



REPUBLIC OF THE PHILIPPINES  
**Senate**  
Pasay City

# Journal

**SESSION NO. 66**

Tuesday and Wednesday, May 26 and 27, 2020

**EIGHTEENTH CONGRESS  
FIRST REGULAR SESSION**

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**SESSION NO. 66**  
Tuesday and Wednesday, May 26 and 27, 2020

**CALL TO ORDER**

At 3:00 p.m., Tuesday, May 26, 2020, the Senate President, Hon. Vicente C. Sotto III, called the session to order.

**PRAYER**

Sen. Cynthia A. Villar led the prayer, to wit:

The month of May is traditionally devoted by Catholics to Mary to whom Pope Francis has entrusted the whole world amid the ongoing pandemic.

Pope Francis has also written two prayers for an end to coronavirus, and this is one of them:

We fly to your protection, O Holy Mother of God.

In the present tragic situation, when the whole world is prey to suffering and anxiety, we fly to you, Mother of God and our Mother, and seek refuge under your protection.

Virgin Mary, turn your merciful eyes towards us amid this coronavirus pandemic. Comfort those who are distraught and mourn their loved ones who have died, and at times are buried in a way that grieves them deeply. Be close to those who are concerned for their loved ones who are sick and who, in order to prevent the spread of the disease, cannot be close to them. Fill with hope those who are troubled by the uncertainty of the future and the consequences for the economy and employment.

Mother of God and our Mother, pray for us to God, the Father of mercies, that this great suffering may end and that hope and peace may dawn anew. Plead with your divine Son, as you did at Cana, so that the families of the sick and the victims be comforted, and their hearts be opened to confidence and trust.

Protect those doctors, nurses, health workers and volunteers who are on the frontline of this emergency, and

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are risking their lives to save others. Support their heroic effort and grant them strength, generosity and continued health.

Be close to those who assist the sick night and day, and to priests who, in their pastoral concern and fidelity to the Gospel, are trying to help and support everyone.

Blessed Virgin, illumine the minds of men and women engaged in scientific research, that they may find effective solutions to overcome this virus.

Support national leaders, that with wisdom, solicitude and generosity they may come to the aid of those lacking the basic necessities of life and may devise social and economic solutions inspired by farsightedness and solidarity.

Mary Most Holy, stir our consciences, so that the enormous funds invested in developing and stockpiling arms will instead be spent on promoting effective research on how to prevent similar tragedies from occurring in the future.

Beloved Mother, help us realize that we are all members of one great family and to recognize the bond that unites us, so that, in a spirit of fraternity and solidarity, we can help to alleviate countless situations of poverty and need. Make us strong in faith, persevering in service, constant in prayer.

Mary, Consolation of the afflicted, embrace all your children in distress and pray that God will stretch out His all-powerful hand and free us from this terrible pandemic, so that life can serenely resume its normal course.

To you, who shine on our journey as a sign of salvation and hope, do we entrust ourselves, O Clement, O Loving, O Sweet Virgin Mary.

Amen.

## ROLL CALL

Upon direction of the Senate President, the Secretary of the Senate, Atty. Myra Marie D. Villarica, called the roll, to which the following senators responded:

### *In the Session Hall:*

Gatchalian, W.	Tolentino, F. T. N.
Lacson, P. M.	Sotto III, V. C.

### *Via virtual video conferencing:*

Angara, S.	Pacquiao, E. M. D.
Binay, M. L. N. S.	Pangilinan, F. N.
Cayetano, P. S.	Pimentel III, A. K.
Dela Rosa, R. B. M.	Poe, G.
Drilon, F. M.	Recto, R. G.
Go, C. L. T.	Revilla Jr., R. B.
Gordon, R. J.	Villanueva, J.
Hontiveros, R.	Villar, C. A.
Lapid, M. L. M.	Zubiri, J. M. F.
Marcos, I. R.	

With 23 senators present, the Chair declared the presence of a quorum.

Senator De Lima was unable to attend the session as she was under detention.

## APPROVAL OF THE JOURNAL

Upon motion of Senator Zubiri, there being no objection, the Body dispensed with the reading of the Journals of Session Nos. 64 (May 11 to 13, 2020) and 65 (May 18 to 21, 2020) and considered them approved.

## REFERENCE OF BUSINESS

The Secretary of the Senate read the following matters and the Chair made the corresponding referrals:

### BILLS ON FIRST READING

Senate Bill No. 1536, entitled

AN ACT AMENDING SECTION 2 OF ACT NO. 3326, OTHERWISE KNOWN AS "AN ACT TO ESTABLISH PERIODS OF PRESCRIPTION FOR VIOLATIONS PENALIZED BY SPECIAL ACTS AND MUNICIPAL ORDINANCES AND TO PROVIDE WHEN PRESCRIPTION SHALL BEGIN TO RUN"

Introduced by Senator De Lima



**To the Committee on Justice and Human Rights**

Senate Bill No. 1537, entitled

AN ACT AMENDING SECTION 11 OF REPUBLIC ACT NO. 3019, OTHERWISE KNOWN AS THE "ANTI-GRAFT AND CORRUPT PRACTICES ACT," AS AMENDED

Introduced by Senator De Lima

**To the Committee on Justice and Human Rights**

Senate Bill No. 1538, entitled

AN ACT PROVIDING FOR A MORATORIUM ON STUDENT LOAN PAYMENT DURING DISASTERS AND OTHER EMERGENCIES

Introduced by Senator Lapid

**To the Committee on Higher, Technical and Vocational Education**

Senate Bill No. 1539, entitled

AN ACT MANDATING THE LANGUAGE ACCESSIBILITY OF DISASTER-RELATED INFORMATION

Introduced by Senator Lapid

**To the Committee on Public Information and Mass Media**

Senate Bill No. 1540, entitled

AN ACT PROVIDING FOR A MECHANISM FOR THE PREVENTION OF SHORTAGES OF DRUGS, MEDICAL DEVICES AND OTHER MEDICAL SUPPLIES ESSENTIAL TO RESPOND TO EPIDEMICS AND PUBLIC HEALTH EMERGENCIES, AMENDING FOR THAT PURPOSE REPUBLIC ACT NO. 11332, OTHERWISE KNOWN AS "MANDATORY REPORTING OF NOTIFIABLE DISEASES AND HEALTH EVENTS OF PUBLIC HEALTH CONCERN ACT"

Introduced by Senator Lapid

**To the Committee on Health and Demography**

**RESOLUTIONS**

Proposed Senate Resolution No. 411, entitled

RESOLUTION URGING THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS IN COORDINATION WITH THE METROPOLITAN MANILA DEVELOPMENT AUTHORITY TO DESIGNATE, DEVELOP, AND IMPROVE BICYCLE LANES IN METRO MANILA FOR THE DURATION OF THE COMMUNITY QUARANTINE

Introduced by Senator Tolentino

**To the Committees on Sustainable Development Goals, Innovation and Futures Thinking; and Public Works**

Proposed Senate Resolution No. 412, entitled

RESOLUTION DIRECTING THE COMMITTEE ON ELECTORAL REFORMS AND PEOPLE'S PARTICIPATION TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, TO ASSESS THE PREPARATIONS OF THE COMMISSION ON ELECTIONS (COMELEC) FOR THE 2022 NATIONAL AND LOCAL ELECTIONS AMIDST CORONAVIRUS DISEASE (COVID-19) PANDEMIC IN THE COUNTRY

Introduced by Senator Angara

**To the Committee on Electoral Reforms and People's Participation**

Proposed Senate Resolution No. 413, entitled

RESOLUTION URGING THE COMMITTEE ON SUSTAINABLE DEVELOPMENT GOALS (SDGs), INNOVATION, AND FUTURES THINKING TO CONDUCT A HEARING, IN AID OF LEGISLATION, ON THE EFFECTS OF THE COVID-19 PANDEMIC ON

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THE FUTURE OF THE EDUCATION SYSTEM OF THE COUNTRY AND ITS IMPACT ON SDG 4 CONCERNING QUALITY EDUCATION, IN LIGHT OF THE NEW NORMAL AND MAPPING NEW AND RESPONSIVE WAYS AND SYSTEMS OF LEARNING IN THE CURRENT PANDEMIC AND FOR FUTURE HEALTH EMERGENCIES

Introduced by Senator Cayetano

**To the Committees on Sustainable Development Goals, Innovation and Futures Thinking; and Basic Education, Arts and Culture**

Proposed Senate Resolution No. 414, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE STATUS OF COUNTRY'S INTERNET CONNECTIVITY, SPEED, BANDWIDTH CAPACITY AND OTHER RELEVANT PARAMETERS CONSIDERING THE INCREASE OF WORK-FROM-HOME ARRANGEMENTS, ONLINE CLASSES AND LEARNING SYSTEMS, AND THE SHIFT OF ECONOMIC ACTIVITIES TO DIGITAL PLATFORMS IN LIGHT OF THE 'NEW NORMAL' CAUSED BY THE COVID-19 PANDEMIC

Introduced by Senator Lapid

**To the Committees on Science and Technology; and Public Services**

Proposed Senate Resolution No. 415, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON HIGHER, TECHNICAL AND VOCATIONAL EDUCATION TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, WITH THE INTENT OF DETERMINING THE FEASIBILITY OF CREATING AN ONLINE EDUCATIONAL DELIVERY PLATFORM, TO BE MANAGED BY THE COMMISSION ON HIGHER

EDUCATION (CHED), THAT WILL BE ACCESSIBLE TO ALL TERTIARY EDUCATION INSTITUTIONS, TEACHERS AND COLLEGE STUDENTS

Introduced by Senator Lapid

**To the Committee on Higher, Technical and Vocational Education**

Proposed Senate Resolution No. 416, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEES ON BASIC EDUCATION, ARTS AND CULTURE, AND HIGHER, TECHNICAL AND VOCATIONAL EDUCATION TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, TO DETERMINE THE FEASIBILITY OF MANDATING TELECOMMUNICATIONS COMPANIES TO PROVIDE FREE INTERNET ACCESS TO ONLINE LEARNING PORTALS, EDUCATIONAL WEBSITES AND SIMILAR DIGITAL PLATFORMS FOR THE BENEFIT OF ALL STUDENTS AND TEACHERS DURING TIMES OF DISASTER AND EMERGENCY WHEN PHYSICAL CLASSES CANNOT BE CONDUCTED

Introduced by Senator Lapid

**To the Committees on Basic Education, Arts and Culture; and Higher, Technical and Vocational Education**

Proposed Senate Resolution No. 417, entitled

RESOLUTION DIRECTING THE COMMITTEE ON LABOR, EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT, TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ADEQUATENESS AND SUFFICIENCY OF THE OVERSEAS WORKERS WELFARE ADMINISTRATION'S ASSISTANCE TO OVERSEAS FILIPINO WORKERS AFFECTED BY THE COVID-19 PANDEMIC

Introduced by Senator Drilon

## To the Committee on Labor, Employment and Human Resources Development

### COMMITTEE REPORT

Committee Report No. 87, prepared and submitted by the Committee on Basic Education, Arts and Culture, on Senate Bill No. 1541 with Senators Sotto III, Villanueva, Tolentino and Gatchalian as authors thereof, entitled

AN ACT AMENDING SECTION 3 OF REPUBLIC ACT NO. 7797, OTHERWISE KNOWN AS "AN ACT TO LENGTHEN THE SCHOOL CALENDAR FROM TWO HUNDRED (200) DAYS TO NOT MORE THAN TWO HUNDRED TWENTY (220) CLASS DAYS,"

recommending its approval in substitution of Senate Bill Nos. 1438, 1452 and 1457.

Sponsor: Senator Gatchalian

### To the Calendar for Ordinary Business

### CHANGE OF COMMITTEE REFERRAL

Upon motion of Senator Zubiri, there being no objection, the Chair referred Senate Bill No. 588 (Bicycle Friendly Communities Act of 2019), which was originally referred to the Committee on Public Works, instead to the Committee on Sustainable Development Goals, Innovation and Futures Thinking as the primary committee, the Committee on Public Works retained as the secondary committee, and the Committee on Finance as the tertiary committee.

### COMMITTEE REPORT NO. 35 ON SENATE BILL NO. 1318

(Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1318 (Committee Report No. 35), entitled

AN ACT AMENDING REPUBLIC ACT NO. 10068 OR THE ORGANIC AGRICULTURE ACT OF 2010.

Senator Zubiri stated that the parliamentary status was still the period of individual amendments.

Thereupon, the Chair recognized Senator Villar, sponsor of the measure.

### VILLAR AMENDMENTS

As submitted by Senator Pangilinan and proposed by Senator Villar, there being no objection, the Body approved the following amendments, one after the other:

#### Page 2

- On line 23, Section 3 (*Definition of Terms*), a new definition, to read as follows:
  - (C) *ORGANIC PRODUCTION SYSTEM* IS A SYSTEM DESIGNED TO:
    - (1) ENHANCE BIOLOGICAL DIVERSITY WITHIN THE WHOLE SYSTEM;
    - (2) INCREASE SOIL BIOLOGICAL ACTIVITY;
    - (3) MAINTAIN LONG TERM SOIL FERTILITY;

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Senator Villar explained that the amendment, which replaced the word "SOLID" with "SOIL," merely corrected the typographical errors in Republic Act No. 10068.

- Delete lines 24 to 30, and in lieu thereof, revise the definition of "certification" to read as follows:
  - (H) *CERTIFICATION* IS THE PROCEDURE BY WHICH AN ORGANIC CERTIFYING BODY (OCB) PROVIDES WRITTEN OR EQUIVALENT ASSURANCE THAT FARMS OR PRODUCTION AND PROCESSING SYSTEM CONFORM TO ORGANIC STANDARDS AS MANDATED IN THIS ACT.;

#### Page 3

- Delete lines 6 to 8, and in lieu thereof, insert a new definition, to read as follows:
  - (O) *INSPECTION* IS THE EXAMINATION OF FARMS, FOOD, AND NON-FOOD PRODUCTS, FOOD CONTROL SYSTEMS, RAW MATERIALS, PROCESSING, DISTRIBUTION AND RETAILING, INCLUDING IN-PROCESS AND FINISHED PRODUCT TESTING, IN ORDER TO VERIFY THAT THEY

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CONFORM TO THE REQUIREMENTS FOR BEING ORGANIC. INSPECTION INCLUDES THE EXAMINATION OF THE PRODUCTION AND PROCESSING SYSTEMS;

- 18, after the word "ACTIVITIES" and the period (.), insert a new sentence, to read as follows: IT IS RESPONSIBLE FOR VERIFYING THAT A PRODUCT SOLD OR LABELED AS "ORGANIC" IS PRODUCED, PROCESSED, PREPARED, HANDLED ACCORDING TO RELEVANT GUIDELINES;
- Delete lines 19 to 32;

**Page 4**

- Delete lines 1 and 2;

**Page 6**

- On line 29, between the words "NATIONAL" and "PGS," insert the phrase ASSOCIATION OF;
- On the same line, between the acronym "PGS" and the comma (,), insert the word GROUPS;

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- On line 30, after the word "THE", delete the phrase "MEMBERS OF THE";

**Page 8**

- On line 2, insert a new Section 6, to wit:  

SEC. 6. SECTION 11 OF REPUBLIC ACT NO. 10068 IS HEREBY REPEALED AND A NEW SECTION 10 IS HEREBY INSERTED, TO READ AS FOLLOWS:

SEC. 10. *NATIONAL ORGANIC AGRICULTURE PROGRAM – NATIONAL PROGRAM COORDINATING OFFICE.* – TO MANAGE THE EFFECTIVE IMPLEMENTATION OF THE NATIONAL ORGANIC AGRICULTURE PROGRAM, THE DA OFFICE OF THE SECRETARY SHALL BE STRENGTHENED AND EMPOWERED IN TERMS OF ESTABLISHING A FUNCTIONAL OFFICE, TO BE KNOWN AS THE NATIONAL ORGANIC AGRICULTURE PROGRAM – *NATIONAL PROGRAM COORDINATING OFFICE* (NOAP – NPCO), TO SERVE AS THE PLANNING AND ADMINISTRATIVE SECRETARIAT OF THE NOAB, AND AS THE COORDINATING OFFICE OF THE PROGRAM."
- On line 2, after the newly inserted Section 6, insert a new Section 7 that would make Section 12 of RA 100068 as the new

Section 11 with amendments, to read as follows:

SEC. 7. SECTION 12 OF R.A. NO. 10068 IS HEREBY RENUMBERED AS SECTION 11 OF THE ACT AND AMENDED, WHICH SHALL READ AS FOLLOWS:

SEC. 11. *WORK PLAN* – IN LINE WITH THE NATIONAL ORGANIC AGRICULTURE PROGRAM, THE NOAP-NPCO SHALL SUBMIT TO THE BOARD FOR APPROVAL THE FOLLOWING:

Senator Villar explained that the functions enumerated in Section 12 of RA 1106 would no longer belong to BAFS but to the newly-established NOAP or National Program Coordinating Office. As such, she believed it is but prudent to design such mandates through legislation to the NOAP-NPCO so that Section 12 would follow the new Section 10 of RA 10068.

- On lines 16 to 30, reword Section 6 of the bill, to read as follows:

SEC. 8. SECTIONS 10 AND 11 OF REPUBLIC ACT NO. 10068 ARE HEREBY REPEALED AND A NEW SECTION 12 IS HEREBY INSERTED, TO READ AS FOLLOWS:

SEC. 12. *BUREAU OF AGRICULTURE AND FISHERIES STANDARDS (BAFS).* — THE BAFS OF THE DEPARTMENT OF AGRICULTURE (DA) SHALL BE RESTRUCTURED, STRENGTHENED AND EMPOWERED TO SUPPORT THE OBJECTIVES OF THIS ACT. IT SHALL PROVIDE TECHNICAL ASSISTANCE TO THE NOAP AND THE NOAP-NPCO.

