



REPUBLIC OF THE PHILIPPINES
Senate
Pasay City

Journal

SESSION NO. 89

Monday, May 30, 2011

**FIFTEENTH CONGRESS
FIRST REGULAR SESSION**

SESSION NO. 89
Monday, May 30, 2011

CALL TO ORDER

At 3:24 p.m., the Senate President, Hon. Juan Ponce Enrile, called the session to order.

PRAYER

Sen. Franklin M. Drilon led the prayer, to wit:

Almighty Father,

We praise and thank You for gathering us today to perform our work as legislators.

We thank You for continuously guiding us as we try our best in improving the lives of our people.

Guide us as we debate on important pieces of legislation such as the ARMM elections, the RH bill, and the Early Years Act, among others.

Let us always put the will of the people in front of us as we make decisions in this august Chamber.

Make us instruments of love and forgiveness as leaders of this Republic.

May we not lose hope and continue to depend on You,

Always assuring ourselves that You will never ever abandon us.

All these we ask in Jesus' Name.

Amen.

NATIONAL ANTHEM

The Himig Antonio Chorale of St. Anthony Academy of Quezon City led the singing of the national anthem and thereafter rendered the song, entitled *Sabihin Mo*.

ROLL CALL

Upon direction of the Chair, the Secretary of the Senate, Atty. Emma Lirio-Reyes, called the roll, to which the following senators responded:

| | |
|-----------------------|---------------------|
| Angara, E. J. | Honasan, G. B. |
| Arroyo, J. P. | Lacson, P. M. |
| Cayetano, A. C. P. S. | Lapid, M. L. M. |
| Cayetano, P. S. | Legarda, L. |
| Drilon, F. M. | Osmeña III, S. R. |
| Defensor Santiago, M. | Recto, R. G. |
| Ejercito Estrada, J. | Revilla Jr., R. B. |
| Enrile, J. P. | Sotto III, V. C. |
| Escudero, F. J. G. | Trillanes IV, A. F. |
| Guingona III, T. L. | Zubiri, J. M. F. |

With 20 senators present, the Chair declared the presence of a quorum.

Senators Pangilinan and Villar were on official mission, the latter abroad.

Senator Marcos was absent.

At this juncture, Senate President Enrile relinquished the Chair to Senate President Pro Tempore Ejercito Estrada.

APPROVAL OF THE JOURNAL

Upon motion of Senator Sotto, there being no objection, the Body dispensed with the reading of the Journal of Session No. 88 (May 25, 2011) and considered it approved.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Sotto acknowledged the presence in the gallery of the delegation from the Tokyo Junior Chamber International, Inc. headed by Mr. Tatsuu Fukuda.

Senate President Pro Tempore Ejercito Estrada welcomed the guests to the Senate.

DEFERMENT OF THE REFERENCE OF BUSINESS

Upon motion of Senator Sotto, there being no objection, the Body approved to defer the Reference of Business to a later hour.

APPROVAL OF SENATE BILL NO. 2701 ON THIRD READING

Upon motion of Senator Sotto, there being no objection, the Body considered, on Third Reading, Senate Bill No. 2701, printed copies of which were distributed to the senators on May 25, 2011.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Sotto, there being no objection, Secretary Reyes read only the title of the bill, to wit:

AN ACT ALLOWING THE EMPLOYMENT OF NIGHT WORKERS, THEREBY REPEALING ARTICLES 130 AND 131 OF PRESIDENTIAL DECREE NUMBER FOUR HUNDRED FORTY TWO (PD 442), AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES.

Secretary Reyes called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

- | | |
|-------------------|-----------|
| Angara | Honasan |
| Arroyo | Lacson |
| Cayetano (A) | Lapid |
| Cayetano (P) | Osmeña |
| Drilon | Recto |
| Defensor Santiago | Revilla |
| Ejercito Estrada | Sotto |
| Enrile | Trillanes |
| Escudero | Zubiri |
| Guingona | |

Against

None

Abstention

None

With 19 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 2701 approved on Third Reading.

APPROVAL OF SENATE BILL NO. 2802 ON THIRD READING

Upon motion of Senator Sotto, there being no objection, the Body considered, on Third Reading, Senate Bill No. 2802, printed copies of which were distributed to the senators on May 25, 2011.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Sotto, there being no objection, Secretary Reyes read only the title of the bill, wit:

AN ACT RECOGNIZING THE EARLY YEARS FROM ZERO (0) TO SIX (6) AS THE FIRST CRUCIAL STAGE OF DEVELOPMENT AND FOR THIS PURPOSE STRENGTHENING THE EARLY CHILDHOOD CARE AND DEVELOPMENT COUNCIL, RENAMING THE DAY CARE CENTER AS CHILD DEVELOPMENT CENTER, AND FOR OTHER PURPOSES.

Secretary Reyes called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

| | |
|-------------------|-----------|
| Angara | Honasan |
| Arroyo | Lacson |
| Cayetano (A) | Lapid |
| Cayetano (P) | Osmeña |
| Drilon | Recto |
| Defensor Santiago | Revilla |
| Ejercito Estrada | Sotto |
| Enrile | Trillanes |
| Escudero | Zubiri |
| Guingona | |

Against

None

Abstention

None

With 19 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 2802 approved on Third Reading.

APPROVAL OF SENATE BILL NO. 2748 ON THIRD READING

Upon motion of Senator Sotto, there being no objection, the Body considered, on Third Reading, Senate Bill No. 2748, printed copies of which were distributed to the senators on May 25, 2011.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Sotto, there being no objection, Secretary Reyes read only the title of the bill, wit:

AN ACT REQUIRING ALL CONCERNED GOVERNMENT AGENCIES TO ENSURE THE EARLY RELEASE OF THE RETIREMENT PAY, PENSIONS, GRATUITIES AND OTHER BENEFITS OF RETIRING GOVERNMENT EMPLOYEES.

Secretary Reyes called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

| | |
|-------------------|-----------|
| Angara | Honasan |
| Arroyo | Lacson |
| Cayetano (P) | Lapid |
| Drilon | Osmeña |
| Defensor Santiago | Recto |
| Ejercito Estrada | Revilla |
| Enrile | Sotto |
| Escudero | Trillanes |
| Guingona | Zubiri |

Against

None

Abstention

None

With 18 senators voting in favor, none against and no abstention, the Chair declared Senate Bill No. 2748 approved on Third Reading.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 3:37 p.m.

RESUMPTION OF SESSION

At 3:41 p.m., the session was resumed.

PRIVILEGE SPEECH OF SENATOR ZUBIRI

Availing himself of the privilege hour, Senator Zubiri condemned the illegal trade of marine species, citing in particular the recently confiscated black corals, stuffed hawksbill sea turtles and other marine species supposedly bound for abroad.

Following is the full text of the speech:

THE RAPE OF OUR OCEAN

I rise on an issue that has been in the newspaper headlines and the topic of many discussions on social networks, particularly on



Facebook and *Twitter*, for the past weeks. Dubbed by the *Philippine Daily Inquirer* as "*The Rape of the Ocean*," I refer to the confiscated black corals, stuffed hawksbill sea turtles and other marine species.

I condemn in the strongest possible terms this environmental crime and serious threat to our marine biodiversity perpetrated by some greedy and unscrupulous members of our society. This crime is a direct affront to all our efforts in protecting and conserving our environment, particularly our diverse marine ecosystems. This is a mockery of our environmental laws. May I add that this is also tantamount to economic sabotage.

This morning this Representation went to the Port Area in Manila to inspect these confiscated marine items. I saw with my own eyes the huge number of these items and could only surmise that really, a vast area of our reef complex had been destroyed as a result of this illegal and illicit trade.

Let me relate the circumstances behind this "high crime on Philippine seas."

On May 1, 2011, Super Ferry 5 arrived at the Eva Macapagal Domestic Terminal in Pier 15, South Harbor Manila from the Port of Cotabato. It had on its cargo two-20 footer container vans declared as containing "rubber" and consigned to a certain Mr. Exequiel Navarro. On May 2, 2011, acting on a tip of an informer, elements of the Enforcement and Security Service of the Customs Police Division of the Port of Manila conducted an operation and apprehended the said shipment from Cotabato City. Instead of rubber, the container vans yielded 134 bundles with 21,169 pieces of dried black corals (Sea Fans), 161 stuffed hawksbill and green turtles, 15 bundles or 196 kilograms of Sea Whips and 209 bundles or 7,340 pieces of rare sea shells. The Bureau of Customs immediately seized the items and coordinated with the DENR's Protected Areas and Wildlife Bureau (PAWB) and DA's Bureau of Fisheries and Aquatic Resources (BFAR). The items were reportedly taken or harvested from the Moro Gulf and the Sulu Sea.

The black corals are found in the seas all over the world, but they are very, very rare, common in depths of 300 meters. They grow in tree- or bush-like forms. And despite the name, they vary in color from white to red, green, yellow or brown, and are seldom black – only when dry. Growing at a rate of only 8-22 micrometers/year, the black corals are the slowest growing deep-sea corals. Due to their luster and flexibility, black corals are being harvested for

centuries to make jewelry, handicrafts and ornaments or decorative items for homes, offices and fish aquariums. Lately, the search for these corals, which is also used as a painkiller, has driven up the demand for black corals. But the world has taken notice of its rarity and has put out a world-wide ban on its sale and trade.

Under our own BFAR Administrative Order No. 202, series of 2000, harvesting and trade of black corals as well as the trade of hawksbill turtles are prohibited under the Convention on International Trade in Endangered Species (CITES) 1. Under that list, they are not allowed to be sold, traded or exported anywhere around the world.

