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SESSION NO. 77
Tuesday, May 19, 2009

FOURTEENTH CONGRESS
SECOND REGULAR SESSION

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CALL TO ORDER

At 3:07 p.m., the Senate President, Hon. Juan Ponce Enrile, called the session to order.

SILENT PRAYER

The Body observed a minute of silent prayer.

ROLL CALL

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

Angara, E. J.	Honasan, G. B.
Aquino III, B. S.	Lacson, P. M.
Cayetano, C. P. S.	Lapid, M. L. M.
Defensor Santiago, M.	Legarda, L.
Ejercito Estrada, J.	Pimentel Jr., A. Q.
Enrile, J. P.	Zubiri, J. M. F.
Gordon, R. J.	

With 13 senators present, the Chair declared the presence of a quorum.

Senators Arroyo, Cayetano (A), Pangilinan, Revilla, Roxas and Villar arrived after the roll call.

Senator Madrigal was absent on account of illness.

Senators Biazon and Escudero were absent.

Senator Trillanes was unable to attend the session as he was under detention.

APPROVAL OF THE JOURNAL

Upon motion of Senator Zubiri, there being no objection, the Body dispensed with the reading of the Journals of Session No. 74 (May 12, 2009) and Session No. 75 (May 13, 2009) and considered them approved.

DEFERMENT OF APPROVAL OF THE JOURNAL

Upon motion of Senator Zubiri, there being no objection, the Body deferred the consideration and approval of the Journal of Session No. 76 (May 18, 2009).

REFERENCE OF BUSINESS

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

BILLS ON FIRST READING

Senate Bill No. 3250, entitled

AN ACT TO REQUIRE INFORMATION ON WEATHER MODIFICATION ACTIVITIES

Introduced by Senator Mirian Defensor Santiago

To the Committees on Climate Change; and Science and Technology

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Senate Bill No. 3251, entitled

AN ACT TO PROHIBIT THE ACCESS OF MINORS TO ALCOHOL AND PENALIZING ESTABLISHMENTS THAT FURNISH ALCOHOL TO MINORS

Introduced by Senator Miriam Defensor Santiago

To the Committees on Health and Demography; Youth, Women and Family Relations; and Finance

Senate Bill No. 3252, entitled

AN ACT ESTABLISHING A PREGNANT SUPPORT SERVICES OFFICE UNDER THE DEPARTMENT OF HEALTH

Introduced by Senator Miriam Defensor Santiago

To the Committees on Health and Demography; and Youth, Women and Family Relations

Senate Bill No. 3253, entitled

AN ACT IN RELATION TO PUBLIC NOTICE OF CERTAIN HAZARDOUS CONDITIONS

Introduced by Senator Miriam Defensor Santiago

To the Committees on Public Services; and Health and Demography

Senate Bill No. 3254, entitled

AN ACT REGULATING THE OPERATION OF DANCE CLUBS

Introduced by Senator Miriam Defensor Santiago

To the Committees on Urban Planning, Housing and Resettlement; and Health and Demography

Senate Bill No. 3255, entitled

AN ACT EXEMPTING MONEY TRANSFERS TO THE PHILIPPINES

BY OVERSEAS FILIPINO WORKERS FROM THE DOCUMENTARY STAMP TAX, AMENDING FOR THE PURPOSE SECTIN 181 OF THE NATIONAL INTERNAL REVENUE CODE OF 1992, AS AMENDED, AND FOR OTHER PURPOSES

Introduced by Senator Lacson

To the Committee on Ways and Means

Senate Bill No. 3256, entitled

AN ACT INSTITUTING THE GIRL SCOUTS OF THE PHILIPPINES CHARTER

Introduced by Senator Gordon

To the Committees on Government Corporations and Public Enterprises; Constitutional Amendments, Revision of Codes and Laws; and Ways and Means

Senate Bill No. 3257, entitled

AN ACT GRANTING ADDITIONAL COMPENSATION IN THE FORM OF SPECIAL ALLOWANCE FOR THE OFFICERS AND EMPLOYEES OF THE COMMISSION ON AUDIT AND FOR OTHER PURPOSES

