

SIXTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
Third Regular Session



Senate
Office of the Secretary

16 FEB -1 P7:28

SENATE

Committee Report No. 463

RECEIVED BY: 

Submitted jointly by the Committees on Public Order and Dangerous Drugs;
and National Defense and Security on FEB 01 2016

Re: Senate Bill No. 2139

Recommending its approval with amendments, and taking into consideration
Senate Bill No. 67 and House Bill No. 6107

Sponsor: Senator Grace Poe

Mr. President:

The Committees on Public Order and Dangerous Drugs; and National
Defense and Security, to which were referred:

Senate Bill No. 2139, introduced by Senator Poe entitled:

**“AN ACT
AMENDING CERTAIN SECTIONS OF REPUBLIC ACT
NO. 4200, OTHERWISE KNOWN AS AN ACT TO
PROHIBIT AND PENALIZE WIRETAPPING AND
OTHER RELATED VIOLATIONS OF THE PRIVACY OF
COMMUNICATION, AND FOR OTHER PURPOSES”**

Senate Bill No. 67, introduced by Senator Honasan entitled:

**“AN ACT
AUTHORIZING THE WIRETAPPING, INTERCEPTION,
SURVEILLANCE AND RECORDING OF
COMMUNICATIONS OF PUSHERS,
MANUFACTURERS, CULTIVATORS, IMPORTERS AND
FINANCIERS OF DANGEROUS DRUGS, AMENDING
FOR THE PURPOSE REPUBLIC ACT NO. 9165 AND
FOR OTHER PURPOSES” and**

House Bill No. 6107, introduced by Representatives V.Belmonte, Ferrer, Sema, Bataoil and Pagdilao entitled:

**“AN ACT
AUTHORIZING WIRE TAPPING IN CASES INVOLVING VIOLATIONS OF REPUBLIC ACT NO. 9165, OTHERWISE KNOWN AS THE 'COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002', AMENDING FOR THE PURPOSE SECTION 3 OF REPUBLIC ACT NO. 4200, ENTITLED AN ACT TO PROHIBIT AND PENALIZE WIRE TAPPING AND OTHER RELATED VIOLATIONS OF THE PRIVACY OF COMMUNICATION, AND FOR OTHER PURPOSES”**

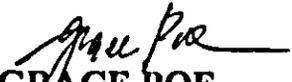
have considered the same and have the honor to report it back to the Senate with the recommendation that Senate Bill No. 2139, introduced by Senator Poe, taking into consideration Senate Bill No. No. 67 and House Bill No. 6107, be approved with the following amendments:

1. In line 26, insert a new Section which shall read as:
SECTION 2. Implementing Rules and Regulations. The Philippine Drug Enforcement Agency, in coordination with the Dangerous Drugs Board (DDB), Armed Forces of the Philippines (AFP), the Philippine National Police (PNP), Department of Justice (DOJ), the National Security Council (NSC) and National Intelligence Coordinating Agency (NICA) shall formulate the implementing rules and regulations.
2. Renumber the succeeding sections accordingly.
3. The title of the bill shall read as:

**“AN ACT
AUTHORIZING WIRE TAPPING IN CASES INVOLVING VIOLATIONS OF REPUBLIC ACT NO. 9165, OTHERWISE KNOWN AS THE 'COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002', AMENDING FOR THE PURPOSE SECTION 3 OF REPUBLIC ACT NO. 4200, ENTITLED AN ACT TO PROHIBIT AND PENALIZE WIRE TAPPING AND OTHER RELATED VIOLATIONS OF THE PRIVACY OF COMMUNICATION, AND FOR OTHER PURPOSES”**

RESPECTFULLY SUBMITTED:

ANTONIO "SONNY" F. TRILLANES IV
Chairperson
Committee on National Defense and Security

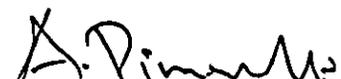

GRACE POE
Chairperson
Committee on Public Order
and Dangerous Drugs

Vice Chairpersons:

LOREN B. LEGARDA
Committee on National Defense and Security


GREGORIO B. HONASAN II
Committee on Public Order
and Dangerous Drugs

Members:

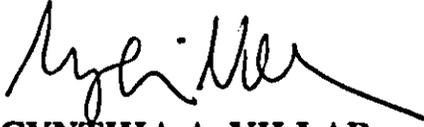

AQUILINO "KOKO" PIMENTEL III


FRANCIS "CHIZ" G. ESCUDERO

FERDINAND R. MARCOS, JR.

