



**REPUBLIC OF THE PHILIPPINES**

**S e n a t e**

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# **Journal**

**SESSION NO. 28**

Tuesday, October 2, 2007

**FOURTEENTH CONGRESS  
FIRST REGULAR SESSION**

**SESSION NO. 28**  
Tuesday, October 2, 2007

**CALL TO ORDER**

At 3:01 p.m., the Senate President, Hon. Manny Villar, called the session to order.

**PRAYER**

The Body observed a minute of silent prayer.

**ROLL CALL**

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

Aquino III, B. S. C	Lapid, M. L. M.
Arroyo, J. P.	Legarda, L.
Defensor Santiago, M.	Pangilinan, F. N.
Ejercito Estrada, J.	Revilla Jr., R. B.
Enrile, J. P.	Roxas, M.
Escudero, F. J. G.	Villar, M.
Honasan, G. B.H	Zubiri, J. M. F.

With 14 senators present, the Chair declared the presence of a quorum.

Senators Angara, Cayetano (P) and Madrigal arrived after the roll call.

Senators Lacson and Pimentel were on official mission.

Senator Gordon was on official mission abroad.

Senators Biazon and Cayetano (A) were absent.

Senator Trillanes was unable to attend the session.

**APPROVAL OF THE JOURNAL**

Upon motion of Senator Pangilinan, there being no objection, the Body dispensed with the reading of

the Journal of Session No. 27 and considered it approved.

**QUESTION OF PRIVILEGE  
OF SENATOR ARROYO**

Rising to a question of personal privilege, Senator Arroyo recalled that in the last joint hearing of the Committees of Accountability of Public Officers and Investigations, Blue Ribbon, National Defense and Security, and Economic Affairs, the members held an executive session with Secretary Neri who, upon the advice of Senator Cayetano (A) to have a lawyer of his choice, brought with him Budget Secretary Andaya and Deputy Secretary Gaité. He added that prior to the meeting itself, Senate President Villar reiterated the long-standing rule of maintaining the sanctity of an executive session by keeping anything discussed therein as confidential.

Relative thereto, Senator Arroyo adverted to the banner headline of the September 30, 2007 issue of the *Philippine Daily Inquirer* ("Neri Was Ready To Talk But Joker's Intervention in Executive Session Aborted Bombshell") written by Juliet Labog-Javellana who quoted four unnamed sources in reporting what purportedly transpired during the executive session. He quoted the report as stating that "Arroyo reportedly made a motion to allow Neri to avail himself of a legal counsel of his choice. After Arroyo's motion, Budget Secretary 'Nonoy' Andaya Jr. entered the 'Members Only' Senators' Lounge."

However, Senator Arroyo decried the report as a complete falsehood, adding that the question that has arisen concerns the four senators who reportedly peddled the story that became the basis of the *Inquirer* article.

Senator Arroyo stressed that the Senate has long established rules and practices, including the Senate's

power to investigate via executive sessions which are sacrosanct. He pointed out that the *Inquirer* article has destroyed the inviolability of executive privilege and has put the Senate's credibility of maintaining the confidentiality of what transpires in such sessions in question.

Senator Arroyo noted that the *Inquirer* has been at the forefront of a campaign to compel Secretary Neri to reveal his confidential conversations with President Arroyo on the ZTE deal and cannot accept the excuse of executive privilege. He wondered how it could be possible for the *Inquirer* to go behind the cloak of the law that protects reporters from being compelled to reveal their sources and yet maintain the moral high ground that it could compel anyone to divulge confidential matters.

Senator Arroyo also wondered how the Senate could enforce its compulsive powers to extract information from its resource persons if it cannot enforce its own rules on its members. He stressed that the Senate must take a stand and find out who among the four senators had violated the rule on the confidentiality of executive sessions. He said that the rule of executive session is a vital institutional instrument of the Senate that cannot be sacrificed only to promote sensational and tabloid journalism. Therefore, he stressed that the senators should respect the Senate rules if they want to be respected as well and as such, those who violate such rules should be punished. He also queried how the Senate could investigate other people when it could not even investigate its own members.

Senator Arroyo said that it is in this regard and to assure the public that the Senate follows its own rules, he filed Proposed Senate Resolution No. 165 asking the appropriate committee to look into the violation of Rule XLVII and other provisions of the Rules of the Senate on executive sessions during the September 26, 2007 proceedings.

#### **REMARKS OF SENATOR DEFENSOR SANTIAGO**

At the outset, Senator Defensor Santiago expressed support for the resolution of Senator Arroyo. However, she noted that while politicians want to do media a favor to get on their good side, the bad habit of talking to the media on assurances of confidentiality and becoming an anonymous source would make executive sessions a futile exercise

because the senator would earn the goodwill of a beat reporter but would end up betraying his own colleagues in the process.

Moreover, she wondered how the alleged sources could not have availed of the accepted excuse of not divulging matters discussed in executive session when the media know how to accept such an explanation.

#### **INTERPELLATION OF SENATOR ENRILE**

Asked by Senator Enrile whether it is possible to compel a news reporter to reveal her source, Senator Arroyo replied that there is a law that protects reporters from revealing their sources.

To the observation that the law prohibiting the revelation of the sources of reporters' stories is a statutory grant of privilege to protect the media in performing its role in society and allow such sources to be free to give out information without fear of being revealed through compulsion by certain authorities, Senator Arroyo affirmed that the prohibition is a privilege granted by Congress but it is not a constitutional right. He stated that the freedom of the press cannot be equated with the tyranny of the press.

For his part, Senator Enrile asserted that freedom of the press is not a constitutional grant of right to be immune from any congressional inquiry into the source of the information but a statutory grant of privilege to enable media to gain access to information which otherwise would not be given for fear that the identity of the source might be revealed.

Senator Enrile explained that the policy behind the secrecy of the executive session is not to hide anything from the public but to give the people who are testifying before the Body the freedom to talk and exchange views without fear that the information they provided would be revealed to the public.

Given the fact that the protection given to media with respect to the nondisclosure of their source is a statutory grant, Senator Enrile wondered if the Senate could compel Ms. Javellana to reveal her source of information. Senator Arroyo replied that it is a borderline case in light of the law protecting media from revealing their sources, but he believed that the Senate must have some power to get to the root of the sacred rule for its protection. He noted that the Body could abrogate the executive session, in which

case, many things will not be answered in the investigation because the resource person can refuse to answer questions in an open hearing which otherwise is possible in an executive session. He asserted that in this case, the *Philippine Daily Inquirer* has insisted that the parties invited to the executive session cannot invoke executive privilege. However, he underscored that while executive privilege is rooted in the Constitution, protection for the journalist's source of information is not as it is simply a statutory grant.

Senator Enrile believed that the Committee on Ethics and Privileges is the proper committee to conduct an inquiry into Proposed Senate Resolution No. 165, specifically the responsibility of the senators who disclosed what transpired during the executive session, with the view to crafting an amendment to the law so that the grantee of the privilege cannot abuse it. Senator Arroyo agreed, saying that a matter revealed in confidence cannot be reported by media.

Asked if the Committee has the power to compel Ms. Javellana to reveal her source in a hearing, Senator Arroyo said that it is possible to compel Ms. Javellana to appear in a hearing but she has the right not to reveal what has been said to her in confidence. However, he wondered how the Senate could compel a witness to reveal information that she claims to be confidential when the senators themselves do not follow the rule on confidentiality.

Senator Enrile recalled that there was once a reporter who published a blind item in one of the broadsheets who was asked by the Supreme Court to show cause why he should not be cited for contempt. He inquired if the Senate, through the Committee, could equally exercise the same prerogative.

Recalling her stint as a Regional Trial Court (RTC) judge, Senator Defensor Santiago said that on many occasions, when the RTCs moved to cite some writers for contempt for denigrating a judge or a judicial proceeding, in some instances, the writers appealed to the Supreme Court, and always, the RTCs were overruled as they were reminded that they must respect freedom of the press. Ironically, she said, there is double standard because the Supreme Court always cites a person for contempt and punishes him for calling the Court into question; however, when a writer denigrates the lower courts, the Supreme Court cites freedom of the press.

Senator Enrile pointed out that the Judiciary, the Executive and Congress are coequal although coordinate branches of government being *in pari passu* as far as status and powers are concerned – one is invested by the people the sovereignty to legislate and create policies; another is invested with the power to implement legislation and policies; and the other is invested with the power to interpret and decide conflicts of rights and policies. Senator Arroyo agreed, as he wondered whether the Senate could exercise the same power considering that the media would always seek refuge in RA 53.

Asked if the law could be repealed or modified to create an exception, Senator Arroyo answered in the affirmative. Senator Enrile suggested that in the hearing on the amendatory bill, the Committee could demand the presence of resource persons and if they refuse to attend, they could be cited for contempt.