On May 3, 2011, the consignee of the contraband, Mr. Exequiel Navarro, appeared at the Bureau of Customs and executed an affidavit. Mr. Navarro promised to cooperate with the investigation and give the names of the financiers of this syndicate and other persons involved in this crime.

The confiscated items are estimated to be about P35 million to P40 million. And I say P35 million to P40 million only because the damage it caused our marine ecosystems and the potential economic loss it has caused due to degraded fishing grounds and tourism income are invaluable. Not to mention the time, effort and the resources that many sectors of our society put and spend to protect, rehabilitate and conserve our marine biodiversity.

The World Wildlife Fund estimated in 1994 that the "economic cost" over a 25-year period of destroying one kilometer of coral reef is between US\$137,000 to US\$1.2 million or, approximately, in Philippine pesos, P6 million to about P54 million at PhP45 to US\$1 exchange rate. That is just a kilometer of coral reef. Mr. Gary Williams of the California Academy of Sciences, a world-renowned expert on corals who is incidentally in the country conducting research in Anilao, Batangas, told the Protected Areas and Wildlife Board (PAWB) officials that the area damaged or destroyed could reach up to 190 square kilometers or about five times the size of the City of Manila. And this is just from the shipments that were caught at the Port of Manila and Cebu.

And yet, even before I could finish writing this speech, another shipment of black corals was intercepted and confiscated, this time in Cebu. The shipment, declared as "scrap metals," came from Manila on board the MV Lorcon Manila. The contraband yielded 180 sacks containing thousands of black sea fan corals and estimated to be worth about P15 million.

AS JS

The perpetrators of this “high crime on our seas” had pushed back the decades-long efforts of the government, environmentalists, LGUs and NGOs in protecting and conserving our marine ecosystems.

It pains me to see that this is happening just as we celebrated the International Year of Biodiversity last year and environmental campaigns and programs are abuzz in all sectors of our society, whether in media, the business sector, civil society and more so in the government sector. We all have programs or awareness campaigns for the protection and conservation of the environment. We, in the legislative branch, integrate environmental factors in our legislation and state policies as we realized that we cannot sustain development and progress at the expense of the environment.

The reason I called this illegal act “economic sabotage” are as follows:

If we lose our corals and marine biodiversity, we will lose these marine grounds where the fish spawn, lay eggs and feed on. In short, we will lose our rich fishing grounds and deprive millions of Filipinos who rely on fishing for their livelihood as well as pose a threat to our food security.

This is also a national security concern. Many of our coastal areas do not have fish anymore. From the areas of Cebu to Region VIII, Samar and Leyte, all the way up to Batangas, Laguna and Cavite, most of our coral resources have already been blasted – either destroyed by dynamite or cyanide fishing or poaching as these gentlemen have been doing. And because of that, our fisherfolk have to go as far as Papua New Guinea to be able to fish for food for our Filipinos. *Wala na po tayong isdang naiwan dito dahil sinisira po natin ang ating karagatan.*

Hindi ko po lubos maisip, ano pa ba ang hindi maintindihan ng ilan nating sakim na kababayan sa relationship na ito ng tao at ng kalikasan? Bakit patuloy ang walang habas na pagsira sa ating kalikasan kapalit ng konting kaginhawahan? Hindi ba nila naisip na sa ganitong mga gawain ay winawasak din nila ang kinabukasan ng mga susunod pa nating henerasyon?

In the 14th Congress, we passed Republic Act 9512 or the Environmental Awareness and Education Act of 2008 which requires environmental education in elementary, secondary, vocational and tertiary levels. *Mukhang nagkamali po yata tayo sa Kongreso. Dapat po*

yata ang mga matatanda na ang ni-require natin na magkaroon ng environmental education, especially our businessmen and traders. I am mulling right now to file a bill that will require all existing companies operating in the country to send their executives and operations personnel to study our environmental laws. And for new registrants, for their executives or stockholders to do the same before their business registration or licenses are issued. I believe that we can no longer separate the issue of the environment and business operations in the country.

Aside from what I mentioned earlier about food security, I failed to mention another loss of revenue for the country: ecotourism. We are losing out on millions of tourists who can go to the Philippines to dive off our shores and enjoy the beautiful marine wildlife that we have underwater. *Naiwan na po tayo ng Taiwan.* Thailand has close to 14 million tourists/year. We have only three million. Cambodia has already close to eight million tourists/year. We have only three million. Malaysia has close to 10 million tourists/year, we have only three million. It boggles the mind that aside from all the beautiful beaches in our 7,300 islands, we seem to have nothing to offer.

This time allow me to give credit where credit is due. I must commend the Bureau of Customs for immediately acting on the tip of the informer and immediately intercepting the illegal shipment. Also for its smooth coordination with the Protected Areas and Wildlife Bureau (PAWB) and the Bureau of Fisheries and Aquatic Resources (BFAR) and the said agencies for responding quickly. Although it would have been better if this crime was stopped or prevented from happening on site or from the source by our Coast Guard, maritime police, local government units, local *Bantay Dagat* groups and local communities. These agencies are our first line of defense and Customs is somewhat our last defense in this fight against illegal wildlife trade. Once these items leave our ports for the international market, it would be very difficult for us to stop this illegal trade. We cannot just rely on our poorly equipped and resource-deprived Coast Guard and maritime police of the PNP. Cooperation and vigilance of the local community is crucial to stop this illegal trade.

And to the “faceless” informer, whom we cannot name at this time for security reasons and as the investigation is still ongoing, we salute you! You have already made a great contribution to the nation, far greater than what many of us

in the government service have done. It will be an honor to meet him in person and I also hope that at the proper time, the Senate can properly give him the commendation he deserved with his deed. I also pray that may your breed multiply.

We could not let this high crime pass without our scrutiny. Your Committee on Environment and Natural Resources, once this issue has been referred to it, is prepared to get to the bottom of this. We will expose all the people behind this crime, particularly the financier and masterminds of these syndicates. We should help our law enforcement agencies find the legal arsenal and file the highest possible charges in court and muster the political will to break the backbone of this syndicate. We also call on the DOJ or Bureau of Immigration to immediately put on the hold-departure list, the names of the people being investigated for this crime. We also request the Supreme Court to expedite the creation or organization of our environmental courts.

May this serve as a warning to all who committed "crimes against the environment" and those who are about to commit such crimes: that we, in the Senate, will not stop exposing your high crimes. If need be, I will take the Senate floor, together with my colleagues, everyday, to expose your unconscionable deeds.

With that, I call on our vigilant citizens to report to us these crimes against the environment. The concerted efforts of our agencies and a vigilant public are the best defense against these environmental crimes.

Maraming, maraming salamat po.

INTERPELLATION OF SENATE PRESIDENT ENRILE

Asked by Senate President Enrile for the identity of the persons responsible for the illegal gathering of the corals and the exotic sea turtles, Senator Zubiri disclosed that Exequiel Navarro, a Filipino, was named as the consignee of the coral shipment, but the names of the perpetrators are expected to be filtered out during the committee hearing on Wednesday. He explained that although the sale was made by one Filipino to another, the perpetrators attempted to escape scrutiny by authorities by shipping the raw items to jewelry factories in Indonesia that use the corals to make jewelry, trinkets and decorative pieces for sale to Europe and America.

Asked where the corals originated, Senator Zubiri explained that the shipment would have likely been taken from the coastal areas of the western side of Mindanao facing the Sulu Sea where the protected area of Tubbataha Reef is located.

Senate President Enrile stated that his own region has black as well as red and pink corals, but he pointed out that not all areas in the Philippines have such marine treasures. He asked whether the Department of Environment and Natural Resources has a map indicating the locations where these corals are found. Senator Zubiri replied that these corals were likely sourced from the Sulu Sea and Moro Gulf located on the west side of the provinces of Maguindanao, Cotabato and Sultan Kudarat. He gave assurance that he would request the DENR to provide the members with the information.

Asked how coral gathering would affect the coral reefs in the country, Senator Zubiri explained that the coral is uprooted, technically "killing" it.

As regards the assumption that save for the slight degradation of the coral reefs where specific clusters have been taken, harvesting the coral neither destroys the coral reef nor affects the habitation of marine life, Senator Zubiri replied in the affirmative. However, he explained that corals, known also as sea bonsais, serve as the spawning area for fish and their removal would mean that the fish would have to relocate to other areas where they could spawn. He warned that the loss of these corals would result not only in the loss of aquatic resources but in tourism opportunities as well.

On whether there were scientific findings that support the idea that corals are breeding grounds for fish, Senator Zubiri replied in the affirmative. He said that scientists from the University of the Philippines will make a presentation regarding the importance of coral reefs during the committee hearing on Wednesday.

Upon further queries, Senator Zubiri explained that the fish do not source their food from these corals, rather they are used primarily as spawning area.

Asked where the hawksbill sea turtles were taken, Senator Zubiri stated that it was probably from the same area because the turtles and the black corals were loaded in the same port. He recalled that sometime in 1998, he dove into the Tubbataha Reef,

the only area in the Philippines which has a rich marine wildlife, and at that time, he saw a number of turtles. Senate President Enrile pointed out that the center of the turtle population is in Turtle Island which is within the jurisdiction of the town of Taganak, near Sandakan.

Upon further query, Senator Zubiri said that the country has three endemic turtle species, namely, the green sea turtle, the Olive Ridley turtle and the hawksbill sea turtle, and two migratory turtle species.

As to the number of hectares of coral reefs that were destroyed by the harvesting of 21,169 coral clusters, Senator Zubiri said that according to Dr. Gary Williams, a scientist currently doing research in Batangas who was with him during that morning's inspection of the contraband items, it could be about 190 square kilometers.