RAMON "BONG" REVILLA, JR.

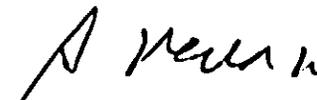

PIA S. CAYETANO


CYNTHIA A. VILLAR

MANUEL "LITO" M. LAPID


TEOFISTO L. GUINGONA III


SONNY ANGARA


SERGIO R. OSMENA III

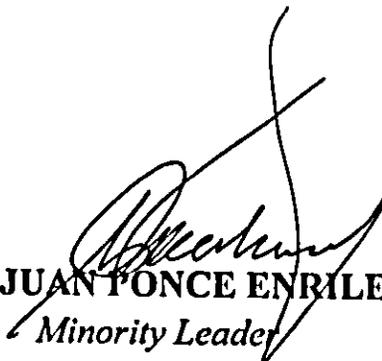

PAOLO BENIGNO "BAM" AQUINO IV

MIRIAM
DEFENSOR SANTIAGO


MARIA LOURDES NANCY S. BINAY

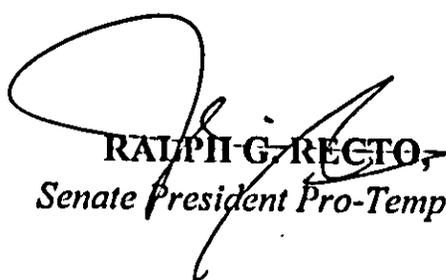

VICENTE C. SOTTO III

Ex-Officio Members:



JUAN PONCE ENRILE
Minority Leader

ALAN PETER S. CAYETANO
Majority Leader



RALPH G. RECTO,
Senate President Pro-Tempore

FRANKLIN M. DRILON
Senate President

'14 FEB 24 P4 22

SENATE
S. B. 2139

RECEIVED BY: *ji*

Introduced by Senator Poe

**AN ACT
AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NO. 4200, OTHERWISE
KNOWN AS AN ACT TO PROHIBIT AND PENALIZE WIRETAPPING AND OTHER
RELATED VIOLATIONS OF THE PRIVACY OF COMMUNICATION, AND FOR
OTHER PURPOSES**

EXPLANATORY NOTE

Our vision of the Philippines as a drug-free country is far from arms reach.

In a Nationwide Survey made by the Dangerous Drug Board in 2012, there are roughly 1.7 million Filipinos engaged in illicit-drug abuse. Such a figure takes in vast and grave implications on our society: crime, health and infectious diseases, education, and the overall psychological welfare of our Filipino people. Moreover, mortality rates due to illicit-drug abuse have been steadily on the rise.

The influence of illicit-drug abuse entraps both adult and, more importantly, youth alike. Globally, studies indicate that there is an alarming trend with regard to illicit-drug use among the youth, with the latter experiencing a steep increase in terms of illicit drug abuse. Moreover, the trend reflects that the youth's perceived risk of drugs, such as cocaine and marijuana, is beginning to decline. This impacts on our society as a whole down to the smallest family unit. We should not ignore this reality any longer. The youth, who personify the very ambition and promise of our nation, cannot remain vulnerable to the harmful effects of illicit drugs while its contents practically lay available on the streets unrestrained.

Thus, in continuous deliberation with legal experts and members of the academe, balancing the relevance of this legislation with its implications in the fundamental principle of due process, this bill seeks to provide greater and significant assistance to our law enforcement agencies for the implementation of Republic Act 9165 or the Dangerous Drugs Act.

In view of the foregoing, an immediate discussion on the matter and eventually, the passage of a measure in this concern is earnestly sought.