Asked if the senators who were irresponsible enough not to protect the prerogatives of the Chamber could be revealed, Senator Arroyo said that the papers alluded to four sources. He said that there was some bad faith in the reporting as he recalled that Ms. Javellana, whom he knew very well, called him at 7:30 on Saturday evening to inquire into what transpired during the executive session. As he assumed that the reporter had already filed her story considering that in most papers during Saturdays, stories are filed at 6:00 p.m. or 7:00 p.m. at the latest, he said that he dismissed the idea that Ms. Javellana would still make an issue out of it but to his surprise, it was the banner story the following morning.

As regards the proposition that Congress cannot exercise contempt powers unlike the Supreme Court, Senator Arroyo noted that, as Senator Enrile put it, if Congress can threaten to cite contempt, people who say they cannot answer a question for whatever reason, why can it not also cite contempt a reporter who does not disclose his/her sources. He said it is not easy to meet head-on the *Inquirer*, which is the biggest newspaper, but something has to be done to somebody who did wrong. He said that he has not grown in public life only to say he must be secure all the time and should not offend media.

#### INTERPELLATION OF SENATOR ZUBIRI

Asked by Senator Zubiri if he can recall the senators who were present in the executive meeting, Senator Arroyo replied in the negative. ~~AS-~~

Senator Zubiri believed that all the information revealed during the executive session should not be spread or shared to other sources, as he proposed that during the investigation of the Committee on Ethics and Privileges, the names of the senators present in the meeting should be revealed so that those who were not present would not be suspected as being the "talkative" senators.

Senator Arroyo noted that Senator Zubiri was only trying to excuse himself when, in fact, he was supposed to be in that meeting. Senator Zubiri explained that he and other senators had to attend to other equally important matters like budget hearings; besides, he was informed only three minutes before the meeting and he was in Alabang at that time so he did not have any chance to attend the executive session.

### INTERPELLATION OF SENATOR AQUINO

On the fourth "whereas" clause of the resolution stating that the report is a complete falsehood, Senator Aquino said that under the rules, a penalty should be imposed for disclosing the proceedings in the executive session. If what was reported did not really transpire, he asked how the rules could have been violated. Senator Arroyo replied that the statement "the report is a complete falsehood" refers to the report in the *Inquirer*.

Senator Aquino said that if the Senate is investigating a violation of the rules on the conduct of executive sessions, and if what was reported did not transpire, the investigation therefore would be into an incident of slander or libel on the part of the reporter rather than into a violation by some senators.

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

Senator Arroyo said that the account was falsehood but the executive session took place. He stated that he does not believe in libel suits because he knew enough of print media even before the martial law regime when he was the lawyer of the *Manila Times* of the Roces family, the *Philippine Free Press* of Teodoro Locsin, the *Manila Overseas Press Club*, the *National Press Club*, and the *Philippine Press Institute*. He recalled that when martial law was imposed, he filed the first complaint because journalists were among those first arrested, along with the late Senators Diokno and Aquino.

Senator Aquino noted that R.A. No. 53, which was amended by R.A. No. 1477, was further amended by a House measure to include website publishers, has a clause that the reporter can refuse to reveal his source except when the court, or the House committee of Congress finds that the revelation is demanded by the security of the State. He asked whether violation of the rules on executive session falls under the ambit of national security, thereby making the investigation of the *Inquirer* report a viable one because if not, it would result in a deadlock further derailing the investigation into the ZTE contract.

Senator Arroyo clarified that the thrust of the resolution is that since the sanctity of executive session has been impaired because of the news report, Congress has to do something to repair it; otherwise, it has no business asking others and compelling them under pain of contempt because its own members cannot follow the rules.

### REFERRAL OF SPEECH TO COMMITTEE

Upon motion of Senator Pangilinan, there being no objection, the Body referred the privilege speech of Senator Arroyo and the interpellations thereon to the Committee on Ethics and Privileges.

### MANIFESTATION OF SENATOR ESCUDERO

Senator Escudero noted that Senator Arroyo described the article as a "falsehood," which means inaccurate with respect to what had transpired in the executive session. For the consideration of the Committee on Rules, he posited that this is not a case of violating the sanctity of executive session, given that the report did not depict what transpired in the executive session. He then urged the Committee on Rules to decide on the matter.

Senator Arroyo argued that the subject matter of the investigation would be the news report and referring the matter to the appropriate committee is entirely up to the Senate.

Since the resolution referred to acts that may have compromised the sanctity of executive sessions, Senator Pangilinan maintained that the proper committee is the Committee on Ethics and Privileges; but should the findings be contrary, it can make the necessary recommendations. He said that in the 12<sup>th</sup> Congress, the Committee on Ethics and Privileges

which he chaired undertook executive sessions in its hearings and meetings, and it was still up to the Committee to decide whether or not to proceed with the executive session or conduct the hearing in public.

## REFERENCE OF BUSINESS

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

### BILL ON FIRST READING

Senate Bill No. 1661, entitled

AN ACT TO STRENGTHEN THE COUNTRY'S STANDING IN BOXING SPORTS, ENSURE THE WELFARE OF ITS BOXERS, AND PROVIDING FUNDS THEREFOR

Introduced by Senator Miriam Defensor Santiago

**To the Committees on Games, Amusement and Sports; and Finance**

### RESOLUTIONS

Proposed Senate Resolution No. 162, entitled

RESOLUTION DIRECTING THE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES TO INVESTIGATE, IN AID OF LEGISLATION, THE UNABATED INCIDENCE OF FOREIGNERS POACHING IN PHILIPPINE WATERS AND THE APPARENT COLLUSION OF CERTAIN GOVERNMENT PERSONNEL AND AGENCIES THEREBY CAUSING THE DESTRUCTION OF THE COUNTRY'S DIVERSE MARINE BIODIVERSITY AND RESOURCES WITH THE END IN VIEW OF ENACTING REMEDIAL LEGISLATION

Introduced by Senator M.A. Madrigal

**To the Committees on Local Government; and Environment and Natural Resources**

Proposed Senate Resolution No. 163, entitled

RESOLUTION DIRECTING THE COMMITTEE ON JUSTICE AND HUMAN RIGHTS TO INVESTIGATE, IN AID OF LEGISLATION, THE REPORTED COMPILATION OF A SECRET BLACKLIST OF PERSONS WHO ARE KNOWN TO BE HUMAN RIGHTS ADVOCATES AND CRITICAL OF THE MACAPAGAL-ARROYO ADMINISTRATION THAT ARE BANNED BY THE BUREAU OF IMMIGRATION FROM ENTERING THE COUNTRY

Introduced by Senator M.A. Madrigal

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

### COMMITTEE REPORTS

Committee Report No. 6, prepared and submitted jointly by the Committees on Trade and Commerce; Health and Demography; and Finance, on Senate Bill No. 1658, with Senators Manny Villar, Mar Roxas, Antonio "Sonny" F. Trillanes IV, Compañera Pia s. Cayetano, Juan Miguel F. Zubiri, Loren Legarda, Manuel "Lito" M. Lapid and Enrile as authors thereof, entitled

AN ACT TO PROVIDE FOR QUALITY AFFORDABLE MEDICINES,

recommending its approval its substitution of Senate Bill Nos. 90, 101, 755, 1404, 1420, and 1530, taking into consideration Proposed Senate Resolution No. 49.

Sponsors: Senators Mar Roxas, Compañera Pia S. Cayetano and Enrile

**To the Calendar for Ordinary Business**

Committee Report No. 7, prepared and submitted jointly by the Committees on National Defense and Security; and Finance, on Senate Bill No. 1659, with Senators Gordon, Biazon and Enrile as authors thereof, entitled

AN ACT ALLOWING FILIPINO WORLD WAR II VETERANS TO CONTINUE RECEIVING PHILIPPINE GOVERN-

MENT PENSIONS AND BENEFITS EVEN WHEN SIMILAR PENSIONS AND BENEFITS ARE PROVIDED BY THE UNITED STATES GOVERNMENT, AMENDING SECTION 10 OF REPUBLIC ACT NO. 6948, AS AMENDED, FOR THIS PURPOSE,

recommending its approval in substitution of Senate Bill No. 142.

Sponsors: Senators Biazon, Enrile and Gordon

**To the Calendar for Ordinary Business**

Committee Report No. 8, submitted by the Committee on National Defense and Security, on Senate Bill No. 31, introduced by Senator Biazon, entitled

AN ACT PRESCRIBING A FIXED TERM FOR THE CHIEF OF STAFF OF THE ARMED FORCES OF THE PHILIPPINES AND FOR OTHER PURPOSES,

recommending its approval with amendments, taking into consideration Senate Bill Nos. 704 and 758.

Sponsor: Senator Biazon

**To the Calendar for Ordinary Business**

Committee Report No. 9, prepared and submitted by the Committee on Constitutional Amendments, Revision of Codes and Laws, on Senate Bill No. 1660, with Senator Gordon and the Members of the Committee as authors thereof, entitled

AN ACT AMENDING REPUBLIC ACT NO. 9340, RESETTING THE SYNCHRONIZED BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AND FOR OTHER PURPOSES,

recommending its approval in substitution of House Bill No. 2417.