THE BAFS, IN ADDITION TO ITS EXISTING FUNCTIONS AND RESPONSIBILITIES, PERFORM THE FOLLOWING FUNCTIONS, DUTIES AND RESPONSIBILITIES FOR PURPOSES OF THIS ACT:

1. FORMULATE AND UPDATE STANDARDS RELEVANT TO ORGANIC AGRICULTURE;
2. ISSUE ACCREDITATION TO ORGANIC CERTIFYING BODIES (OCBs);
3. CONDUCT INSPECTIONS ON COMPLIANCE OF PGS GROUPS WITH PHILIPPINE NATIONAL



STANDARDS ON ORGANIC AGRICULTURE AND PUBLISH AT LEAST ONCE A YEAR THE LIST OF COMPLIANT PGS GROUPS;

4. ISSUE REGISTRATION OF ORGANIC INPUTS, SUCH AS ORGANIC SOIL AMENDMENTS AND ORGANIC BIO-CONTROL AGENTS;
5. RULE ON THE APPEAL OF FARM/ FARMOWNER ON DECISIONS MADE BY ORGANIC CERTIFYING BODIES ON INSPECTION AND CERTIFICATION ISSUES; AND
6. PERFORM SUCH OTHER FUNCTIONS, DUTIES AND RESPONSIBILITIES, AS MAY BE NECESSARY TO IMPLEMENT THIS ACT.;

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- Delete lines 1 to 12;
- On line 13, insert a new Section 9 that will make Section 15 of RA 10068 as its new Section 13, to read as follows:

SEC. 9. SECTION 15 OF RA NO. 10068 IS HEREBY RENUMBERED AS SECTION 13 OF THE ACT AND AMENDED, TO READ AS FOLLOWS:

SEC. 13 – *ACCREDITATION OF ORGANIC CERTIFYING BODY*. THE BAFS IS HEREBY DESIGNATED AND AUTHORIZED TO GRANT OFFICIAL ACCREDITATION TO AN ORGANIC CERTIFYING BODY OR ENTITY. THE BAFS IS TASKED TO FORMULATE THE NECESSARY RULES AND PROCEDURES IN THE ACCREDITATION OF ORGANIC CERTIFYING BODIES PERFORMING INCLUDING THIRD PARTY CERTIFICATION, OR GRANTING CERTIFICATION AS PART OF THE PARTICIPATORY GUARANTEE SYSTEM: *PROVIDED*, THAT THERE SHALL BE AT LEAST ONE (1) ACCREDITED ORGANIC CERTIFYING BODY PERFORMING THIRD PARTY CERTIFICATION EACH IN LUZON, VISAYAS AND MINDANAO OR IN CASE OF ONLY ONE (1) ORGANIC CERTIFYING BODY PERFORMING THIRD- PARTY CERTIFICATION IS ACCREDITED. IT SHALL HAVE AT LEAST ONE (1) SATELLITE OFFICE

OR PROCESSING UNIT EACH IN LUZON, VISAYAS AND MINDANAO.

- Renumber Section 8 as the new Section 10, and reword the sentence as follows:

SEC. 10. A NEW SECTION 14 IS HEREBY INSERTED AFTER THE NEW SECTION 13 OF REPUBLIC ACT NO.10068 TO READ AS FOLLOWS:

“SEC. 14. *PARTICIPATORY GUARANTEE SYSTEMS (PGS)*.-

- A. *BASIC PRINCIPLES*. THE PGS SHALL BE THE MECHANISM BY WHICH SMALL FARMERS/FISHERFOLK, THEIR FARMS/ ASSOCIATIONS/ COOPERATIVES SHALL BE CERTIFIED AS ENGAGED IN ORGANIC AGRICULTURE AND AS PRODUCERS OF ORGANIC AGRICULTURE PRODUCTS. THE PARTICIPATORY ORGANIC CERTIFICATION FROM ORGANIC CERTIFYING BODIES, ORGANIZED IN ACCORDANCE WITH THIS ACT, SHALL BE PROMOTED AND ACCEPTED. THE PRODUCTS CERTIFIED THROUGH THE PGS SHALL BE TRADED ONLY IN THE DOMESTIC MARKET, UNLESS COVERED BY AN INTERNATIONAL CERTIFICATION OR A MUTUAL RECOGNITION AGREEMENT.

AN ASSOCIATION OR GROUP UNDER THE PGS SHALL ADHERE TO THE PHILIPPINE NATIONAL STANDARDS (PNS) FOR ORGANIC AGRICULTURE.

FURTHER, ASSOCIATIONS OR GROUPS UNDER THE PGS SHALL ADOPT THE FOLLOWING FEATURES AND CHARACTERISTICS:

- i) EXISTENCE OF ORGANIC AGRICULTURE NORMS CONCEIVED BY THE ORGANIC AGRICULTURE STAKEHOLDERS, NORMS THAT ARE APPROPRIATE TO SMALL-HOLDER AGRICULTURE;
- ii) GRASSROOTS ORGANIZATION: THE PARTICIPATORY CERTIFICATION SHOULD BE PERCEIVED AS A RESULT OF A SOCIAL DYNAMIC, BASED ON THE ACTIVE PARTICIPATION OF ALL STAKEHOLDERS;
- iii) EXISTENCE OF PRINCIPLES AND VALUES THAT ENHANCE THE

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LIVELIHOODS AND WELL-BEING OF FARMING FAMILIES AND PROMOTE ORGANIC AGRICULTURE;

- iv) DOCUMENTED MANAGEMENT SYSTEMS AND PROCEDURES;
  - v) PROVISION OF MECHANISMS TO VERIFY FARMER'S COMPLIANCE TO ESTABLISHED NORMS;
  - vi) PROVISION OF MECHANISMS FOR SUPPORTING FARMERS TO PRODUCE ORGANIC PRODUCTS AND BE CERTIFIED AS ORGANIC FARMERS, WHICH SHALL INCLUDE FIELD ADVISORS, NEWSLETTERS, FARM VISITS, WEB SITES, AMONG OTHERS;
  - vii) EXISTENCE OF A BOTTOM-LINE DOCUMENT, SUCH AS A FARMER'S PLEDGE, THAT SHALL STATE HIS/HER AGREEMENT TO THE ESTABLISHED NORMS;
  - viii) INTRODUCTION OR USE OF SEALS OR LABELS PROVIDING EVIDENCE OF ORGANIC STATUS; AND
  - ix) EXISTENCE OF A CLEAR AND PREVIOUSLY DEFINED SET OF RECOMMENDATIONS AND MEASURES AGAINST FARMERS WHO FAIL TO COMPLY WITH STANDARDS.
- B. *LEGAL PERSONALITY.* THE CORE PGS GROUP SHALL BE REGISTERED WITH THE MUNICIPALITY/CITY WHERE THE PGS GROUP, OF WHICH IT IS A PART OF, IS PREDOMINANTLY LOCATED. IT SHALL SECURE A MAYOR'S PERMIT FROM SAID MUNICIPALITY/CITY, POSSESSION OF WHICH SHALL SUFFICE AS PROOF OF REGISTRATION AND THE GRANT OF LEGAL PERSONALITY, LIMITED TO PGS TRANSACTIONS.

A NATIONAL ORGANIZATION OF LOCAL GOVERNMENT UNITS (LGUS) ACTUALLY ENGAGED IN ORGANIC AGRICULTURE SHALL ALSO SECURE A LEGAL PERSONALITY FOR PURPOSES OF ACCREDITATION BY BAFS.

ANY OTHER ORGANIC CERTIFYING BODY SHALL SECURE A MAYOR'S PERMIT FROM THE MUNICIPALITY/CITY WHERE IT

INTENDS TO OPERATE AND POSSESSION OF WHICH SHALL SUFFICE TO GRANT THEM LEGAL PERSONALITY FOR PURPOSES OF ACCREDITATION BY BAFS.

- C. *CERTIFICATION.* THE BAFS SHALL PROVIDE THE GUIDELINES FOR THE CERTIFICATION OF FARMS, PURSUANT TO THE PROVISIONS OF THIS ACT.

A FARM/FARMOWNER APPLYING FOR CERTIFICATION AS AN ORGANIC AGRICULTURE PRACTITIONER SHALL JOIN A PGS GROUP IN THE SAME MUNICIPALITY/CITY WHERE IT/HE IS LOCATED, OR WITH A PGS GROUP IN AN ADJACENT MUNICIPALITY/CITY WITHIN THE SAME PROVINCE: *PROVIDED*, THAT THE FARM IS CONTIGUOUS TO THE FARMS OF THE PGS GROUP IN THE ADJACENT MUNICIPALITY/CITY.

THE FARM/FARMOWNER SHALL APPLY FOR A PARTICIPATORY ORGANIC CERTIFICATE WITH A CORE PGS GROUP OF THE PGS GROUP WHERE IT/HE BELONGS; OR WITH A NATIONAL ORGANIZATION OF LOCAL GOVERNMENT UNITS INITIATING ORGANIC AGRICULTURE PRACTICES, A MEMBER OF WHICH IS THE MUNICIPALITY/CITY WHERE THE PGS GROUP IS LOCATED; OR WITH ANY PRIVATE GROUP OR ORGANIZATION ACTUALLY ENGAGED IN ORGANIC AGRICULTURE AND OPERATING IN THAT MUNICIPALITY/CITY; ANY OF WHICH IS ACCREDITED AS AN ORGANIC CERTIFYING BODY.

THE DECISION OF ANY OF THE ABOVE-MENTIONED OCBS SHALL BE APPEALABLE TO THE BAFS: *PROVIDED*, THAT THE BAFS SHALL RULE ON THE APPEAL WITHIN THIRTY (30) DAYS FROM ITS RECEIPT. OTHERWISE, THE APPEALED DECISION SHALL BE CONSIDERED REVERSED.

THE WITHDRAWAL OF MEMBERSHIP IN THE PGS GROUP SHALL MEAN FORFEITURE OF THE PRIVILEGE FOR THE FARM/FARMOWNER TO USE THE PARTICIPATORY ORGANIC CERTIFICATE.

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IN CASE A MEMBER OF THE CORE PGS GROUP REPRESENTING A FARM APPLIES FOR RENEWAL OF CERTIFICATION WITH THE SAME CORE PGS GROUP, THE MEMBER OF THE CORE PGS GROUP MUST INHIBIT HIMSELF BEFORE THE APPLICATION FOR RENEWAL CAN BE CONSIDERED.

*D. ACCREDITATION.* THE BAFS SHALL PROVIDE THE GUIDELINES FOR ACCREDITATION.

A REGISTERED CORE PGS GROUP SHALL APPLY FOR ACCREDITATION WITH THE BAFS. A CORE PGS GROUP SHALL BE ACCORDED ACCREDITATION BY THE BAFS ONLY IF IT HAS AT LEAST FIVE (5) MEMBERS, COMING FROM DIFFERENT FARMS IN THE MUNICIPALITY/CITY, OR IN THE ADJACENT MUNICIPALITY/CITY OF THE SAME PROVINCE, ACTUALLY PRACTICING ORGANIC AGRICULTURE, AND WHOSE FARMS HAVE BEEN CERTIFIED BY THE BAFS OR BY AN OCB.

FOR PURPOSES OF THIS SECTION, THE BAFS IS HEREBY AUTHORIZED TO CERTIFY AT MOST FIVE (5) INDIVIDUAL FARMS OF A PGS GROUP WHOSE OWNERS OR REPRESENTATIVES WILL THEN COMPOSE THE CORE PGS GROUP: *PROVIDED*, THAT ONCE SUCH CORE PGS GROUP HAS BEEN SUBSEQUENTLY ACCREDITED BY THE BAFS, THE AUTHORITY OF THE BAFS TO CERTIFY THE FARMS OF THE SAME CORE PGS GROUP SHALL CEASE: *PROVIDED, FURTHER*, THAT THE CERTIFICATION ISSUED BY BAFS SHALL AUTOMATICALLY LAPSE AND BE DEEMED REVOKED WHEN A FARMER CEASES TO BE A MEMBER OF THE CORE PGS GROUP.

A NATIONAL ORGANIZATION OF LOCAL GOVERNMENT UNITS (LGUS) ACTUALLY INITIATING OR ENGAGED IN ORGANIC AGRICULTURE; OR ANY PRIVATE GROUP OR ORGANIZATION ACTUALLY ENGAGED IN ORGANIC AGRICULTURE, AS DIRECT FARM PRODUCER, AS A PROMOTER/ADVOCATE OF THE WAYS, METHODS AND PRINCIPLES OF ORGANIC AGRICULTURE, OR AS A MARKETER OF ORGANIC AGRICULTURE PRODUCE; MAY ALSO APPLY FOR ACCREDIT-

ATION AS AN ORGANIC CERTIFYING BODY.

THE BAFS SHALL ISSUE ITS DECISION ON THE APPLICATION FOR ACCREDITATION BY A CORE PGS GROUP OR ANY QUALIFIED ENTITY APPLYING FOR ACCREDITATION WITHIN SIXTY (60) DAYS FROM THE SUBMISSION OF THE COMPLETE REQUIREMENTS. FAILURE TO RENDER DECISION WITHIN SUCH PERIOD SHALL BE DEEMED AN APPROVAL OF THE APPLICATION FOR ACCREDITATION AS AN OCB. THE BAFS SHALL NOT CHARGE ANY APPLICATION FEE.

*E. ORGANIZATIONAL LEVELS.*

1. *THE CORE PGS GROUP.* EVERY CORE PGS GROUP SHOULD HAVE AT LEAST FIVE (5) MEMBERS, COMPOSED OF FARMERS FROM A COMBINATION OF BOTH THE CROPS AND LIVESTOCK SECTORS. IT MAY ADD TO ITS MEMBERSHIP FARMERS FROM OTHER SECTORS IN AGRICULTURE, NON-GOVERNMENT ORGANIZATIONS, PEOPLE'S ORGANIZATIONS, BUYERS OF ORGANIC AGRICULTURE PRODUCTS, SUPPLIERS OF ORGANIC INPUTS, AMONG OTHERS, WHO ALL LIVE IN THE SAME OR ADJACENT MUNICIPALITY OR CITY WITHIN THE PROVINCE AND REGULARLY INTERACT WITH EACH OTHER.

EACH CORE PGS GROUP SHALL HAVE THE FOLLOWING DUTIES AND RESPONSIBILITIES:

- i. DEVELOP AN UNDERSTANDING OF THE ORGANIC STANDARDS;
- ii. MAKE SURE FARM PRACTICES ARE COMPLIANT;
- iii. MAKE A PLEDGE THAT THEY UNDERSTAND AND ADHERE TO THE ORGANIC STANDARDS;
- iv. CONDUCT INSPECTION AND CERTIFICATION ACTIVITIES OF MEMBER FARMS IN THE MUNICIPALITY/CITY, OR IN THE ADJACENT

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MUNICIPALITY/CITY, AS THE CASE MAYBE. AT LEAST A MAJORITY OF THE MEMBERS OF THE CORE PGS GROUP WHO JOINED IN THE ACTUAL INSPECTION AND CERTIFICATION ACTIVITY SHOULD SIGN ON THE TRUTHFULNESS OF THE FINDINGS OF THE INSPECTION AND CERTIFICATION ACTIVITY;

- v. RECOMMEND WHICH FARMS WILL BE CERTIFIED;
  - vi. INITIATE KEY FIELD TRAININGS FOR FARMER-MEMBERS AND RESIDENTS IN THEIR LOCALITY TO PROMOTE ORGANIC AGRICULTURE;
  - vii. ATTEND MUNICIPAL/PROVINCIAL PGS MEETINGS AND SHARE INFORMATION;
  - viii. TAKE ACTIONS ON DEFAULTS/ NON-COMPLIANCE AS PER SANCTION GUIDELINES TO BE PROVIDED BY THE BAFS, ORGANIC CERTIFYING BODIES AND MUNICIPAL/CITY PGS GROUPS; AND
  - ix. ASSIST DEFAULTING AND NON-COMPLIANT MEMBERS TO REGAIN CERTIFICATION STATUS.
2. *MUNICIPAL/CITY PGS GROUP.* THE MUNICIPAL/CITY PGS GROUP SHALL BE COMPOSED OF THE FOLLOWING: 1) ONE (1) REPRESENTATIVE FOR EACH CORE PGS GROUP IN THE MUNICIPALITY/CITY, AND 2) ONE (1) REPRESENTATIVE FROM A REGIONAL AGRICULTURAL STATE UNIVERSITY OR COLLEGE (SUC) OR LOCAL PRIVATE AGRICULTURAL EDUCATIONAL INSTITUTION: *PROVIDED*, THAT THERE SHOULD BE AT LEAST TWO (2) CORE PGS GROUPS IN THE MUNICIPALITY/CITY BEFORE A MUNICIPAL/CITY PGS GROUP CAN BE ESTABLISHED.

THE MUNICIPAL/CITY PGS GROUP SHALL CONDUCT ITS BUSINESS AND AFFAIRS BASED

ON MAJORITY DECISION OF MEMBERS PRESENT, AFTER HAVING SECURED A QUORUM.