GRACE POE

'14 FEB 24 P4:22

SENATE
S. B. 2139

RECEIVED BY: *ji*

Introduced by Senator Poe

**AN ACT
AMENDING CERTAIN SECTION OF REPUBLIC ACT NO. 4200, OTHERWISE
KNOWN AS AN ACT TO PROHIBIT AND PENALIZE WIRETAPPING AND OTHER
RELATED VIOLATIONS OF THE PRIVACY OF COMMUNICATION, AND FOR
OTHER PURPOSES**

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

SECTION 1. Section 3 of Republic Act 4200 is hereby amended to read as follows:

"Nothing contained in this Act, however, shall render it unlawful or punishable for any peace officer, **AND LAW ENFORCER**, who is authorized by a written order of the Court, to execute any of the acts declared to be unlawful in the two preceding sections. In cases involving the crimes of treason, espionage, provoking war and disloyalty in case of war, piracy, mutiny in the high seas, rebellion, conspiracy and proposal to commit rebellion, inciting to rebellion, sedition, inciting to sedition, kidnapping as defined by the Revised Penal Code, **VIOLATIONS OF REPUBLIC ACT 9165, OTHERWISE KNOWN AS THE COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002**, and violations of Commonwealth Act No. 616, punishing espionage and other offenses against national security: Provided, that such written order shall only be issued or granted upon written application and the examination under oath or affirmation of the applicant and the witnesses he may produce and a showing: (1) that there are reasonable grounds to believe that any of the crimes enumerated hereinabove has been committed or is being committed or is about to be committed: Provided, however, that in cases involving the offenses of rebellion, conspiracy and proposal to commit rebellion, inciting to rebellion, sedition, conspiracy to commit sedition, and inciting to sedition, such authority shall be granted only upon prior proof that a rebellion or acts of sedition, as the case may be, have actually been or are being committed; (2) that there are reasonable grounds to believe that evidence will be obtained essential to the conviction of any person for, or to the solution of, or to the prevention of, any such crimes; and (3) that there are no other means readily available for obtaining such evidence."

SECTION 2. All laws inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SECTION 3. This Act shall take effect upon fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved,

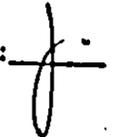
SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



Senate
Office of the Secretary

16 FEB -1 P6:04

SENATE
S.B. No. 3206

RECEIVED BY: 

Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV

AN ACT
INSTITUTIONALIZING A PHILIPPINE BAMBOO INDUSTRY DEVELOPMENT PROGRAM

Explanatory Note

There is tremendous potential in the bamboo industry. Globally, the value of exports of bamboo and bamboo products is estimated to be US\$12 billion. Locally the reported value of exports of bamboo and bamboo products in 2014 was US\$ 10 million. Bamboo production and processing has provided direct and indirect employment to an estimated 190,000 people and these numbers can continue to climb, with the right support systems in place for the industry.

However, bamboo is officially classified as a minor forest product by virtue of PD No. 705 otherwise known as the Revised Forestry Code. As a consequence of this classification, the main considerations and attention of the Department of Environment and Natural Resources (DENR) has been focused on timber and timber products, which is understandable because of timber's sizable economic contributions.

But with the destruction of our forests and the diminution of the supply of wood and wood products for construction, there are attempts to fill the void with suitable substitutes such as bamboo.

Bamboo has always been an important construction material in the rural areas. Because of its versatility it has found applications in many uses, from house construction, farm implements, kitchen utensils, furniture and handicrafts. Bamboo is also relatively cheap given its ubiquity and ready availability in the rural areas. However, its low price is also a result of low natural durability against agencies of deterioration and its poor reputation as a material for construction.

Fortunately, the research sector has been working on technologies to lengthen the service life of bamboo and has developed new bamboo products such as engineered bamboo, which can take the place of wood as panel products and for structural purposes. Today, furniture and handicraft manufacturers incorporate bamboo in the design of their products with amazing results, even attracting foreign buyers. Bamboo has also become a medium in carving and architects have designed structures entirely made of bamboo.

In the environmental front, bamboo has been found to excellently reduce erosion. It is also capable of absorbing heavy metals in mined-out areas. Studies have also shown that it can sequester carbon dioxide of about 45% of its dry weight.

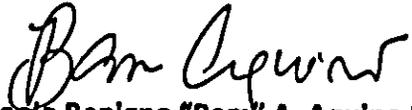
An important advantage of bamboo to tree plantations is that there is a need to replant when trees in plantations are harvested. In contrast only mature culms are harvested from a clump of bamboo and if managed well a clump of bamboo can continuously provide raw materials indefinitely.