Introduced by Senator Lacson

To the Committees on Civil Service and Government Reorganization; and Finance

Senate Bill No. 3258, entitled

AN ACT INCREASING THE SPECIAL GROUP TERM INSURANCE COVERAGE FOR THE MEMBERS OF THE ARMED FORCES OF THE PHILIPPINES, INCLUDING THE MEMBERS OF THE PHILIPPINE NATIONAL POLICE, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 352, AS AMENDED BY PRESIDENTIAL DECREE NO. 1965, AND FOR OTHER PURPOSES

Introduced by Senator Antonio "Sonny" F. Trillanes IV

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To the Committees on National Defense and Security; Public Order and Illegal Drugs; and Finance

RESOLUTIONS

Proposed Senate Resolution No. 1067, entitled

RESOLUTION CONGRATULATING AND COMMENDING DENNIS ORCOLLO FOR WINNING THE 9TH ANNUAL PREDATOR INTERNATIONAL 10-BALL CHAMPIONSHIP HELD ON 17 MAY 2009 AT THE RIVIERA HOTEL AND CASINO IN LAS VEGAS, NEVADA, U.S.A.

Introduced by Senator Manuel "Lito" M. Lapid

To the Committee on Rules

Proposed Senate Resolution No. 1068, entitled

RESOLUTION CONGRATULATING AND COMMENDING FILIPINO POET, CRITIC AND UNIVERSITY OF THE PHILIPPINES PROFESSOR GEMINO H. ABAD FOR BEING NAMED ITALY'S PRIZE PREMIO FERONIA -- CITTA DI FIANO 2009 IN THE FOREIGN AUTHOR CATEGORY FOR HIS WORK "*IN ORDINARY TIME: POEMS, PARABLES, POETICS*" TO BE CONFERRED DURING THE NOMINATION CEREMONIES ON JULY 11, 2009 AT THE CASTLE OF FIANO ROMANO, ITALY

Introduced by Senator Manuel "Lito" M. Lapid

To the Committee on Rules

Proposed Senate Resolution No. 1069, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED MISUSE OF 2007 BALIKATAN FUNDS

Introduced by Senator Miriam Defensor Santiago

To the Committee on Accountability of Public Officers and Investigations; and Legislative Oversight Committee on the Visiting Forces Agreement

Proposed Senate Resolution No. 1070, entitled

RESOLUTION TO ADOPT A SENATE CODE OF CONDUCT, HERE ATTACHED AS ANNEX "A"

Introduced by Senator Miriam Defensor Santiago

To the Committee on Rules

Proposed Senate Resolution No. 1071, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE/S TO INQUIRE, IN AID OF LEGISLATION, ON THE ALLEGED MALVERSATION OF FUNDS FOR THE 2007 BALIKATAN EXERCISES

Introduced by Senator Compañera Pia S. Cayetano

To the Committee on Accountability of Public Officers and Investigations; and Legislative Oversight Committee on the Visiting Forces Agreement

Proposed Senate Resolution No. 1072, entitled

RESOLUTION COMMENDING DENNIS ORCOLLO FOR WINNING THE 9TH ANNUAL PREDATOR INTERNATIONAL 10-BALL CHAMPIONSHIP HELD IN LAS VEGAS, NEVADA

Introduced by Senator Villar

To the Committee on Rules

Proposed Senate Resolution No. 1073, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE PHASING OUT OF DECORATIVE PAINTS WITH HIGH LEAD CONTENT

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Introduced by Senator Miriam Defensor
Santiago

To the Committee on Health and Demography

Proposed Senate Resolution No. 1074, entitled

RESOLUTION COMMENDING DR. BALDOMERO OLIVERA FOR BEING THE FIRST FILIPINO MEMBER OF THE UNITED STATES NATIONAL ACADEMY OF SCIENCES IN RECOGNITION OF HIS DISTINGUISHED AND CONTINUING ACHIEVEMENTS IN ORIGINAL RESEARCH IN THE FIELD OF BIOCHEMISTRY AND NEUROBIOLOGY

Introduced by Senator Miriam Defensor
Santiago

To the Committee on Rules

Proposed Senate Resolution No. 1075, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED NEED TO STUDY WHETHER THE AUTHORITY OF THE METRO MANILA DEVELOPMENT AGENCY ON TRAFFIC REGULATIONS AND THE CONSTRUCTION OF TRAFFIC-DIRECTING STRUCTURES SHOULD BE TRANSFERRED TO ANOTHER GOVERNMENT AGENCY OR TO THE JURISDICTION OF THE LOCAL GOVERNMENT

