses of the scholars while he is abroad.

10 Sec. 12. *Service Obligation.* – Immediately upon completion of the studies or  
11 training, a fellow shall be required to return to his job or in another capacity  
12 approved by the Secretariat and serve on a full-time basis for a minimum period  
13 equivalent to twice the period covered by the fellowship grant. In addition, the  
14 scholar shall be required to hold seminars or training sessions for employees from  
15 the government and the private sectors on topics related to the course or training he  
16 has completed. Any recipient of the program who has not completed his course  
17 shall reimburse the Fellowship the grant received or render service to the sponsoring  
18 agency or company for a period equivalent to the period covered by the fellowship  
19 grant. Any Pensionado who violates the service obligation imposed under this  
20 section shall reimburse the sponsoring agency or company and the national  
21 Government of the Fund assistance received under this act in full or in part as the  
22 case may be.

23 Sec. 13. *Mechanism for Utilization of Returned Fellows.* – There shall be  
24 established and developed a National Network of Specialized Institutes for Advanced  
25 Studies in universities selected by CHED in consultation with the DOST and other  
26 appropriate agencies to be determined by the Secretariat to provide returned  
27 scholars an office, laboratory, library and conference facilities for their continuing  
28 activities. The Institute shall also serve as a place for an Exchange Program and  
29 Collaborative Research among local and international scientist and scholars in  
30 priority areas of research and development.

31 The National Government may, thru CHED and/or the National Secretariat,  
32 negotiate bilateral agreements with foreign government, universities, research

1 institutions and corporations, public and private, to effect exchange of scholars and  
2 scientists for collaborative advanced studies, as well as to equip the Institute for  
3 purposes of benefit to the cause of scholar and scientists for collaborative advanced  
4 studies, as well as to equip the Institute for purposes of benefit to the cause of  
5 scholarly or scientific advancement and national development.

6 A sharing program may be established whereby the host  
7 government/university/institution/ corporation can pick up part of the expenses of  
8 the Fellow in pursuit of his/her Fellowship.

9 Sec. 14. *Appropriations*. – The amount necessary to carry out the initial  
10 implementation of this Act shall be drawn from the savings of the national  
11 government. Thereafter, the funds necessary for the continuous implementation of  
12 the program shall be included in the General Appropriations Act. The Program shall  
13 receive 2% from the share of the DOST and 1% from the share of the Philippine  
14 Youth Commission in the Bases Conversion Development Authority (BCDA)  
15 proceeds.

16 Sec. 15. *Transfer of other fellowship, scholarship and training grants*. – All  
17 foreign and locally sponsored fellowship, scholarship and training grants will be  
18 transferred to the program for coordination. With respect to government employees  
19 who may be affected by the transfer, the pertinent rules and regulations of the Civil  
20 Service Commission (CSC) shall apply.

21 Sec. 16. *Implementing Rules and Regulations*. – Within ninety (90) days from  
22 the approval of this Act, CHED, in coordination with NEDA, DTI, DOST, and CSC,  
23 shall promulgate the necessary rules and regulations for the effective  
24 implementation of the provisions thereof.

25 Sec. 17. *Separability Clause*. – If any portion or provision of this Act is  
26 subsequently declared invalid or unconstitutional, other provisions hereof which are  
27 not affected thereby shall remain in full force and effect.

28 Sec. 18. *Repealing Clause*. – All other laws, acts, presidential decrees,  
29 executive orders, presidential proclamations, issuances, rules and regulations, or  
30 parts thereof which are contrary to or inconsistent with any of the provisions of this  
31 Act are hereby repealed, amended, or modified accordingly.

1           Sec. 19. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
2 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,