THE MUNICIPAL/CITY PGS GROUP SHALL HAVE THE FOLLOWING POWERS, DUTIES AND RESPONSIBILITIES:

- i. TOGETHER WITH THE BAFS, DEVELOP OR UPDATE AND IMPLEMENT THE PARTICIPATORY GUARANTEE SYSTEM, AS PROVIDED IN THIS ACT;
- ii. ENSURE THAT COMPLIANT FARMER MEMBERS CONTINUE TO COMPLY WITH ALL REQUIREMENTS OF THE APPLICABLE PHILIPPINE NATIONAL STANDARDS (PNS) ON ORGANIC AGRICULTURE AND RELEVANT REGULATORY REQUIREMENTS;
- iii. MAINTAIN A REGISTRY OF CORE PGS GROUPS OPERATING WITHIN ITS AREA OF JURISDICTION, WHICH SHALL BE FORWARDED TO THE BAFS ON YEAR-END FOR THE LATTER'S NATIONAL DATA BASE;
- iv. TOGETHER WITH THE ORGANIC CERTIFYING BODY INVOLVED IN THE INSPECTION AND CERTIFICATION ACTIVITY, AND IN COORDINATION WITH THE BAFS, ISSUE PARTICIPATORY ORGANIC CERTIFICATE AND THE "PGS GUARANTEED ORGANIC" LABEL/MARK TO COMPLIANT SMALL FARMER/FISHERFOLK AND/OR THEIR FARM/ASSOCIATION/ COOPERATIVE; AND
- v. SUBMIT REGULARLY TO THE BAFS A LIST OF CERTIFIED SMALL FARMER/FISHERFOLK AND/OR THEIR FARM/ ASSOCIATION/ COOPERATIVES.

IN CASE A MUNICIPAL/CITY PGS GROUP HAS YET TO BE ESTABLISHED, THE

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BAFS, IN COORDINATION WITH THE LOCAL GOVERNMENT UNIT CONCERNED, SHALL ASSUME THE POWERS, DUTIES AND RESPONSIBILITIES OF THIS GROUP.

3. *PROVINCIAL AND NATIONAL PGS GROUP.* IT SHALL BE THE OPTION OF THE PGS GROUP TO FORM THEIR AGGREGATION AT THE PROVINCIAL AND NATIONAL LEVELS. THEY SHALL RECEIVE THE FINANCIAL AND TECHNICAL ASSISTANCE, SUPPORT AND GUIDANCE OF THE DEPARTMENTS IN THE NOAB AND THE DA-BAFS IN THIS REGARD. THE PROVINCIAL GOVERNMENTS SHALL ENCOURAGE AND SUPPORT THE FORMATION AND ACTIVITIES OF THESE PGS GROUPS IN THE DIFFERENT PROVINCES, CITIES AND MUNICIPALITIES WITHIN THEIR JURISDICTION.
- F. *PROMOTION.* - THE NOAB SHALL ACTIVELY PROMOTE, SEARCH AND RECOGNIZE ASSOCIATIONS OR GROUPS THAT HAVE BEEN PRACTICING ORGANIC AGRICULTURE THROUGH THE PGS, IN ACCORDANCE WITH THIS ACT. THE NOAB SHALL ENSURE THAT EACH PROVINCE IN THE COUNTRY HAS A PGS GROUP. EVERY PGS GROUP SHALL CONDUCT TRAININGS AND PROMOTE ORGANIC AGRICULTURE.
- G. *TRAINING AND INSPECTION.* THE AGRICULTURAL TRAINING INSTITUTE (ATI) SHALL, IN CLOSE COORDINATION WITH BAFS, MAKE AVAILABLE THE REQUIRED TRAINING PROGRAM ON ORGANIC AGRICULTURE STANDARDS AND PROCESSES FOR PGS GROUPS APPLYING FOR BAFS ACCREDITATION. THE BAFS SHALL CONDUCT RANDOM INSPECTIONS TO ENSURE THAT PGS GROUPS ARE ALL COMPLIANT WITH THE PHILIPPINE NATIONAL STANDARD ON ORGANIC AGRICULTURE. THE BAFS SHALL KEEP A RECORD OF COMPLIANCE FOR PGS GROUP IN THE COUNTRY AND SHALL PUBLISH A LIST OF SUCH COMPLIANCE AT LEAST ONCE A YEAR.

- H. *INCENTIVES.* ANY SMALL FARMER/ FISHERFOLK OR THEIR FARMS/ ASSOCIATIONS/COOPERATIVES ENGAGED IN ORGANIC AGRICULTURE OR ANY ORGANIC INPUT PRODUCER, CERTIFIED BY ITS CORE PGS GROUP OR ANY ORGANIC CERTIFYING BODY, ACCREDITED UNDER THIS SECTION, TO BE COMPLIANT FOR A PERIOD OF 5 YEARS, WITHOUT ANY OFFENSE OR INFRACTION, SHALL BE ELIGIBLE FOR A FULL GOVERNMENT SUBSIDY OF THE COST FOR AN INTERNATIONAL CERTIFICATION FOR ONE (1) YEAR: PROVIDED, THAT THEY SHALL EXPORT THEIR PRODUCTS. FURTHER, SO LONG AS THE SAME ENTITLES MAINTAIN THEIR STATUS OF COMPLIANCE, THEY SHALL BE INVITED AND GIVEN, FOR FREE, PRIME LOCATION IN ANY GOVERNMENT AGENCY-INITIATED OR SPONSORED TRADE AND BUSINESS MARKETING GATHERING OF FILIPINO PRODUCTS, FOR THE PURPOSE OF DISPLAYING AND SELLING THEIR OWN ORGANIC PRODUCTS.

#### PANGILINAN AMENDMENT

At this point, Senator Pangilinan asked for a clarification on the amendment that read: "FARM/ FARMOWNER APPLYING FOR CERTIFICATION AS AN ORGANIC AGRICULTURE PRACTITIONER SHALL JOIN A PGS GROUP IN THE SAME MUNICIPALITY/CITY WHERE IT IS LOCATED OR WITH A PGS GROUP IN AN ADJACENT MUNICIPALITY/CITY WITHIN THE SAME PROVINCE: PROVIDED, THAT THE FARM IS CONTIGUOUS WITH THE FARMS OF THE PGS GROUP IN THE ADJACENT MUNICIPALITY/CITY." He asked whether it would mean that non-adjacent municipalities within the same province cannot join a PGS. For instance, he cited farms in Cavite that are located in municipalities that are not adjacent to Tagaytay City like Tanza and Marigondon, but provide their produce to Tagaytay City.

As proposed by Senator Pangilinan and accepted by the Sponsor, there being no objection, the term "adjacent" in the proviso was deleted as long as the municipalities are within the same province.



**VILLAR AMENDMENTS***(Continuation)*

As proposed by Senator Villar, there being no objection, there being no objection, the Body approved the following amendments, one after the other.

**Page 17**

- On lines 4 and 5, delete the entire Section 9 and replace it with the following:

SEC 11. SECTION 13 OF REPUBLIC ACT NO. 10068 IS HEREBY RENUMBERED AS SECTION 15;

- On line 7, change "SEC. 10" to SEC. 12;
- On line 10, change "SEC. 15" to SEC. 16.
- On line 22, replace the phrase "a new section" with REPLACE IT WITH A NEW SECTION 17.

**Page 18**

- On line 16, change "SEC. 12" to SEC. 14.

**Page 19**

- On line 1, change "SEC. 13" to SEC. 15;
- On line 4, change "SEC. 14" to SEC. 16;
- On line 9, replace the acronym "NOAP" with the phrase AGRIBUSINESS AND MARKETING ASSISTANCE SERVICE; and
- Re-number the succeeding sections accordingly.

**TOLENTINO AMENDMENTS**

As proposed by Senator Tolentino and accepted by the Sponsor, there being no objection, the Body approved the following amendments, one after the other, subject to style:

- On page 1, line 10, after the words "natural resources," insert the following phrase: ENCOURAGE THE PARTICIPATION OF INDIGENOUS ORGANIC FARMERS PROMOTING THEIR SUSTAINABLE PRACTICES;
- On page 7, line 3, insert a new subsection, as follows:
  - ONE (1) REPRESENTATIVE FROM THE INDIGENOUS ORGANIC FARMERS, IF ANY, IN THE COMMUNITY.

**MARCOS AMENDMENTS**

As submitted by Senator Marcos and accepted by the Sponsor, there being no objection, the Body approved the following amendments, one after the other:

**Page 12**

- On line 7, after the word "MUNICIPALITY/CITY," insert the phrase OR WITHIN TWO (2) ADJACENT MUNICIPALITIES.

Senator Villar said that the amendment would not be contrary to the earlier amendment of Senator Pangilinan since there are also provincial PGS.

Asked by Senator Pangilinan on the definition of a provincial PGS, Senator Villar said that it refers to the PGS in a whole province, whether or not the municipalities or cities are adjacent, so long as they are within the same province.

- On line 8, after the word "AGRICULTURE" and the period (.), insert a new sentence, to read as follows: the THE BAFS SHALL EXTEND TECHNICAL AND MATERIAL SUPPORT TO PGS IN ITS APPLICATION FOR ACCREDITATION;
- On line 20, replace the letter "D" with the letter E.
- On line 29, after the word "CITY," insert the phrase WITHIN TWO (2) ADJACENT MUNICIPALITIES; and

**Page 4**

- On line 23, replace the figure "D1" with E1.

**CLEAN COPY**

Senate President Sotto directed the Secretariat to prepare a clean copy of the bill in preparation for Second Reading the following day.

**RECONSIDERATION OF THE TOLENTINO AMENDMENT**

Upon motion of Senator Tolentino, there being no objection, the Body reconsidered the approval of the amendment on page 7, line 3, containing the qualifying phrase "IF ANY."



Senator Tolentino explained that his amendment is not actually community-based and has nothing to do with the local boards but with the National Organic Agricultural Boards (NOAB); thus, the qualifying words "if any," as earlier adopted, would not apply.

Senator Villar stressed the need to ensure that the representative is qualified in the interest of fairness.

#### **TOLENTINO AMENDMENT**

As proposed by Senator Tolentino and accepted by the Sponsor, there being no objection, the Body approved the following proviso on page 7, line 3:

- (L) ONE QUALIFIED REPRESENTATIVE FROM THE INDIGENOUS ORGANIC FARMERS.

#### **TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS**

There being no other individual amendment, upon motion of Senator Zubiri, there being no objection, the Body closed the period of individual amendments.

#### **COAUTHORS**

As manifested by Senator Zubiri, all Members present were made coauthors of Senate Bill No. 1318.

#### **RECONSIDERATION OF THE TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS**

Upon motion of Senator Zubiri, there being no objection, the Body reconsidered the termination of the period of individual amendments.

#### **MANIFESTATION OF SENATE PRESIDENT SOTTO**

Senate President Sotto stated that his attention was called to Section 19 which would subject the Implementing Rules and Regulations (IRR) to review and approval by Congress. He said that based jurisprudence, the IRR should not be subject to review and approval by Congress.

#### **SOTTO AMENDMENT**

Thus, as proposed by Senate President Sotto and accepted by the Sponsor, there being no objection, the Body approved the deletion of the words "for review and approval" on line 29, page 20.

#### **TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS**

There being no other amendment, upon motion of Senator Zubiri, there being no objection, the Body closed the period of individual amendments.

#### **CLEAN COPY**

The Senate President directed the Secretariat to prepare a clean copy of the bill incorporating the approved amendments to be distributed by e-mail to all the Members or their chiefs of staff.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1318**

Upon motion of Senator Zubiri, there being no objection, the Body suspended consideration of the bill.

#### **SPECIAL ORDER**

Upon motion of Senator Zubiri, there being no objection, the Body approved the transfer of Committee Report No. 87 on Senate Bill No. 1541 from the Calendar for Ordinary Business to the Calendar for Special Orders.

#### **COMMITTEE REPORT NO. 87 ON SENATE BILL NO. 1541**

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1541 (Committee Report No. 87), entitled

AN ACT AMENDING SECTION 3 OF REPUBLIC ACT NO. 7797, OTHERWISE KNOWN AS "AN ACT TO LENGTHEN THE SCHOOL CALENDAR FROM TWO HUNDRED (200) DAYS TO NOT MORE THAN TWO HUNDRED TWENTY (220) CLASS DAYS."

Pursuant to Section 67, Rule XXIII of the Rules

*ps*



of the Senate, with the permission of the Body, upon motion of Senator Zubiri, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

The Chair recognized Senator Gatchalian for the sponsorship.

### **SPONSORSHIP SPEECH OF SENATOR GATCHALIAN**

Senator Gatchalian submitted for the consideration of the Body Senate Bill No. 1438, 1452 and 1457, filed respectively by Senate President Sotto, and Senators Villanueva and Tolentino. He said that this amendatory legislation would provide the national government more flexibility in managing the school calendar amid the unique challenges posed by the COVID-19 pandemic.

*Following is the full text of Senator Gatchalian's sponsorship speech:*

Section 3 of Republic Act No. 7797 passed in 1994 mandates that the Secretary of Education shall set the start of the basic education school year sometime between the first Monday of June and the last day of August. Under the usual circumstances, this 11- to 12-week window provides enough flexibility for the government to adjust the class schedule due to any issue that might arise.

Unfortunately, the COVID-19 has put the entire country under the most unusual of circumstances. The proposed opening of 2020 to 2021 school year on August 24 has been opposed by those who fear that the physical opening of our schools may cause a spike in the COVID-19 cases among school-age children.

*Marami pong mga magulang ang nangangamba na baka kapag pinayagan nilang pumasok sa eskuwelahan ang kanilang mga anak ay hindi malayong mahawa sila ng peligrosong sakit na ito. Kaya marami sa kanila ang nagsasabing mas maigi pang kahit ipagpaliban muna ang pag-aaral ng kanilang mga anak kaysa isakripisyo ang kanilang kalusugan at kaligtasan.*

As it stands now, Republic Act No. 7797 calls on the Secretary of Education to start classes by August 31, 2020 even if the Department of Health or the Inter-Agency Task Force on Emerging Infectious Diseases would recommend delaying the start of classes to protect the health and welfare of our children.

The bill I am sponsoring today amends Section 3 of RA 7797 to empower the President, upon recommendation of the Secretary of Education, to set a different date for the start of the school year. The date of the start of the school year may be changed for the entire Philippines or any part thereof which is under a state of emergency, calamity, or similar occurrence.

The COVID-19 has massively infected the education sector, making it the fourth among the most impacted sectors in the country. In fact, further moving the school opening beyond August is a decision with even more complicated implications in the education sector not only on the health and safety of the learners and the parents but also on the livelihood of private school teachers and the survival of the private school education sector. It is in contemplation of this and similar situations that this bill proposes it be the President himself, upon the recommendation of the Secretary of Education, who shall make this critical decision.

The immediate effect of this legislation would be to empower the President to move the start of the school year 2020 to 2021, to September or even later in the event that the public health authorities would recommend the postponement of the school year in order to contain the spread of COVID-19. This way, the government will have free rein to make a science-based decision on the school opening issue.

In later years, this law would give the President and the Department of Education sufficient flexibility in adjusting the start of the school year when other emergencies or calamities would so require.

*Mahalaga ang pagpasok sa eskuwelahan ng mga bata, pero higit na mahalaga ang kanilang kaligtasan at kalusugan. Kaya bigyan po natin ng pagpapasya ang Pangulo ng Pilipinas at ang Kalihim ng Edukasyon upang baguhin ang petsa ng pasukan sa panahon ng pandemya habang walang kasiguraduhan sa kaligtasan at kalusugan ng kabataang Pilipino.*

For these reasons, I join the Senate President, and Senators Villanueva and Tolentino, in seeking the support of this esteemed Chamber for the passage of this legislation.

### **COSPONSORSHIP SPEECH OF SENATOR VILLANUEVA**

As coauthor of Senate Bill No. 1541, Senator Villanueva delivered his cosponsorship speech, as follows:





Allow me, on the onset, to congratulate our Chair for calendaring and immediately acting on this very important measure. This measure is yet another “coronavirus response bill”; hence, I appeal to our distinguished colleagues that it should be dealt with utmost urgency. It will affect more than 27 million Filipino learners; 1.2 million teachers and school personnel; and 61,000 public and private schools in the country.

School opening is the issue and it is not just a minor concern. Sadly, our 25-year old Republic Act No. 7797 has fixed the start of the school year on the first Monday of June but not later than the last day of August. The Department of Education has also set the date of the school opening for the coming school year 2020 to 2021 on August 24 based on the national online survey.

We are in a precarious situation because of the COVID-19. I sincerely believe that we must allow some flexibility in our laws. We have no choice but to let hard science and not public opinion surveys and guesses to call the shots. No less than the President himself, Pres. Rodrigo Duterte, reacted yesterday about this particular issue and we support the concerns of the President.

For this reason, our original proposal contained in Senate Bill No. 1452 seeks to give our DepEd Secretary a flexibility to open the school year 2020-2021 any time after August based on the assessment and recommendations of the Inter-Agency Task Force.

However, after participating in the hybrid virtual hearing presided no less than by the chair of the Committee on Basic Education, Arts and Culture, Sen. Win Gatchalian, and knowing how this particular issue has caused divisiveness and anxiety to our people, we agreed on the consolidated bill that it must be the President who must have the power to set a different date for the start of the school year nationwide or in specific areas upon the recommendation of the Secretary of Education.

Indeed, the COVID-19 pandemic lends urgency into this piece of legislation. This measure will consolidate the efforts of education stakeholders in mitigating damages in surmounting challenges in this crisis. More importantly, this measure will pacify stakeholders and we assure parents who remain wary of sending their kids back to school while the pandemic is still in place.

Again, I appeal for the immediate passage of Senate Bill No. 1541.

