

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

SENATE

S.B. No. 1406

Introduced by Senator Loren Legarda

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, aggravated by climate change, increase the vulnerability of many areas and people in various parts of the nation. 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.

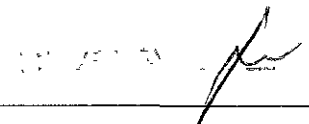

LOREN LEGARDA
Senator

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JUL 13 12 02

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AN ACT
PROVIDING FOR THE MODERNIZATION OF THE PHILIPPINE
ATMOSPHERIC, GEOPHYSICAL 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:*

1 **SECTION 1. Title.** - This Act shall be known as the "The PAGASA
2 **Modernization Act of 2010."**

3
4 **SEC. 2. Declaration of Policy.** - It is hereby declared the policy of the State to
5 utilize scientific knowledge and information as an effective instrument to ensure the
6 safety, well being, economic security and of all the people and the environment
7 against natural hazards; and to promote national progress and contribute to regional
8 socio-economic development through various applications of meteorology,
9 geophysics and space sciences. Toward this end, the state shall undertake the
10 modernization of the Philippine Atmospheric, Geophysical and Astronomical
11 Services Administration (PAGASA) to elevate its technological and operational
12 capacity to effectively perform its mandate to secure the safety and well being of the
13 people and to contribute to national progress.

14
15 **SEC. 3. Objectives.** - Pursuant to the foregoing policy, the PAGASA
16 modernization program shall be implemented in accordance with the following
17 objectives:

- 18 a) To upgrade physical resources and operational techniques through
19 acquisition of state-of-the-art instruments, equipment and facilities to
20 improve capabilities in providing timely and reliable forecasting, warning

1 services, and information for agriculture, transportation, and other industries
2 across the country;

- 3 b). To raise the research and development capability and human resource
4 development, adopting a rationalized and integrated approach, with focus on
5 improvement of operations for specialized services and cost recovery;
- 6 c) To develop mechanisms for integrating disaster management and socio-
7 economic development planning at the national and local levels;
- 8 d) To establishment of regional weather service centers strategic areas in the
9 country to broaden the agency's bases for delivery of service to the
10 countryside; and
- 11 e) To cultivate greater awareness by the public of weather system through the
12 educational projects and programs in storm signals, the progress of typhoons,
13 climatic changes, and other related information.

14
15 **SEC. 4. *Period of Implementation.*** – The modernization program under this
16 Act shall be implemented over a period of six (6) years: *Provided, however,* that
17 payments for amortization of outstanding multi-year contract obligations incurred
18 under this Act may extend beyond this period.

19
20 **SEC. 5. *Formulation and Submission of PAGASA Modernization Program.*** –
21 The Secretary of the Department of Science and Technology (DOST) and the Director
22 of PAGASA, in coordination with the Secretary of the Department of Budget and
23 Management (DBM) and the Director-General of the National Economic and
24 Development Authority (NEDA), shall be responsible for formulating the PAGASA
25 Modernization Program based on the policy objectives provided in this Act.

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

29
30 **SEC. 6. *PAGASA Modernization Fund.*** – There is hereby created the PAGASA
31 Modernization Fund which shall be used exclusively to finance the implementation
32 of the modernization program, but not to include salaries and allowances, shall be
33 funded out of the following sources:

- 34 a) Appropriation for the PAGASA Modernization Program of Five Billion Pesos
35 (P5,000,000,000.00);

- 1 b) A portion of the net income of the Philippine Amusement and Gaming
- 2 Corporation (PAGCOR) to be taken from the fifty percent (50%) share of the
- 3 National Government;
- 4 c) Grants, bequests, and donations whether from local or foreign sources;
- 5 d) Funds from budgetary surplus, if any, as may be authorized by Congress;
- 6 and
- 7 e) All interest income of the trust fund.

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

10
11 **SEC. 7. *PAGASA Modernization Program Oversight Committee.*** -There is
12 hereby created the PAGASA Modernization Program Oversight Committee
13 composed of the Secretaries of the DOST and the Department of Budget and
14 Management (DBM), the Director of PAGASA, the Chairpersons of the Committee
15 on Science and Technology of the Senate and the House of Representatives, one (1)
16 representative each from the Commission on Audit (CoA), the Office of the
17 President, and the Director-General of the NEDA. The committee shall receive
18 progress reports, evaluate the implementation of the program and provide
19 recommendations for the effective attainment of the program's objectives as
20 provided for in this Act. The Committee shall be Chaired by the Secretary of the
21 DOST.

22
23 **SEC. 8. *Progress Report.*** -The Director of PAGASA shall prepare annual
24 report on the status of the implementation of the PAGASA Modernization Program.
25 The annual report shall be submitted, through the Secretary to the DOST, to the
26 President and all the members of the PAGASA Modernization Program Oversight
27 Committee.

28
29 **SEC. 9. *Cost Recovery Measures.*** - The PAGASA, with the approval of the
30 DOST Secretary, shall implement a sustainable cost recovery program that will
31 allow it to earn revenue from its issuance of specialized weather information,
32 certifications, and scientific and technical publications for which the necessary fees
33 can be charged; Provided that one hundred percent (100%) of the fees collected shall
34 be retained by PAGASA for he next twenty (20) years starting six (6) years after the
35 effectivity of this Act, for the operation and maintenance of the equipment acquired
36 during the modernization program; Provided, however, that no fees shall be

1 charged on the issuance of regular and special reports to the general public that
2 affect national safety, weather, and economy, and such other relevant data;

3
4 **SEC. 10. *Separability Clause.*** - If any provision or part of this Act is declared
5 invalid or unconstitutional, other provisions hereof which are not affected thereby
6 shall continue to be in full force and effect.

7
8 **SEC. 11. *Repealing Clause.*** -All laws, orders, proclamations, rules and
9 regulations, or parts thereof, which are inconsistent with any provision of this Act
10 are hereby repealed or modified accordingly.

11
12 **SEC. 12. *Effectivity.*** -This Act shall take effect fifteen (15) days following its
13 publication in the Official Gazette or in at least two (2) newspapers of general
14 circulation.

15
16 Approved,