Sponsor: Senator Gordon

**To the Committee on Rules**

Committee Report No. 10, prepared and submitted jointly by the Committees on Labor, Employment

and Human Resources Development, and Social Justice, Welfare and Rural Development, on Senate Bill No. 1662, with Senators Loren Legarda, Jinggoy Ejercito Estrada, Manuel "Lito" M. Lapid, Pimentel Jr. and Miriam Defensor Santiago as authors thereof, entitled

AN ACT PROVIDING FOR ADDITIONAL BENEFITS AND PROTECTION TO THE HOUSEHELPERS THEREBY AMENDING FOR THIS PURPOSE ARTICLES 141, 142, 143, 148 AND 151 OF CHAPTER III OF P.D. 442, AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES,

recommending its approval in substitution of Senate Bill Nos. 77, 157, 201, 1141 and 1631.

Sponsor: Senator Jinggoy Ejercito Estrada

**To the Calendar for Ordinary Business**

Committee Report No. 11, submitted by the Committee on Local Government, on House Bill No. 2417, introduced by Representative Locsin, *et al.*, entitled

AN ACT AMENDING REPUBLIC ACT NO. 9340, RESETTING THE SYNCHRONIZED BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AND FOR OTHER PURPOSES,

recommending that House Bill No. 2417 be laid on the table until after an appropriate Senate bill of similar subject is filed.

Sponsor: Senator Benigno S. Aquino III

**To the Committee on Rules**

**ADDITIONAL REFERENCE OF BUSINESS**

**MESSAGE OF THE PRESIDENT  
OF THE PHILIPPINES**

Letter of Her Excellency, President Gloria Macapagal Arroyo, dated 1 October 2007, certifying to the necessity of the immediate enactment of Senate Bill No. 1660, entitled *et al.*

*ps*

AN ACT AMENDING REPUBLIC ACT NO. 9340, RESETTING THE SYNCHRONIZED BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AND FOR OTHER PURPOSES,

to effect certain electoral reforms relative to the barangay and sangguniang kabataan elections and to pilot test automated elections pursuant to Republic Act No. 9369, commonly known as the Automated Elections Law.

**To the Committee on Rules**

**RESOLUTION**

Proposed Senate Resolution No. 164, entitled

RESOLUTION DIRECTING THE PROPER COMMITTEE/S OF THE SENATE TO INVESTIGATE THE SEPTEMBER 26, 2007 "EXECUTIVE SESSION" OF THE SENATORS WHERE AN UN-INVITED GUEST ALLEGEDLY HINDRED THE TESTIMONY OF A WITNESS AND THE SUBSEQUENT PUBLICATION OF WHAT SUPPOSEDLY TRANSPIRED IN THE SAID SESSION, WITH THE END IN VIEW OF AMENDING AND STRENGTHENING THE RULES OF THE SENATE ON EXECUTIVE SESSION

Introduced by Senator Lacson

**To the Committee on Ethics and Privileges**

**SECOND ADDITIONAL REFERENCE OF BUSINESS**

**RESOLUTION**

Proposed Senate Resolution No. 165, entitled

RESOLUTION DIRECTING THE APPROPRIATE COMMITTEE TO LOOK INTO THE VIOLATION OF RULE XLVII AND/OR OTHER RULES OF THE RULES OF THE SENATE ON EXECUTIVE SESSIONS DURING THE SEPTEMBER 26, 2007 PROCEEDINGS

Introduced by Senator Arroyo

**To the Committee on Ethics and Privileges**

**PARLIAMENTARY INQUIRY OF SENATOR ESCUDERO**

As regards the letter of Senator Trillanes on his attempt, as chairman of the Committee on Civil Service and Government Reorganization, to conduct a committee hearing where he was being detained, Senator Escudero asked for a definitive ruling *vis-a-vis* the resolution authorizing the committees to conduct public hearings during the session break in order for Senator Trillanes to be able to perform his duties, within certain limitations, as a Senator and committee chairman.

Senator Pangilinan stated that the Committee on Rules would provide recommendations on some of these issues in the following day's session.

**PARLIAMENTARY INQUIRY OF SENATOR ARROYO**

Since the committees would be conducting hearings during recess, Senator Arroyo inquired if arrangements could be made with respect to the schedule before Congress goes on recess so that the Members could make themselves available during those dates.

Senator Pangilinan stated that the various committee secretaries would be directed to come up with a tentative schedule of committee hearings during the break.

At this juncture, Senator Escudero suggested that the chairpersons furnish the senators with a list of bills to be taken up so that they would be apprised of the topics that may be taken up considering the constraints with respect to setting a definite date and venue for the hearings.

Senator Pangilinan stated that the matter would be referred to the committee secretaries.

**ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS**

At this juncture, Senator Pangilinan acknowledged the presence of Mayor Jenny Tan and former Mayor Philip Tan of Tangub City, Misamis Occidental.

**SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 4:10 p.m.* *AS*

*JP*



## RESUMPTION OF SESSION

At 4:10 p.m., the session was resumed.

## SPECIAL ORDER

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of Committee Report No. 6 on Senate Bill No. 1658 from the Calendar for Ordinary Business to the Calendar for Special Orders.

Senator Pangilinan informed the Body that the bill was approved on Third Reading during the Third Regular Session of the Thirteenth Congress.

## COMMITTEE REPORT NO. 6 ON SENATE BILL NO. 1658

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1658 (Committee Report No. 6), entitled

### AN ACT TO PROVIDE FOR QUALITY AFFORDABLE MEDICINES.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Pangilinan, 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 Roxas for the sponsorship.

## MANIFESTATION OF SENATOR ROXAS

Senator Roxas manifested that his sponsorship speech, along with the cosponsorship speech of Senator Cayetano (P), be considered read into the record.

## SPONSORSHIP SPEECH OF SENATOR ROXAS

Hereunder is the following text of Senator Roxas' sponsorship speech:

Last Thursday, we spent twelve hours on a hearing on the ZTE contract, an ill-fated controversy that has failed to pass the test of integrity as well as the test of logic in terms of our national priorities.

We have also conducted three committee hearings on JPEPA, a treaty that has yet to be competently defended by the executive branch as to the equitability of the Filipino peoples' interest.

Today, we, in the Senate, have the opportunity to deliver a powerful message that despite the raging controversies, we are immersed foremost in the business of the people.

Let me share with you this e-mail from someone named Dhey Dizon:

*Mabuti po yung panukalang batas na babaan ang presyo ng mga gamot dahil malaking tulong ito sa mga mahihirap. Sobrang taas na po talaga ang gamot, kaya please sana mapasa na dahil ang mga mamamayan na walang sapat na pera naghihintay na lang na mamatay dahil hindi po nila kaya na bumili ng gamot. Kahit sumasahod pa ng minimum, sa pagkain kulang, kaya kahit gusto man uminom ng gamot, walang magagawa. Ang mga mayaman lang ang nakakabili ng gamot kaya kawawa ang mga Pilipino na mahihirap.*

Such forms of encouragement *cum* admonition from ordinary citizens never fail to jolt us to attention; and make it incumbent upon us to act on their needs with compelling dispatch — for it is they who bear the brunt of our seemingly endless deferrals.

During the last Congress, the Senate passed on Third Reading its bill lowering the price of medicines through amendments to the Intellectual Property Code.

Unfortunately, the House failed to have a quorum. Limp excuses were made, a few congressmen chose to criticize the Senate version in attempts at demagoguery and obfuscation — but in the end, the people and their agenda were defeated.

*At this juncture, Senate President Pro Tempore Ejercito Estrada relinquished the chair to Senate President Villar.*

This proponent has chosen to uphold inter-parliamentary courtesy at all times, knowing fully well how trivial such debates appear when leveled against our people's daily pain and struggle to get well and live longer.

Yes, that is all water under the bridge. Today, the people rise again, with this Chamber

*46<sup>o</sup>*

at the vanguard — to redeem the past, however belated — to right what is wrong.

The advocacy for quality, affordable medicines has been with me as a personal cause since the death of my brother Dinggoy from a lingering illness. I was fortunate to concretize it further when I was the Secretary of Trade and Industry.

My saga landed with good fortune in this Chamber, where I am privileged with the company of more authors and shepherds. I shall be deeply gratified to see this law enacted as a product of authentic bipartisan unity and public consultations — two elements that in today's context may seem an oxymoron, rather than a function of political leadership.

Let me acknowledge and thank my co-authors in the Senate led by my co-chair, Sen. Pia Cayetano of the Committee on Health and Demography, Senate President Manny Villar, Sen. Sonny Trillanes, Sen. Migz Zubiri, and Sen. Loren Legarda. We also thank and acknowledge Sen. Lito Lapid who filed a resolution to look into the prices of essential drugs and medicines. I also thank all our other colleagues who have actively helped and supported the cause of more affordable medicines for our people.

Of course, the joint committees would not be able to do our work without the help of all the experts, stakeholders, staffs and even concerned citizens who expanded our toolbox of legislative remedies into a formidable and practicable package of solutions to the exorbitant cost of drugs in the Philippines.

