

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

SEVENTEENTH CONGRESS
Second Regular Session



HOUSE BILL NO. 6972


Introduced by Hon. Bernadette "BH" Herrera-Dy

EXPLANATORY NOTE

To further insulate the Commission on Higher Education (CHED) from partisan political pressures that come with the reappointment process yet give the CHED Chairman and Commissioners ample time to effect substantial impact on higher education development in the country, this bill seeks to limit the term of office of these officials to a single term of five years without reappointment.

Their term of office in Republic Act 7722 (Higher Education Act of 1994) is four years. This bill lengthens that to five years, which the author believes is sufficient time for the appointees to accomplish their objectives for the country while working at CHED.

This bill draws lessons from current and previous experiences of the CHED involving the reappointment of the CHED Chairman and Commissioners. Reappointment can become a motivation to grant political favors or give in to political demands from various sectors. This bill removes that motivation, so that the CHED officials can focus on work, on their mission at CHED.


Bernadette "BH" Herrera-Dy
Representative, Bagong Henerasyon Party-list

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AN ACT
SETTING A FIXED, SINGLE TERM LIMIT TO THE TERM OF OFFICE
OF THE COMMISSION ON HIGHER EDUCATION CHAIRMAN AND
COMMISSIONERS, AND FOR OTHER PURPOSES

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

Section 1. Short Title. - This Act shall be known as the “*CHED Term Limit Act of 2018*”.

Section 2. Declaration of Policy. - The State shall protect, foster and promote the right of all citizens to affordable quality education at all levels and shall take appropriate steps to ensure that education shall be accessible to all. The State shall likewise ensure and protect academic freedom and shall promote its exercise and observance for the continuing intellectual growth, the advancement of learning and research, the development of responsible and effective leadership, the education of high-level and middle-level professionals, and the enrichment of our historical and cultural heritage.

State-supported institutions of higher learning shall gear their programs to national, regional or local development plans. Finally, all institutions of higher learning shall exemplify through their physical and natural surroundings the dignity and beauty of, as well as their pride in, the intellectual and scholarly life.

Section 3. **Term of office.** Section 5 of Republic Act 7722, otherwise known as the Higher Education Act of 1994, is hereby amended as follows:

SEC. 5. Term of Office. – The President shall appoint the full-time chairman and the commissioners for a fixed, single term of office of FIVE YEARS, without reappointment.

Upon the effectivity of this law, the incumbent chairman and commissioners shall be allowed to sit as such until the end of their terms as provided under RA 7722.

The commissioners shall hold office until their successors shall have been appointed and qualified. Should a member of the Commission fail to complete his term, his successor shall be appointed by the President of the Philippines but only for the unexpired portion of the term.

Section 4. Separability. - If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall continue to be in full force and effect.

Section 5. Repealing Clause. - All laws, executive orders, and administrative orders or parts thereof inconsistent with any provision of this Act are hereby repealed or amended accordingly.

Section 6. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in the online version of the *Official Gazette* or in two (2) newspapers of general circulation or with established internet website presence.

Approved.