Asked if there were pictures showing how the bottom of the sea has been degraded, Senator Zubiri said that the Committee has none as the source of the seized marine wildlife has yet to be ascertained.

Senate President Enrile asked the Committee to provide information as to how corals are extracted, what particular species of fish breed on corals, as well as the impact of the illicit activities on the fish population.

On whether there was a law that imposes sanctions on the illegal activities, Senator Zubiri cited Republic Act No. 9147, otherwise known as the Wildlife Resources Conservation and Protection Act of 2001, that he authored, and which provides for the protection of endangered wildlife in the Philippines, both *flora* and *fauna*, as well as their habitats. He further stated that RA 9147 provides for a penalty of imprisonment ranging from six years to 12 years, depending on the category of the endangered marine life as listed in the Convention on International Trade in Endangered Species (CITES). He stated that the hawksbill turtle and the black corals fall under CITES I, a list of most endangered species. He said that since the hawksbill turtle and the black corals are categorized as most endangered and rarest, and the most highly protected, the maximum penalty is 12 years imprisonment.

Asked on the penalty for gathering corals, Senator Zubiri stated that under the Bureau of Fisheries and Aquatic Resources (BFAR) Code, the penalty is only

up to two years imprisonment, which is why, he said, there is a need to harmonize the penal provisions of RA 9147 with those of the BFAR Code.

As to the price of corals, Senator Zubiri that the rate depends on the size but for a raw, untreated, unfinished or unpolished product, the price ranges from \$20 to \$100 per piece. He pointed out that the coral could be converted to jewelry, the price of which could be in hundreds of dollars. He noted that the \$40 million estimate did not even include the valuation for the hawksbill turtle. He disclosed that the hawksbill turtles were in raw form and, according to the Bureau of Customs and the BFAR people, they were probably going to be shipped to China, where the raw flesh is going to be used for medicinal purposes while the shell is going to be sold as collectible items.

INTERPELLATION OF SENATOR LEGARDA

At the outset, Senator Legarda joined Senator Zubiri in condemning in the strongest terms the despoliation of the environment through poaching and smuggling of precious marine life, and Senate President Enrile in the interventions he just made.

Senator Legarda explained that the Philippine water is part of the coral triangle where 76% of the world's coral species are found. She stressed that the issue is not just about marine life or the environment because a square kilometer of healthy corals can actually support 35 metric tons of live fish. Therefore, she stressed, the poaching, smuggling and despoliation of marine resources lead not only to the destruction of the marine environment but also to poverty, starvation, hunger and even death if indeed, only 5% of the coral reefs remain. This means, she said, that the daily catch on which the fisherfolk have relied for their living has dwindled for lack of habitat for fish. She added that while she did not want to lecture on a matter that is common knowledge, she wanted to put on record that the issue is not merely for passionate environmentalists but also a matter of life and death as well as of survival for poor Filipinos in coastal barangays who were, in fact, already suffering.

Asked on the number of custodians of the sea who were actually manning the country's coast like the coast guards, local government unit (LGU) eco-warriors, or people's organization representatives, Senator Zubiri replied that he did not as yet have the

figure but according to *Bantay Dagat*, all the *Bantay Dagat* coastal LGUs would be set up. He lamented, however, that there were some areas in Mindanao which still lacked this type of enforcement. He pointed out that the problem lies in the lack of equipment and not in the number of personnel.

Senator Zubiri disclosed that the coast guard recently got a Hamilton class cutter which is the largest ship in the Philippine naval fleet. However, he said that there is still a need for more fast craft, patrol boats specifically for the *Bantay Dagat*, and more dedicated men and women who cannot be bribed. He doubted if the LGUs were unaware of the illegal activities that were going on in their jurisdiction, saying that it is impossible to overlook hundreds of fan corals being carried out of the water and being loaded into the back of trucks or 40-foot container vans.

Senator Legarda asked Senator Zubiri to name the coastal barangays, towns, or municipalities which were responsible for the despoliation of marine wildlife. Further, she asked if the coastal police are different from the coast guards; if the BFAR and the coast guard cover the same areas; and if there were a certain number of personnel who covered the 7,000 kilometers of seabed. She stated that the information could be made available in the committee hearing. In reply, Senator Zubiri said that while he was not yet certain of the exact figure, he believed there is one coast guard per 5,000 to 10,000 hectares.

Senator Legarda said that the information could be useful in determining if there is need to increase the personnel manning the country's borders and if the coast guard personnel were equipped not only with hardware but also with the knowledge to actually man the seas. She stated that it would be a waste of time to provide the coast guard fast craft, speedboats or arms if they do not know how to use them.

Senator Legarda said that it was important to identify which towns were responsible for the despoliation of the marine wildlife, underscoring that it is impossible for the LGUs not to be aware of the illegal activities that were happening in their backyard.

Senator Zubiri admitted that he did not know exactly which municipalities were concerned although he knew that it involved the western portion of Mindanao facing the Moro Gulf. He disclosed that another shipment that took the Zamboanga City-

Manila-Cebu route was apprehended the previous day, and that he learned earlier that the trading company is based in Zamboanga City. He believed that the shipment passed through Tubbataha-Sulu Sea all the way down to the Turtle Island.

Senator Legarda reiterated that it is important to determine which LGUs were involved to at least make them aware that the illegal activities were happening in their jurisdiction. She asked that the responsible personnel of the coast guard, the LGUs, the mayors, the governors and the BFAR and DENR officials be named because someone must be held accountable. In connection therewith, she said that she has filed Proposed Senate Resolution No. 491 for referral to the Committee on Environment and Natural Resources.

Senator Legarda noted that Atty. Tony Oposa, in behalf of the Law of Nature Foundation, has written the Committee to inform that the demand for the country's marine species actually comes from overseas. In view thereof, she asked the Bureau of Customs and the Department of Trade and Industry to provide the Committee with information as to who were the importers of corals and other marine wildlife to determine if the authorities had been very lax in allowing their exportation.

At this point, Senator Legarda submitted the letter of Atty. Oposa to be inserted into the Journal and Record of the Senate, which detailed the collection and exportation of corals, sea shells, sea turtles and other marine species, to wit:



THE LAW OF NATURE FOUNDATION
(632) 403.7740
6-J Westgate Tower Investment
Dr. Madrigal Business Park,
Ayala Alabang, Muntinlupa City,
Philippines 1780
<http://thelawofnature.ph>

27 May 2011

Hon. LOREN LEGARDA
Senator
Republic of the Philippines

Re: Collection and exportation of corals,
seashells, sea turtles and other marine species
from the Philippines

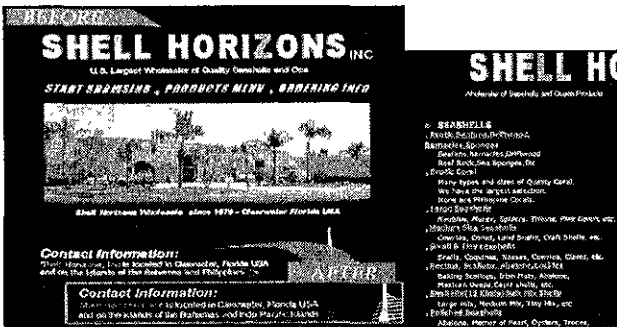
Dear **Hon. Legarda**:

On May 25, 2011, the Philippine Daily Inquirer
published the story entitled "Coral reefs twice

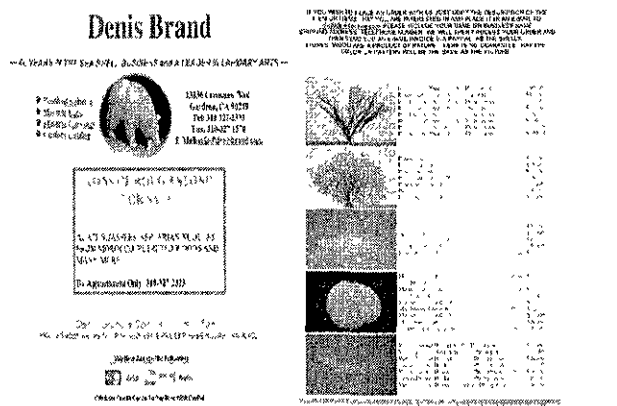
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size of Manila destroyed.” The article revealed that nearly 22, 000 pieces of black corals were harvested. There were 161 endangered sea turtles that were killed, including one that was estimated to be between 80-100 years old. This was the biggest and most daring attempt to smuggle marine life from our islands.

It seems that the demand for our marine species is coming from overseas. US-based companies such as Shell Horizons Inc. (<http://shellhorizons.com>) and Denis Brand (www.denisbrand.com) are among the companies that appear to be importing our marine life. We learned of Shell Horizons last April 9, 2011 through social media. We immediately sought the assistance of government agencies such as the Department of Environment and Natural Resources (DENR), the Protected Areas and Wildlife Bureau (PAWB), and Bureau of Fisheries and Aquatic Resources (BFAR) (see Appendix A). I have attached their replies to this letter (see Appendices B, C, and D). With help from our friends at the media, we were able to generate a small buzz online. Within a month, Shell Horizons replaced its source of products from the “Philippines” to “Indo-Pacific Islands.” Their product catalog now also states that none of their exotic corals are Philippine corals. Below are screenshots of the Shell Horizons website. Photo on the left courtesy of Mr. Paterno Esmaque of GMANews.TV.



Below is a screenshot from Denis Brand, taken on May 26, 2011.



Businesses like these violate a number of local and international laws. Under Section 91 of the **Fisheries Code (RA 8550)**, there is a ban on “coral exploitation and exportation.”