Introduced by Senator Miriam Defensor
Santiago

To the Committees on Public Services; and Local Government

Proposed Senate Resolution No. 1076, entitled

RESOLUTION CALLING ON THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE DEPART-

MENT OF SOCIAL WELFARE AND DEVELOPMENT'S (DSWD) PLAN TO COMPLETELY TRANSFER THE GOLDEN ACRES TO TANAY, RIZAL AND CLOSE THE RESIDENTIAL CARE FACILITY THAT HAS BEEN OPERATING IN METRO MANILA FOR 39 YEARS, AND RECOMMEND MEASURES TO PROTECT THE RIGHTS AND WELFARE OF THE RESIDENT-CLIENTS AND THE STAFF MEMBERS OF THE EXISTING FACILITY

Introduced by Senator Jinggoy Ejercito
Estrada

To the Committee on Social Justice, Welfare and Rural Development

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

Senator Zubiri acknowledged the presence in the gallery of the following guests:

- Local officials of San Remigio, Cebu headed by Mayor Martinez;
- Barangay captains from Cagayan de Oro City, headed by *Kapitan* Neri, ABC president, ;
- Representatives of the Coalition Against Trafficking in Women;
- Representatives of the Asia Pacific National Commission on the Role of Filipino Women;
- Representatives of the Soroptimist International;
- Representatives of the National Anti-Poverty Commission;
- Representatives of the *Bagong Kamalayan* Survivors; and
- Contingents from the Municipal Agriculture and Fisheries Council, Minalabac Chapter of Camarines Sur.

The Senate President welcomed the guests to the Senate.

PRIVILEGE SPEECH OF SENATOR REVILLA

Availing himself of the privilege hour, Senator Revilla delivered the following speech:

“A DOCTOR’S PERVERSITY”

I rise this afternoon on a matter of personal privilege.

Just last Thursday, a racial slur was directed against our people, particularly our women by a prominent Hollywood actor. A few weeks back, a Hong Kong columnist labeled our country as a nation of servants because of our women domestics. Late last year, a Filipina was depicted as an ignorant maid with no dignity by a comedy show in England. Then there was also the *Desperate Housewives* incident, and many more.

In all these instances, when the dignity of our nation and especially our women have been trampled upon by foreigners, we have been quick to condemn them, seek an apology and seek other means to punish the perpetrators.

Ngayon, may pambababoy na naman sa ating kababaihan na kumakalat sa internet na kagagawan ng isang Pilipino. And this is the reason why I rise today. Nakatayo ako ngayon sa inyong harapan para itaguyod at ipaglaban ang dangal ng ating mga kababaihan.

Today, the sex video was uploaded in the internet involving two prominent local personalities. This is different from the first video involving the same personalities which came out last week. I have also been informed that there are two other sex videos involving the same man with other women. These videos show explicit sexual acts and were obviously taken without the consent of the women. Malinaw po na patagong kinunan ng taong ito ang mga video na nilabas niya sa internet. Sobrang laswa po ng video at sobrang kababuyan ang pagyuyurak sa dangal ng babae ang nilalaman nito.

Ngayon, isang Pilipino mismo ang nasa likod ng pambababoy sa ating kababaihan. Higit at mas grabe ang aking galit. Ang mas malala pa ay isang doktor ang nasa likuran ng kababuyang ito.

Needless to say, ang isang doktor ay kailangang maging kagalang-galang sa kanyang pagkilos. Kailangang respetuhin niya

ang dangal ng lahat, at tratuhing may respeto ang bawat tao.