*Maraming-maraming salamat po at pag-palain tayong lahat ng ating Panginoong Diyos.*

## COAUTHOR

Upon his request, Senator Zubiri was made coauthor of Senate Bill No. 1541.

## COSPONSORSHIP SPEECH OF SENATOR ZUBIRI

Senator Zubiri stated that it was an honor for him to cosponsor Senate Bill No. 1541, a very timely measure which will impact the very important chunk of the population — the children.

*The full text of Senator Zubiri's cosponsorship speech follows:*

This measure seeks to amend Republic Act No. 7797, otherwise known as “The Act to Lengthen the School Calendar from Two Hundred (200) Days to More Than Two Hundred Twenty (220) Class Days,” by giving the President, upon recommendation of the Secretary of Education, the power to set a different date for the start of the school year in the country or parts thereof in the event of the declaration of the State of Emergency and State of Calamity or similar occurrence.

I have to state for the record though that I filed Senate Bill No. 545 which proposes to synchronize the opening of all classes in the country and sets it for any date between the second Monday of August 2020 to the second Monday of September 2020 at the latest. This would synch up our school years with the majority of school systems across the globe.

Having said that, I am supporting the said committee report because we are in an extraordinary situation that calls for measures immediately responsive to our people's needs.

If you may recall, before we went under ECQ, this Representation urged the Department of Education to declare an early summer break due to the increasing confirmed cases of COVID-19 in the country. I said it before and I am saying it again that we need a proactive stance now more than ever because this concerns a very important and vulnerable demographic of our population, our children—this country's future. With thousands of confirmed COVID-19 cases now in the country and more to be expected given the increase of testing, there is a need to





give our government the flexibility to postpone the opening of classes at a later date for our children's safety and welfare.

With that, I lend my full support for the earnest passage of this measure.

## **INTERPELLATION OF SENATOR DRILON**

Asked by Senator Drilon whether the law is applicable to both private and public schools, Senator Gatchalian replied in the affirmative, pointing out that DepEd is the general supervisor of all basic education institutions, including international schools. However, he clarified that schools could actually open in June provided that they would not implement physical classes, and he disclosed that some international schools have, in fact, already opened, using online learning as their platform.

Senator Drilon suggested that Senator Gatchalian review the guidelines relative to schools with international status, such as the International School Manila and the British International School, which have their own special laws, so that the Body could be guided accordingly on what to do with them. Senator Gatchalian assured Senator Drilon that he would review and report to the Body whether the DepEd has jurisdiction, especially supervisory powers, over international schools.

Senator Drilon stated that international schools have been given their own charters under the law. He then asked about the present state of RA 7797. Senator Gatchalian agreed with Senate President Sotto that under the law, the DepEd is supposed to declare school opening in June or, at the latest, on the last week of August.

Senator Drilon then asked whether the President could reset the school opening on grounds of health emergency even without amending the law. Senator Gatchalian replied that the Administrative Code broadly gives some authority to the Secretary of Education to open schools as he or she deems fit; however, RA 7797 came in later than the Code which is a very specific law that dictates that the school opening must be from the first Monday of June until the last day of August.

At this juncture, Senate President Sotto clarified that the reason he and some of the Members filed the proposed measure was that there would be a

violation of RA 7797 if the DepEd or the President decides not to open the schools by the last week of August, which is the maximum period that they could adjust.

Senator Gatchalian added that the proposed measure would give the President and the DepEd Secretary a lot of flexibility in adjusting the opening of classes to a later date in case, for instance, of a calamity or emergency.

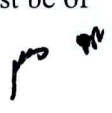
Senator Drilon suggested that Senator Gatchalian review the bill further so that the power to adjust the school year should be based on specific circumstances or exceptional circumstances, like in case of the current pandemic. He stated that he recognizes the need for flexibility, but he emphasized that it must be premised on the occurrence of certain events such as the current pandemic which would justify the resetting of the school year. He believed that the DepEd should not be given an absolute grant to change the school year without any premise or basis.

Senator Gatchalian said that it was clearly specified in the proposed measure, as contained in Senator Villanueva's bill, that the President, upon the recommendation of the Secretary of Education, could move the class opening only during a state of emergency or a state of calamity or similar occurrence; however, without such declarations, the dates prescribed in RA 7797 would stay.

Senator Drilon requested that the specific circumstances as illustrated by Senator Gatchalian must be clearly defined and specified in the proposed measure.

## **INTERPELLATION OF SENATOR ZUBIRI**

Preliminarily, Senator Zubiri agreed with Senator Drilon that there are certain schools with international charters, such as the International School Manila and British International School, and therefore, there is a need to be specific because they might not heed the direction of the law by invoking their respective charters. He disclosed that during an ANC (Channel 27) interview with several heads of private schools, it was mentioned that many of their member-schools were going to open classes in June and not in August, perhaps to address their financial problem due to lack of income. He, however, maintained that the health of the children must be of utmost priority.





Senator Zubiri said that once the President moves the date of school opening through the proposed measure, the schools should follow the law.

Asked whether online classes would be allowed earlier than the directive of the President on when school classes should open, Senator Gatchalian replied that the latest pronouncement of DepEd was that private schools could open in June provided it is limited to online learning or distance learning. However, he said that since it would be the decision of the President under the law, the scope and latitude would cover all schools in the country, including international schools that have their own charters because they are still under the general supervision of the DepEd. He said that given the current magnitude of the calamity or pandemic, the President must be given the authority to decide on the opening of classes.

Senator Zubiri acknowledged the immediate need to pass the proposed bill because the public school system is not yet equipped to handle online education. He specifically mentioned the many towns and barangays across the country that have no access to internet yet.

Asked whether the proposed bill would prevent other schools from opening through online classes, considering the President's statement that there would be no classes until there is a COVID-19 vaccine, Senator Gatchalian explained that under the proposed measure, the President is granted the authority to move the opening of classes to a later date depending on the situation or during calamities or disasters. He stated that schools in different locations could have different school openings depending on their situation, their technology, and methodology. He said that the proposed bill would not preclude schools from opening provided that they would only offer online or non-contact methodology and that they should put in place certain measures to limit the exposure of their students especially in times of pandemic.

Senator Zubiri suggested putting a specific provision to the effect that online classes are allowed only with the approval of the DepEd. He cautioned that once the law is passed authorizing the President to move the school calendar, some schools may become hesitant to conduct online classes for fear of violating the law because of the lack of such provision.

## INTERPELLATION OF SENATOR RECTO

Asked by Senator Recto if the bill would only cover the K to 12 program, Senator Gatchalian replied in the affirmative.

Asked whether the proposed measure would give the President authority to move the school opening either nationwide or in selected regions only, or whether it is flexible, Senator Gatchalian replied that as proposed, the President could set the opening of classes nationwide or several areas depending on the situation.

On whether education is essential or non-essential, Senator Gatchalian replied that it is absolutely essential because in situations like what the country is in, inequality might arise within the society. He pointed out that in advanced schools, like the international schools and private schools, they have already started online learning, while the public school system has been left behind. He said that if the government could not come up with a mechanism or innovative methodologies to deliver learning to the public school system, then the poor constituents would be left behind.

Senator Recto said that since education is essential, it must be so reflected in the bill. He stated that if the government is finding ways to reopen restaurants subject to social distancing measures, it should do the same to the education sector. Senator Gatchalian agreed, saying that education could be promoted through traditional forms of broadcast like radio and television since the government could tap into the 10% allocation for public service time as mandated in their respective franchises.

## MANIFESTATION OF SENATOR VILLANUEVA

Replying to the concerns raised by Senators Drilon, Zubiri and Recto, Senator Villanueva explained that the measure expressly provides that there must be a declaration of a state of emergency, state of calamity, or similar occurrence as basis to move the start of the school year upon the recommendation of the Secretary of Education.

As regards the constitutional guarantee of academic freedom to institutions of higher learning, he stated that part of academic freedom is the determination of when they would open.



## **FURTHER INTERPELLATION OF SENATOR DRILON**

Senator Drilon inquired if the power of the President granted by the proposed measure includes the power to suspend a school year or merely authorizes the President to set the opening of the school year considering that in the day's papers, the President stated that schools will not be opened until a vaccine is discovered or produced. In response, Senator Gatchalian surmised that President Duterte might have deemed it necessary to postpone the school opening because without a vaccine, there is greater risk for students to go to school. He said that the bill gives authority to the President to postpone school opening in cases of emergency or calamity.

Senator Drilon noted that if the bill would cover such contingencies that a whole school year would, in effect, be suspended, then it is not only the school opening that would be reset but the whole school year that would be scrapped. Thus, he hoped that as a matter of policy, the issue must be clearly specified if it is encompassed in the bill.

On another point, Senator Drilon recalled Senator Gatchalian saying that the DepEd has general supervision over all schools, and that the charters of international schools are deemed included in that supervisory power. Citing the principle that a general law could not amend a specific law, he advised Senator Gatchalian to review the bill in anticipation of the same questions that might be presented for the next day's debates. He pointed out that international schools precisely sought special charters because of their peculiar needs, for instance, catering to the expatriates and their families, or to families of members of the diplomatic corps assigned in the country, so that they are given the flexibility to fix the school year.

Senator Gatchalian acknowledged the issues raised made by Senator Drilon, saying that he would review the charters of these special schools so he would understand the dynamics between the DepEd and these special schools.

## **MANIFESTATION OF SENATOR TOLENTINO**

Senator Tolentino stated that although international schools have branched out from other jurisdictions, they formed corporations in the Philippines, thus, they are definitely subject to Philippine laws and

could not isolate themselves from the country's local conditions and/or situations such as typhoons, as they also follow PAG-ASA and DepEd advisories. He added that while the general supervisory functions of the DepEd kicks into play, the international schools would still follow another jurisdiction as regards their grading system, modules of instruction, and academic calendar, whether it is of British or American model. He believed that the DepEd has supervisory functions over these international schools which, he hoped, would be further clarified by Senator Gatchalian in the next session day.

## **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1541**

Upon motion of Senator Zubiri, there being no objection, the Body suspended consideration of the bill.

## **SUSPENSION OF SESSION**

Upon motion of Senator Zubiri, the session was suspended until three o'clock in the afternoon of Wednesday, May 27, 2020.

*It was 4:49 p.m.*

## **RESUMPTION OF SESSION**

At 3:00 p.m., Wednesday, May 27, 2020, the session was resumed with Senate President Vicente C. Sotto III, presiding.

## **ADDITIONAL REFERENCE OF BUSINESS**

The Secretary of the Senate read the following matters and the Chair made the corresponding referrals:

## **MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

Letter from the House of Representatives, informing the Senate that on May 19, 2020, the House of Representatives ratified the Conference Committee Report on the disagreeing provisions of House Bill No. 6312, entitled

AN ACT ESTABLISHING THE  
NATIONAL ACADEMY OF SPORTS  
SYSTEM AND APPROPRIATING  
FUNDS THEREFOR, and

*fn*



Senate Bill No. 1086, entitled

AN ACT CREATING AND ESTABLISHING THE PHILIPPINE HIGH SCHOOL FOR SPORTS AND PROVIDING FUNDS THEREFOR

**To the Archives**

Letter from the House of Representatives, informing the Senate that on May 20, 2020, the House of Representatives concurred with the Senate amendments to House Bill No. 4581, entitled

AN ACT RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO GOLDEN BROADCAST PROFESSIONAL, INC. UNDER REPUBLIC ACT NO. 8025, ENTITLED "AN ACT GRANTING THE GOLDEN BROADCAST PROFESSIONAL, INC., A FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE A STATION FOR FM RADIO AND TELEVISION BROADCASTING IN THE ISLAND OF MINDANAO", AND EXPANDING ITS COVERAGE TO THE ENTIRE PHILIPPINES"

**To the Archives**

Letter from the House of Representatives, informing the Senate that on May 20, 2020, the House of Representatives passed the following House bills, in which it requested the concurrence of the Senate:

House Bill No. 5083, entitled

AN ACT PROVIDING FOR THE RESTRUCTURING AND CONDONATION OF UNPAID INTERESTS, PENALTIES, AND SURCHARGES ON LOANS SECURED BY FARMERS, FISHERFOLK AND AGRARIAN REFORM BENEFICIARIES FROM DEPARTMENT OF AGRARIAN REFORM (DAR), DEPARTMENT OF AGRICULTURE (DA), PEOPLE'S CREDIT AND FINANCE CORPORATION (PCFC), COOPERATIVE DEVELOPMENT AUTHORITY (CDA),

NATIONAL FOOD AUTHORITY (NFA) AND THE QUEDAN AND RURAL CREDIT GUARANTEE CORPORATION (QUEDANCOR)

**To the Committee on Agriculture, Food and Agrarian Reform**

House Bill No. 6137, entitled

AN ACT ENCOURAGING CORPORATE SOCIAL RESPONSIBILITY, PROVIDING INCENTIVES THEREFOR

**To the Committee on Trade, Commerce and Entrepreneurship**

House Bill No. 6139, entitled

AN ACT INSTITUTIONALIZING AND FINANCING THE ROLE OF PARENT-TEACHER AND COMMUNITY ASSOCIATIONS IN PROMOTING THE WELFARE AND PROTECTING THE RIGHTS OF CHILDREN, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 603, OTHERWISE KNOWN AS "THE CHILD AND YOUTH WELFARE CODE"

**To the Committees on Women, Children, Family Relations and Gender Equality; and Basic Education, Arts and Culture**

House Bill No. 5855, entitled

AN ACT ESTABLISHING THE SECOND DISTRICT ENGINEERING OFFICE IN THE MUNICIPALITY OF COMPOSTELA, PROVINCE OF DAVAO DE ORO, AND APPROPRIATING FUNDS THEREFOR

**To the Committees on Public Works; and Finance**

House Bill No. 2397, entitled

AN ACT DECLARING MAY 19 OF EVERY YEAR A SPECIAL NON-WORKING HOLIDAY IN THE CITY OF BUTUAN, IN CELEBRATION OF THE BALANGAY FESTIVAL



**To the Committee on Local Government**

House Bill No. 4939, entitled

AN ACT ESTABLISHING A FISH PORT IN BARANGAY MACUYON, MUNICIPALITY OF SIRAWAI, PROVINCE OF ZAMBOANGA DEL NORTE AND APPROPRIATING FUNDS THEREFOR

**To the Committees on Agriculture, Food and Agrarian Reform; Public Works; and Finance**

House Bill No. 5027, entitled

AN ACT ESTABLISHING A FISH PORT IN BARANGAY MALINTUBUAN, MUNICIPALITY OF LABASON, PROVINCE OF ZAMBOANGA DEL NORTE AND APPROPRIATING FUNDS THEREFOR

**To the Committees on Agriculture, Food and Agrarian Reform; Public Works; and Finance**

House Bill No. 6441, entitled

AN ACT INCLUDING AREVALO PLAZA IN THE ILOILO CITY CULTURAL HERITAGE TOURISM ZONE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10555, ENTITLED: 'AN ACT DECLARING THE JARO CATHEDRAL, MOLO CHURCH, THE ILOILO CITY CENTRAL BUSINESS DISTRICT, FORT SAN PEDRO, JARO PLAZA COMPLEX, MOLO PLAZA COMPLEX AND PLAZA LIBERTAD COMPLEX, ALL LOCATED IN THE CITY OF ILOILO, AS CULTURAL HERITAGE TOURISM ZONE

**To the Committees on Tourism; and Basic Education, Arts and Culture**

House Bill No. 6442, entitled

AN ACT DECLARING MOUNT ARAYAT, BORDERING THE MUNICIPALITIES OF ARAYAT AND MAGALANG,

PROVINCE OF PAMPANGA A TOURIST DESTINATION, PROVIDING FOR ITS DEVELOPMENT AND APPROPRIATING FUNDS THEREFOR

**To the Committees on Tourism; Environment, Natural Resources and Climate Change; and Finance**

House Bill No. 6443, entitled

AN ACT DECLARING GANGUB CAVE IN THE MUNICIPALITY OF BATA-RAZA, PROVINCE OF PALAWAN AN ECOTOURISM SITE, PROVIDING FOR ITS DEVELOPMENT AND APPROPRIATING FUNDS THEREFOR

**To the Committees on Tourism; Environment, Natural Resources and Climate Change; and Finance**

House Bill No. 6445, entitled

AN ACT DECLARING PILIS FALLS IN BARANGAY PALILI, MUNICIPALITY OF SAMAL, PROVINCE OF BATAAN AN ECOTOURISM SITE AND APPROPRIATING FUNDS THEREFOR

**To the Committees on Tourism; Environment, Natural Resources and Climate Change; and Finance**

House Bill No. 6446, entitled

AN ACT DECLARING THE PALANI BEACH LOCATED IN THE MUNICIPALITY OF BALUD, PROVINCE OF MASBATE AN ECOTOURISM ZONE AND APPROPRIATING FUNDS THEREFOR

**To the Committees on Tourism; Environment, Natural Resources and Climate Change; and Finance**

House Bill No. 6447, entitled

AN ACT DECLARING THE BAT-ONGAN PEAK, CAVE AND UNDERGROUND RIVER LOCATED IN THE MUNICI-

PALITY OF MANDAON, PROVINCE  
OF MASBATE AN ECOTOURISM  
ZONE AND APPROPRIATING FUNDS  
THEREFOR

**To the Committees on Tourism; Environ-  
ment, Natural Resources and Climate Change;  
and Finance**

House Bill No. 6448, entitled

AN ACT DECLARING KAPANGYAN  
FALLS IN THE MUNICIPALITY OF  
BATARAZA, PROVINCE OF PALA-  
WAN AN ECOTOURISM SITE,  
PROVIDING FOR ITS DEVELOP-  
MENT AND APPROPRIATING  
FUNDS THEREFOR