With these developments and benefits, bamboo has been gaining popularity both locally and in foreign countries. Unfortunately there is no national program on bamboo industry development.

It is recognized in the industry that there is a general insufficiency of raw materials for which reason many enterprises on bamboo processing have closed down because of lack of raw materials yet there is little initiative in bamboo plantation development. Support to research and development is sorely insufficient and product marketing is left generally to the private sector.

In order for the country to be more competitive in foreign markets, capture a sizeable portion of the global market, provide livelihood to rural communities, and take advantage of the environmental contributions of bamboo to rehabilitate degraded watersheds, sequester carbon dioxide, and assist in the mitigation of climate change, it is necessary to have an organized and well managed bamboo industry development program.

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


Senator Paolo Benigno "Bam" A. Aquino IV

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SENATE
S.B. No. 3206

RECEIVED BY: 

Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV

AN ACT
INSTITUTIONALIZING A PHILIPPINE BAMBOO INDUSTRY DEVELOPMENT PROGRAM

Be It enacted by the Senate and House of Representatives of the Philippines In Congress assembled:

1 **SECTION 1. *Short Title.*** - This Act shall be known as the "Philippine Bamboo Industry
2 Development Program Act of 2016".

3 **SEC. 2. *Declaration of Policy.*** - It is hereby declared the policy of the State to protect
4 and promote the right of the Filipino people to a better quality of life through programs that
5 provide sustainable livelihood, increase employment and improve the environment.

6 **SEC. 3. *Definition of Terms.*** - For the purpose of this Act, the following terms shall refer
7 to:

8 (a) *Program* - the Philippine Bamboo Industry Development Program designed to
9 promote competitiveness of the bamboo industry.

10 (b) *Philippine Bamboo Industry Development Council (PBIDC)* - the Council established
11 under EO No. 879 of 2010.

12 (c) *Secretariat* - the Secretariat under the PBIDC established to provide assistance to
13 the PBIDC Executive Committee created under EO No. 879 of 2010.

14 **SEC. 4. *Institutionalizing the Philippine Bamboo Industry Development Program***
15 ***(PBIDP).*** - There is hereby established and institutionalized the Philippine Bamboo Industry
16 Development Program within the mandate of the Philippine Bamboo Industry Development
17 Council (PBIDC) which was created under Executive Order No. 879 of 2010.

18 **SEC. 5. *Objectives of the Philippine Bamboo Industry Development Program.*** - The
19 PBIDP aims to make the Philippine bamboo industry competitive in the local and global markets
20 while providing opportunities for local employment and establishing bamboo-based community
21 enterprises by:

22 (a) Ensuring that the bamboo industry has sufficient quality raw materials;

23 (b) Ensuring that the bamboo industry continuously receives from the research and
24 development sector relevant technologies and new products;

25 (c) Ensuring that the industry receives pertinent and accurate data from the PBIDC upon
26 which the industry can make business decisions;

- 1 (d) Promoting investments in bamboo industry by establishing bamboo plantations and
2 establishing bamboo processing operations by providing substantial incentives to
3 investors;
4 (e) Providing skilled labor and manpower through continuous relevant capacity
5 building;
6 (f) Ensuring provision of locally manufactured machines of improve capacity and quality
7 at competitive costs;
8 (g) Ensuring markets of bamboo products locally and globally; and
9 (h) Ensuring sustainable resources for implementing the bamboo industry development
10 program.

11 **SEC. 6. *The Philippine Bamboo Industry Development Program.*** – The PBIDC through its
12 strengthened Secretariat shall formulate a national bamboo industry development program
13 through close participation of all stakeholders of the industry that includes producers of raw
14 materials, processors and marketing and promotion service providers and concerned national
15 agencies and local government units (LGUs). The program shall ensure that the objectives
16 indicated in Section 5 of this Act can be achieved.

17 **SEC. 7. *Authority to generate resources for the implementation of the Program.*** - The
18 PBIDC through its strengthened Secretariat is hereby authorized to accept donations and
19 secure loans from local and international donor and funding agencies and organizations to
20 implement the Program.

21 **SEC. 8. *Support to the program by the League of Provinces and League of***
22 ***Municipalities.*** – The League of Provinces and the League of Municipalities are hereby directed
23 to participate closely in the implementation of the Program through the establishment of
24 corresponding Bamboo Industry Development Councils.