And while my gratitude is extended to all, I make special mention of my fellows in the Liberal Party for doing their share of the spadework required and for giving consensus in support for the bill. I gladly declare that the bill in its present form is attuned with the LP's "People First" platform.

### *Provisions*

Senate Bill No. 1658, which is the result of our committee work not only in the present Congress but also in the previous one, seeks to provide the government with a package of measures to ensure access to quality and affordable medicines for all. It consolidates all the bills that have been filed in the Senate into the proposed "Quality Affordable Medicines Act."

The bill seeks to do the following:

1. Amend our patents law to allow the importation of more affordable medicines from

abroad; support the development of the local generics industry, and give ample muscle to government in times of need;

2. Strengthen the BFAD as a counterfoil to attempts to bring or introduce into the market fake or substandard medicines, by allowing it to retain its earnings for capital and other investments; and

3. Authorize the President to impose price ceilings on life-saving drugs when the situation warrants the same.

Our proposed amendments to the Intellectual Property Code, which the Senate unanimously approved on Third Reading in the 13<sup>th</sup> Congress, seeks to adopt internationally-held principles to promote public health.

We adopt the "international exhaustion" principle, which will allow the parallel importation of more affordable medicines from India, Pakistan, Thailand and other countries. Our present "domestic exhaustion" doctrine in the IPC does not allow this, and has exposed our government agencies and officials, myself included when I was in DTI, to lawsuits from pharmaceutical firms.

We must point out, however, that we do not only import more affordable medicines *per se*: we also import their markets' "competitive dynamic."

In order to make the adoption of this principle more effective, we are also amending other sections of the Intellectual Property Code relative to trademarks and tradenames restrictions.

To support the generics industry, we are proposing two key amendments.

The first seeks to disallow the grant of new patents to existing inventions under frivolous reasons of "new use" or "new property." In the past, allowing new patents on grounds of "new use" has unduly extended the patent life of existing drugs even without a significant change in the formula or content of the drug. This phenomenon, called internationally as the "ever-greening" of patents, has stifled the development of quality and affordable generic versions of patented inventions.

The second seeks to adopt the "early working" principle, to allow local generics companies to start developing for regulatory approval of generic versions of patented drugs even prior to the expiration of the said patents. At present, the patent life of a drug is practically extended for 3-4 years; generics firms are able to start development only right after the patent expires.

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We also grant the government discretion in the use of patents when the public health is at stake, through mechanisms for government use and compulsory licensing.

Under this, the government or authorized third parties may use an invention even without the agreement of the patent owner when the public interest—national security, nutrition, health or development of sectors—so requires; when a judicial or administrative body has determined that a patent owner's manner of exploitation of his patent or license is anti-competitive; or when there is public non-commercial use of the patent by the patentee without satisfactory reason.

Such use or exploitation by the government or authorized third parties shall be subject to the exclusive determination of the President, shall be with adequate compensation to the patent owner, and shall be immediately executory. And no court, except the Supreme Court, can issue a temporary restraining order or preliminary injunction that will prevent its immediate execution. We note that in the past, the approval of compulsory licenses has taken too long a time due to procedural delays caused by appeals filed by patent owners. The only compulsory license granted so far under the IPC took ten years prior to its approval.

These flexibilities are allowed under the Agreement on Trade-Related Aspects of Intellectual Property or TRIPS Agreement, which we, together with developing nations, fought for in the World Trade Organization.

While we adopt these flexibilities to ensure access to affordable drugs and medicines, we must also streamline our controls to ensure that only quality, and not substandard, drugs and medicines reach the public. We do this by strengthening the Bureau of Food and Drugs, the sole agency responsible for ensuring the quality and standards of food and drugs being manufactured or imported, and eventually sold.

We authorize the BFAD to retain, without need for approval from any other government agencies, all the fees, fines, royalties and charges it collects for the administration of its mandate. These funds shall be used to improve delivery of its services to the public: upgrading of facilities, equipment, human resource development and expansion, and acquisition of office space, among others. The funds shall be kept in a separate account, which may be used or disbursed directly by the BFAD director or head.

We also propose a mechanism for the determination and imposition of drug price ceilings by the President, patterned after the provisions of Republic Act 7581, or the Price Act.

We take into consideration the overwhelming opposition or limited support by experts and stakeholders to proposals to create a Drug Prices Regulation Board. They have said that the proposal may be redundant, as the National Price Coordinating Council and the President have similar powers under the Price Act.

The composition of the board, as proposed by some, is also awkward, as it includes representatives of drug companies to be regulated, and this could lead into conflict of interest. It was also noted that bodies imposing price control are prone to "regulatory capture," especially in countries where governance is weak. Lastly, the impact of price control policies to prices and supply is, at the minimum, unclear. Worse, it could result to shortage rather than abundance of supply.

Doctors Felipe M. Medalla and Cielito F. Habito, noted economists and former socio-economic planning secretaries, have further emphasized that more competition is the best approach to ensuring access to quality affordable medicines, and imposing a price control mechanism may be incompatible with competition-enhancing policies.

We instead propose an alternative mechanism best used as a "last resort."

The President may impose drug price ceilings upon joint recommendation of the Secretaries of Health and Trade and Industry, under any of the following conditions:

1. An impending or existing calamity, or the effects of a calamity that affects public health;
2. The threat, existence or effect of a public health emergency as recognized by the DoH or by an officially recognized non-government organization;
3. Prevalence of widespread acts of illegal price manipulation of any drug or medicines;
4. An impending or existing event, or its effect, that causes artificial and unreasonable increase in the prices of any drug or medicine; and
5. Whenever the prevailing price of any drug or medicine has risen to unreasonable levels.

This process of price regulation is deemed more effective and efficient. Firstly, it is

consistent with existing laws such as the Price Act. Furthermore, the decision-making process in imposing price caps is limited to a few people who have the best knowledge of the public health situation, and the final decision will be levied by the President, who has the highest authority and highest responsibility and accountability in the land. Lastly, only the Supreme Court may restrain any action carried out by the President in line with this authority.

Finally, we also propose in the consolidated Senate Bill No. 1658 the creation of a "Quality Affordable Medicines Oversight Committee" to oversee the full implementation of the provisions of this Act. We also appropriate P25 million to the DoH for the initial implementation of the provisions of this Act.

Once we are able to enact Senate Bill No. 1658 into law, will the prices of medicines go down?

Yes, it should and it will. All the tools needed to make medicines more affordable are already in this bill. All of these provisions are in accordance with international best practices and with our own existing Price Act.

Other countries have used the same tools with undeniable success. They have amended their patent laws to adopt internationally accepted best practices that have made medicines more affordable and accessible.

Such measures have effectively confronted the problem of extreme concentration of market power in the hands of giant pharmaceutical companies.

Canada, Argentina, Thailand, Malaysia, and Indonesia have adopted the "early working" doctrine, which allows generic companies to experiment with a drug or medicine before its patent expires. This gives them enough lead-time to produce and market as soon as the patent expires.

Other countries, including Japan, Israel, and Thailand, have adopted the "international exhaustion" principle. This permits parallel importation of the same medicines, thereby moderating domestic prices through competition.

Meanwhile, the Indian Patent Act protects generic companies from lawsuits arising from "newly discovered uses" for previously patented products.

The Thai government adopted some of these tools. But what is more noteworthy is how Thailand applied an indomitable *political will* as

the lever to lift public health above and away from the oppressive price regimes of the past.

Through this bill, the Filipino people now have the chance to own these tools, and use them to re-engineer our pharmaceutical sector in order to make quality medicines within reach of every sick person in this land.

Ultimately, it will be the depth and strength of the administration's political will that would decide the fate of these tools.

Once this bill is passed, the burden shall rest on President Gloria Macapagal Arroyo to bring the vision to national reality—and I hope and pray that she will resist all pressures to reverse the tide on the people's health and well being.

Today, let us celebrate needful life over needless death. The chains of monopoly and oligopoly that keep our people at a great disadvantage, imposing upon them medicines triple the cost of those found in neighboring countries – these chains, must be broken.

This consolidated Senate bill represents our collective aspiration. Let us pass it as a *simple duty to perform, for better Filipino minds and bodies, for longer and more productive Filipino lives.*

#### **COSPONSORSHIP SPEECH OF SENATOR CAYETANO (P)**

Hereunder is the full text of the cosponsorship speech of Senator Cayetano (P):

A year ago, I rose to seek your support for the passage of Senate Bill No. 2263, which I co-sponsored together with Senator Mar Roxas. The bill passed the scrutiny of the Senate, but unfortunately, this effort was not enough. The essential bill intended to make drugs more affordable for our Filipino people was not passed.

I am again before you, as Chair of the Committee on Health and Demography, to co-sponsor, and urge our colleagues to prioritize the passage of Senate Bill No. 1658 under Committee Report No. 6.