**To the Committees on Tourism; Environ-  
ment, Natural Resources and Climate Change;  
and Finance**

House Bill No. 6467, entitled

AN ACT RENAMING THE PORTION  
OF THE MOUNTAIN PROVINCE  
BOUNDARY-CALANAN-ENRILE  
ROAD, STRETCHING FROM THE  
ANTONIO CANAO BRIDGE IN  
BARANGAY CALANAN, TRAVERS-  
ING THROUGH BARANGAYS  
BULANAO AND IPIL, UP TO THE  
ALLIOG BRIDGE IN BARANGAY  
NAMBARAN, ALL IN THE CITY OF  
TABUK IN THE PROVINCE OF  
KALINGA, AS MANUEL S. AGYAO  
BOULEVARD

**To the Committee on Public Works**

House Bill No. 6491, entitled

AN ACT MANDATING THE FULL  
REHABILITATION AND MAINTEN-  
ANCE OF KENNON ROAD UNDER  
THE DEPARTMENT OF PUBLIC  
WORKS AND HIGHWAYS

**To the Committees on Public Works; and  
Finance**

and House Bill No. 6492, entitled

AN ACT CONVERTING THE SAGADA-  
BESAO-QUIRINO, ILOCOS SUR ROAD  
INTO A NATIONAL ROAD AND  
APPROPRIATING FUNDS THEREFOR

**To the Committees on Public Works; and  
Finance**

### **BILLS ON FIRST READING**

Senate Bill No. 1542, entitled

AN ACT ESTABLISHING AN ECONO-  
MIC STIMULUS STRATEGY FOR  
THE COUNTRY'S GROWTH AND  
DEVELOPMENT IN THE AFTER-  
MATH OF COVID 19 AND PRO-  
VIDING FUNDS THEREFOR

Introduced by Senator Sotto III

**To the Committees on Economic Affairs;  
Ways and Means; and Finance**

Senate Bill No. 1543, entitled

AN ACT ESTABLISHING THE PHILIP-  
PINE VIROLOGY SCIENCE AND  
TECHNOLOGY AND APPROPRIAT-  
ING FUNDS THEREFOR

Introduced by Senator Lacson

**To the Committees on Science and Tech-  
nology; and Finance**

Senate Bill No. 1544, entitled

AN ACT EXPANDING THE FUNCTION OF  
THE LUPONG TAGAPAMAYAPA,  
THEREBY AMENDING REPUBLIC  
ACT NO. 7160 OTHERWISE KNOWN  
AS THE "LOCAL GOVERNMENT  
CODE," AND FOR OTHER PURPOSES

Introduced by Senator Marcos

**To the Committees on Local Government;  
and Justice and Human Rights**

Senate Bill No. 1545, entitled

AN ACT STRENGTHENING REPUBLIC

*Yeo*



ACT NO. 9160, OTHERWISE KNOWN AS THE ANTI-MONEY LAUNDERING ACT OF 2001, AS AMENDED

Introduced by Senator Marcos

**To the Committees on Banks, Financial Institutions and Currencies; and Justice and Human Rights**

Senate Bill No. 1546, entitled

AN ACT DECLARING THE EXISTENCE OF A CONTINUING NATIONAL EMERGENCY ARISING FROM THE CORONAVIRUS DISEASE 2019 (COVID-19) SITUATION, AMENDING SECTION 9 OF REPUBLIC ACT NO. 11469, OTHERWISE KNOWN AS THE "BAYANIHAN TO HEAL AS ONE ACT," AND FOR OTHER PURPOSES

Introduced by Senator Zubiri

**To the Committees on Finance; and Health and Demography**

#### RESOLUTIONS

Proposed Senate Resolution No. 418, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE ALLEGED MASSIVE USE AND ABUSE OF AUTHORITY OF GOVERNMENT SOCIAL MEDIA PLATFORMS TO SPREAD FALSE INFORMATION AND TO TARGET MEMBERS OF THE MEDIA, WITH THE END IN VIEW OF CRAFTING LEGISLATION THAT SHALL HOLD THE PURVEYORS AND PERPETRATORS OF FALSEHOOD ACCOUNTABLE AND RESPONSIBLE FOR THEIR WRONGDOINGS AND ENSURING THAT FREEDOM OF SPEECH AND OF THE PRESS ARE NOT SUPPRESSED DURING A GLOBAL HEALTH CRISIS

Introduced by Senator De Lima

**To the Committees on Accountability of Public Officers and Investigations; and Public Information and Mass Media**

Proposed Senate Resolution No. 419, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE POWER GRANTED TO THE NATIONAL BUREAU OF INVESTIGATION UNDER REPUBLIC ACT NO. 10867, OTHERWISE KNOWN AS THE "NATIONAL BUREAU OF INVESTIGATION REORGANIZATION AND MODERNIZATION ACT," IN RELATION TO SUBPOENAS SERVED BY THE NBI TO PRIVATE CITIZENS IN LIGHT OF THE RECENT COVID-19 GLOBAL PANDEMIC, WITH THE END IN VIEW OF DETERMINING POSSIBLE MISUSE AND ABUSE OF ITS SUBPOENA POWERS TO SUPPRESS CRITICAL DISSENT, UNDERMINE DEMOCRATIC INSTITUTIONS, AND PREVENT AN EFFICACIOUS FIGHT AGAINST THE PANDEMIC

Introduced by Senator De Lima

**To the Committees on Accountability of Public Officers and Investigations; and Justice and Human Rights**

Proposed Senate Resolution No. 420, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE GOVERNMENT'S POLICY REQUIRING RETURNING OFWs TO UNDERGO MANDATORY QUARANTINE AND TEST FOR COVID-19 WITH THE END IN VIEW OF PROVIDING IMMEDIATE ASSISTANCE TO RETURNING OFWs AND ADOPTING STRATEGIES TO COPE WITH THE MASS REPATRIATION OF OFWs

Introduced by Senator Binay

**To the Committee on Labor, Employment  
and Human Resources Development**

Proposed Senate Resolution No. 421, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE COUNTRY'S PREPAREDNESS AND RESPONSE AGAINST COMMON DISEASES DURING RAINY SEASON AS THE COUNTRY CONTINUES TO CONTAIN THE SPREAD OF COVID-19

Introduced by Senator Binay

**To the Committee on Health and Demography**

Proposed Senate Resolution No. 422, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, TO DETERMINE AND ASSESS THE RESPONSE AND ACTION PLANS OF THE PROFESSIONAL REGULATION COMMISSION (PRC), THE SUPREME COURT (SC), THE CIVIL SERVICE COMMISSION (CSC), THE NATIONAL POLICE COMMISSION (NAPOLCOM), THE COMMISSION ON HIGHER EDUCATION (CHED), AND THE PUBLIC AND PRIVATE HIGHER EDUCATION INSTITUTIONS (HEIs), ON THE CONDUCT OF ITS RESPECTIVE ENTRANCE AND LICENSURE EXAMINATIONS AMID THE COVID-19 PANDEMIC AND IN PREPARATION FOR THE NEW NORMAL

Introduced by Senator Angara

**To the Committees on Civil Service, Government Reorganization and Professional Regulations; and Higher, Technical and Vocational Education**

Proposed Senate Resolution No. 423, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO

CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE RISING INCIDENCE OF ONLINE SEXUAL EXPLOITATION OF CHILDREN IN THE PHILIPPINES, WITH THE END IN VIEW OF STRENGTHENING REPUBLIC ACT NO. 7610, OTHERWISE KNOWN AS THE "SPECIAL PROTECTION OF CHILDREN AGAINST ABUSE, EXPLOITATION AND DISCRIMINATION ACT" AND REPUBLIC ACT NO. 9775, OTHERWISE KNOWN AS THE "ANTI-CHILD PORNOGRAPHY ACT OF 2009"

Introduced by Senator Angara

**To the Committee on Women, Children, Family Relations and Gender Equality**

Proposed Senate Resolution No. 424, entitled

RESOLUTION URGING THE APPROPRIATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE IMPACT OF THE COVID-19 PANDEMIC ON OUR YOUTH

Introduced by Senator Angara

**To the Committee on Youth**

**COMMUNICATION**

Letter from the Executive Secretary of the Office of the President, transmitting to the Senate the 8th Report of the President to the Joint Congressional Oversight Committee, pursuant to Section 5 of Republic Act No. 11469, otherwise known as the Bayanihan to Heal as One Act.

**To the Committee on Finance**

**PARLIAMENTARY INQUIRY  
OF SENATOR CAYETANO**

Asked by Senator Cayetano how her attendance was recorded, Senate President Sotto said she was recorded as present since the previous day's session was merely suspended.



**COMMITTEE REPORT NO. 35  
ON SENATE BILL NO. 1318**  
(Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1318 (Committee Report No. 35), entitled

AN ACT AMENDING REPUBLIC ACT  
NO. 10068, OR THE ORGANIC  
AGRICULTURE ACT OF 2010.

Thereupon, the Chair recognized Senator Villar, sponsor of the measure, who manifested that she was satisfied with the clean copy and moved for its approval on Second Reading.

**APPROVAL OF SENATE BILL NO. 1318  
ON SECOND READING**

Submitted to a vote, there being no objection, Senate Bill No. 1318 was approved on Second Reading.

**SUSPENSION OF CONSIDERATION  
OF SENATE BILL NO. 1318**

Upon motion of Senator Zubiri, there being no objection, the Body suspended consideration of the bill.

**COMMITTEE REPORT NO. 87  
ON SENATE BILL NO. 1541**  
(Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1541 (Committee Report No. 87), entitled

AN ACT AMENDING SECTION 3 OF  
REPUBLIC ACT NO. 7797, OTHER-  
WISE KNOWN AS "AN ACT TO  
LENGTHEN THE SCHOOL CALEN-  
DAR FROM TWO HUNDRED (200)  
DAYS TO NOT MORE THAN TWO  
HUNDRED TWENTY (220) CLASS  
DAYS."

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

Thereupon, the Chair recognized Senator Gatchalian, sponsor of the measure, and Senator Drilon for the continuation of his interpellation.

**FURTHER INTERPELLATION  
OF SENATOR DRILON**

At the outset, Senator Drilon said that he has no objection to the measure but that he simply wanted to bring out some items for the record to serve as a future guide for people who would implement the law. He then quoted the proposed amendment to Section 3 of Republic Act No. 7797 which states, "IN THE EVENT OF A DECLARATION OF A STATE OF EMERGENCY, STATE OF CALAMITY OR SIMILAR OCCURRENCE, THE PRESIDENT, UPON THE RECOMMENDATION OF THE SECRETARY OF EDUCATION, MAY SET A DIFFERENT DATE FOR THE START OF THE SCHOOL YEAR IN THE COUNTRY OR ANY PARTS THEREOF."

Asked if the proposed amendment would include the grant of authority to suspend classes for one year, Senator Gatchalian stated that the law would allow the Secretary of Education and the President to merely defer the opening of the school year to a later date; however, if the intention is for one year, then the delay would be for one year.

But Senator Drilon pointed that such would no longer be a delay but already a cancellation of the school year. He stated that he raised the question because, two or three days ago, the President said that there would be no classes for as long as there is no vaccine discovered for the COVID-19 virus. He opined that unless the law is amended, the President cannot suspend or cancel the entire school year.

Asked if the intention of the amendment is to equip the President with the power to cancel one school year, Senator Gatchalian admitted that when they were still deliberating at the committee level, it was never contemplated that one school year would be cancelled, only that the law would grant the President the power to delay or to defer the opening of the school year since cancelling the school opening for the entire country has never happened before except during times of war. He assumed that if the intention would be to cancel the school year, using the power granted by the proposed law, it would be to merely to delay the school opening for that particular school year.

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Senator Drilon reiterated that he has no objection to giving the President the authority to cancel the school year because of a state of emergency or under the circumstances defined, only that it should be made clear in order to prevent assumptions and to avoid having to justify the postponement for one year as simply a resetting of the school year which he deemed a little stretched. He emphasized the need to make the intention clear in the law to avoid having to make assumptions that a postponement for one year is simply a resetting of the school year. He said that he premised his question on the President's announcement that there would be no classes unless a vaccine is discovered, which he surmised would take one year.

Senator Gatchalian replied that he would accept the point raised by Senator Drilon as an amendment assuming that the state of emergency would continue for more than one year and in the event that the situation would get worse throughout that state of emergency. He added that giving the President the power to cancel one school year can be accommodated in the bill as long as there is a state of emergency or some form of calamity or pandemic.

Senator Drilon further noted that Senator Gatchalian mentioned in his proposed amendment about a state of calamity, a state of emergency, or similar occurrences. He expressed his concern that the phrase "similar occurrence" could be subject to different kinds of interpretation. He then asked what would constitute "similar occurrence" as a ground for resetting the school year. Senator Gatchalian mentioned rebellion or some form of a peace and order situation such as the Marawi Siege. He agreed that the definition of "similar occurrence" must be clarified so that it would not lead to other interpretations.

Senate President Sotto pointed out that the phrase "state of national emergency" would suffice and he suggested the deletion of the phrase "similar occurrences." Senator Gatchalian agreed that if the phrase would lead to confusion and expansion of definition, it would be better to go with a much defined and such particular situation to enact the law.

Asked if the state of emergency must be nationwide and whether the reason for resetting the school year in a particular locality would be the circumstance of a state of calamity or state of emergency in that area, Senator Gatchalian said that a state of emer-

gency or calamity could be declared locally. As an example, he said that Leyte or Samar province could have invoked the law if typhoon *Yolanda* struck the country during the school year.

But Senator Drilon pointed out that a declaration of a state of emergency or calamity must be a presidential proclamation, covering either the whole country or a certain locality.

Senate President Sotto clarified that the bill would not amend Republic Act No. 8185 which only allows the local council to declare a state of calamity so that they could use their calamity fund. He stated out that the resetting of the school year must be upon the recommendation of the Secretary of Education even if it is localized. Senator Gatchalian agreed.

Asked if the bill would not include temporary suspensions due to usual calamities as it can be done by the local government, Senator Gatchalian answered in the affirmative, saying that in localized situations, the province, city or municipality could declare their own state of calamity, and the local representative could suspend classes during that time.

Senator Drilon pointed out that Republic Act No. 10121, or the Philippine Disaster Risk Reduction and Management Act of 2010, has a definition of disaster. He then asked if a disaster could be used as a justification for the President to alter the school calendar. Senator Gatchalian replied that if such disaster would result in the declaration of a state of calamity, then the law would be invoked. Thus, Senator Drilon stated that a disaster per se would not allow the resetting of the school year as it should be justified as a state of emergency or a state of calamity. Senator Gatchalian agreed, pointing out that a man-made disaster such as fire would not be enough reason to invoke the law because the disaster should result into a declaration of a state of calamity.

Senator Drilon recalled that in the previous session, they briefly discussed how the law would affect the charters granted by Congress to different schools, like PD 2022 (Brent School) and Republic Act No. 11237 (Faith Academy). He asked if such laws have been considered, and how the proposed measure would affect the authority granted to individual schools. Senator Gatchalian said that by virtue of Article XIV, Section 4 of the Constitution, the DepEd has supervisory and regulatory, powers over all educational institutions, whether public or private.

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Besides, he noted that all the international schools, based on their respective charters, were not created equal. For instance, he cited Section 4 of RA 11218 that created British School Manila, pursuant to which the school should be under the supervision and regulation of the DepEd and adhere to the local laws and regulations. He said that the specific provision is not present in other school charters, such as the charters of Southville International School and Brent School. He said that a consistent provision in all of their charters pertains to implementing rules and regulations, i.e. "The DepEd secretary shall issue such rules as may be necessary to carry out the provisions of this Act." Thus, he maintained that DepEd has supervisory and regulatory jurisdictions over all schools including international schools, as prescribed in the Constitution and in the implementing rules and regulations.

Senator Drilon suggested that instead of asserting constitutional provisions and IRRs which could lead to debatable issues, the qualifier "Notwithstanding the provision of any law to the contrary" should be included in Section 3, so that all the different charters would be deemed as amended. Senator Gatchalian agreed, stating that it would leave no doubt in terms of implementing the law.

Senate President Sotto asked if the amendments could be crafted within the day so that they could consider the measure again at a later hour. Senator Gatchalian answered in the affirmative.

Regarding the pronouncement of the President that the school year would be cancelled unless there is a vaccine for COVID-19, Senator Gatchalian said that it would need some clarification as he pointed out that the term "school opening" pertains to physical school opening. He disclosed that as discussed in numerous meetings with DepEd on how to handle the effects of COVID-19 and how to move forward, the DepEd mentioned using traditional forms of technology, such as TV and radio, to deliver education. He also noted Secretary Roque's statement that the DepEd is crafting a television-based and radio-based curriculum to be delivered to the children in an event that face-to-face learning cannot happen. He said that the school opening could happen through "blended" or "hybrid" learning, but not in the form of face-to-face learning.

Senator Drilon asked to be clarified on the issue of the school opening as he noted that if the

bill is approved, the opinion of the Secretary of Education would be immaterial and the decision of the President must be followed. He maintained that the statements of the Secretary and the Presidential spokesperson on what could be done would not have any legal basis because the President alone could declare, in times of national emergency, as to when the school year should start. He said that the President had expressly said that it would not start unless a vaccine shall have been made available.