According to Republic Act No. 2382 or the Medical Act of 1959, if a doctor displays immoral or dishonorable conduct, then he may be reprimanded or even kicked out of the profession. *Lilinawin ko lang po*, the acts in the video itself are not what I am angry about, *kundi ang paraan ng paglinlang ng doktor na ito*, taking advantage of the trust, confidence, and emotions ng kanyang girlfriend *para makunan ng video at ipakalat ito sa publiko*, which has definitely ruined the dignity and honor of this poor and hapless woman. *Ngayon, ang babaing kanyang biniktima ay nasa state of depression na. Hindi na po makalabas ng bahay. Kawawa naman.*

Ang nakakalungkot pa nito, itong babae pa mismo, these past weeks, *ang naririnig natin na nag-sorry, pero ni minsan, itong manyak na ito ay hindi humingi ng paumanhin.*

Sa video mismo, makikita ang masamang intensiyon nito na patagong isinet-up ang kamera at pinuwesto ang babae para siguradong makunan. Ang timutukoy ko po ay si Dr. Hayden Kho, who is a pervert of the highest kind, a predator who has no conscience nor respect for women.

Totoong wala tayong pakialam sa apat na dingding ng kuwarta ng magsing-irog o mag-asawa, ngunit kung ang ganitong bagay ay gagawin nang walang pahintulot ng simumang kasali dito ay malinaw na mayroong responsibilidad ang Estado na ituwid ang kamalian. This is the reason why I have already written the Professional Regulations Commission to revoke the license of Dr. Hayden Kho and ban him from the practice of medicine perpetually. He has no right to treat patients just knowing his state of mind fully well. *Paano mo ipagkakatiwala ang anak mong babae sa ganitong doktor?*

Hindi siya marunong gumalang sa mga kababaihan. If the Chair will ask me, *wala sa tamang pag-iisip ang taong ito.* And according to the Medical Act, this doctor can also be punished for insanity. *Buwang ang doktor na ito, baliw.*

This perversity poses a risk to the public that according to studies will escalate to further acts of perversity. *Huwag na nating hintayin na magkaroon pa siya ng ibang mabiktima.*

But I believe these penalties are not enough, *kaya kailangan na po talagang magpasa ng*

batas na magpaparusa sa ganitong mga gawain. Ito ang dahilan kung bakit isinumite ko po itong Senate Bill No. 12 na magpaparusa sa mga taong gumagawa nito. I believe that voyeurism should be punished and the publication of sex videos, with or without the consent of the parties should be dealt with properly. Kailangan ding parusahan ang mga internet service provider (ISP) na magbibigay ng access sa mga ganitong kalaswaan. We can follow the Chinese or Middle Eastern model where all ISPs are required to block on-line pornography. Para sa akin, dapat mabulok sa bilangguan ang mga ganitong tao para wala na silang maperhuwisyo.

Sa dinami-dami ngayon ng mga sex scandals na kumakalat, kailangan na nating kumilos para maprotektahan ang ating mga kababayan, ang ating mga kababaihan, lalong-lalo na ang mga kabataang kababaihan.

Kung hindi tayo kikilos ngayon, para bang nawalan na rin tayo ng karapatang magalit at bumatikos sa mga dayuhang bumababoy at yumuyurak sa dangal ng Pilipina.

Because of how strongly I feel about this issue, and how serious this matter is, I have chosen to exercise my privilege not to be interpellated. *Umaasa po ako na maintindihan ninyo.*

MANIFESTATION OF SENATOR PIMENTEL

Senator Pimentel agreed that it is a Member's privilege to refuse to be interpellated but he appealed to Senator Revilla to allow him and the other Members to ask questions on the matter.

He noted that the speech would be referred to a committee where censorship of lascivious presentations via the internet would be taken up. However, he pointed out that censorship is quite a difficult thing to do and according to his research, only totalitarian states have resorted to it.

If the Senate wanted to look into the lascivious acts of Dr. Kho, Senator Pimentel stressed the need to also look into the tradition in certain universities of "streaking" where naked male students run around the campus and its environs. He proposed that the situation be studied further to cover all possible degrading spectacles that need to be curtailed by the State. He suggested that the speech be referred also to the committee to which his privilege speech was referred.

DEFERMENT OF REFERRAL OF SPEECH TO COMMITTEE

Upon motion of Senator Zubiri, there being no objection, the Chair deferred the referral of Senator Revilla's speech to allow him (Senator Zubiri) to determine to which committee it could be properly referred.