While government always maintained that health should be a priority, sadly, the 2% - 3% of GDP budget for health of the Philippines is way below the 5% recommendation of the World Health Organization.

Studies show that in the Philippines, out of the 100% total health expenditure, 60.2% is ~~is~~

shouldered by the individual Filipinos. Only 39.8% is shouldered by the government. Compare this with our neighbors in Thailand where 64.7% of the total expenses is shouldered by the government, and at the least, in Malaysia, where 58.8% is charged to the government funds.

Further aggravating this fact is that in 2003, annual per capita health spending at current prices was only P1,817, and for 2004, it was P1,979. It should be noted that this per capita health spending is inclusive of all the healthcare costs and not just limited to drugs and medicines.

There are studies that show that only half of our population has access to essential drugs and medicines.

Given these facts, the objective of Senate Bill 1658 to protect public health indeed becomes most urgent. Health care is a basic right – but the cost of medicine is making a mockery of that right. As consumer organizations have so aptly noted, unlike most commodities that consumers purchase everyday, medicine is an essential item. It's like water – when you need it, you've got to have it.

During the several successive hearings jointly conducted by the Committees on Trade and Industry and Health and Demography, it has been established that many pharmaceutical drugs are sold exorbitantly higher in the Philippines than in other countries – varying from 150% to 1000% higher. These include the anti-diarrheal drug Imodium, the painkiller *Ponstan*, the anti-spasmodic *Buscopan*, the anti-asthma inhaler *Ventolin*, just to name a few. No wonder there are many Filipinos dropping dead of ailments that could otherwise have been controlled, because of the drop-dead prices of medicines here.

Surely, the arguments that the cost of manufacturing and local taxes result in higher prices cannot even justify the exorbitant high prices of medicines here as compared to our Asian neighbors.

This is what this bill seeks to address – that medicines should be affordable to every Juan, who more often than not, is in a life or death situation. This objective is emphasized in Section 3 of this bill which mandates that all doubts in the implementation in the interpretation of this bill should be resolved in favor of protecting public health.

Without legislation the market has shown that on its own, it does not have sufficient

mechanisms for ensuring their affordability. It will simply charge as much as it can, and it has done so.

This bill is similar to the bill that the Senate approved in the 13<sup>th</sup> Congress, with a few additional provisions all geared towards providing affordable medicines.

#### *Intellectual Property Code Amendments*

The major amendments presented in this bill are amendments to the Intellectual Property Code, the key provisions of which have already been discussed by my colleague, Senator Mar Roxas, my cosponsor of the measure. To sum it all up, the amendments to the Intellectual Property Code seek to make patents and trademark laws more responsive to the health care needs of our people by amending the Intellectual Property Code of the Philippines for the following purposes –

1. One, to allow parallel importation of medicines and international exhaustion of intellectual property rights for patents;

2. Two, to enable generic companies to experiment and test for regulatory approval of generic versions of a drug or medicine before its patent expires;

3. Three, to provide provisions for the governmental use of patented medicines or processes for their manufacture in order to protect public health and to shield the government, pursuant to such use, from possible lawsuits from patent owners;

4. Four, to disallow the issuance of new patent based on a new use or derivative of patented drugs; and

5. Five, to impose restrictions on trademarks in addition to conditions involved in the importation, sale or distribution of drugs and medicines brought into the country through parallel importation.

Let me stress that all these proposed amendments comply with our basic covenants under the Agreement on Trade-Related Aspects of Intellectual Property Rights or TRIPS and the Doha Declaration on the TRIPS Agreement and Public Health of the World Trade Organization (WTO), and that several other countries are already practicing or allowing the amendments that we seek to allow in the Philippines through this bill.

Indisputable during the hearings is the fact that other than the concern that caution has to

be exercised to ensure the quality of the medicines brought in through parallel importation, the resource persons all agreed that there is a need to amend the Intellectual Property Code. In fact, the discussions already revolved around the other laws that need to be amended to further bring down the prices of medicines and to make health care more affordable and accessible.

And that is why, of more significance to me, being the Chair of the Committee on Health and Demography are the additional amendments espoused in this bill which were not included in the previous bill.

#### ***BFAD strengthening***

As I just stated, although all the resource persons were in agreement that there is a need to amend the Intellectual Property Code, there were reservations on the capacity of the government, specifically the Department of Health through the Bureau of Food and Drugs (BFAD) to ensure the quality, efficacy and safety of the medicines that will be brought into the country, given the lack of funds, facilities and personnel of BFAD. As such, one of the amendments proposed in SB 1658 is the strengthening of BFAD by allowing to retain all the fees, fines, royalties and other charges it collects. At present, BFAD is allowed to retain its collection, but this is only by authority in a special provision in its budget. Given the instability of such a set-up, granting BFAD the authority to retain through legislation will be a great impetus to enable it to upgrade its facilities and equipment; expand and further train its human workforce to monitor and strictly enforce the laws that it is tasked to implement; and grant leeway for the creation of offices in the different regions of the country to further strengthen its regulatory capability.

#### ***Price regulation***

Now, regarding the amendment to allow the President of the Philippines to regulate the prices of drugs or medicines in the Philippines.

It has already been established that the prices of drugs and medicines in the country are exorbitant and given the propensity of the Philippines to be exposed to epidemics, such as avian influenza and SARS, there is the need to grant the President, upon the joint recommendation of the Secretaries of Health and Trade and Industry, the power to regulate the prices of drugs, as long as the conditions, as provided in this bill, exist.

#### ***Congressional Oversight***

Another proposed amendment is the creation of a Congressional Oversight Committee which will monitor the implementation of this bill. Taking into consideration the effect that this bill will create not only on the pharmaceutical industry, but on the drug industry, in general, Congress has, indeed, to step in to ensure that the law that it passed is being implemented in the manner envisioned by the lawmakers, and is making its impact on the lives and health of the people.

#### ***Conclusion***

The health sector is besieged by numerous problems and we cannot provide solutions for each problem all at the same time.

All these amendments presented in SBN 1658 are just part and parcel of a whole health reform package envisioned by the Committee on Health and Demography. The Committee is now studying amendments to the Generics Law and Pharmacy Law to ensure the accessibility of affordable drugs to the public. The Committee is also exploring the possibility of strengthening Philhealth and the expansion of its coverage and improvement of its benefits package, even as the Committee looks into the current crisis on our health human resources brought about by the problem of migration. In addition, the Committee will undertake a shift in strategic approach from curative to preventive measures, which are more effective and affordable.

The Committee on Health and Demography anticipates that this bill, and same with the bills that the Committee will present in the next months, will gain the support of our colleagues, both in the Senate and House of Representatives.

Once again, together with the Committee on Trade and Commerce, we in the Committee on Health and Demography ask for your support for the passage of Senate Bill 1658 under Committee Report No. 6.

#### **REMARKS OF SENATOR ZUBIRI**

Senator Zubiri stated that although the committee report had not been brought to him for signing, being a coauthor, he has full support for the bill. He said that at the proper time, he would introduce an amendment to create a body to monitor the price of medicines.

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Senator Roxas stated that when the committee report was circulated for signature, Senator Zubiri was attending the budget hearing but he has given his approval verbally.

#### **INTERPELLATION OF SENATOR PANGILINAN**

Asked by Senator Pangilinan if the committee report being sponsored is the same report that was approved on Third Reading during the 13<sup>th</sup> Congress, Senator Roxas replied that it is the same with two substantive modifications: 1) it allows the BFAD to keep the fees being collected from those who seek its services; and 2) it imposes price ceilings by reincorporating the provision in the Current Price Act Law.

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

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

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

There being no committee and individual amendment, upon motion of Senator Pangilinan, there being no objection, the Body closed the period of amendments.

#### **APPROVAL OF SENATE BILL NO. 1658 ON SECOND READING**

Submitted to a vote, there being no objection, Senate Bill No. 1658 was approved on Second Reading.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1658**

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

#### **SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 4:19 p.m.*

#### **RESUMPTION OF SESSION**

At 4:20 p.m., the session was resumed.

Upon resumption, Senator Pangilinan said that the Senate is in the process of securing a presidential certification on the bill amending the patent law. He expressed hope that it could be passed on Third Reading the following day.

#### **COMMITTEE REPORT NO. 3 ON SENATE BILL NO. 1646 (Continuation)**

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1646 (Committee Report No. 3), entitled

AN ACT TO PROMOTE ENTREPRENEURSHIP BY STRENGTHENING DEVELOPMENT AND ASSISTANCE PROGRAMS TO MICRO, SMALL AND MEDIUM SCALE ENTERPRISES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6977, AS AMENDED, OTHERWISE KNOWN AS THE "MAGNA CARTA FOR SMALL ENTERPRISES" AND FOR OTHER PURPOSES.

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

#### **SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 4:21 p.m.*

#### **RESUMPTION OF SESSION**

At 4:23 p.m., the session was resumed.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1646**

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

#### **SPECIAL ORDER**

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of

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Committee Report No. 10 on Senate Bill No. 1662 from the Calendar for Ordinary Business to the Calendar for Special Orders.