Senator Gatchalian admitted that the pandemic is far-reaching and is quite deeply entrenched in the communities, and that the traditional forms of teaching and delivering education would not be applicable anymore. He said that the DepEd is making a lot of adjustments to ensure the delivery of quality education to the children. At present, he said that the DepEd would be proposing an alternative mode of education in the form of hybrid or blended learning, and he indicated that he would be liaising and coordinating with the DepEd to see its final approach not only in terms of delivering education but also in its management of the school opening particularly since this would not necessarily mean face-to-face interaction but a hybrid or blended learning which does not require face-to-face teaching. He conceded that the current situation was quite complex since the existing curriculum is not designed to accommodate hybrid and blended learning. At present, he said that since the government, as the biggest school in the entire country, has approximately 25 million students in its system, the DepEd is carefully planning the curriculum and making sure that it is delivered to more than 80,000 schools.

For his part, Senator Drilon believed that the plenary session is not the venue for debating on the validity of the proposals of the DepEd for face-to-face learning, having reliable internet connection or whether the teachers are sufficiently trained to use remote learning tools since the subject of the bill is only empowering the President to fix the school year. This, he said, is what they should try to clearly define as the rest would just be secondary issues. Relative thereto, asked who would have the final say on the opening, suspension or cancellation of the school year, Senator Gatchalian replied that the bill gives the President the authority to do so.

On whether the measure, once approved, would extend the power of the President in case of national



emergency or a state of calamity, Senator Gatchalian replied in the affirmative.

Asked whether private schools would expect a revenue loss if classes do not open due to the COVID-19 situation, Senator Gatchalian cited a presentation by the National Economic and Development Authority (NEDA) that showed that the private school sector is ranked fourth in the list of the worst-hit sectors of the economy.

As regards the report that private schools are expected to lose between P55 billion to P142 billion if the school year is cancelled, Senator Gatchalian said that even though he has yet to confirm the accuracy of such a projection, the NEDA presentation showed that private schools are facing a hard time because of the pandemic.

Senator Drilon pointed out that about 400,000 teachers, faculty and school personnel in private educational institutions would be adversely affected with the cancellation of the school year. However, he said that even as such matters should come to fore in the next several weeks, the Senate is trying to craft legislation which would locate exactly the authority of the President and under what circumstances that authority to cancel a school year or postpone a school opening can be exercised.

In closing, Senator Drilon requested for a copy of the proposed committee amendments and thanked Senator Gatchalian for entertaining his queries on that particular issue. Senator Gatchalian also thanked Senator Drilon for his recommendations and clarifications.

## **INTERPELLATION OF SENATOR CAYETANO**

Asked by Senator Cayetano to confirm that the bill would allow the President to cancel a school year, Senator Gatchalian explained that if the intention is to cancel one school year, the President would not open the school year within the same time frame such that the school year would be delayed to a point that it would be cancelled.

Senator Cayetano asked if the bill would give the President the power to postpone or to cancel the school year altogether as she was of the impression that the bill's objective was only for the postponement of classes. Senator Gatchalian explained that given

the unpredictability of the pandemic, which could, for instance, result in a continued state of emergency for more than year, the proposed law would not explicitly state that school year itself is postponed; rather, only the opening of the school year would be postponed to the time frame of that state of emergency. However, he reiterated that since such pandemics can last a long time, the state of emergency can therefore also last for that same period of time. Hence, he said that the school opening can be delayed by about six months to worst case scenario of even up to one year.

For her part, Senator Cayetano stressed that she was only prepared to support giving the authority for a postponement particularly since she was of the impression that it was just the postponement that was the subject of the discussion, and that she had never heard a discussion on the cancellation of classes because face-to-face learning was what had been repeatedly discussed. Besides, she believed that the DepEd definitely intends to hold classes though not necessarily through face-to-face learning but via blended learning or study from home which are still considered as classes. She reiterated that all Members should be made clear whether the legislative intention of the measure includes the cancellation of the school year. Senator Gatchalian explained that the bill only sought to authorize postponement and that the cancellation of a school year had never been contemplated. He stressed that the bill seeks to give that flexibility to the President because of the present unpredictable situation brought on by the COVID-19.

Asked whether the postponement of classes could only apply to a certain region or area which has been declared as being under a state of calamity, Senator Gatchalian replied that after the declaration of a state of calamity or emergency, the President, following the suggestion of the secretary of education, can postpone school openings in different parts of the country. He pointed out that if incidents like the Marawi siege were to happen, the President should also be given the flexibility to postpone classes in that area. In sum, he said that the bill would allow for the postponement of classes in different parts of the country provided that a state of emergency or state of calamity is declared.

Senator Cayetano said that one of the strong recommendations that she gleaned from hearings of the Committee on Sustainable Development Goals, Innovations and Futures Thinking was to allow a



localized delivery of education in such situations. She noted that a calamity is a very good justification to empower affected areas by changing the time frame of holding classes to address the needs of the students.

## **INTERPELLATION OF SENATOR TOLENTINO**

To Senator Tolentino's observation that Republic Act No. 7757, which mandates having a 200- to 220-day school year calendar, was preceded by an earlier law which set the calendar at 185 days was prior to amendments made in 1995 or 1994, Senator Gatchalian replied in the affirmative. He explained that Section 24 of Executive Order No. 292 of the Administrative Code of 1987 clearly laid out 40 weeks or about 200 days for elementary and secondary levels, and 36 weeks for college or 18 weeks a semester. This, he said, was subsequently amended by RA 7797.

Asked to confirm that under RA 7797, the DepEd would, every school year prior to the opening, issue a memorandum circular addressed to all public and private schools as well as to all DepEd regional directors, mandating a certain number of days for the incoming school year, Senator Gatchalian replied in the affirmative. He explained that the DepEd secretary is given the authority to dictate on the ending of the school calendar, taking into account the 220 school days, as well as the summer classes and summer vacation and other public holidays.

Senator Tolentino asked whether it would be correct to surmise that the number of school days does not have to be 220 as this is just the maximum period but that it cannot go below the certain number of days predetermined by the DepEd secretary prior to the start of the school year. For instance, he said that while there ought to be 203 school days for School Year 2019-2020, only 190 days or 13 days less than the expected number of days, which should have also covered those who would have graduated last April 3, had been completed due to the cancellation of classes as a result of the implementation of the Enhanced Community Quarantine last March 17 2020. Senator Gatchalian noted that the intended number of school days had not been completed due to the cancellation of classes following the sudden surge in the number of COVID positive cases, and that the DepEd subsequently released a formula which will guide superintendents and principals on how to pass or fail the students.

Senator Tolentino assumed that the root cause of the adjustments that the proposed measure tries to achieve was based not merely on the need to empower the DepEd Secretary or the President of the Philippines to postpone the opening of the school year but how to achieve the 200 to 220 school calendar days.

Senator Gatchalian said that when RA 7797 was enacted, new forms of technologies such as online learning and the use of the internet were never contemplated at that time, and that the debates during that time revolved around ensuring that the minimum learning competencies required would be covered by the 220 days. However, he said that with the advent of technology, particularly of mobile communication, people could practically learn from everywhere inside or outside of their homes. He said that competencies are very dynamic and that the way that children learn and absorb the competencies are also dynamic. He emphasized the need to analyze the 220-day school calendar regarding its applicability to the advent of technology and other forms of methodology.

Senator Tolentino said that during the deliberation of that law, Senator Leticia Ramos Shahani mentioned the need to increase the number of school days from 200 to 220 because of the perceived need to have greater teacher-student relationship or the need for more student contact time with the classroom instructors which would lead to a more effective delivery of instructional materials or methods.

Senator Gatchalian said that the debates on RA 7797 indeed focused on the physical interaction of students and teachers because it would result in the effective delivery of the minimum learning competencies that were being discussed in the law.

Senator Tolentino said that even though there was no mention of the internet or other online modes of instruction at the time the law was being deliberated, the intent really was to address the needs of the times, which was to increase the number of school days to more than 200. This time, he said that since the country is confronted with the COVID-19 and with the advent of technology and other modes of instruction available such as online education, and the use of multi-media avenues, there was a need to adjust to the demands of the times. He recalled having learned in law school that when the reason for the law ceases to exist, then the law



should likewise be amended or modified, or in *Latin, cessante ratione legis ipsa lex*.

Senator Tolentino expressed the view that because of the pandemic, school days should be shortened because the online classes that are conducted could anyway be replayed over and over again or printed copies of modules could be printed. He then asked whether Senator Gatchalian would be amenable to reducing the number of school days to 185 as it would appear that the DepEd would insist on the school opening to occur in August or September in order to achieve the 220 days as required by law which, he surmised, could be achieved even with typhoons or other calamities, yet mindful of the safety and need of the students. He pointed out that when RA 7797 was passed, there was no K to 12 program and technological tools for education yet.

Asked by Senator Tolentino on the rationale behind empowering or allowing the DepEd Secretary or the President to adjust the school opening day, Senator Gatchalian said that according to the debates on RA 7797, "the increase will assume maximum coverage of the learning units prescribed by the minimum learning competencies in the elementary level and desired learning competencies in the secondary level," that "such increase provides room for remediation, enrichment and internalization of learnings," and that "extending the school for another 20 days can adequately compensate for the lost number of days spent for several intervening school activities like scouting, athletic activities, fiestas, and other curricular activities." He agreed that the time element in the law needs to be revisited considering that the discussions then revolved around physical interaction between the students and the teacher in delivering learning competencies in accordance to their grade level and taking into account how technology has dramatically changed the way education was delivered, including competencies. He recalled that during the committee hearing on the PISA results, he learned that one student would have to learn a thousand competencies in one school year. Given that there are 220 days in one school year, he said that five competencies per day must be taught to the students. He then expressed the need to further review and discuss the matter in a hearing where experts could be asked whether the rationale to extend the school days to 220 days was still applicable.

Senator Tolentino said that several studies have shown that learning with the use of online and

mobile learning platforms was a 24/7 endeavor that does not just take place in schools; thus, lengthening the school calendar or school day would only cause exhaustion among young children and would deprive them of the opportunity to engage in other extracurricular activities. He said that the proposal should be revisited especially since several studies that have been conducted have shown that the quality of learning does not depend on the number of school days spent by a student inside the classroom and that it might not even be necessary to have such long periods with the different modes of technology used in education.

Senator Gatchalian agreed with the observation that, indeed, education was not about quantity but about quality as he expressed hope that the country would be able to deliver quality education in the most efficient manner with the aid of technology.

#### **MANIFESTATION OF SENATOR HONTIVEROS**

Senator Hontiveros said that an essential enterprise as educating the youth and children of the country was precisely not about quantity but about quality. However, she stressed that notwithstanding the value of the use of the internet and online education for the students, there was something irreplaceable about face-to-face encounter between student and teacher and among students in a classroom setting.

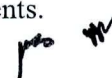
She expressed hope that the country could win the war against the Covid- 19 pandemic especially when a vaccine would have been developed. She said that as a parent, she looks forward to maximizing the use of technology in the education methods and looks carefully at possibly reducing the number of school days that might inadvertently limit the irreplaceable value of face-to-face encounters between and among students in a classroom setting.

#### **TERMINATION OF THE PERIOD OF INTERPELLATIONS**

There being no further interpellation, upon motion of Senator Zubiri, there being no objection, the Body closed the period of interpellations and proceeded to the period of committee amendments.

#### **MANIFESTATION OF SENATOR GATCHALIAN**

Senator Gatchalian requested to be given more time to prepare and finalize the amendments.





## **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1541**

Upon motion of Senator Zubiri, there being no objection, the Body suspended consideration of the bill.

## **CONSIDERATION OF HOUSE BILLS ON SECOND READING ON ESTABLISHING DISTRICT ENGINEERING OFFICES AND CONVERSION OF LOCAL ROADS TO NATIONAL ROADS**

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of the following House bills, one after the other:

1. House Bill No. 5888 (Committee Report No. 71), entitled

AN ACT ESTABLISHING THE THIRD DISTRICT ENGINEERING OFFICE IN THE MUNICIPALITY OF M'LANG, PROVINCE OF COTABATO, AND APPROPRIATING FUNDS THEREFOR;

2. House Bill No. 5811 (Committee Report No. 72), entitled

AN ACT TRANSFERRING THE LOCATION OF THE SORSOGON SECOND DISTRICT ENGINEERING OFFICE FROM BULAN, SORSOGON TO GUBAT, SORSOGON AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9689, ENTITLED, "AN ACT ESTABLISHING THE SORSOGON SECOND DISTRICT ENGINEERING OFFICE IN THE PROVINCE OF SORSOGON AND APPROPRIATING FUNDS THEREFOR";

3. House Bill No. 5852 (Committee Report No. 74), entitled

AN ACT CONVERTING THE ALBAY DIVERSION ROAD IN THE MUNICIPALITIES OF MINALABAC, BULA, AND NABUA, ALL IN THE PROVINCE OF CAMARINES SUR, INTO A NATIONAL ROAD AND APPROPRIATING FUNDS THEREFOR;

4. House Bill No. 5850 (Committee Report No. 76), entitled

AN ACT CONVERTING THE GUIMBA-TALUGTUG-UMINGAN PROVINCIAL ROAD IN THE MUNICIPALITIES OF

GUIMBA AND TALUGTUG, ALL IN THE PROVINCE OF NUEVA ECIJA AND THE MUNICIPALITY OF UMINGAN, PROVINCE OF PANGASINAN INTO A NATIONAL ROAD AND APPROPRIATING FUNDS THEREFOR;

5. House Bill No. 1061 (Committee Report No. 78), entitled

AN ACT CONVERTING THE STA. IGNACIA - GUIMBA PROVINCIAL ROAD IN THE PROVINCES OF TARLAC AND NUEVA ECIJA VIA GERONA-PURA ROAD STRETCHING FROM BARANGAY NAMBALAN, MUNICIPALITY OF STA. IGNACIA TO BARANGAY BUENAVISTA, MUNICIPALITY OF PURA, ALL IN THE PROVINCE OF TARLAC INTO A NATIONAL ROAD AND APPROPRIATING FUNDS THEREFOR;

6. House Bill No. 5851 (Committee Report No. 79), entitled

AN ACT CONVERTING THE ROAD NETWORK CONNECTING BARANGAY GRIJALVO IN THE MUNICIPALITY OF SAN FERNANDO AND THE MUNICIPALITY OF BULA, PROVINCE OF CAMARINES SUR INTO A NATIONAL ROAD;

7. House Bill No. 1778 (Committee Report No. 81), entitled

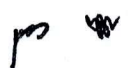
AN ACT CONVERTING THE ROAD STRETCHING FROM BARANGAY ANDUYAN, MUNICIPALITY OF TUBAO, PROVINCE OF LA UNION TO BARANGAY SAN PASCUAL, MUNICIPALITY OF TUBA, PROVINCE OF BENGUET INTO A NATIONAL ROAD AND APPROPRIATING FUNDS THEREFOR; and

8. House Bill No. 5853 (Committee Report No. 82), entitled

AN ACT CREATING A DISTRICT ENGINEERING OFFICE IN THE SEVENTH LEGISLATIVE DISTRICT OF THE PROVINCE OF CEBU, AND APPROPRIATING FUNDS THEREFOR.

Senator Zubiri stated that the parliamentary status was the period of interpellations.

Thereupon, the Chair recognized Senator Pacquiao, sponsor of the measures.



**TERMINATION OF THE PERIOD  
OF INTERPELLATIONS**

There being no further interpellation, upon motion of Senator Zubiri, there being no objection, the Body closed the period of interpellations on each bill and proceeded to the period of amendments.

**TERMINATION OF THE PERIOD  
OF AMENDMENTS**

There being no committee and individual amendments to any of the bills, upon motion of Senator Zubiri, there being no objection, the Body closed the period of amendments.

**APPROVAL OF HOUSE BILL NO. 5888  
ON SECOND READING**

Submitted to a vote, there being no objection, House Bill No. 5855 was approved on Second Reading.

**APPROVAL OF HOUSE BILL NO. 5811  
ON SECOND READING**

Submitted to a vote, there being no objection, House Bill No. 5811 was approved on Second Reading.

**APPROVAL OF HOUSE BILL NO. 5852  
ON SECOND READING**

Submitted to a vote, there being no objection, House Bill No. 5852 was approved on Second Reading.

**APPROVAL OF HOUSE BILL NO. 5850  
ON SECOND READING**

Submitted to a vote, there being no objection, House Bill No. 5850 was approved on Second Reading.

**APPROVAL OF HOUSE BILL NO. 1061  
ON SECOND READING**

Submitted to a vote, there being no objection, House Bill No. 1061 was approved on Second Reading.

**APPROVAL OF HOUSE BILL NO. 5851  
ON SECOND READING**

Submitted to a vote, there being no objection,

House Bill No. 5851 was approved on Second Reading.

**APPROVAL OF HOUSE BILL NO. 1778  
ON SECOND READING**

Submitted to a vote, there being no objection, House Bill No. 1778 was approved on Second Reading.

**APPROVAL OF HOUSE BILL NO. 5853  
ON SECOND READING**

Submitted to a vote, there being no objection, House Bill No. 5853 was approved on Second Reading.

**SUSPENSION OF CONSIDERATION  
OF HOUSE BILL NOS. 5888, 5811, 5852,  
5850, 1061, 5851, 1778, AND 5853**

Upon motion of Senator Zubiri, there being no objection, the Body suspended consideration of the bills.

**COSPONSORS**

Upon motion of Senator Zubiri, there being no objection, all the Members present were made cosponsors of House Bill No. 1061.

**SPECIAL ORDER**

Upon motion of Senator Zubiri, there being no objection, the Body approved the transfer of Committee Report No. 65 on Senate Bill No. 1396 from the Calendar for Ordinary Business to the Calendar for Special Orders.