It shall be unlawful for any person or corporation to gather, possess, sell or export ordinary, precious and semi-precious corals, whether raw or in processed form, except for *scientific or research purposes*. (emphasis added)

Under Section 5 of the **Presidential Decree No. 1219**,

The gathering, harvesting, collecting, transporting, possession, sale and/or exporting of ordinary corals either in raw or processed form in any quantity, is prohibited. The use of corals as materials in buildings and other man-made structures, such as but not limited to piers, dams and dikes, is likewise prohibited.

The Minister of Natural Resources may issue a special permit to only one person/corporation for a limited issue to conduct *experimental collection of precious and semi-precious corals*. (emphasis added)

In the United States of America, the **Lacey Act** prohibits “trade in wildlife, fish, and plants that have been illegally taken, possessed, transported or sold.” This has been violated before. In 1999, Mr. Petros Leventis was sentenced in a landmark coral smuggling case. His Florida-based company, Greek Island Imports, smuggled protected corals and seashells from the Philippines to the US. Ten years later, in 2009, Gunther Wenzek, a German national, was arrested in the US for the same case. His company in Essen, Germany named **CorPet** sold various coral products to retailers in the United States.

These businesses also directly violate the **Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)** and the **International Union for Conservation of Nature (IUCN)**. For instance, Shell Horizon’s online catalog boasts of giant clams for sale. The *Tridacna Squamosa* is protected by CITES in the Philippines, while the *Tridacna Gigas* is listed as vulnerable by IUCN. The black coral is in Appendix II of CITES as well.

Shell Horizons claims it is a company based in Clearwater, Florida, but a check with the website of Florida’s Department of State Division of Corporations online facility revealed that no online record for any “Shell Horizon Inc.” The ocean bill of lading sample found online shows a 5808 KG shipment dated 21 September 2008. The shipper is Orcullo Enterprises, which is

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based in **Burgos St., Mandaue City, Cebu, Philippines**. Another ocean bill of lading sample dated 28 September 2009 shows another shipment weighing 6156 KG. The most recent bill of lading was dated April 2011 (see Appendix E).

To do this legally, companies like Shell Horizons and Denis Brand would need several permits from the local government units, and national government agencies. Under Section 4 of the **Wildlife Act (RA 9147)**, our marine resources are under the jurisdiction of the Department of Agriculture:

The Department of Agriculture (DA) shall have jurisdiction over all declared aquatic critical habitats, all aquatic resources including but not limited to all fishes, aquatic plants, invertebrates and all marine mammals, except dugong.

Under Section 7 of this Act, the collection of wildlife must be done with:

appropriate and acceptable wildlife collection techniques with least or no detrimental effects to the existing wildlife populations and their habitats shall, likewise, be required: Provided, further, That collection of wildlife by indigenous people may be allowed for traditional use and *not primarily for trade*: Provided, furthermore, That collection and utilization for said purpose *shall not cover threatened species*. (emphasis added)

Under Section 11:

[W]ildlife species may be exported to or imported from another country as may be authorized by the Secretary or the designated representative, subject to strict compliance with the provisions of this Act and rules and regulations promulgated pursuant thereto: Provided, That the recipient of the wildlife is technically and financially capable to maintain it.

Under Section 19:

the implementation of International agreement on international trade in endangered species of wild fauna and flora, the management authorities for terrestrial and aquatic resources shall be the *Protected Areas and Wildlife Bureau (PAWB) of the DENR and the Bureau of Fisheries and Aquatic Resources (BFAR) of the DA*, respectively and that in the Province of Palawan the implementation hereof is vested to the Palawan Council for Sustainable Development pursuant to Republic Act No. 7611. (emphasis added)

Shell Horizons and Daniel would also need CITES export permits from the Philippines and the US. The US Fish and Wildlife Service should also be alerted in order to inspect the shipment and the permits, and if all is not in order, then the law demands that the shipment must be confiscated.

In line with this, I respectfully invite your attention to Chapter VI, Sec. 91 of R.A. 8550:

Violations of this provision shall be punished by imprisonment from six (6) months to two (2) years and a fine from Two thousand pesos (P2,000.00) to Twenty thousand pesos (P20,000.00), or both such fine and imprisonment, at the discretion of the court, and forfeiture of the subject corals, including the vessel and its proper disposition.

In Chapter V, Sec. 28 of the Wildlife Act, the penalty for engaging in trading wildlife is:

imprisonment of ten (10) days to one (1) month and/or a fine of Two hundred pesos (P200.00) to Twenty thousand pesos (P20,000.00), if inflicted or undertaken against other wildlife species.

We urge you to work with our other legislators to review and push for the revision of these sections. The amount of black corals and marine turtles seized by the Bureau of Customs this month was estimated to be worth at least PhP 35 million. The recent raid in Cebu confiscated marine species worth PhP 2 million, while another raid revealed sacks of black corals worth about PhP 15 million. In addition to these, a study done by Dr. Allan White et al in 2000 shows that an estimated US\$ 300 000 could be collected annually as entrance fees or donations in Mabini, Batangas alone. Another study done in 1996, published in 1998, shows that our coral reefs are worth about US\$ 1.35 billion.

Table 2. Total annual national economic benefits derived from coral reefs, fisheries, and mangroves in the Philippines, 1996 (White and Cruz-Ilandad 1998).

| Ecosystem/resource | Area/yield in the Philippines | Value (in US\$) |
|----------------------------|-------------------------------|---|
| Coral reefs | 27,000 km ² | 1.35 billion |
| Fisheries | | |
| Tourism | | |
| Coastal protection | | |
| Mangroves | 140,000 ha | 84 million |
| Fisheries | | |
| Wood* | | |
| Other contributions | | |
| Fisheries | Open marine water | 1.25 billion |
| Municipal (less reef fish) | 909,000 t | 0.64 billion |
| Commercial | 879,000 t | 0.6 billion |
| Aquaculture | Brackish and marine | 0.83 billion |
| | 981,000 t | |
| Total | | US\$3.5 billion (PhP 40.56 billion) |

US\$ = PhP40 in 1998

*Wood is not included because there is largely little mangrove wood harvesting allowed

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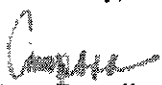
This is a very alarming issue because the Philippines is part of the "center of the world marine diversity" by Dr. Kent Carpenter of the United Nations Food and Agricultural Organization and Dr. Charlie Veron, author of *Coral of the World*. Our coral reefs are the habitat, breeding, nursery and feeding grounds of fish and other marine organisms. They buffer wave action and protect coastlines. The beauty of our reefs draws local and international divers, snorkelers, and tourists. They also serve as a rich source of medicinal products. Moreover, a considerable number of people depend on fishing for their livelihoods. It has been estimated that healthy coral reefs in the Philippines can supply as much as 35 tons/km/year of edible and economically valuable fish and invertebrates (assuming, of course, that ecologically sound fishing methods are used). Furthermore, coral reef fisheries in the Philippines provide livelihood for more than a million small-scale fishers who contribute almost US\$ 1 billion annually to the country's economy.

We, as Filipino citizens, are seeking your help as a Senator of the Republic of the Philippines. Our online research only leads us to a limited amount of information. We need to identify the people behind the plunder of our seas, and the sites from which these marine species are being extracted for the sake of our country, our people, and our biodiversity. Reports indicate that the species are being harvested from Cebu, the Moro Gulf and the Sulu Sea, but this needs verification in order to move forward with legal matters.

While we are determined to enforce the Law, we also wish to extend the hand of cooperation. We are here to help spark the political will to promote compliance. The best form of law enforcement is when the law does not need to be enforced. That is when there is general compliance. That, we believe, is a goal we all share. From a handful of individuals who worked together in April 2011, our number has grown exponentially. We can organize a group of volunteer divers to help restore the reefs, or mobilize our partners in social media for information dissemination.

Thank you in anticipation of your kind and expeditious action on the matter.¹ We earnestly look forward to your reply as we trust that this letter finds you in good health and spirits.

Yours truly,



Anna Remulla-Oposa
 Director for Enforcement and Compliance
 The Law of Nature Foundation
 Citizen of the Philippines
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Senator Legarda also recommended that the Fisheries Code of 1998 be amended and a new one be passed in view of the fact that maximum fine of P20,000 imposed on persons who despoil marine resources is a small amount compared to the economic cost of US\$1.2 million that would result from the destruction of the reefs over a 25-year period. Senator Zubiri agreed and thanked the media for exposing the issue. He also underscored the need for Congress to either amend the old law or pass a special law for the protection of marine natural resources since Republic Act No. 9147 (Wildlife Conservation Act), is primarily concerned only with terrestrial species.

Senator Legarda expressed concern that these smugglers and poachers were able to get away with their criminal acts while Congress remains pre-occupied with other important legislation like the Unborn Child Bill and the RH Bill. Relative thereto, she lamented how the government not only permits local communities to receive low royalty fees from mining companies but also allows smugglers to rob the country of its marine wealth. In order to allow the public to actively participate in monitoring and even to the extent of boycotting establishments offering such items, she suggested that exporters and importers of products made from contraband marine items be disclosed and put on a watch list similar to the manner by which Senator Sotto revealed the names of establishments selling products made from poppy seeds. She requested Senator Zubiri to provide such a list along with reports concerning the banned marine species in its report to the Senate Committee on Environment and Natural Resources and the National Bureau of Investigation.