**COMMITTEE REPORT NO. 10  
ON SENATE BILL NO. 1662**

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1662 (Committee Report No. 10), entitled

AN ACT PROVIDING FOR ADDITIONAL BENEFITS AND PROTECTION TO THE HOUSEHELPERS THEREBY AMENDING FOR THIS PURPOSE ARTICLES 141, 142, 143, 148 AND 151 OF CHAPTER III OF P. D. 442, AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES.

Pursuant to Section 67, Rule XIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Pangilinan, 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 Ejercito Estrada for the sponsorship.

**SPONSORSHIP SPEECH  
OF SENATOR EJERCITO ESTRADA**

In sponsoring Senate Bill No. 1662, Senator Ejercito Estrada delivered the following speech:

The Committee on Labor, Employment and Human Resources Development, jointly with the Committee on Social Justice, Welfare and Rural Development, has the honor to sponsor Senate Bill No. 1662, under Committee Report No. 10, entitled

AN ACT PROVIDING FOR ADDITIONAL BENEFITS AND PROTECTION TO THE HOUSEHELPERS THEREBY AMENDING FOR THIS PURPOSE ARTICLES 141, 142, 143, 148 AND 151 OF CHAPTER III OF P. D. 442, AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES.

First of all, I would like to take this opportunity to extend my sincerest thanks to the

former members of the 13<sup>th</sup> Congress who helped this Representation pass the same bill up to the Third Reading. The House of Representatives may have failed to pass their version, but I can say with pride that the Senate as a body has done its part to give recognition to our household helpers.

Today, I am again submitting to this august Chamber this bill which seeks to provide additional benefits to the more than one million domestic workers all over the country.

As a backgrounder, the former members of this Body during the 13<sup>th</sup> Congress approved on Third Reading a bill of the same nature. Amongst the salient features of version are as follows:

1. It seeks to uphold the rights and dignity of domestic workers and protect them from abuse and exploitation;
2. It provided an increase in the monthly salaries from the economically obsolete rate laid down by the existing Labor Code to a reasonable minimum wage rate;
3. The right to social protection, providing for mandatory membership with the SSS;
4. Mandatory membership with the Philippine Health Insurance Corporation; and
5. Execution of a contract of employment that will govern the parameters of the relationship.

What was actually approved on Third Reading by the former members of this Chamber are rights which are inherent in every Filipino, for the Constitution itself guarantees that Congress shall give the highest priority to the enactment of measures that will protect and enhance the right of the people to human dignity, reduce social, economic and political inequalities, and remove cultural inequalities by diffusing wealth and power for the common good.

*Bilang boses ng masang Pilipino at taga-pagtanggol ng mga naaapi, gusto ko pong bigyan ng pag-asa ang sektor na sadyang nakakalimutan at hindi nabibigyang pansin—ang mga kasambahay.*

It is with sincere hope that I am again submitting this proposal for your consideration.

Today, let us pass this law for our domestic helpers.

**COSPONSORSHIP SPEECH  
OF SENATOR LEGARDA**

Cosponsoring Senate Bill No. 1662, Senator Legarda delivered the following speech: *leg*



First of all, I would like to congratulate the Chairman of the Committee on Labor, Employment and Human Resources Development for prioritizing this measure which this Representation authored in 1998. I thank him for considering this as a priority measure, considering that there are millions of *kasambahay*, domestic or household helpers who will be benefited by this very important measure.

As one of the authors of this laudable measure, I am therefore privileged to cosponsor Committee Report No. 10 on Senate Bill No. 1662.

The Labor Code of the Philippines defines domestic helpers as those who perform services in the employer's home which are usually necessary or desirable for the maintenance and enjoyment thereof, or who minister to the personal comfort, convenience or safety of the employer, as well as the members of the employer's household. Domestic helpers enable their employers to fully pursue their own economic and social activities. Domestic helpers' work is no longer confined to just doing household chores but more importantly, they have become companions at home, or *kasambahay*.

I, for one, was raised by my father's *kasambahay*. Way back in the 1950s, a young Ilocana from Barangay Sidig, Paoay, Ilocos Norte became the sole *kasambahay* of my father who was then a teenager. After he married my mother in the late 1950s, she became the only *kasambahay* of my parents who later gave her the responsibility of taking care of their eldest and only child then in 1960.

That *kasambahay* is now my *nanay* who has been with us for more than 50 years. I could not imagine my life without my *nanay*. This vigorous, honest, disciplined Ilocana has been my second mother all my life. I probably would not be facing the Body as a senator today would it not for this young Ilocana in the 1950s who became the *kasambahay* of my parents who became my *yaya*. She takes care of everything, from my food to my brothers' need, to my children's needs, to my *baon* in the Senate, to my clothes and even does tailoring and dressmaking, electrical work, and she is the *mayordoma* of my household.

All the other *kasambahay* in my home are not merely household helpers. They have become like sisters to me who take care of me and my children when they are ill. I could not have campaigned in three elections without the *kasambahay*. I therefore treat them just like most, if not all of us here, not just as household

or domestic helpers but more than companions and like family in our homes.

I therefore laud the Chairman of the Committee, I laud this Chamber for at least allowing discussions and debates and the eventual passage of this measure.

We know that as of October 2006, there were 624,000 domestic helpers aged at least 10 years old in the country; 35% or 218,000 of these workers were found in the National Capital Region; nine out of ten are female; 60% belonged to age group 16-24 years old; and about 123,000 or 19.6% of total domestic helpers were working children aged 10-17 years old. This, however, must be addressed as we do amendments and interpellations on this measure to make sure that children are not utilized as *kasambahay*, or at least, that their rights are protected under the Magna Carta for the Working Child.

While private sectors employees worked 43.8 hours during a typical workweek, and we, as senators, work 12 to 15 hours a day, domestic helpers render 65.6 hours or a normal work day of 10 hours, and even 15 hours. Their minimum wages are excluded from the coverage of wage orders and are governed by Republic Act No. 7655 which mandates that househelpers must be paid P800 a month in Metro Manila and in highly-urbanized cities and first-class municipalities, and P500 for other municipalities. I think that this is way, way below what our domestic helpers or companions or *kasambahay* should be getting. In 2006, domestic helpers received an average daily basic pay of P88.57 across all regions.

Clearly, given the work they perform in our homes and the services they render, our *kasambahay* are not only overworked but are poorly compensated. I do not want to brag how much I pay my *kasambahay*, otherwise, I will have a deluge of applicants of those in the gallery or their *kamag-anak*. All I am saying is that even before this law is enacted, this Representation has been giving them SSS, PhilHealth, clothing benefits, among others. It is therefore very important that we recognize their invaluable contribution to our society by acknowledging their distinct needs and providing for minimum working conditions, in fact, I would say maximum working conditions that will ensure the protection of this traditionally informal labor sector.

I therefore thank the chairman once again and urge our colleagues to immediately pass this measure. *AC*

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

There being no interpellation, upon motion of Senator Pangilinan, there being no objection, the Body terminated the period of interpellations and proceeded to the period of amendments.

### **MANIFESTATION OF SENATOR MADRIGAL**

Senator Madrigal manifested her desire to interpellate on the bill. Senator Pangilinan stated that the manifestation should be treated as a motion to reconsider the termination of the period of interpellations.

However, Senator Ejercito Estrada pointed out that the motion to terminate the period of interpellations was already approved by the Body. He stressed that the bill was passed on Third Reading in the Thirteenth Congress and Senator Madrigal had already interpellated him. He said that he could not see any reason to reconsider the termination of the period of interpellations.

### **SUSPENSION OF SESSION**

With the permission of the Body, the Chair suspended the session.

*It was 4:35 p.m.*

### **RESUMPTION OF SESSION**

At 5:53 p.m., the session was resumed.

At this juncture, Senator Pangilinan informed the Body that Senators Ejercito Estrada and Madrigal have agreed to proceed to the period of committee amendments.

### **COMMITTEE AMENDMENT**

As proposed by the Sponsor, there being no objection, the Body approved the following committee amendments on page 2, one after the other:

1. On line 7, after the word "BY," replace the article "A" with AN and delete the word "WRITTEN"; and
2. On the same line, after the word "CONTRACT," delete the words "in a"; and thereafter, delete lines 8 to 20.

### **TERMINATION OF THE PERIOD OF COMMITTEE AMENDMENTS**

There being no other committee amendment, upon motion of Senator Pangilinan, there being no objection, the Body closed the period of committee amendments and proceeded to the period of individual amendments.

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

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

### **APPROVAL OF SENATE BILL NO. 1662 ON SECOND READING**

Submitted to a vote, there being no objection, Senate Bill No. 1662 was approved on Second Reading.

### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1662**

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

### **SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 5:55 p.m.*

### **RESUMPTION OF SESSION**

At 5:56 p.m., the session was resumed.