COMMITTEE REPORT NO. 99 ON SENATE BILL NO. 2583 (Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 2583 (Committee Report No. 99), entitled

AN ACT MAINSTREAMING CLIMATE CHANGE INTO GOVERNMENT POLICY FORMULATIONS, CREATING FOR THIS PURPOSE THE CLIMATE CHANGE COMMISSION, AND FOR OTHER PURPOSES.

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

SUSPENSION OF SESSION

Upon motion of Senator Zubiri, the session was suspended.

It was 3:32 p.m.

RESUMPTION OF SESSION

At 3:35 p.m., the session was resumed.

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

INTERPELLATION OF SENATOR DEFENSOR SANTIAGO

Preliminarily, Senator Defensor Santiago stated that as one of the authors of the bill, she has a problem with the title "Mainstreaming Climate Change into Government Policy Formulation and Creating the Climate Change Commission." She said that

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climate change is a uniquely global phenomenon that requires a uniquely global solution, thus, it is not as if the Chamber is forming a uniquely Philippine group to solve the problems of climate change, which it simply has no technical expertise nor equipment to do. She said that basically, what Congress can do is to raise public awareness and warn the people on the adverse effects of climate change. She said that she was bothered by a bill seeking the creation of a new office to be financed at taxpayers' expense.

On the background of the bill, Senator Defensor Santiago recalled that on February 28, 2007, the President, through Administrative Order No. 171, created a Presidential Task Force on Climate Change (PTFCC), a group tasked to urgently address the issue of climate change. She said that the task force was composed of top ranking officials from the Departments of Energy, Agriculture, Science and Technology, Interior and Local Government, and Education, along with representatives from the private sector and civil society.

She stated that its functions include: carrying out a rapid assessment on the local impacts of climate change; ensuring strict compliance with air emission standards and combating deforestation; undertaking strategic approaches to prevent greenhouse gas emissions; conducting a massive information campaign; designing concrete risk reduction and mitigation measures; collaborating with international partners to support a global front to stabilize greenhouse gas emissions; and mainstreaming of climate risk management in development policies, plans and programs of government.

On the function of mainstreaming climate change into development policies, she pointed out that the Philippines is not only a signatory but also a party to the UN Framework Convention on Climate Change and to the Kyoto Protocol.

She noted that the bill not only seeks to mainstream climate change into government policy formulation but also to transform the Presidential Task Force on Climate Change into a permanent body at great cost to taxpayers.

She further noted that the bill proposes to create a new government unit called "Climate Change Commission" to be headed by a commissioner who shall perform the functions of the Presidential Task

Force on Climate Change. She said that the main function of the Commission is basically policymaking and coordinating various agencies in mainstreaming climate change into their activities, and the commissioners are going to meet only every three months.

Senator Defensor Santiago believed that it would be equally efficient and much less expensive to just retain the task force and make it adjunct to the National Economic and Development Authority (NEDA) or the Office of the President, instead of creating a totally new government entity. She likewise believed that it is no longer necessary to create new positions of Commissioner and Deputy Commissioner with the ranks of Undersecretary and Assistant Secretary, respectively, because the President could directly issue orders as chair of the task force.

In reaction, Senator Legarda said that the task force is not a permanent entity, unlike the National Commission on Culture and the Arts and the Philippine Sports Commission; thus, the intent of the measure is to create a permanent government agency within the Executive department to address the issue of climate change.

Senator Defensor Santiago asked whether Senator Legarda would be amenable to an amendment making the task force a permanent agency instead of creating a completely new commission. She pointed out that creating a new commission means additional expenses for rent, personal services and MOOE when the commissioners shall meet only once every three months and the staff would do nothing except push paper. She said that if the purpose is to mainstream to further develop the country, then it would be logical to place the agency under the NEDA or the Office of the President. Senator Legarda agreed that it might be expensive to create a new commission, but whether it is adjunct to the NEDA or the Office of the President, she said that there should be a permanent body that can have the power to oversee and to coordinate with all government agencies and LGUs in the mainstreaming of climate change.

Senator Defensor Santiago offered to submit a substitute bill so that provisions that the Committee might find meritorious could be adopted as part of the committee amendments. Senator Legarda expressed willingness to accept amendments at the proper time. She observed that the existence of various climate change entities, including the Climate Change Office

under the DENR, the Presidential Task Force on Climate Change and the Office of the Presidential Adviser on Global Warming and Climate Change created confusion.