**COMMITTEE REPORT NO. 65  
ON SENATE BILL NO. 1396**

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1396 (Committee Report No. 65), entitled

AN ACT CREATING THE COCONUT  
FARMERS AND INDUSTRY TRUST  
FUND, PROVIDING FOR ITS  
MANAGEMENT AND UTILIZA-  
TION, RECONSTITUTING FOR THE

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**PURPOSE THE PHILIPPINE COCONUT AUTHORITY BOARD, AND FOR OTHER PURPOSES.**

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Zubiri, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

The Chair recognized Senator Villar for the sponsorship.

**SPONSORSHIP SPEECH  
OF SENATOR VILLAR**

Senator Villar submitted for plenary consideration Senate Bill No. 1390, entitled "An Act Creating the Coconut Farmers and Industry Trust Fund, Providing for its Management and Utilization, Reconstituting for the Purpose the Philippine Coconut Authority Board, and for other Purposes," in substitution of Senate Bill Nos. 31, 266, 1052 and 1127 filed by Senators Pangilinan, Recto, Villar and Marcos, respectively.

*Following is the full text of Senator Poe's sponsorship speech:*

During the Seventeenth Congress, a Coco Levy Bill was approved by both Houses and was sent to the President for signing into law but was vetoed. More than five months after vetoing the Coconut Levy Trust Fund Bill, Pres. Rodrigo R. Duterte again called for its passage into law this 2019 State of the Nation Address. He reiterated his commitment to uplift the lives of coconut farmers who are among the country's poorest of the poor.

A coco levy refers to the taxes imposed on coconut farmers from 1971 to 1983. The amount collected is now estimated to be P105 billion. In the past, it was used to invest in businesses not directly benefiting the coconut farmers. I believe this Congress also have not forgotten our commitment to uplift the lives of coconut farmers and further develop the coconut industry through the urgent utilization of the coconut levy fund. The bill is now being refiled with some modification, taking into consideration the inputs being suggested by the Executive Branch of government so it will not be vetoed for the sake of the coconut farmers. It is likewise considered a 2015 Supreme Court decision voiding certain provisions of the two executive orders on the

management of the fund and its reconveyance in order to help fast-track the consolidation of the coco levy assets. These are EO 179 and EO 180.

The Supreme Court expressed that all coco levy assets must be administered by the government and all funds must be used for the benefit of the coconut industry. The disbursement should be by authority of a legislation passed by Congress. In the new bill, the Coconut Farmers and Industry Trust Fund is being created to be managed and disbursed in accordance with the Coconut Farmers and Industry Development Plan which shall be defined in the law and implemented by the Philippine Coconut Authority once approved by the President of the Philippines. The plan shall set how the coconut industry shall be rehabilitated in the next 99 years which is the suggested life span of the Trust Fund. Although we can amend it if the target benefits to the coconut farmers have been reached.

The plan shall include programs, activities, actions in specific terms that shall increase farm productivity and incomes of coconut farmers. Extensive effort on intercropping and livestock raising, including dairy, the establishment of the coconut-based enterprises, rehabilitation and modernization of the coconut industry towards global competitiveness, poverty alleviation and social equity, among several others, shall always be the desired end results.

Immediately upon enactment of this bill into law, the Bureau of Treasury shall transfer P5 billion to the Trust Fund and another P5 billion shall be initially allocated to the PCA. The utilization of the Trust Fund shall be for provisions of the establishment of facilities essential to the industry, empowerment of coconut farmers organization and cooperatives, farm improvement to encourage self-efficiency, scholarship program and health and medical program for industry members.

The Trust Fund shall be separate and distinct from the regular budget of the PCA from the General Appropriations Act. Towards this end, the PCA, as the implementing agency of this proposed law, is being strengthened with increase presence of government department secretaries in the board and the additional farmers representation from Luzon, Visayas and Mindanao.

To ensure the judicious use of the fund, the bill also creates the Trust Fund Management Committee comprised of representative from the Department of Finance, Department of Budget and Management, and Department of Justice. The DOF shall be designated as the Fund

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Manager. This proposed law is what the Supreme Court is looking for as the legislative authority of the fund disbursement once approved.

The help to coconut industry is long overdue. It is about time that monies of our coconut farmer which the rightfully owned should be plowed back to the coconut industry for the ultimate benefit not only of the 3.5 million coconut farmers but of our entire coconut industry and the Philippine economy.

Hence, the early approval of this bill is earnestly sought.

### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1396**

Upon motion of Senator Zubiri, there being no objection, the Body suspended consideration of the bill.

### **SECOND ADDITIONAL REFERENCE OF BUSINESS**

Upon direction of the Chair, the Secretary of the Senate read the following committee reports which the Chair assigned to the Calendar for Ordinary Business:

Committee Report No. 88, submitted jointly by the Committees on Health and Demography; and Finance, on House Bill No. 6218, introduced by Representative Bautista-Bandigan, *et al.*, entitled

AN ACT RENAMING THE MALITA DISTRICT HOSPITAL IN BARANGAY POBLACION, MUNICIPALITY OF MALITA, PROVINCE OF DAVAO OCCIDENTAL TO MALITA WOMEN'S AND CHILDREN'S WELLNESS CENTER,

recommending its approval with amendments.

Sponsor: Senator Go

Committee Report No. 89, submitted jointly by the Committees on Health and Demography; and Finance, on House Bill No. 6499, introduced by Representative Reyes, *et al.*, entitled

AN ACT INCREASING THE BED CAPACITY OF THE QUIRINO

MEMORIAL MEDICAL CENTER IN QUEZON CITY, METRO MANILA FROM FIVE HUNDRED (500) BEDS TO ONE THOUSAND (1,000) BEDS, UPGRADING ITS PROFESSIONAL HEALTH CARE SERVICES AND FACILITIES, AUTHORIZING THE INCREASE OF ITS MEDICAL PERSONNEL COMPLEMENT AND APPROPRIATING FUNDS THEREFOR,

recommending its approval with amendments.

Sponsor: Senator Go

Committee Report No. 90, submitted jointly by the Committees on Health and Demography; and Finance, on Senate Bill No. 1103, introduced by Senator Marcos, entitled

AN ACT INCREASING THE BED CAPACITY OF THE CAGAYAN VALLEY MEDICAL CENTER (CVMC) IN TUGUEGARAO CITY, PROVINCE OF CAGAYAN, FROM FIVE HUNDRED (500) TO ONE THOUSAND (1,000) BEDS AND APPROPRIATING FUNDS THEREFOR,


recommending its approval with amendments, taking into consideration House Bill No. 6144.

Sponsor: Senator Go

Committee Report No. 91, submitted jointly by the Committees on Health and Demography; and Finance, on Senate Bill No. 143, introduced by Senator Villar, entitled

AN ACT INCREASING THE BED CAPACITY OF THE LAS PIÑAS GENERAL HOSPITAL AND SATELLITE TRAUMA CENTER IN LAS PIÑAS CITY, METRO MANILA, FROM TWO HUNDRED (200) BEDS TO FIVE HUNDRED (500) BEDS, UPGRADING ITS SERVICE FACILITIES AND PROFESSIONAL HEALTH CARE SERVICES, AND APPROPRIATING FUNDS THEREFOR,

recommending its approval with amendments, taking into consideration House Bill No. 6036.





Sponsor: Senator Go

Committee Report No. 92, submitted jointly by the Committees on Health and Demography; and Finance, on House Bill No. 6035, introduced by Representative Baronda, entitled

AN ACT INCREASING THE BED CAPACITY OF THE WESTERN VISAYAS MEDICAL CENTER MANDURRIO, ILOILO CITY FROM FOUR HUNDRED TWENTY-FIVE (425) BEDS TO SEVEN HUNDRED (700) BEDS, UPGRADING ITS PROFESSIONAL HEALTH CARE SERVICES AND FACILITIES, AUTHORIZING THE INCREASE OF ITS MEDICAL PERSONNEL AND APPROPRIATING FUNDS THEREFOR,

recommending its approval with amendments.

Sponsor: Senator Go

Committee Report No. 93, submitted jointly by the Committees on Health and Demography; Ways and Means and Finance, on House Bill No. 6365, introduced by Representative Matugas, *et al.*, entitled

AN ACT UPGRADING THE SIARGAO DISTRICT HOSPITAL IN THE MUNICIPALITY OF DAPA, PROVINCE OF SURIGAO DEL NORTE INTO A LEVEL II GENERAL HOSPITAL TO BE KNOWN AS THE SIARGAO ISLAND MEDICAL CENTER, INCREASING ITS BED CAPACITY, UPGRADING ITS PROFESSIONAL HEALTH CARE SERVICES AND FACILITIES, AUTHORIZING THE INCREASE OF ITS MEDICAL PERSONNEL AND APPROPRIATING FUNDS THEREFOR,

recommending its approval with amendments, taking into consideration Senate Bill No. 555.

Sponsor: Senator Go

#### **CHANGE OF COMMITTEE REFERRAL**

Upon motion of Senator Zubiri, there being no

objection, the Body approved the change of referral of Senate Bill Nos. 1431, 1474, 1542 from the Committee on Economic Affairs to the Committee on Finance as the primary committee.

In addition, upon motion of Senator Zubiri, there being no objection, the Body approved the referral of Senate Bill Nos 1414, 1417 and 1449 to the Committee on Economic Affairs as the secondary committee.

#### **PARLIAMENTARY INQUIRY OF SENATOR ZUBIRI**

Asked by Senator Zubiri if the measures that would be considered were all aimed towards increasing the bed capacities of hospitals, Senator Go replied that some seek to increase the bed capacities of hospitals while the other bills seek to rename hospitals. He confirmed that Senate Bill Nos. 1103 and 143 have House versions that were already transmitted to the Senate.

#### **MOTION OF SENATOR ZUBIRI**

At this juncture, Senator Zubiri moved that House Bill No. 2444, Senate Bills Nos. 1103 and 143, House Bill Nos. 6365, 6499, 6035 and 6218 be transferred from the Calendar for Ordinary Business to the Calendar for Special Orders.

#### **PARLIAMENTARY INQUIRY OF SENATOR DRILON**

Senator Drilon inquired whether all these bills called out by Senator Zubiri pertained to only one subject — increasing bed capacity, so that they could be sponsored altogether, as he noted that not all the bills referred to increasing hospital beds.

Senator Zubiri explained that his motion was simply to have those bills transferred from the Calendar for Ordinary Business to the Calendar for Special Orders but that only bills of similar nature would be considered together.

#### **PARLIAMENTARY INQUIRY OF SENATE PRESIDENT SOTTO**

Senate President Sotto questioned why it was not the House measures that should be considered instead of their counterpart Senate Bill Nos. 1103 and 143.

Senator Go explained that the Committee reported



out the Senate bills taking into consideration the House bills.

But Senate President Sotto pointed out that being bills of local application, the Committee should have reported out the House bills taking into consideration the Senate bills.

Senator Drilon agreed with Senate President Sotto that what should be taken up should be the House bill taking into consideration the Senate bill because it is a local bill that should emanate from the House of Representatives pursuant to the origination clause in the Constitution. He noted that as indicated in the agenda, the Body would be debating on Senate Bill No. 1103 taking into consideration House Bill No. 6144, and Senate Bill No. 143 taking into consideration House Bill No. 6036. He maintained that the procedure was not correct and could be questioned because of the origination clause in the Constitution which provides that local bills should emanate from the House; what the Body should consider should be the House bills taking into account the corresponding Senate bills that were filed.

Senator Zubiri said that he was told that the Senate bills have corresponding House bills. However, he agreed that the Committee should have reported out the House bill, taking into consideration the Senate bill. In view thereof, he then withdrew his earlier motion to transfer House Bill No. 2444, Senate Bill Nos. 1103 and 143, and House Bill Nos. 6365, 6499, 6035 and 6218 to the Calendar for Special Orders.

### **SPECIAL ORDERS**

Upon motion of Senator Zubiri, there being no objection, the Body approved the transfer of the following from the Calendar for Ordinary Business to the Calendar for Special Orders:

1. Committee Report No. 68 on House Bill No. 2444 (Providing for the Establishment of Women's and Children's Hospital in the Municipality of Pamplona in the Province of Camarines Sur, to be known as the Bicol Women's and Children's Hospital);
2. Committee Report No. 90 on House Bill No. 6365 (Upgrading the Siargao District Hospital in the Municipality of Dapa, Province of Surigao Del Norte into a

Level II General Hospital to be known as the Siargao Island Medical Center);

3. Committee Report No. 273 on House Bill No. 6499 (Increasing the Bed Capacity of the Quirino Memorial Medical Center in Quezon City, Metro Manila from Five Hundred (500) Beds to One Thousand (1,000) Beds, Upgrading its Professional Health Care Services and Facilities, Authorizing the Increase of its Medical Personnel Complement);
4. Committee Report No. 202 on House Bill No. 6035 (Increasing the Bed Capacity of the Western Visayas Medical Center in Mandurriao, Iloilo City from Four Hundred and Twenty-Five (425) Beds to Seven Hundred (700) Beds, Upgrading its Professional Health Care Services and Facilities, Authorizing the Increase of its Medical Personnel); and
5. Committee Report No. 222 on House Bill No. 6218 (Renaming the Malita District Hospital In Barangay Poblacion, Municipality of Malita, Province of Davao Occidental to Malita Women's and Children's Wellness Center).

### **MANIFESTATION OF SENATOR VILLAR**

At this juncture, Senator Villar called attention of House Bill No. 3314 that had been approved by the House and had been forwarded to the Senate. She said that she was the one who filed the counterpart bill, Senate Bill No. 143.

Senator Zubiri took note of Senator Villar's manifestation, but he explained that the corresponding committee report must first be amended by reporting out instead House Bill No. 3314 taking into consideration Senate Bill No. 143.

### **HOSPITAL BILLS**

Upon motion of Senator Zubiri, there being no objection, the following bills were considered on Second Reading, one after the other:

1. House Bill No. 2444 (Committee Report No. 68), entitled

AN ACT PROVIDING FOR THE  
ESTABLISHMENT OF WOMEN'S

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AND CHILDREN'S HOSPITAL IN THE MUNICIPALITY OF PAMPLONA IN THE PROVINCE OF CAMARINES SUR, TO BE KNOWN AS THE BICOL WOMEN'S AND CHILDREN'S HOSPITAL, AND APPROPRIATING FUNDS THEREFOR;

2. House Bill No. 6365 (Committee Report No. 90), entitled

AN ACT UPGRADING THE SIARGAO DISTRICT HOSPITAL IN THE MUNICIPALITY OF DAPA, PROVINCE OF SURIGAO DEL NORTE INTO A LEVEL II GENERAL HOSPITAL TO BE KNOWN AS THE SIARGAO ISLAND MEDICAL CENTER, INCREASING ITS BED CAPACITY, UPGRADING ITS PROFESSIONAL HEALTH CARE SERVICES AND FACILITIES, AUTHORIZING THE INCREASE OF ITS MEDICAL PERSONNEL AND APPROPRIATING FUNDS THEREFOR;

3. House Bill No. 6499 (Committee Report No. 273), entitled

AN ACT INCREASING THE BED CAPACITY OF THE QUIRINO MEMORIAL MEDICAL CENTER IN QUEZON CITY, METRO MANILA FROM FIVE HUNDRED (500) BEDS TO ONE THOUSAND (1,000) BEDS, UPGRADING ITS PROFESSIONAL HEALTH CARE SERVICES AND FACILITIES, AUTHORIZING THE INCREASE OF ITS MEDICAL PERSONNEL COMPLEMENT AND APPROPRIATING FUNDS THEREFORE; and

4. House Bill No. 6035 (Committee Report No. 202), entitled

AN ACT INCREASING THE BED CAPACITY OF THE WESTERN VISAYAS MEDICAL CENTER, MADURRILAO, ILOILO CITY FROM FOUR HUNDRED TWENTY-FIVE (425) BEDS TO SEVEN HUNDRED (700) BEDS, UPGRADING ITS PROFESSIONAL HEALTH CARE SERVICES AND FACILITIES, AUTHORIZING THE INCREASE OF ITS MEDICAL PERSONNEL AND APPROPRIATING FUNDS THEREFOR.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Zubiri, only the titles of the bills were read without prejudice to the insertion of their full texts into the Record of the Senate.

Thereupon, the Chair recognized Senator Go for sponsorship.

## OMNIBUS SPONSORSHIP SPEECH OF SENATOR GO

Senator Go, on behalf of the Committee on Health and Demography, submitted for plenary consideration House Bill Nos. 2444, 6365, 6499, and 6035, all of which are aimed towards the improvement of some government hospitals.

*The full text of Senator Go's omnibus sponsorship speech follows:*

As we face the COVID-19 pandemic, the need to capacitate and improve our government health facilities is highlighted.

In 2018, almost 65%, or 284 out of 437 public hospitals were overcrowded. This includes 51 or 73% of our DOH hospitals.

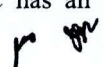
We aim to capacitate our government hospitals especially in the provinces. This is also in line with the *Balik Probinsya* initiative of the government. One of the main reasons for migrating in Metro Manila is the lack of health facilities in the rural areas. Most of the modernized and specialty care hospitals are located in Metro Manila.

Improving health capacity and upgrading capability of hospitals in the provinces would help enhance the health and overall well-being among the entire Philippine population, where families enjoy easy access to responsive health care systems even in the provinces and rural areas.