To the suggestion that the NBI establish an ecological and environmental desk for such crimes, Senator Zubiri gave assurance that he would ask the Department of Trade and Industry as well as the Bureau of Customs to come up with a list of establishments selling contraband marine life during the hearing on Wednesday. He also commended Senator Legarda for making a statement expressing her concern over the fact that various communities and local government units are losing billions of dollars to mining companies. He said that he has not seen any local community benefitting from massive mining operations. He lamented how such communities remain marginalized, unutilized and degraded after mining companies close down operations in their area. He also informed the Body

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of his intention to deliver another privilege speech concerning the massive mining of black sand in the beaches of Northern Luzon. He disclosed that the mining companies involved were supposedly granted only small-scale mining permits even though they quarry tons of black sand for shipping to magnet factories in China.

In closing, Senator Legarda suggested that local officials of the Philippine Coast Guard, as well as BFAR and DENR, be invited to Wednesday's hearing to provide an explanation regarding the smuggling of marine resources in the Moro Gulf.

At this juncture, Senator Zubiri informed the Body that Senator Cayetano (P) has also expressed support for his intention to investigate the matter.

REFERRAL OF SPEECH TO COMMITTEES

Upon motion of Senator Sotto, there being no objection, the Chair referred the privilege speech of Senator Zubiri and the interpellations thereon primarily to the Committee on Environment and Natural Resources and secondarily to the Committee on Climate Change.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 2640 AND HOUSE BILL NO. 4067

Upon motion of Senator Sotto, there being no objection, the Body considered the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2640 and House Bill No. 4067, both entitled

AN ACT TO PROMOTE FINANCIAL VIABILITY AND FISCAL DISCIPLINE IN GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS AND TO STRENGTHEN THE ROLE OF THE STATE IN ITS GOVERNANCE AND MANAGEMENT TO MAKE THEM MORE RESPONSIVE TO THE NEEDS OF PUBLIC INTEREST AND FOR OTHER PURPOSES.

The Chair recognized Senator Drilon to sponsor the report.

SPONSORSHIP SPEECH OF SENATOR DRILON

Senator Drilon presented for consideration and approval of the Body the Bicameral Conference Committee Report on the disagreeing provisions of Senate Bill No. 2640 and House Bill No. 4067, copies of which had been furnished to the Members the previous week.

He then proceeded to read the highlights of the Joint Explanation of both Houses, to wit:

- 1) The Manila Economic Cultural Office (MECO) was deleted in the definition of Government Instrumentalities with Corporate Powers (GICP)/ Government Corporate Entities.

Senator Drilon said that the decision was based upon the strong representation of the Secretary of Foreign Affairs who had expressed concern that the express coverage of the MECO as a GOCC might have diplomatic repercussions with the Philippines' one-China policy. However, he said that MECO Chair Amadeo Perez has committed to subject his office to good governance principles, including audit by COA.

- 2) The economic zone authorities and research institutions were excluded in the coverage of the bill, and a provision was introduced that one-third of their board members should be appointed by the President from the list submitted by the Governance Commission for GOCCs;
- 3) The composition of the Governance Commission for GOCC was expanded from three members to five, which shall include the Chairman with the rank of Secretary; two members with the rank of undersecretary; and the Secretaries of the Departments of Budget and Management and Finance as *ex officio* members.
- 4) Section 17 of the bill, third paragraph, provides that "the Term of Office of all the incumbents will end by June 30, 2011, unless sooner replaced by the President; however, the incumbent CEOs and appointive members of the Board shall continue in office until their successors shall be appointed by the President."
- 5) An additional chapter on the disclosure requirements was also included requiring GOCCs

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to maintain a website and post therein for unrestricted public access to information on the audited financial statements, corporate operating budget, complete compensation package of the directors including travel, representation, transportation and other allowances and local and foreign borrowings.

Further, he said that the chapter includes a section on special audit by COA and when authorized by law, by independent auditors to determine that:

- a) The accounting records of the GOCCs are complete and in accordance with the general accepted accounting principles and standards; and,
 - b) The statements prepared from the accounts present fairly and comprehensively the GOCC's financial position and the results of its financial operations.
- 6) A Transitory Provision was included which states that:

"The Privatization Council (PC) and the Privatization Management Office (PMO) created under Executive Order No. 323, Series of 2000, shall continue to implement and finish the privatization of the GOCCs that have been identified by the said Privatization Council and approved for privatization by the President prior to the effectivity of this Act: Provided, however, that the privatization of the said GOCC that remained unfinished at the end of two years after the effectivity of this Act shall be automatically transferred to the GCG which shall continue the privatization of the GOCCs."

JOINT EXPLANATION OF THE CONFERENCE COMMITTEE

Upon motion of Senator Drilon, there being no objection, the Body approved the insertion of the Joint Explanation of the Conference Committee on the disagreeing provisions of Senate Bill No. 2640 and House Bill No. 4067 into the Journal and Record of the Senate.

The following is the full text of the Joint Explanation:

JOINT EXPLANATION OF THE CONFERENCE COMMITTEE ON THE DISAGREEING PROVISIONS OF SENATE BILL NO. 2640 AND HOUSE BILL NO. 4067

The Conference Committee of the Senate and House of Representatives on the disagreeing provisions of Senate Bill No. 2640 and House Bill No. 4067 agreed to adopt the following:

- a. On Section 2 Declaration of Policy, the Senate version was adopted with amendments as follows:
 - Delete the word "their" between the words "promote" and "growth".
 - Delete the word "their" between the words "that" and "operations".
- b. On Section 2, Items (a), (b), (d), (e) and (f), the Senate versions were adopted.
- c. On Section 3 Definition of Terms, Item (b) (2), the House version was adopted.
- d. On Section 3 Definition of Terms, Item (d) Breakthrough Results, the Senate version was adopted with amendment to change the word "agency" to DEPARTMENT after the word "supervising".
- e. On Section 3 Definition of Terms, Item (g) Chief Executive Officer, the Senate version was adopted with amendment to insert the acronym "CEO" between the words "Officer" and "refers".
- f. On Section 3 Definition of Terms, Item (h) Department, the Senate version was adopted.
- g. On Section 3 Definition of Terms, Item (i), the Senate version was adopted with the following amendments:
 - Delete the hyphen (-) between the words "Ex" and "Officio".
 - Insert the word BOARD between the words "Officio" and "Member".
 - Change the phrase "his/her" to ONE'S between the words "of" and "title".
- h. On Section 3 Definition of Terms, Item (j) Fit and Proper Rule, the House version was adopted.
- i. On Section 3 Definition of Terms, Item (k) Government Agency, the House version was adopted.
- j. On Section 3 Definition of Terms, Item (l) Government Corporate Governance Standards, the Senate version was adopted with amendments as follows:
 - Insert the phrase DERIVED FROM LAW AND between the words "principles" and "practices".

- After the word “place” and the period (.), delete the phrase “These shall include” and the colon (:).
 - Delete Items (1) to (5).
- k. On Section 3 Definition of Terms, Item (m) Government Financial Institutions, the Senate version was adopted with amendment to delete the word “any” between the words “to” and “financial”.
- l. On Section 3 Definition of Terms, Item (n) GICP/GCE, the House version was adopted with amendments as follows:
- Delete the phrase “the Philippine Rice Research Institute (PRRI),” between the acronym (MWSS) and the word “the”.
 - Delete the comma (,) and the phrase “the Manila Economic and Cultural Office (MECO)” between the acronym “LWUA” and the word “and”.
- m. On Section 3 Definition of Terms, Item (o) GOCC, the Senate version was adopted.
- n. On Section 3 Definition of Terms, Item (p) Nonchartered GOCC, the House version was adopted.
- o. On Section 3 Definition of Terms, Item (q) Officer, the Senate version was adopted with amendments as follows:
- Change the word “officer” to OFFICERS before the word “refer”.
 - Change the word “officer” to OFFICERS between the words “corporate” and “entrusted”.
 - Delete the phrase “entrusted to manage operations” between the words “officer” and “of”.
 - Delete the hyphen (-) between the words “by” and “laws”.
 - Change the phrase “Chief Executive Officer” to “CEO” between the words “the” and “Chief”.
- p. On Section 3 Definition of Terms, Item (r) Ownership Manuals, the Senate version was adopted with amendments as follows:
- Delete the last sentence “This shall be consistent with the Medium Term Philippine Development Plan and shall include:”
 - Delete Items (1) to (5).
- q. On Section 3 Definition of Terms, Item (s) Per Diems, the Senate version was adopted.
- r. On Section 3 Definition of Terms, Item (t) Performance Evaluation System, the Senate version was adopted.
- s. On Section 3 Definition of Terms, Item (u) Performance Scorecard, the Senate version was adopted.
- t. On Section 4 Coverage, the Senate version was adopted with amendments as follows:
- After the word “cooperatives” insert a comma (,) and delete the phrase “and the”.
 - Change the word “utilities” to DISTRICTS after the word “water” and insert a comma (,) and the phrase ECONOMIC ZONE AUTHORITIES AND RESEARCH INSTITUTIONS.
 - After the period, insert the phrase PROVIDED, THAT IN ECONOMIC ZONE AUTHORITIES AND RESEARCH INSTITUTIONS, THE PRESIDENT SHALL APPOINT ONE-THIRD (1/3) OF THE BOARD MEMBERS FROM THE LIST SUBMITTED BY THE GCG.
- u. On Section 5 Creation of the Governance Commission for Government-Owned or – Controlled Corporations, the Senate version was adopted.
- v. On Section 5 Item (a), the Senate version was adopted.
- w. On Section 5 Items (a) (1), (a) (2), and (a) (3), the House versions were adopted.
- x. On Section 5 Item (a) (4), the House version was adopted with amendment to delete the phrase “for at least one (1) year” between the word “nonoperational” and the semi-colon (;)
- y. On Section 5 Item (a) (5), the Senate version was adopted with the amendment to delete the word “Whether” between the period (.) and the word “the”.
- z. On Section 5 Item (a) (6), the Senate version was adopted with the amendment to delete the word “Whether” between the period (.) and the word “the”.
- aa. On Section 5 Item (a) second paragraph, the Senate version was adopted.
- bb. On Section 5 Item (a) second paragraph Item 1, the Senate version was adopted with amendments as follows:
- Delete the word “of” between the words “merger” and “or”.
 - Change the word “the” to OF between the word “streamlining” and the acronym “GOCC”.
 - Insert a comma (,) and the phrase UNLESS OTHERWISE DIRECTED

