

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5766

Introduced by CIBAC Party-List Representative
HON. EDUARDO "BRO. EDDIE" C. VILLANUEVA

**AN ACT
EXEMPTING QUALIFIED INDIGENTS FROM THE PAYMENT OF
PROFESSIONAL EXAMINATION FEES AND FOR OTHER
PURPOSES**

EXPLANATORY NOTE

Education and self-development are the cornerstones of progress for the country. The 1987 Philippine Constitution affirms this as it clearly states that "the State shall give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development" (Article II, Sec. 17).

Laws like Republic Act No. 10931 or the Universal Access to Quality Education Act are admirable governmental efforts to recognize the importance of education for the less privileged and institutionalizes free tuition and exemption from other fees in state universities and colleges and local universities and colleges. In 2019, we also passed Republic Act No. 11261 or the First Time Jobseekers Act to give fee waivers for first time jobseekers when they apply for government documents that are usually required for first time job applicants.

However, aside from the financial burden in applying for a job, some graduates must still undergo professional examinations, which also

places additional burden on graduates, especially indigent ones. For instance, the fee for the coming 2022 Philippine Bar exams is Php10,000.00.¹ This is on top of the many other expenses these barristers have to shoulder during the review months before the exam.

This bill seeks to provide the missing link in terms of assistance in facilitating the employment of graduates. In addition to free tertiary education and waivers of fees for applicable government documents, this bill grants qualified indigents free fees for professional examinations, upon presenting a certification of indigence from the Department of Social Welfare and Development (DSWD). In recognizing that poverty should not be a hindrance to self-development and achieving one's goal of having a better life for themselves and their family, this bill seeks to give a boost to indigent students by not having to worry about paying the examination fees anymore.

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



HON. EDUARDO “BRO. EDDIE” C. VILLANUEVA

¹ March 31, 2022. 2022 Bar: Applications to start on June 13; sched back to November. PhilStar. Retrieved from: <https://www.philstar.com/headlines/2022/05/31/2185058/2022-bar-applications-start-june-13-sched-back-november> (date last accessed: September 6, 2022)

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

3
4 **SECTION 1. *Short Title.*** – This Act shall be known as the "Free
5 Professional Examinations Act."

6
7 **SEC. 2. *Declaration of Policy.*** – It is the declared policy of the
8 State to promote full employment and to provide equal employment
9 opportunities for all. It is likewise the policy of the State to promote a just
10 and dynamic social order that will free the people from poverty through
11 policies and programs that provide adequate social services and improve
12 the quality of life for all. Pursuant to this, efforts should be made to ease
13 the financial burden of aspiring professionals in the payment of
14 professional and other examination fees.

15
16 **SEC. 3. *Definition of Terms.*** – For purposes of this Act, the
17 following words shall mean:

18
19 a) **Professional Examination** refers to the licensure examination
20 conducted by Professional Regulations Commission (PRC) and other
21 certifying bodies of the government as a prerequisite to the issuance

1 of a license to engage in a profession. It shall also include the
2 examination administered by the Civil Service Commission (CSC) to
3 qualify certain persons for government service; and
4

- 5 b) **Qualified Indigent** refers to a person who has no visible means of
6 income or support, or whose income is insufficient for the subsistence
7 or basic needs of his/her family, as may be determined by the
8 Department of Social Welfare and Development (DSWD).
9

10 **SEC. 4. Requirements for Availment.** – For purposes of availing
11 the benefits of this Act, an examinee shall secure a certification from the
12 DSWD that he/she is a qualified indigent. Such certification shall be
13 presented to the PRC, CSC or other certifying body, as the case may be,
14 in lieu of the payment of examination fees; Provided, that a first time
15 applicant may be entitled to 100% of the examination fees; Provided,
16 further, that in the event that the examinee needs to retake the
17 professional examination, he/she shall only be entitled to assistance
18 equivalent to 50% of the examination fee for the second take, and no other
19 subsidy shall be given for further retake.
20

21 In the implementation of this Act, the DSWD shall also enter into an
22 appropriate memorandum of agreement and coordinate with the Supreme
23 Court and the Integrated Bar of the Philippines (IBP) for the proper
24 implementation of this Act. For this purpose, the DSWD, the Supreme
25 Court and the IBP shall issue the implementing rules and regulations to
26 carry out the purposes of this Act.
27