### **COMMITTEE REPORT NO. 3 ON SENATE BILL NO. 1646**

*(Continuation)*

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1646 (Committee Report No. 3), entitled

**AN ACT TO PROMOTE ENTREPRENEURSHIP BY STRENGTHENING DEVELOPMENT AND ASSISTANCE**

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PROGRAMS TO MICRO, SMALL AND MEDIUM SCALE ENTERPRISES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6977, AS AMENDED, OTHERWISE KNOWN AS THE "MAGNA CARTA FOR SMALL ENTERPRISES" AND FOR OTHER PURPOSES.

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

Thereupon, the Chair recognized Senator Legarda, Sponsor of the measure, and Senator Madrigal for her interpellation.

**INTERPELLATION  
OF SENATOR MADRIGAL**

To the query of Senator Madrigal whether the bill under consideration is the same bill that Senator Roxas, then chair of the Committee on Economic Affairs, filed in the last Congress, Senator Legarda replied in the affirmative.

Asked if a hearing was conducted on the bill or if it has been amended in any manner, Senator Legarda stated that there was one public hearing attended by 20 to 30 guests and one Technical Working Group meeting and that there are no changes in the bill. She added that the guests included the head of the SMED Council, representatives from the thrift banks, the president of the Rural Bankers Association of the Philippines, and representatives of concerned governments agencies – DOLE, BSP, DOF, Landbank, GSIS, among others.

Further, Senator Legarda stated that the SMED Council, composed of representatives from both the government and the private sector, represented the loan beneficiaries or the private sector component. For instance, she mentioned the export industry which was represented by Mr. Francisco Floro and Mr. Sergio Ortiz Luis.

Pointing out that Messrs. Floro and Ortiz Luis are both millionaires, Senator Madrigal queried if there were any small or micro-borrowers who testified, as she clarified that she did not want the money to be given to rich entrepreneurs who can always borrow from the banks. Senator Legarda agreed that the measure should empower the micro, small and the medium business enterprises.

Senator Madrigal asked if there is one success story that could be cited. Senator Legarda replied that the annual report of the Small Business Corporations boasted of the transformation of a small company that benefited from loans coming from the Small Business Corporation, as well as a success story of a single proprietor.

Senator Madrigal asked to be clarified what the bill wishes to expand as she cited that the "smallest" micro-loanable amount is from P150,000 to P3 million, "small" is from P3 million to P15 million and "medium" is from P15 million to P100 million. She asked if a person capable of borrowing P100 million can still be considered poor and in need of funds, and if he can be accommodated by any bank. Senator Legarda replied in the negative.

Senator Madrigal pointed out that it would be quite illogical for one to be granted a P100 million loan if he did not have enough assets to back it up. She also observed that the proposal to increase the loanable amount to P200 million is beneficial only to the rich. She noted that anyone qualified to borrow P100 million should be able to loan the same from a commercial bank as the amount is no longer considered funding for a medium-scale enterprise. Senator Legarda explained that according to the Small Business Corporation (SBC), the average loan is only P800,000, while its biggest borrower had been a single SME loan of only P8 million.

Upon further query, Senator Legarda explained that while the proposal would limit the business activity to a single partnership or corporation with total assets of up to P100 million, SBC borrowers actually loan smaller amounts ranging from P800,000 to P8 million. She adverted to Section 3 of the bill which states the definition of an MSME as one "whose total assets, inclusive of those arising from loans but exclusive of the land on which the particular business entity's office, plant and equipment as situated and must have value falling under the categories" as indicated in the provision. However, she expressed willingness to an amendment of the definition at the proper time.

Asked on the loan ceilings of MSMEs, Senator Legarda said that while the SBC has not placed a ceiling on these loans, it would base its assessment on the profitability, size of the project and the equity of the borrower.

On whether a businessman with a total asset base of P3 million would be given an P8 million loan, Senator Legarda replied in the negative.

At this juncture, Senator Roxas asked whether the SBC would follow the same prudential regulations for loans as promulgated by the *Bangko Sentral ng Pilipinas* which has, for instance, ratios, multiples of equity and percentage limitations as to exposure to any single company. Senator Legarda replied in the affirmative, adding that the SBC is similar to other financial institutions which are governed by the requirements of the BSP, the very reason why the BSP was represented in the committee hearing.

Asked who selects the representative of the labor sector to the SBC, Senator Legarda said that it is the DOLE.

On whether studies have been conducted to support the proposed amendments, Senator Legarda said that aside from public hearings and consultations that were conducted in the previous Congress, representative government agencies had also made their own suggestions to the proposed amendments.

Senator Madrigal stated that there is no denying that the SMEs are the backbone of economic progress. Senator Legarda replied that they comprise 99% of the economy, 92% of which are micro-enterprises.

Upon further queries, Senator Legarda explained that Republic Act No. 6977 has been enforced since 1991 and that while it has been beneficial to micro-enterprises, sectoral representatives have complained about the lack of government support for SMEs. She believed that the proposed amendments are timely since micro-enterprises comprise the bulk of the SMEs. She said that Senate Bill No. 1646 aims to address this issue and put micro-enterprises on equal footing with SMEs, a concern that had not been fully supported by the Barangay Micro Business Enterprises (BMBE) Law.

On how local SMEs compare with other ASEAN SMEs such as those in Korea, Taiwan and Singapore, Senator Legarda lamented that the Philippine SMEs are, in fact, lagging behind its ASEAN counterparts.

At this juncture, Senator Legarda moved for a suspension of the session so as to prepare the data requested by Senator Madrigal.

## SUSPENSION OF SESSION

With the permission of the Body, the Chair suspended the session.

*It was 6:23 p.m.*

## RESUMPTION OF SESSION

At 6:25 p.m., the session was resumed.

Senator Legarda requested to be given more time to prepare the documents requested by Senator Madrigal so that she could give a more accurate illustration of how SMEs are being managed in Taiwan, South Korea, Bangladesh and Singapore. She noted that Senator Madrigal would like a comparison with other countries that have successfully supported SMEs which the Philippines can use as models and, as such, allow their methods to be assimilated into the proposed amendments to spur micro-enterprises and SMEs to further generate economy activity at the grass-roots level.

At this juncture, Senator Roxas requested the representatives of the SBC to explain how it is being regulated by the BSP as well as provide answers to queries concerning its regulatory agency and whether the SBC could be subject to Tier 1 and Tier 2 of the capital requirements of the BSP and the like.

*In the course of Senator Madrigal's interpellation, Senate President Villar relinquished the Chair to Senate President Pro Tempore Ejercito Estrada.*

## SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1646

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

## SPECIAL ORDER

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of Committee Report No. 9 on Senate Bill No. 1660 from the Calendar for Ordinary Business to the Calendar for Special Orders. *Ass-*

**COMMITTEE REPORT NO. 9  
ON SENATE BILL NO. 1660**

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1660 (Committee Report No.9), entitled

**AN ACT AMENDING REPUBLIC ACT  
NO. 9340, RESETTING THE SYNCHRO-  
NIZED BARANGAY AND SANG-  
GUNIANG KABATAAN ELECTIONS,  
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 Pangilinan, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

**SPONSORSHIP SPEECH  
OF SENATOR ZUBIRI**

In sponsoring Senate Bill No. 1660, Senator Zubiri delivered the following speech:

At the onset, may I state for the record that Sen. Richard Gordon, Chairman of the Committee on Constitutional Amendments, Revision of Codes and Laws, was ready to sponsor Committee Report No. 9 yesterday, however, the required number of signatures for the committee report to be submitted was not met in time and before we adjourned the session yesterday. Senator Gordon left last night for Geneva, Switzerland to represent the Philippine National Red Cross in the International Red Cross Committee's Board Meeting, so he tasked this Representation to sponsor the measure in his behalf.

The Committee on Constitutional Amendments, Revision of Codes and Laws submits for the consideration of this Chamber Senate Bill No. 1660 under Committee Report No. 9, entitled

**AN ACT AMENDING REPUBLIC ACT  
NO. 9340, RESETTING THE SYN-  
CHRONIZED BARANGAY AND  
SANGGUNIANG KABATAAN  
ELECTIONS, AND FOR OTHER  
PURPOSES.**

We are at a crossroads. In 27 days, the synchronized barangay and sangguniang kabataan elections are scheduled to be conducted, and many are eagerly anticipating this exercise in

democracy. The 9,642 barangay chairmen serving their third and final term have been serving since 1994, and so the October 29 polls will be an opportunity for our people to install new leaders with a fresh mandate. Many of us, this Representation included, acknowledge that this election is long-overdue, and when we enacted Republic Act No. 9340, postponing the barangay polls in 2005 to October 29 this year, we vowed that it would be the last.

Be that as it may, there is another, equally significant consideration on the table.

In January this year, we passed Republic Act No. 9369, a law amending the ten-year old, as yet unimplemented Automated Election Law of 1997 that authorized the Commission on Elections to use an automated election system in accordance with the policy of the State to ensure free, orderly, honest, peaceful and credible elections, and assure the secrecy and sanctity of the ballot in order that the results of elections, plebiscites, referenda, and other electoral exercises shall be fast, accurate and reflective of the genuine will of the people. Republic Act No. 9369 expanded and improved on the old automated election law (Republic Act No. 8436), making it technology-neutral, providing for electronic transmission of election results, and mandating automation in two provinces and two highly urbanized cities in Luzon, Visayas and Mindanao for the May 2007 elections.