- BY THE PRESIDENT after the acronym "GOCC".
- cc. On Section 5 Item (a) second paragraph Item 2, the Senate version was adopted with amendment to insert a comma (,) and the phrase UNLESS THE PRESIDENT DESIGNATES ANOTHER AGENCY TO IMPLEMENT SUCH ABOLITION OR PRIVATIZATION between the word "privatization" and the period (.)
- dd. On Section 5 Item (b), the Senate version was adopted with amendment to change the word "said" to THE after the period (.) and the word "classification.
- ee. On Section 5 Item (c), the Senate version was adopted with amendments as follows:
- Delete the word "and" between the words "hundred" and "eighty"
 - Change the word "said" to THE after the period (.) and the word "manual".
 - Insert a hyphen (-) between the words "Medium" and "Term".
 - Insert the word AND between the words "Economic" and "Development".
- ff. On Section 5 Item (c) (8), the House version was adopted.
- gg. On Section 5 Item (d), the Senate version was adopted with amendments as follows:
- Delete the phrase "By appropriate regulations, prescribe fines and penalties for any violation of or non-compliance with the ownership manual of the government corporate governance standards ranging from a minimum of Fifty thousand pesos (P50,000.00) to a maximum of Fifty million pesos (P50,000,000.00): Provided, That" and in lieu thereof insert the phrase WITHOUT PREJUDICE TO THE FILING OF ADMINISTRATIVE AND CRIMINAL CHARGES, RECOMMEND TO THE BOARD OF DIRECTORS OR TRUSTEES THE SUSPENSION OF.
 - Delete the phrase "may be meted with the suspension for a period not exceeding one (1) year" and in lieu thereof insert the phrase WITH THE OWNERSHIP MANUAL FOR A PERIOD between the words "non-compliance" and "depending".
- hh. On Section 5 Item (e), the Senate version was adopted with amendment to change the word "for" with the phrase IN THE BYLAWS OF between the word "and" and the acronym "GOCCs".
- ii. On Section 5 Item (f), the Senate version was adopted with amendments as follows:
- Delete the slash (/) and the word "or" between the words "and" and "to".
 - Insert the word THE between the words "to" and "various".
- jj. On Section 5 Item (g), the Senate version was adopted.
- kk. On Section 5 Item (h), the House version was adopted.
- ll. On Section 5 Item (i), the House version was adopted with amendment to change the word "set" to ESTABLISHED between the words "vis-a-vis" and "objectives".
- mm. On Section 5 Item (j), the House version was adopted.
- nn. On Section 5 Item (l), the Senate version was adopted.
- oo. After Section 5 item (l), insert the following paragraph:
- IN THE PERFORMANCE OF ITS FUNCTIONS UNDER SUBSECTIONS (A), (C), (E), (F), (G), (H) AND (L) HEREIN AND IN ANY OTHER REVIEW OR EVALUATION OF A GOCC THAT THE GCG MAY CONDUCT, THE GCG SHALL ENGAGE THE PARTICIPATION OF THE SECRETARY OR HIGHEST RANKING OFFICIAL OF THE RELEVANT AGENCY OR DEPARTMENT, AS THE CASE MAY BE.
- pp. On Section 6 Composition of the GCG, the Senate version was adopted with the following amendments:
- Between the words "of" and "Chairman" delete the word "a" and in lieu thereof insert the phrase FIVE (5) MEMBERS and a period (.)
 - Insert the word THE between the letter "a" and the word "Chairman".
 - Change the word "Commissioners" to MEMBERS between the number 2 and the word "with".
 - Delete the comma (,) and the phrase "all of whom" between the words "Undersecretary" and "shall".

- Insert the phrase THE SECRETARIES OF THE DEPARTMENT OF BUDGET AND MANAGEMENT AND THE DEPARTMENT OF FINANCE SHALL SIT AS EX OFFICIO MEMBERS after the word President and the period (.)
- qq. On Section 7 Powers and Functions of the Chairman, the Senate version was adopted.
- rr. On Section 7 items (a) and (b), the Senate versions were adopted.
- ss. On Section 7 item (c), the House version was adopted with amendment to delete the word "Secretariat" between the acronym "GCG" and the word "and".
- tt. On Section 7 items (d) and (e), the Senate versions were adopted.
- uu. On Section 8 Coverage of the Compensation and Position Classification System, the House version was adopted.
- vv. On Section 9 Position Titles and Salary Grades, the House version was adopted.
- ww. On Section 9 Item (a), the Senate version was adopted.
- xx. On Section 9 Item (b), the Senate version was adopted with amendment to delete the phrase "salary standardization law for national agencies" between the words "the" and "and" and in lieu thereof insert the phrase PROVISIONS OF EXISTING COMPENSATION AND POSITION CLASSIFICATION LAWS INCLUDING JOINT RESOLUTION NO. 4, SERIES OF 2009,
- yy. On Section 9 last paragraph after Item (c), the Senate version was adopted.
- zz. On Section 10, the Senate version was adopted with amendments as follows:
- Change the word "bonuses" to INCENTIVES between the word "Additional" and the period (.)
 - Change the word "bonuses" to INCENTIVES between the comma (,) and the word "for".
 - Change the word "bonuses" to INCENTIVES between the words "no" and "shall".
- aaa. On Section 11 Non-diminution of Salaries, same provisions for both bills with amendments as follows:
- Insert the word AUTHOR-
- IZED between the words "the" and "salaries".
- Insert the phrase AS OF DECEMBER 31, 2010 between the words "salaries" and "of".
- bbb. On Section 12 Coverage, the House version was adopted with amendments as follows:
- Insert the phrase AND SUBSIDIARIES between the acronym "GOCCs" and the word "now".
 - Insert the phrase INCLUDING GOVERNMENT APPOINTED DIRECTORS IN AFFILIATE CORPORATIONS between the word "created" and the period (.)
 - Change the word "their" to THE between the words "of" and "respective".
- ccc. On Section 15 Appointment of the Board of Directors/Trustees of GOCCs, the House version was adopted.
- ddd. On Section 15, second paragraph, the House version was adopted with amendments as follows:
- Between the words "appointees" and "all", delete the colon (:) and the phrase "Provided, however, That" and in lieu thereof insert the phrase AND SHALL CAUSE THE CREATION OF SEARCH COMMITTEES TO ACHIEVE THE SAME and a period (.)
 - Use the upper case in the word "all" between the words "That" and "nominees".
 - Delete the phrase "No person who is not included in the shortlist prepared by the GCG may become an Appointive Director: Provided, That" between the period (.) and the word "the".
 - Use the upper case in the word "the" between the

- word "That" and the acronym "GCG".
- Change the colon (:) to a period (.) and delete the phrase "Provided, further, That" between the colon (:) and the word "in".
 - Use the upper case in the word "in" between the words "That" and "the".
 - Change the word "he" to the phrase THE PRESIDENT between the comma (,) and the word "shall".
- eee. On Section 16 Fit and Proper, the House version was adopted with amendment to insert the phrase AND OTHER OFFICERS OF THE GOCCS INCLUDING APPOINTIVE DIRECTORS IN SUBSIDIARIES AND AFFILIATE CORPORATIONS between the acronym "CEO" and the word "shall".
- fff. On Section 16 second paragraph, the Senate version was adopted with amendment to change the phrase "Chief Executive Officer" to the acronym CEO between the words "elected" and "of".
- ggg. On Section 16 third paragraph, the Senate version was adopted with the following amendments:
- Change the phrase "Chief Executive Officer" to the acronym CEO between the words "or" and "of".
 - Change the word "his" to ONE'S between the words "to" and "integrity".
- hhh. On Section 17 Term of Office, the Senate version was adopted with amendments as follows:
- Insert the word FOR between the words "be" and "one"
 - After the word "year", change the colon (:) to comma (,) and insert the phrase UNLESS SOONER REMOVED FOR CAUSE.
 - Change the word "he" to THE APPOINTIVE DIREC-
- TOR between the words "That" and "shall".
- Change the word "his" to THE between the words "until" and "successor".
 - Change the phrase "he/she" to ONE between the words "if" and "obtains".
 - Delete the phrase "his/her" between the words "of" and "tenure".
- iii. On Section 17 Term of Office, second paragraph, the Senate version was adopted.
- jjj. On Section 17 Term of Office, third paragraph, the Senate version was adopted with amendment to delete the phrase "their successors shall have been appointed, by the" between the words "until" and "President" and in lieu thereof insert the following:
- JUNE 30, 2011, UNLESS SOONER REPLACED BY THE PRESIDENT: PROVIDED, HOWEVER, THAT THE INCUMBENT CEOS AND APPOINTIVE MEMBERS OF THE BOARD SHALL CONTINUE IN OFFICE UNTIL THE SUCCESSORS HAVE BEEN APPOINTED BY THE.
- kkk. On Section 18 The Chief Executive Officer of the GOCC, the House version was adopted with amendment to delete the comma (,) and the phrase "or from a shortlist of qualified candidates submitted by the GCG" between the word "ranks" and the period (.)
- lll. On Section 19 Fiduciary Duties of the Board and Officers, Item (5), same provisions for both bills with amendment to change the word "their" to THE between the words "to" and "qualifications".
- mmm. On Section 19 last paragraph, the House version was adopted with amendments as follows:
- Change the number 27 to 24 between the words "Section" and "of".