25 **SEC. 9. *Incentives to investors in plantation development and bamboo processing***
26 ***factories.*** – The following incentives shall be provided to investors in bamboo plantation
27 development and bamboo processing factories:

- 28 1. Free from payment of rent for the use of government lands for commercial bamboo
29 plantation for the first 5 years or when the plantation owner starts to harvest his
30 plantation;
31 2. Forest plantations in private lands shall not be required to secure a cutting permit for
32 harvesting nor shall it need a transport permit, for as long as the plantation is registered
33 with the Community Environment and Natural Resources Office (CENRO) of the DENR.
34 All that is required is for the plantation owner to inform the CENRO that the plantations
35 will be harvested in a given date, including the estimated volume that will be
36 harvested. Inventory of the plantation prior to harvest shall not be required. CENROs
37 are obligated to approve and enter into their book of registry, application for
38 registration for plantations in private lands;
39 3. Free from payment of forest charges and other fees or taxes that local government units
40 may impose;
41 4. Bamboo from plantation from public and private lands shall not be subjected to
42 inspection in check points;
43 5. Plantation developers can access development loans from the public financial
44 institutions;
45 6. Insurance coverage of plantations and plantation development equipment by the
46 Philippine Crop Insurance Corporation;
47 7. Tax-free importation of plantation development equipment; including tree nursery
48 facilities;

- 1 8. Expenses incurred shall be allowed as deductible expenses for income tax
2 purposes, subject to the provisions of the National Internal Revenue Code of 1997, as
3 amended. Provided, that the deduction shall only apply to the taxable period, when the
4 expenses were incurred;
- 5 9. Expenses incurred in the development and operation of a bamboo plantation prior to
6 the commercial harvest shall be regarded as ordinary and necessary expenses or as
7 capital expenditures;
- 8 10. The Board of Investments (BOI) shall classify bamboo plantations as pioneer and
9 preferred areas of investment under its annual priority plan, subject to pertinent rules
10 and regulations;
- 11 11. The plantation developer shall be given priority to access credit assistance being granted
12 by Government-owned, -controlled and/or -supported financial institutions;
- 13 12. Plantations shall be accepted as collateral for loans in government owned or controlled
14 banks;
- 15 13. For tenured developer, upon the premature termination of the agreement at no fault of
16 the holder, all depreciable permanent and semi-permanent improvements such as
17 roads, buildings, and nurseries including the planted and standing trees and other forest
18 crops, introduced and to be retained in the area, shall be properly evaluated and the
19 holder shall be entitled to a fair compensation thereof, the amount of which shall be
20 mutually agreed upon by both the Department and the tenure-holder and in case of
21 disagreement between them, by arbitration through a mutually acceptable and
22 impartial third party adjudicator;
- 23 14. Bamboo culms from plantations may be exported without restrictions in volume;
- 24 15. Processors of bamboo may import processing equipment, tax-free; and
- 25 16. The National Economic and Development Authority (NEDA) shall include in its annual
26 investment program, the use of forest lands to establish industrial bamboo plantations,
27 and to give first priority in allocating adequate funds, both from external and internal
28 sources.

29 **SEC. 10. Funding.** – The amount necessary to fully implement this Act shall be provided in
30 the General Appropriations Act (GAA) of the year following its enactment into law under the
31 budgetary appropriations of the Department of Trade and Industry (DTI).

32 **SEC. 11. Implementing Rules and Regulations.** - The DTI-PBIDC, the Department of
33 Environment and Natural Resources, Department Science and Technology shall promulgate the
34 implementing rules and regulations (IRR) of this Act within sixty (60) days after the effectivity
35 hereof.

36 **SEC. 12. Separability Clause.** - If any provision or part hereof is held invalid or
37 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
38 valid.

39 **SEC. 13. Repealing Clause.** - Any law, presidential decree or issuance, executive order, letter
40 of instruction, administrative order, rule or regulation contrary to or inconsistent with the
41 provisions of this Act is hereby repealed, modified or amended accordingly.

42 **SEC. 14. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in the
43 Official Gazette or two (2) newspapers of general circulation.

44 *Approved,*