28 **SEC. 5. Reportorial Requirements.** – For purposes of determining
29 the effectiveness and social impact of the provisions of this Act, an Inter-
30 Agency Committee (Committee) is hereby created with the Secretary of
31 the DSWD as Chairperson and the heads of the PRC, CSC and other
32 relevant agencies, the participation of which is deemed necessary by the
33 Committee. The Committee shall submit an annual report, not later than
34 June 30 of each year, to the President of the Philippines and to the
35 appropriate committees of both Houses of Congress, on the status of
36 implementation of this Act, including the challenges encountered in the
37 process of its implementation. Such report shall also include, as much as
38 possible, the number of applicant-beneficiaries who took the Bar
39 examinations administered by the Supreme Court.
40

41 The committee shall monitor the compliance of the concerned
42 government agencies and may recommend to the proper authorities the
43 filing of an administrative complaint against any person who refuses to

1 comply with the provisions of this Act.

2
3 **SEC. 6. *Interpretation in Favor of the Applicant.*** – In all cases,
4 any ambiguity in the interpretation of the provisions of this Act shall be in
5 favor of the applicant. No agency shall issue unduly restrictive regulations
6 which will render nugatory the benefits provided under this Act. Such shall
7 constitute an administrative offense punishable under the Administrative
8 Code and other pertinent laws.

9
10 **SEC. 7. *Information, Education and Communication (IEC)***
11 ***Campaign.*** – The Committee, in coordination with the Philippine
12 Information Agency (PIA) and the IBP, shall conduct regular information,
13 education and communication (IEC) campaigns in order to inform
14 potential beneficiaries of the procedures and guidelines in availing the
15 benefits of this Act. As far as practicable, such IEC campaigns shall be
16 made available in print, television, radio broadcast and online platforms,
17 with appropriate translation into regional languages.

18
19 **SEC. 8. *Non-Duplication of Benefits.*** – Examinees who are
20 already receiving similar benefits under other laws and programs of the
21 government shall not be entitled to the benefits of this Act. However,
22 nothing herein shall diminish or decrease the benefits being received by
23 the beneficiaries under pertinent laws, rules and regulations.

24
25 **SEC. 9. *Exceptions.*** – The waiver of fees under this Act shall not
26 include those collected in connection with an application to take other
27 examinations, such as specialization examinations administered by
28 professional organizations, and the fees relating to the application for a
29 driver's license.

30
31 **SEC. 10. *Non-Authority to Charge Fees.*** – This Act shall not be
32 construed as an implied authority for government agencies to impose or
33 collect charges and fees in the discharge of their functions with regard the
34 administration of professional examinations, if no such authority is already
35 granted under their respective charters or other relevant laws.

36
37 **SEC. 11. *Appropriations.*** – An amount necessary for the initial
38 implementation of this Act shall be charged against the respective
39 budgetary allocations of the concerned government agencies, subject to
40 the usual budgeting, accounting and auditing rules and regulations.
41 Thereafter, an amount necessary for the proper implementation of this Act
42 shall be included in the annual General Appropriations Act.

43 **SEC. 12. *Implementing Rules and Regulations (IRR).*** – In

1 addition to the rules to be formulated as provided under Section 4 of this
2 Act, the Committee, upon proper consultation with relevant stakeholders,
3 shall also formulate the rules and regulations for the effective
4 implementation of this Act, within ninety (90) days from its effectivity.

5
6 **SEC. 13. *Separability Clause.*** – If any provision of this Act is
7 declared unconstitutional or invalid, the other provisions not affected by
8 such declaration shall remain in full force and effect.

9
10 **SEC. 14. *Repealing Clause.*** – Any law, decree, ordinance or
11 administrative circular not consistent with any provision of this Act is
12 hereby amended, repealed or modified accordingly.

13
14 **SEC. 15. *Effectivity Clause.*** – This Act shall take effect fifteen (15)
15 days after its publication in the Official Gazette or in at least two (2)
16 newspapers of general circulation.

17
18 ***Approved,***