- Change the word “his” to ONE’S between the words “risky” and “own”.
- nnn. On Section 20 Trustee Relation to the Properties, Interests, and Monies of the GOCC, the Senate version was adopted with amendments as follows:
- Delete the word “transportation” between the words “reasonable” and “expenses”.
 - Change the phrase “bonuses within the limits” to INCENTIVES AS between the words “and” and “authorized”.
 - Change the word “bonuses” to INCENTIVES between the comma (,) and the word “of”.
 - Change the phrase “they represent” to REPRESENTED between the acronym “GOCC” and the period (.)
- ooo. On Section 22 Power of Board of Directors/Trustees to Discipline, Remove Officers of GOCC, the House version was adopted with amendment to change the word “his” to THE between the words “order” and “removal”.
- ppp. On Section 23, the Senate version was adopted with amendments as follows:
- Change the word “bonuses” to INCENTIVES between the word “and” and the period (.)
 - Change the word “bonuses” to INCENTIVES between the words “and” and “of”.
- qqq. On Section 23 second paragraph, the Senate version was adopted with amendment to change the word “bonuses” to INCENTIVES between the words “and” and “in”.
- rrr. On Section 24 Restitution, the House version was adopted with amendment to change the word “bonuses” to INCENTIVES between the words “and” and “received”.
- sss. On Section 24 Restitution, second paragraph, the Senate version was adopted.
- ttt. On Section 25 Full Disclosure, Item (b), the Senate version was adopted with amendment to change the word and figure “ten (10)” to FIVE (5) between the words “past” and “years”.
- uuu. On Section 25 Full Disclosure, Item (j), the Senate version was adopted with amendment to change the word “chairman” to the acronym GCG between the words “the” and “may”.
- vvv. On Section 26, the Senate version was adopted with amendment to change the title “Independent Audit” to SPECIAL AUDIT.
- www. On Section 26 item (a), the Senate version was adopted with amendments as follows:
- Insert the word SPECIAL between the words “periodic” and “audit”.
 - Change the phrase “independent auditors” to THE COMMISSION ON AUDIT between the word “by” and the period (.)
- xxx. On Section 26 item (b), the Senate version was adopted with amendments as follows:
- After the word “time” insert the phrase A SPECIAL COA AUDIT OF ANY OTHER GOCC FOR ANY SPECIFIC PURPOSE OR WHEN AUTHORIZED BY LAW, DIRECT AN AUDIT BY INDEPENDENT AUDITORS and change the colon (;) to period (.)
 - Delete items (i) and (ii).
 - Delete last paragraph.
- yyy. On Section 27 Requisites for the Creation of a New GOCC or Related Corporation under The Corporation Code, the House version was adopted with amendment to delete the word “his” between the words “for” and “approval”.

zzz. On Section 28 Requisites for the Acquisition of Controlling Interest in Another Corporation, the Senate version was adopted with amendment to insert the phrase OF THE PRESIDENT between the word "approval" and the period (.).

aaaa. Insert a new section to read as follows:

SEC. 31. TRANSITORY PROVISION. - THE PRIVATIZATION COUNCIL AND THE PRIVATIZATION AND MANAGEMENT OFFICE CREATED UNDER EXECUTIVE ORDER NO. 323, SERIES OF 2000, SHALL CONTINUE TO IMPLEMENT AND FINISH THE PRIVATIZATION OF GOCCS THAT HAVE BEEN IDENTIFIED BY THE SAID PRIVATIZATION COUNCIL AND APPROVED FOR PRIVATIZATION BY THE PRESIDENT PRIOR TO THE EFFECTIVITY OF THIS ACT: PROVIDED, HOWEVER, THAT THE PRIVATIZATION OF SAID GOCCS THAT REMAIN UNFINISHED AT THE END OF TWO (2) YEARS AFTER THE EFFECTIVITY OF THIS ACT SHALL BE AUTOMATICALLY TRANSFERRED TO THE GCG WHICH SHALL CONTINUE THE PRIVATIZATION OF THE GOCCS.

bbbb. On Section 32 Repealing Clause, same provisions for both bills with amendment to insert the phrase INCLUDING EXECUTIVE ORDER NO. 323, SERIES OF 2000, between the words "orders" and "administrative".

Sections and paragraphs in both versions which are the same were adopted.

In case of conflict between this Joint Explanation and the reconciled copy of the bill, the latter shall prevail.

MANIFESTATION OF SENATOR ARROYO

Senator Arroyo said that he was voting against the Bicameral Conference Report in the same way that he voted against Senate Bill No. 2640 when it had been presented to the Body for Third Reading.

He pointed out that the bicameral conference did not improve the text of the original measure which remains a patronage bill under the guise of reforming the scandalous emoluments in some GOCCs. He maintained that the measure was a blanket authority for the mass layoff of 157 CEOs and 1,570 directors in the 157 GOCCs. He pointed out that some questions on due process could be raised particularly since the bill allows for the automatic removal from office of CEOs and directors of GOCCs upon the appointment of their successors. Moreover, he criticized the bill as not being respectful of the charters of the GOCCs which define their powers and purposes because, for instance, it disregards certain provisions on tenure. He believed that this could become a constitutional issue particularly as there is a rule in statutory construction that a general law cannot amend a special law.

Senator Arroyo also noted that the composition of the GCG – which includes the Budget Secretary, the Secretary of Finance, and three others — betrays the "tayo-tayo" character of the Commission since the President perforce must limit his choice of possible appointees only to those included in the list recommended by the GCG. He pointed out that the GCG, in effect, has the same influence as the Judicial and Bar Council.

Senator Arroyo stated that the President cannot appoint anyone outside the JBC list, a limitation that emanates from the Constitution; on the other hand, in the case of the GCG bill, the appointing power of the President is circumscribed by the bill itself and as such, it might suffer from constitutional infirmity. In sum, he stressed that the GCG would be the most powerful office in the country as it has control over 157 government corporations and it could recommend replacements in a short list from which the President has no choice but to pick.

Senator Arroyo questioned why the bill incorporated the provision that limits the appointing power of the President. He said that he has many more items to take up. He stated that on its face, the

bill is good because it intends to reform the GOCC. But if the scandalous emoluments of GOCC officials was the problem, he stressed, the bill could have addressed it in a way other than creating an office that has the power to practically determine the fate of 1,750 directors and 157 CEOs.

MANIFESTATION OF SENATOR DRILON

Senator Drilon thanked Senator Arroyo for spreading his concerns into the record as he gave assurance that the Committee had thoroughly reviewed the provisions of the bill and that the views and insights of Senator Arroyo were debated upon during the period of interpellations. He emphasized, however, that he was prepared to defend the bill in case it is questioned before the Supreme Court, believing as he did that it can withstand constitutional scrutiny.

APPROVAL OF THE CONFERENCE COMMITTEE REPORT

Submitted to a vote, with majority of the senators voting in favor and Senator Arroyo voting against, the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2640 and House Bill No. 4067 was approved by the Body.

NEXT DAY'S AGENDA

Senator Sotto stated that in the next day's session, the Body would take up Senate Bill No. 2817 (period of interpellations) and that even if Senator Arroyo has waived his reservation to interpellate, Senator Defensor Santiago would proceed with her interpellation.

SENATE JOINT RESOLUTION NO. 9 ON SECOND READING

(Continuation)

Upon motion of Senator Sotto, there being no objection, the Body considered, on Second Reading, Proposed Senate Resolution No. 9, entitled

RESOLUTION EXTENDING THE PERIOD OF EXISTENCE OF THE JOINT CONGRESSIONAL POWER COMMISSION.

Senator Sotto stated that the parliamentary status was still the period of interpellations.

Thereupon, the Chair recognized Senator Osmeña, Sponsor of the measure, and Senator Angara, for his interpellation.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 4:51 p.m.

RESUMPTION OF SESSION

At 5:31 p.m., the session was resumed.

MANIFESTATION OF SENATOR SOTTO

Senator Sotto stated that the Senate President Pro Tempore has consulted with Senators Osmeña and Angara and it was agreed that Senate Joint Resolution No. 9 would be taken up first thing in the next day's session.

SUSPENSION OF CONSIDERATION OF SENATE JOINT RESOLUTION NO. 9

Upon motion of Senator Sotto, there being no objection, the Body suspended consideration of the resolution.