As we all know, that mandate was not fulfilled by the Commission on Elections and we were unable to undertake the mandated pilot testing of the automation process.

Republic Act No. 9369 likewise mandated nationwide automation for succeeding electoral exercises. In spite of this, the Commission on Elections did nothing to prepare itself and the nation for automation of the barangay elections this month. In fact, the elections body has been diverted from its mandated task of automating our election processes by the alleged involvement of its newly resigned chairman in the now poisoned government deal on broadband technology.

And so, we are faced with a difficult decision, a choice between the devil and the deep blue sea. Do we proceed with the barangay and sangguniang kabataan elections without automation, or do we postpone it for the sake of automation?

On October 29, the barangay elections are scheduled to take place, and if we push through with balloting, the elections will most certainly

be again conducted without the computerization mandated by law. The nation will again be subjected to all the uncertainties and delays that arise from our outmoded voting processes.

On the other hand, if the elections are postponed, these long-delayed elections for the local government closest to our citizenry will be deferred once more after many of us had pledged not to let it happen again. Another postponement may reinforce the misimpression that the barangay elections are a poor relation of elections to other positions in government.

This Representation believes that the exercise of the right of suffrage is a vital pillar in a democracy such as ours, and that elections should be held when they are scheduled. In the same vein, this Representation also strongly believes that the people have a right to fast, fair, transparent and credible elections, free from doubt and contest. We have been waiting ten long years to modernize the elections. And the road to modernization has been long and arduous, marred at every step by controversy after controversy.

I must admit that this Representation did not escape such controversy in the last elections, an election protest has been filed before the Senate Electoral Tribunal. I sincerely believed that had we automated the last elections, electoral protests would be a thing of the past if not substantially minimized, and this Representation and many other elected public officials similarly situated would not have been subjected to such grueling and agonizing experience as a result of bitter and heated electoral contests.

We should have the Commission on Elections properly implement the Automated Election Law.

The Filipino people can wait no longer. If we do not implement automation now, we will be waiting again, and for how long, nobody can tell. We cannot, in good conscience, and as the duly elected representatives of the people, face them again and say we will have automation may be this year, may be next year, may be never.

We must hold the Commission on Elections and its leadership to task in honoring the will of the legislature and the people for automation of Philippine elections.

During the public hearing conducted by the Committees last week, we asked our panel of experts: Can we automate the barangay elections in May 2008? We asked the members of the Advisory Council represented by the Commis-

sion on Information and Communications Technology, the Department of Science and Technology, the Consortium on Electoral Reforms, and the Parish Pastoral Council for Responsible Voting. We also posed the question to the Department of the Interior and Local Government, the *Liga ng mga Barangay*, the National Youth Commission and, of course, the Commission on Elections.

Apart from the Commission on Elections, the collective answer was a resounding "Yes." "Yes" to the need for implementing modernization for the barangay elections, as a necessary step to nationwide automation in 2010, and "yes" to the feasibility of automation if we move the barangay elections to May 2008.

Therefore, for these compelling reasons, this Representation and the members of the Committee on Constitutional Amendments, Revision of Codes and Laws submit for the consideration of this Chamber Senate Bill No. 1660 under Committee Report No. 9, entitled

AN ACT AMENDING REPUBLIC ACT NO. 9340, RESETTING THE SYNCHRONIZED BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AND FOR OTHER PURPOSES.

We are resetting the barangay and sangguniang kabataan elections to the second Monday of May 2008. And to ensure automation, we provided for the following adjustments to automated election law, to be applied to the coming barangay and sangguniang kabataan elections:

1. The area of implementation shall be at least two highly urbanized cities and two provinces in Luzon, Visayas, and Mindanao, to be chosen by the Comelec;

2. The certification required under Republic Act No. 9369 from the Technical Evaluation Committee, certifying that the automated election system or systems chosen is operating properly shall be given not later than four weeks before election date, instead of the 3-month period provided by law;

3. If the Comelec uses an uncertified automated election system or systems, it must submit its written reason to the Joint Congressional Oversight Committee not less than two weeks before election date;

4. The Comelec must undertake a voter education program within a reasonable period of time; and

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5. Immediate effectivity of the law upon publication.

Let no one experience what I have gone through and still going through in relation to the last elections, especially to our distinguished colleagues in this Chamber who will again face the electorate come May 2010 as presidential, vice presidential and senatorial candidates. It is a painful and agonizing experience.

Let this be an end as well as a beginning. Let this be the last time we postpone and reset elections, and a bright and hopeful start toward automating Philippine elections.

With the foregoing explanations, coupled with the urgency of this proposed legislation, approval of this bill is earnestly sought.

### **MANIFESTATION OF SENATOR PANGILINAN**

Senator Pangilinan said that Senator Pimentel has expressed his desire to interpellate Senator Gordon or Senator Zubiri on the Senate Bill No. 1660, however, he has requested to be allowed to interpellate the following day as he was appearing before the Supreme Court on behalf of the Senate on the issue of RA 4200 or the anti-wiretapping law.

### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1660**

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

### **PARLIAMENTARY INQUIRY OF SENATOR AQUINO**

At this juncture, Senator Aquino asked if Senate Bill No. 1660 is in substitution of House Bill No. 2417.

### **SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 6:43 p.m.*

### **RESUMPTION OF SESSION**

At 6:43 p.m., the session was resumed.

Upon resumption, Senator Pangilinan affirmed that Committee Report No. 9 on Senate Bill No. 1660 is the Senate version which is in substitution of House Bill No. 2417.

Senator Aquino adverted to Section 24, Article VI of the Constitution which enumerates bills that should originate from the House of Representatives to which the Senate can concur or amend. The House being the sole originator of the bills mentioned therein, he noted that the Senate is not required to come up with a counterpart bill but only joins the process once the House is finished with its version. He asked whether indeed Section 24 grants exclusive rights to the House with regard to certain measures that originate from it. Senator Pangilinan replied in the affirmative.

Senator Aquino inquired if the bill resetting the barangay elections would fall under the coverage of a bill of local application envisioned by Section 24. Senator Pangilinan said that while the barangay election is local in nature, it is national in scope.

Senator Aquino adverted to Section 26(2) of Article VI, which states that: "No bill passed by either House shall become a law unless it has passed three readings in separate days."

Senator Aquino noted that House Bill No. 2417 was transmitted to the Senate and referred to the Committees on Constitutional Amendments, Revision of Codes and Laws, and Local Government; the committees, however, came out with conflicting reports – the Committee on Constitutional Amendments, Revisions of Codes and Laws decided to recommend its approval, while the Committee on Local Government recommended otherwise. He asked if the matter has already entered the jurisdiction of the Senate given the fact that bills are supposed to be filed by Members of the Senate before they are tackled by any committee.

Asked if the passage of the bill in the House meant that it was automatically filed in the Senate, Senator Pangilinan explained that when the House bill was approved and sent to the Senate, it was immediately placed in the Order of Business, read and referred to the two committees which, in turn, submitted their respective committee reports; placed in the Order of Business, these reports were read, including the title of the bill, in plenary and under the Rules, this is considered as First Reading.

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He stated that when the reports were assigned to the Calendar for Ordinary Business, he moved, and the Body approved, for the transfer of Committee Report No. 9 to the Calendar for Special Orders, paving its consideration on Second Reading.

Asked whether a committee can proceed to deliberate on the House measure, come up with the committee report, and subsequently file a substitute bill, as had been done with the present bill, Senator Pangilinan replied in the affirmative. However, he clarified that when there are conflicting reports, they are referred to the Committee on Rules which has to make a definitive ruling.

Senator Aquino believed that the matter has already been resolved when the sponsorship speech was delivered. He requested that the Senate study the matter thoroughly.

As proposed by Senator Pangilinan, there being no objection, the Body approved the referral of the inquiry to the Committee on Rules.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 6:54 p.m.*

#### **RESUMPTION OF SESSION**

At 6:55 p.m., the session was resumed.

#### **RESERVATIONS TO INTERPELLATE**


Senator Pangilinan manifested that Senators Pimentel, Enrile and Ejercito Estrada have reserved the right to interpellate either Senator Gordon or Senator Zubiri on the bill postponing the barangay elections.

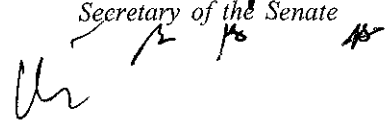
#### **ADJOURNMENT OF SESSION**

Upon motion of Senator Pangilinan, there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of the following day.

*It was 6:56 p.m.*

I hereby certify to the correctness of the foregoing.

  
EMMA LIRIO-REYES  
Secretary of the Senate



Approved on October 3, 2007