


FOURTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

7 JUL 26 P3 58

SENATE

S.B. No. 1397

RECEIVED BY: 

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Introduced by Senator Loren Legarda

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**EXPLANATORY NOTE**

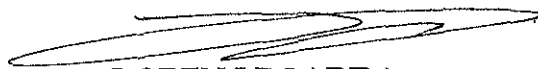
This bill seeks to modernize the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA) to enhance its capability in providing services to protect the people and the environment and to ensure economic security against natural hazards.

The Philippines is prone to natural disasters. It lies along what is known as the "ring of fire" with a number of active volcanoes. It is also within the path of storms emanating from the Pacific Ocean. These conditions increase the vulnerability of many areas and people in various parts of the nation. The eruption of Mayon late last year and the subsequent flash flood brought about by a super typhoon have left loss of lives and massive damage to life and property. Development efforts are therefore stunted as the people struggle with the challenges of economic survival, the occurrence of natural disasters becomes an added burden towards achieving development.

There have been significant advances in the technologies used in monitoring meteorological and geological developments. They have great potential in providing vital information that can be useful in formulation development plans as well as crafting mechanisms for disaster management, rehabilitation and reconstruction as threats of natural calamities are anticipated.

This bill addresses the need to upgrade the capacity of PAGASA to perform its mandate thereby providing the necessary informational requirement and warning systems to minimize the vulnerability of people, environment and economy to natural disasters.


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



**LOREN LEGARDA**  
Senator

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AN ACT  
PROVIDING FOR THE MODERNIZATION OF THE PHILIPPINE ATMOSPHERIC,  
GEOPHISICAL AND ASTRONOMICAL SERVICES ADMINISTRATION,  
PROVIDING FUNDS THEREFORE AND FOR OTHER PURPOSES

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

**SECTION 1. Title.** - This Act shall be known as the "The PAGASA Modernization Act of 2007."

**SEC. 2. Declaration of Policy.** - It is hereby declared the policy of the State to utilize scientific knowledge and information as an effective instrument to ensure the safety, well being, economic security and of all the people and the environment against natural hazards; and to promote national progress and contribute to regional socio-economic development through various applications of meteorology, geophysics and space sciences. Toward this end, the state shall undertake the modernization of the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA) to elevate its technological and operational capacity to effectively perform its mandate to secure the safety and well being of the people and to contribute to national progress.

**SEC. 3. Objectives.** -Pursuant to the foregoing policy, the PAGASA modernization program shall be implemented in accordance with the following objectives:

- a) To upgrade physical resources and operational techniques through acquisition of state-of-the-art instruments, equipment and facilities to improve capabilities in providing timely and reliable forecasting, warning services, and information for agriculture, transportation, and other industries across the country;
- b) To raise the research and development capability and human resource development, adopting a rationalized and integrated approach, with focus on improvement of operations for specialized services and cost recovery;
- c) To develop mechanisms for integrating disaster management and socio-economic development planning at the national and local levels;

- d) To establishment of regional weather service centers strategic areas in the country to broaden the agency's bases for delivery of service to the countryside; and
- e) To cultivate greater awareness by the public of weather system through the educational projects and programs in storm signals, the progress of typhoons, climatic changes, and other related information.

**SEC. 4. Period of Implementation.** – The modernization program under this Act shall be implemented over a period of six (6) years: provided, however, that payments for amortization of outstanding multi-year contract obligations incurred under this Act may extend beyond this period.

**SEC. 5. Formulation and Submission of PAGASA Modernization Program.** – The Secretary of the Department of Science and Technology (DOST) and the Director of PAGASA, in coordination with the Secretary of the Department of Budget and Management (DBM) and the Director-General of the National Economic and Development Authority (NEDA), shall be responsible for formulating the PAGASA Modernization Program based on the policy objectives provided in this Act.

Within ninety (90) days from the effectivity of this Act, the Secretary of the (DOST) shall submit to the President the PAGASA Modernization Program for final approval.

**SEC. 6. PAGASA Modernization Fund.** – There is hereby created the PAGASA Modernization Fund which shall be used exclusively to finance the implementation of the modernization program, but not to include salaries and allowances, shall be funded out of the following sources:

- a) Appropriation for the PAGASA Modernization Program of five billion pesos (P5,000,000,000.00);
- b) A portion of the net income of the Philippine Amusement and Gaming Corporation (PAGCOR) to be taken from the fifty percent (50%) share of the National Government;
- c) Grants, bequests, and donations whether from local or foreign sources;
- d) Funds from budgetary surplus, if any, as may be authorized by Congress; and
- e) All interest income of the trust fund.

The trust fund shall be administered by the Secretary of the DOST in accordance with existing government auditing rules and regulations.

**SEC. 7. PAGASA Modernization Program Oversight Committee.** – There is hereby created the PAGASA Modernization Program Oversight Committee composed of the Secretaries of the DOST and the Department of Budget and Management (DBM), the Director of PAGASA, the Chairpersons of the Committee on Science and Technology of the Senate and the House of Representatives, one (1) representative each from the Commission on Audit (CoA), the Office of the President, and the Director-General of the NEDA. The committee shall receive progress reports, evaluate the

implementation of the program and provide recommendations for the effective attainment of the program's objectives as provided for in this Act. The Committee shall be Chaired by the Secretary of the DOST.

**SEC. 8. Progress Report.** -The Director of PAGASA shall prepare annual report on the status of the implementation of the PAGASA Modernization Program. The annual report shall be submitted, through the Secretary to the DOST, to the President and all the members of the PAGASA Modernization Program Oversight Committee.

**SEC. 9. Cost Recovery Measures.** - The PAGASA, with the approval of the DOST Secretary, shall implement a sustainable cost recovery program that will allow it to earn revenue from its issuance of specialized weather information, certifications, and scientific and technical publications for which the necessary fees can be charged; Provided that one hundred percent (100%) of the fees collected shall be retained by PAGASA for the next twenty (20) years starting six (6) years after the effectivity of this Act, for the operation and maintenance of the equipment acquired during the modernization program; Provided, however, that no fees shall be charged on the issuance of regular and special reports to the general public that affect national safety, weather, and economy, and such other relevant data;

**SEC. 10. Separability Clause.** - If any provision or part of this Act is declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

**SEC. 11. Repealing Clause.** -All laws, orders, proclamations, rules and regulations, or part thereof, which are inconsistent with any provision of this Act are hereby repealed or modified accordingly.

**SEC. 12. Effectivity** -This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

**APPROVED,**