REFERENCE OF BUSINESS

The Deputy Secretary for Legislation, Atty. Edwin B. Bellen, read the following matters and the Chair made the corresponding referrals:

BILLS ON FIRST READING

Senate Bill No. 2843, entitled

AN ACT STRENGTHENING PRESIDENTIAL DECREE NO. 1096, THE NATIONAL BUILDING CODE OF THE PHILIPPINES, AS AMENDED, BY MANDATING A COMPREHENSIVE NATIONWIDE INSPECTION OF BUILDINGS AND IMPOSING STIFF PENALTIES AGAINST BUILDING OFFICIALS WHO VIOLATE THE PERTINENT PROVISIONS OF THE SAID CODE

Introduced by Senator Escudero

**To the Committees on Public Works; and
Local Government**

Senate Bill No. 2844, entitled

AN ACT ESTABLISHING WELFARE
HOMES FOR DESTITUTE PERSONS

Introduced by Senator Defensor Santiago

**To the Committees on Social Justice,
Welfare and Rural Development; and Finance**

Senate Bill No. No. 2845, entitled

AN ACT PROMOTING THE HEALTH
OF CHILDREN ATTENDING
PUBLIC ELEMENTARY AND
SECONDARY SCHOOLS

Introduced by Senator Defensor Santiago

**To the Committees on Education, Arts and
Culture; and Health and Demography**

Senate Bill No. 2846, entitled

AN ACT EXTENDING THE IMPLEMENT-
ATION OF THE LIFELINE RATE,
AMENDING FOR THE PURPOSE
SECTION 73 OF REPUBLIC ACT
NUMBERED NINETY-ONE THIRTY-
SIX, OTHERWISE KNOWN AS THE
ELECTRIC POWER INDUSTRY
REFORM ACT OF 2001

Introduced by Senator Osmeña III

**To the Committees on Energy; and Public
Services**

Senate Bill No. 2847, entitled

AN ACT PROVIDING FOR INTER-
PRETERS IN ALL JUDICIAL,
QUASI-JUDICIAL, INVESTIGATIVE
PROCEEDINGS AND PUBLIC
HEARINGS INVOLVING DEAF
INDIVIDUALS

Introduced by Senator Villar

To the Committees on Justice and Human

**Rights; and Social Justice, Welfare and Rural
Development**

RESOLUTIONS

Proposed Senate Resolution No. 489, entitled

RESOLUTION CONGRATULATING
AND COMMENDING THE PASTRY
ALLIANCE OF THE PHILIPPINES
FOR EMERGING VICTORIOUS AT
THE HONG KONG INTERNATIONAL
CULINARY CLASSIC 2011 AT THE
HONG KONG CONVENTION AND
EXHIBITION CENTER HELD ON
11-14 MAY 2011

Introduced by Senator Lapid

To the Committee on Rules

Proposed Senate Resolution No. 490, entitled

RESOLUTION CONGRATULATING
AND COMMENDING FILIPINO
STUDENTS SARAH JANE CUA AND
TIMOTHY JAMES TAN OF THE
MATHEMATICS TRAINERS GUILD
PHILIPPINES FOR WINNING
FIRST AND SECOND PLACE,
RESPECTIVELY, IN THE 18 AND
UNDER CATEGORY OF THE KEJIA
PENGCHENG CUP BEIJING INTER-
NATIONAL SUDOKU TOURNA-
MENT 2011 AT THE BEIJING CON-
FERENCE CENTER IN CHAOYANG
DISTRICT, BEIJING, PEOPLE'S
REPUBLIC OF CHINA HELD ON
19-22 MAY 2011

Introduced by Senator Lapid

To the Committee on Rules

Proposed Senate Resolution No. 491, entitled

RESOLUTION DIRECTING THE SENATE
COMMITTEE ON ENVIRONMENT
AND NATURAL RESOURCES AND
COMMITTEE ON CLIMATE
CHANGE TO CONDUCT AN
INQUIRY, IN AID OF LEGISLATION,
ON THE REPORTED POACHING

llp jms

THAT RAVAGED 7,000 HECTARES OF SEA BED WITHIN THE MORO GULF AND SULU SEA, WITH THE END IN VIEW OF INTRODUCING REMEDIAL MEASURES TO IMPROVE THE PROTECTION OF MARINE RESOURCES

Introduced by Senator Legarda

To the Committees on Environment and Natural Resources; and Agriculture and Food

Proposed Senate Resolution No. 492, entitled

RESOLUTION URGING THE SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE STATE OF SIBUYAN ISLAND IN THE LIGHT OF THE REPORTED MINING ACTIVITIES THREATENING THE LOCALE, WITH THE END-OBJECTIVE OF PRESERVING THE RICH FAUNA AND FLORA OF "ASIA'S GALAPAGOS" AND MAKING SIBUYAN ISLAND THE GEM OF PHILIPPINE ECO-TOURISM

Introduced by Senator Villar

To the Committee on Environment and Natural Resources

Proposed Senate Resolution No. 493, entitled

RESOLUTION URGING THE COMMITTEES ON LOCAL GOVERNMENT; AND WAYS AND MEANS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, AS TO THE ADEQUACY OF THE CURRENT SET-UP ON THE INTERNAL REVENUE ALLOTMENT OF THE LOCAL GOVERNMENT UNITS (LGUs) AND THE EQUITABLE DISTRIBUTION OF TAXES COLLECTED FROM BUSINESSES HAVING DIFFERENT PRINCIPAL OFFICES, PLANTS OR FACTORY LOCATIONS WITH THE INTENTION OF HELPING THE LGUS TO

REASONABLY RECEIVE THEIR JUST SHARE OF GOVERNMENT RESOURCES

Introduced by Senator Villar

To the Committees on Local Government; and Ways and Means

Proposed Senate Resolution No. 494, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE NEED TO IMPOSE STRICTER PENALTIES FOR ROAD ACCIDENTS AND ENFORCE HIGHER QUALIFICATIONS FOR ISSUANCE OF DRIVER'S LICENSE

Introduced by Senator Defensor Santiago

To the Committee on Public Services

Proposed Senate Resolution No. 495, entitled

RESOLUTION URGING THE SENATE COMMITTEES ON CONSTITUTIONAL AMENDMENTS, REVISION OF CODES AND LAWS; AND JUSTICE AND HUMAN RIGHTS TO CONDUCT A STUDY, IN AID OF LEGISLATION, ON THE NEED TO REVISE OR AMEND OR TO FORMULATE A NEW PENAL CODE TAKING INTO ACCOUNT THE ADVENT OF HIGH TECHNOLOGY, NEW JURISPRUDENCE AND GLOBAL DEVELOPMENT

Introduced by Senator Villar

To the Committees on Constitutional Amendments, Revision of Codes and Laws; and Justice and Human Rights

Proposed Senate Resolution No. 496, entitled

RESOLUTION URGING THE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED.

RP

INDISCRIMINATE PLUNDER OF
PHILIPPINE CORAL REEFS AND
ENDANGERED TURTLES WITH THE
END IN VIEW OF STOPPING THIS
DASTARDLY ACT AND PRESERV-
ING, RESTORING AND RETURNING
SAID MARINE WEALTH TO
PHILIPPINE WATERS

Introduced by Senator Villar

**To the Committees on Environment and
Natural Resources; and Agriculture and Food**

COMMITTEE REPORT

Committee Report No. 39, submitted jointly by
the Committees on Environment and Natural
Resources; and Health and Demography, on
Proposed Senate Resolution No. 262, introduced
by Senator Zubiri, entitled

RESOLUTION DIRECTING THE
COMMITTEE ON ENVIRONMENT
AND NATURAL RESOURCES AND
OTHER APPROPRIATE SENATE
COMMITTEES TO CONDUCT AN
INQUIRY, IN AID OF LEGISLATION,
TO DETERMINE THE ENVIRON-
MENTAL DAMAGE AND IMPACTS
CAUSED BY THE FUEL SPILLAGE
PARTICULARLY OF THE FIRST
PHILIPPINE INDUSTRIAL CORPO-
RATION (FPIC) PIPELINE IN BARA-
NGAY BANGKAL IN MAKATI,
DETERMINE THE CAPABILITY OF
THE VARIOUS ENVIRONMENTAL
MANAGEMENT PLANS INCLUD-
ING THE ENVIRONMENTAL
GUARANTEE FUNDS TO RESPOND
TO FUEL SPILLAGE AND TO CRAFT
COMPREHENSIVE RESPONSE TO
FUEL SPILLAGE AND SIMILAR
ENVIRONMENTAL INCIDENTS IN
THE FUTURE IN ORDER TO
PROTECT PUBLIC HEALTH AND
THE ENVIRONMENT,

recommending the adoption of the recommend-
ations and their immediate implementation.

Sponsors: Senators Zubiri and Cayetano (P)

To the Calendar for Ordinary Business

COMMITTEE MEMBERSHIP

After conferring with Senator Cayetano (P),
upon nomination by Senator Sotto, Senator Lacson
was elected member of the Committee on Health
and Demography vice Senator Revilla.

**INCLUSION OF SENATE BILL NO. 2836
IN THE COMMITTEE REPORT**

Senator Sotto recalled that Senate Bill No. 2836,
entitled "An Act Providing Protection, Security and
Benefits of Whistleblowers and for Other Purposes"
authored by Senator Lacson, was referred to the
Committee on Justice and Human Rights on May 24,
2011. However, he stated that the Committee chaired
by Senator Escudero had already conducted hearings
on the Whistleblower's Act and was, in fact, in the
process of finalizing the committee report.
Nonetheless, he said that the Committee has taken
cognizance of Senate Bill No. 2836.


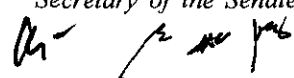
On behalf of Senator Escudero, upon motion of
Senator Sotto, there being no objection, Senate Bill
No. 2836 was deemed included in the committee
report on the bill yet to be numbered, entitled "An
Act Providing For Protection, Security and Benefits
of Whistleblowers," in substitution of Senate Bill
Nos. 1063, 1883 and 2112, and taking into
consideration Senate Bill Nos. 187, 2173, and 2836.

ADJOURNMENT OF SESSION

Upon motion of Senator Sotto, there being no
objection, the Senate President Pro Tempore declared
the session adjourned until three o'clock in the
afternoon of the following day.

It was 5:39 p.m.

I hereby certify to the correctness of the
foregoing.


EMMA LIRIO REYES
Secretary of the Senate


Approved on May 31, 2011 |