



LEGISLATIVE RESEARCH SERVICE
QUICK NOTES
THIRD REGULAR SESSION, 19TH CONGRESS

Public Hearing of the Committee on Justice and Human Rights joint with the Committees on Sports; and Finance

Chairperson: Sen. Aquilino "Koko" Pimentel III

10 December 2024, Tuesday, 1:00 p.m., Sen. M.L. Quezon Room, Senate

Re:

I. The Fiscal Autonomy Act of the Judicial Branch of Government

- S. No. 1996 – Sen. Juan Miguel "Migz" F. Zubiri
Sen. Joel Villanueva
- S. No. 2111 – Sen. Christopher Lawrence T. Go
- S. No. 2659 – Sen. Raffy T. Tulfo

II. Citizenship Bills

- H. No.10804 – Reprs. Oscar G. Malapitan and Juliet Marie D. Ferrer
- H. No.10214 – Reprs. Manuel Jose "Mannix" M. Dalipe, Juan Fidel Felipe F. Nograles, Juliet Marie D. Ferrer and Loreto B. Acharon
- H. No. 10086 – Reprs. Joseph Gilbert F. Violago and Juliet Marie D. Ferrer
- H. No. 10085 – Reprs Steve C. Solon, Peter B. Miguel, Juliet Marie D. Ferrer, Loreto B. Acharon, and Sergio C. Dagooc
- H. No. 10084 – Reprs. Camille A. Villar, Juliet Marie D. Ferrer and Loreto B. Acharon
- H. No. 9869 – Reprs. Eleandro Jesus F. Madrona and Juliet Marie D. Ferrer
- H. No. 8905 – Reprs. Rufus B. Rodriguez and Juliet Marie D. Ferrer
- H. No. 8838 – Reprs. Joey Sarte Salceda and Juliet Marie D. Ferrer
- H. No. 8837 – Reprs. Joey Sarte Salceda and Juliet Marie D. Ferrer
- H. No. 8836 – Reprs. Joey Sarte Salceda and Juliet Marie D. Ferrer

III. Questionable Practice of Local Sports Associations

- P. S. Res. No. 701 – Sen. Francis "Tol" N. Tolentino

Background¹

I. The Fiscal Autonomy Act of the Judicial Branch of Government

¹ Explanatory Note of S. No. 1996

- Article 3, Section VIII of the 1987 Constitution guarantees fiscal autonomy for the Judiciary, ensuring that appropriations are not reduced and are automatically released. However, the Department of Budget and Management's (DBM) systems and requirements constrain the Judiciary's full implementation of its fiscal autonomy.

II. Citizenship Bills

- Legislative naturalization is a direct grant of citizenship by Congress to foreigners who have made exceptional contributions, such as developing industries, introducing inventions, serving in honorable government roles, teaching, or making other significant impacts in the Philippines.²

III. Questionable Practice of Local Sports Associations

- On 12 January 2023, President Ferdinand R. Marcos Jr. signed Republic Act No. 11937, bestowing Philippine citizenship upon Justin Donta Brownlee.
- In 18 January 2023, the *Daily Tribune* published an article noting that despite granting Justin Brownlee Philippine citizenship, the PBA rules still classify him as an import when he competes in the Philippine Basketball Association (PBA) league.³
- Apart from Brownlee, Marcus Douthit, Andray Blatche, and Ange Kouame were naturalized and treated as imports.

Highlights of the Measures

I. The Fiscal Autonomy Act of the Judicial Branch of Government

- The bill defines the scope and extent of the fiscal autonomy of the judicial branch.
- The budget proposal made by the Judiciary shall be included in the national budget without revisions, without prejudice to the Department of Budget Management submitting its proposed revisions upon written consult with the Supreme Court.
- The Supreme Court or the Chief Justice has the power to realign their budget from one expense account to another.
- The DBM is mandated to automatically release to the Supreme Court, without need for any request, the monthly cash requirements of the Judiciary,

² <https://sadsadtamesislaw.com/legislative-naturalization-how-to-become-a-filipino-citizen/bits-of-law/>

³ <https://tribune.net.ph/2023/01/17/pba-brownlee-still-an-import>

- Judiciary Trust Fund shall be created, from which funds necessary for the operation of the Judiciary can be drawn.

II. Citizenship Bills

- The bill aims to grant Job Callarackal Oommen, Jianguo Hu, Faiz Sheik, Stephen Decatur Haines, Wonsuk Heo, Booles Shemishoo Ashooriyan, Grace Tan To, Kuo-Wei Su, Kuo-Fang Su, and Kuo-Chihsu Philippine citizenship, which would give them all the rights, privileges, duties, and responsibilities under the Philippine Constitution and laws.

III. Questionable Practice of Local Sports Associations

- The measure calls for an inquiry to aid in the creation of legislation regarding the practice of local sports associations not considering naturalized citizens as local players in domestic leagues, and to determine whether this practice violates the rights to equal protection under the law as guaranteed by the Constitution to every citizen.

Possible Points for Discussion

I. The Fiscal Autonomy Act of the Judicial Branch of Government

- How does the bill align with Article VIII, Section 3 of the 1987 Constitution, which guarantees fiscal autonomy for the judiciary?
- How will the bill ensure that appropriations for the Judiciary are automatically and regularly released without interference from other branches of government?
- What safeguards are included to prevent delays or reductions in budget allocations?
- How will the bill resolve DBM-imposed constraints on the Judiciary's fiscal operations and align fiscal autonomy with the national budget process?
- How does fiscal autonomy enhance the Judiciary's independence and improve its capacity to deliver fair and timely justice?
- Mechanisms to ensure proper use of funds without undermining autonomy.

II. Citizenship Bills

- What contributions should qualify an individual for citizenship, and how can societal, economic, or developmental impacts be evaluated? Should there be standardized guidelines for eligibility?
- What contributions have the applicants made to local communities in healthcare, education, or social services? Are their efforts sustainable and impactful in the long term for Filipino society?

- What direct and indirect benefits have the applicant's economic contributions, such as investments, job creation, or industry development, provided? How do their efforts enhance the Philippines' global reputation and competitiveness?

III. Questionable Practice of Local Sports Associations

- Specific PBA rules that prohibit naturalized citizens from participating as local players;
- Whether the PBA rules violate the equal protection clause;
- The implications of this restriction on fairness in competition;
- The necessity of reviewing or amending the PBA rules to permit naturalized athletes to compete as local players in domestic leagues; and
- The constitutional rights of naturalized citizens to equal protection under the law versus the PBA rules that prohibit them from participating as local players in domestic leagues.

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