Today, we have two hospitals in Luzon, two hospitals in Mindanao; and one hospital in the Visayas which we seek to upgrade. We want to establish the Bicol Women's and Children's Hospital in Camarines Sur. Currently, the bed-to-population ratio in the province is 1:1260, which is more than the DOH national standard of 1:1000, justifying the need to establish a hospital in the area.

*Alam ninyo po, sa kakaikot ko rin sa buong bansa, sa napakaraming mga ospital, minsan nakahilera ryan sa tabi ng corridor iyong dalawang pasyente sa isang kama. Kaya lalo na sa panahon ngayon, nagkakahawaan po dahil sa kakulangan ng ating mga health facilities.*

Next is we seek to increase the bed capacity of the Quirino Memorial Medical Center (QMMC) from 500 beds to 1,000 beds. QMMC has an





average bed capacity of 268% from 2015 to 2017. This means that it operates more than twice its capacity. Hence, the urgent need for an upgrade.

In the Visayas, we aim to increase the bed capacity of the Western Visayas Medical Center (WVMC) from 425 beds to 700 beds. From 2018 to 2019, WVMC registered an average bed capacity rate of 150%, which is extremely above the national standard. Moreover, the Universal Health Care Act (UHC) requires the establishment of province-wide health systems which consist of accredited health facilities and functional referral systems. In line with this, the DOH envisions WVMC to be an apex hospital in Western Visayas.

For Mindanao, first, we have the upgrading of the Siargao District Hospital into a Level 2 general hospital to be known as the Siargao Island Medical Center. At present, Siargao Island has only five district hospitals. Out of which, only two hospitals including Siargao Hospital, are licensed by the Department of Health. The health facilities in the island have limited capabilities and are not capable of providing basic services. Some patients are transported to mainland cities, even as far as Cebu or even in Davao—*malayo po itong Surigao sa Davao*—to seek medical care.

*Witness po ako riyan dahil maraming lumalapit din sa amin doon sa Davao na humihingi ng tulong noong nasa city hall pa ang ating Presidente.* Thus, we seek to upgrade the Siargao District Hospital.

It is our duty as legislators to enact measures that would help address the lack of appropriate facilities and equipment in our government hospitals, most especially in this crucial time. It is for these reasons that I am seeking this Chamber's support for the immediate passage of these measures.

## MANIFESTATION OF SENATOR ZUBIRI

Senator Zubiri suggested that Senator Go should withdraw Senate Bill Nos. 1103 and 143 so that their corresponding committee reports could be changed and refile them immediately for sponsorship.

## INQUIRY OF SENATOR DRILON

Senator Drilon requested that the House bills sponsored by Senator Go be enumerated because in his note, only four hospitals were mentioned—Quirino Memorial Medical Center, Western Visayas Medical Center, Siargao District Hospital, and Malita District

Hospital. For clarification and for purposes of preparing for the interpellation, he asked which hospitals were being sponsored by Senator Go.

Senate President Sotto cited the bills which were being taken up as follows: House Bill No. 2444, House Bill No. 6365, House Bill No. 6499, and House Bill No. 6035.

## REQUEST OF SENATOR VILLAR

Senator Villar asked if Senator Go could likewise sponsor her and Senator Marcos' bills which already have their House-approved counterpart measures.

Senator Drilon placed on record that based on information, it was the Senate bills that were routed, not the House bills.

Senator Villar stated that despite the typographical error of presentation, it should not be taken against the House bill.

Senator Drilon explained that he only wanted the Body to adhere to the proper procedure because the Constitution provides that local bills must originate from the House of Representatives and that the Senate should only consider local bills that were passed by the House of Representatives.

At this juncture, Senate President Sotto asked Senator Go which bills were taken up during the committee hearings. Senator Go replied that the Committee took up the Senate bills.

But Senator Villar pointed out that in her sponsorship speech during the committee hearing, she mentioned that there was already an approved House version of her bill which was not indicated in the report.

Senator Zubiri said that the Body would not be able to pass the proposed bills that day because of the standing rule that sponsored measures need at least one day before the Body could approve them. He said that since it was Wednesday, the measures could be approved at the very earliest on Monday of the following week. He assured Senator Villar that if Senator Go would withdraw the two committee reports and file new committee reports, this time reporting out the House bills, taking into consideration the Senate bills, they could be sponsored on Monday and the Body could approve them on Second Reading by Wednesday.

*[Handwritten signature]*



Senator Drilon believed that the committee correctly reported out the Senate bills based on Senator Go's reply that his committee considered the Senate bills and not House bills during their hearing.

Senate President Sotto proposed that the Committee withdraw the committee reports and come out with amended committee reports, this time reporting out the House bills because anyway the Members could sign the reports electronically and they could be filed within the day before the session adjourns, or on Monday the following week for consideration on Second Reading.

Senator Zubiri said that if the congressman who sponsored the two measures were present during the committee hearing and the concerned regional directors were also there and did not interject any opposition to the measures, then that would suffice for the Committee to come up with new committee reports on the House versions. However, Senator Go believed that since the two bills referred to DOH hospitals and not LGU hospitals, they could be considered as national laws.

But Senate President Sotto maintained that the Committee did not follow the proper procedure because it should have reported out the House bill, taking into consideration the Senate bill. He reiterated his earlier suggestion for Senator Go to withdraw the committee reports and to come up with the corrected reports, this time reporting out the House bills, taking into consideration the two Senate bills, which the Body could take up right away. He stressed that such is the proper procedure and the Body should not go against the rules.

Senator Villar said that she does not want to go against the rules and that had she known that it was better to tackle only House versions, she could have not authored the Senate bills.

Senate President Sotto explained that it was all right to have a Senate counterpart of a House bill but that if it is of local application, the Committee has to report out the House bill and take into consideration the Senate bill, a procedure that has always been followed even in cityhood measures.

Senator Zubiri believed that it was incumbent upon committee secretaries to guide their committee chairpersons, especially neophytes like Senator Go. He said that the correct procedure should be that in

case of a House bill of local application with a Senate counterpart measure, the Committee should report out the House bill taking into consideration the Senate bill because of the origination clause in the Constitution which stipulates that "All local bills must emanate from the House of Representatives."

At this juncture, Senator Go said that he would withdraw the two committee reports and that he would file new committee reports on Monday.

## **PARLIAMENTARY INQUIRY OF SENATOR PIMENTEL**

Senator Pimentel asked whether the procedure of filing a bill in the Senate, hearing it out and coming up with a committee report and then holding it while awaiting the transmittal of the House version had been done before. Senate President Sotto replied in the affirmative.

Senator Pimentel believed that there was nothing wrong with such procedure since the origination clause was not violated when the Senate waited for the transmittal of the House version and then reported out the Senate version.

Senate President Sotto disclosed that according to the Secretariat, the committee secretary insisted that the two Senate bills were about national hospitals because they have not been devolved. But he believed that such is an issue for the Supreme Court to decide. He maintained that even if they have not been devolved but they are hospitals in a locality, the bill that emanated from the House of Representatives should be the one that the Body should consider, taking into consideration the Senate bill.

Senator Zubiri said that the measures, like the budget, and about district hospitals, engineering districts and franchises, should emanate from the House of Representatives and they should be the ones that should be sponsored on the floor without prejudice to the chairman recognizing the counterpart Senate bill. He said that the Body was not against the passage of the two Senate bills but that it was merely a matter of following procedures. He maintained that the easiest route was to withdraw the two measures which, he noted, was already done by Senator Go in his earlier manifestation, and then come up with new committee reports, this time on the House bills taking into consideration the Senate bills.

*ps w*



Senate President Sotto said that another solution would be to report out a Senate bill and indicate in the report that it is in substitution of a House bill. He said that the procedure is of a different nature which has happened many years ago but was never done from the Eighth Congress until the present Congress. He maintained that the easiest way to go about the issue was to withdraw the committee report, come up with another one, this time reporting out the House bill, taking into consideration the Senate bill. He said that even as a hearing has already been conducted, a local bill does not need a hearing unless there is an objection to or controversy about it.

**SUSPENSION OF CONSIDERATION  
OF HOUSE BILL NOS. 2444, 6365,  
6499, AND 6035**

Upon motion of Senator Zubiri, there being no objection, the Body suspended consideration of the bills.

**SPECIAL ORDER**

Upon motion of Senator Zubiri, there being no objection, the Body approved the transfer of Committee Report No. 88 on House Bill No. 6218 from the Calendar for Ordinary Business to the Calendar for Special Orders.

**COMMITTEE REPORT NO. 88  
ON HOUSE BILL NO. 6218**

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Second Reading, House Bill No. 6218 (Committee Report No. 88), entitled

AN ACT RENAMING THE MALITA  
DISTRICT HOSPITAL IN BARA-  
NGAY POBLACION, MUNICIPAL-  
ITY OF MALITA, PROVINCE OF  
DAVAO OCCIDENTAL TO MALITA  
WOMEN'S AND CHILDREN'S  
WELLNESS CENTER.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Zubiri, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

Thereupon, the Chair recognized Senator Go,

chairperson of the Committee on Health and Demography, for the sponsorship.

**REQUEST OF SENATOR GO**

Senator Go requested that his sponsorship speech on House Bill No. 6218 be inserted into the record.

**REQUEST OF SENATOR DRILON**

Senator Drilon requested that the sponsorship speech on the bill be actually delivered on the floor, considering that the Body was on an electronic or virtual session and some of the Members could not read the committee report which was just read into the record and they could not likewise get hold of a copy of the sponsorship speech.

**SPONSORSHIP REMARKS  
OF SENATOR GO**

Senator Go presented for plenary consideration of the Body House Bill No. 6218 under Committee Report No. 88 which would upgrade the Malita District Hospital in Davao Occidental to the Malita Women's and Children's Wellness Center in order provide specialty health care services on pre-natal, post-natal, neonatal care, lactation programs, children's immunization and other women and pediatric care. He said that the bill would also address the problem of the high-bed occupancy rate of the hospital at 235%.

**SUSPENSION OF CONSIDERATION  
OF HOUSE BILL NO. 6218**

Upon motion of Senator Zubiri, there being no objection, the Body suspended consideration of the bill.

**MANIFESTATION OF SENATOR ZUBIRI**

Senator Zubiri reminded Senator Go that the Body would consider Senate Bill Nos. 1103 and 143 as soon as their new committee reports shall have been filed.

**COMMITTEE REPORT NO. 87  
ON SENATE BILL NO. 1541**

*(Continuation)*

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second



Reading, of Senate Bill No. 1541 (Committee Report No. 87), entitled

AN ACT AMENDING SECTION 3 OF REPUBLIC ACT NO. 7797, OTHERWISE KNOWN AS "AN ACT TO LENGTHEN THE SCHOOL CALENDAR FROM TWO HUNDRED (200) DAYS TO NOT MORE THAN TWO HUNDRED TWENTY (220) CLASS DAYS."

Senator Zubiri stated that the parliamentary status was still the period of individuals amendments.

Thereupon, the Chair recognized Senator Gatchalian, sponsor of the measure.

#### **GATCHALIAN AMENDMENTS**

As proposed by Senator Gatchalian, there being no objection, the Body approved the following amendments, one after the other:

- On page 1, line 6, between the words "EMERGENCY" and "STATE," replace the comma (,) with the word OR;
- On the same page, after the word "CALAMITY," delete the phrase "OR SIMILAR OCCURRENCE"; and
- On page 2, between lines 2 and 3, insert a new paragraph, to read as follows:

NOTWITHSTANDING THE PROVISION OF ANY LAW TO THE CONTRARY, THE DEFERRED SCHOOL OPENING SHALL APPLY TO ALL BASIC EDUCATION SCHOOLS, INCLUDING FOREIGN OR INTERNATIONAL SCHOOLS.

#### **TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS**

There being no other individual amendment, upon motion of Senator Zubiri, there being no objection, the Body closed the period of individual amendments.

#### **APPROVAL OF SENATE BILL NO. 1541 ON SECOND READING**

Submitted to a vote, there being no objection, Senate Bill No. 1541 was approved on Second Reading.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1541**

Upon motion of Senator Zubiri, there being no objection, the Body suspended consideration of the bill.

#### **THIRD ADDITIONAL REFERENCE OF BUSINESS**

The Secretary of the Senate read the following matters and the Chair made the corresponding referrals:

#### **BILLS ON FIRST READING**

Senate Bill No. 1547, entitled

AN ACT ESTABLISHING THE TELEVISION (TV) BROADCASTING EDUCATION PROGRAM AS AN ALTERNATIVE LEARNING SYSTEM FOR BASIC EDUCATION (TELEVISION ALS ACT)

Introduced by Senator Villar

**To the Committees on Basic Education, Arts and Culture; Public Services; and Finance**

Senate Bill No. 1548, entitled

AN ACT DECLARING JANUARY 16 OF EVERY YEAR A SPECIAL WORKING HOLIDAY TO BE KNOWN AS "NATIONAL BAPTIST DAY"

Introduced by Senator Villar

**To the Committee on Basic Education, Arts and Culture**

Senate Bill No. 1549, entitled

AN ACT CREATING THE REGIONAL INVESTMENT AND INFRASTRUCTURE COORDINATING HUB OF CENTRAL LUZON, AND FOR OTHER PURPOSES

Introduced by Senator Gordon

**To the Committees on Government Cor-**



**porations and Public Enterprises; Economic Affairs; Ways and Means; and Finance**

Senate Bill No. 1550, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY MAS-IN, CITY OF ORMOC IN THE PROVINCE OF LEYTE TO BE KNOWN AS MAS-IN NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

**To the Committee on Rules**

Senate Bill No. 1551, entitled

AN ACT CONVERTING THE ORANI DISTRICT HOSPITAL IN THE MUNICIPALITY OF ORANI, PROVINCE OF BATAAN INTO A GENERAL HOSPITAL TO BE KNOWN AS THE ORANI GENERAL HOSPITAL AND INCREASING ITS BED CAPACITY FROM FIFTY (50) TO TWO HUNDRED (200) BEDS, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

**To the Committee on Rules**

Senate Bill No. 1552, entitled

AN ACT CONVERTING THE PRESIDENT RAMON MAGSAYSAY PROVINCIAL HOSPITAL IN THE MUNICIPALITY OF IBA, PROVINCE OF ZAMBALES INTO THE RAMON MAGSAYSAY REGIONAL MEDICAL CENTER, UPGRADING AND MODERNIZING ITS FACILITIES, DEFINING ITS POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Marcos

**To the Committee on Rules**

Senate Bill No. 1553, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL AT BARANGAY FLORA IN THE MUNICIPALITY OF STO. DOMINGO, ILOCOS SUR TO BE KNOWN AS THE FLORA NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

**To the Committee on Rules**

Senate Bill No. 1554, entitled

AN ACT PROVIDING FOR THE CONVERSION OF DINAPIGUE, ISABELA ROAD GOING TO DILASAG, AURORA INTO A NATIONAL ROAD AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

**To the Committee on Rules**

Senate Bill No. 1555, entitled

AN ACT ESTABLISHING A TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA) TRAINING AND ASSESSMENT CENTER IN BALANGA CITY, PROVINCE OF BATAAN, TO BE KNOWN AS THE "BALANGA CITY TESDA TRAINING AND ASSESSMENT CENTER," AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

**To the Committees on Higher, Technical and Vocational Education; and Finance**

Senate Bill No. 1556, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY MACABUG, CITY OF ORMOC IN THE PROVINCE OF LEYTE TO BE KNOWN AS MACABUG NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR

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Introduced by Senator Marcos

**To the Committee on Rules**

Senate Bill No. 1557, entitled

AN ACT PROVIDING FOR THE ESTABLISHMENT OF THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA) TRAINING AND ACCREDITATION CENTER IN THE MUNICIPALITY OF NAVAL, TO BE KNOWN AS THE TESDA NAVAL TRAINING CENTER, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

**To the Committees on Higher, Technical and Vocational Education; and Finance**

Senate Bill No. 1558, entitled

AN ACT ESTABLISHING AN ECONOMIC STIMULUS STRATEGY FOR THE COUNTRY'S GROWTH AND DEVELOPMENT IN THE AFTERMATH OF COVID-19 AND PROVIDING FUNDS THEREFOR

Introduced by Senator Zubiri

**To the Committees on Finance; Economic Affairs; and Ways and Means**

**RESOLUTIONS**

Proposed Senate Resolution No. 425, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE REAL STATUS OF MASS TESTING IN THE COUNTRY, WITH THE END IN VIEW OF ADDRESSING ISSUES THAT IMPEDE THE PROGRESS OF GOVERNMENT RESPONSE TO COVID-19

Introduced by Senator De Lima

**To the Committee on Health and Demography**

Proposed Senate Resolution No. 426, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE REPORTED ISSUES AND DELAYS IN THE RELEASE OF OVERSEAS FILIPINO WORKERS (OFWs) FROM DESIGNATED QUARANTINE FACILITIES AS PART OF THE ONGOING PROGRAM OF THE PHILIPPINE GOVERNMENT SEEKING TO REPARATE AND REUNITE THEM WITH THEIR FAMILIES AMIDST THE GLOBAL ECONOMIC DOWNTURN AND LABOR CONTRACTIONS BROUGHT UPON BY THE COVID-19 PANDEMIC

Introduced by Senator De Lima

**To the Committee on Labor, Employment and Human Resources Development**

**ADJOURNMENT OF SESSION**

Upon motion of Senator Zubiri, there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of Monday, June 1, 2020.

*It was 5:26 p.m.*

I hereby certify to the correctness of the foregoing.



**ATTY. MYRA MARIE D. VILLARICA**  
*Secretary of the Senate*



Approved on June 1, 2020