Senator Defensor Santiago noted that the bill provides an initial appropriation of P50 million for the proposed commission, an entity that would simply discuss policy and would not solve the problem of climate change or even make any significant contribution to solve the problem because the country does not have the scientists, training, facilities, expertise or funds to buy forward-looking equipment that this kind of endeavor requires. Rather than spending more money from government coffers or adding another agency to the existing bloated bureaucracy thereby aggravating red tape in government, she suggested that the functions to be performed by the commission be carried out by the task force. She also proposed that during deliberations on the bill, the Office of the Presidential Adviser on Global Warming and Climate Change be asked to explain how it is utilizing its P48 million budget.

Replying to a query, Senator Legarda clarified that the proposed P50 million budget for the commission was patterned after the present budget of the Office of the Presidential Adviser on Global Warming and Climate Change. She explained that the bill seeks to abolish *ad hoc* bodies, including the Office of the Presidential Adviser on Global Warming and Climate Change which receives a P48-million allocation, and establish a single body to integrate climate change in every government department using the same budget allocated in the General Appropriations Act.

Senator Defensor Santiago asked on the source of funding, as she recalled that the implementation of the Clean Air Act was derailed because it took time for the DBM to source the fund. Senator Legarda explained that the funding would come from the GAA as a line item, in the same manner that it is now being utilized by the Office of the Presidential Adviser on Global Warming and Climate Change. She said that while the money would be spent not only for personnel but also for other policy-making programs, eventually the local government units would implement the local adaptation projects in their areas. Thus, she said that the funding would replace that of the Office of the Presidential Adviser on Global Warming and Climate Change in the GAA.

Senator Defensor Santiago noted a question of technicality in the proposal considering that the P48 million allocation for the Office of the Presidential Adviser on Global Warming and Climate Change comes from the budget of the Office of the President and, as such, the legislative branch cannot simply transfer it to another item. Moreover, she pointed out that the solutions or even palliatives to environmental problems, which have become the concern of the international community, would have to come from the developed states as there is little that a developing country like the Philippines could do about the phenomena. However, she said that the Philippines could go through international fora to insist that developed nations act on the matter.

Senator Defensor Santiago reiterated her objection to spending money for the creation of offices just to give the public the impression that the government is acting on the issue when it is not. Instead of creating offices that would write plans to inform the public about climate change, she believed that the government could buy airtime on television or create a website to inform people about the issue. She pointed out that the problem of climate change and other environmental phenomena will happen regardless of whether such public warnings are made. Thus, she stressed the importance of ensuring that concerned agencies are doing something constructive about the issue.

Senator Defensor Santiago likewise noted that some of the most influential people in the world are those who actually devote their entire lives to working on environmental problems. She believed that instead of merely discussing environmental problems, the government should give the public precautionary notice on the phenomena impacting the environment and their effects. Since climate change is already present, she stressed the need for government to ensure that the budget spent to address it would not go to the salaries of bureaucrats who simply lift information from the internet or from existing literature.

For her part, Senator Legarda clarified that the bill does not seek the creation of a new office but only proposes a permanent replacement for the Office of the Presidential Adviser on Global Warming and Climate Change and the Presidential Task Force on Climate Change that would be abolished upon entry of a new administration in 2010. She said that that the proposed commission would be tasked to coordinate with local government units and private

entities to address the country's vulnerability to the impact of climate change, which is so severe that a mere one meter rise in the sea level could cause the inundation of some 28 provinces, while a one or two-degree Celsius increase in global temperature could lead not only to a 3% decline in global GDP but also the extinction of up to 30%, or one-third, of the flora and fauna species worldwide. As such, she reiterated the urgency of establishing a permanent agency to address the issue of streamlining climate change into all government agency programs and the national agenda. She also expressed willingness to accept amendments from Senator Defensor Santiago at the proper time.

SUSPENSION OF SESSION

Upon motion of Senator Zubiri, the session was suspended.

It was 3:57 p.m.

RESUMPTION OF SESSION

At 3:58 p.m., the session was resumed.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

There being no further interpellation, upon motion of Senator Zubiri, there being no objection, the Body closed the period of interpellations.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 2583

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

COMMITTEE REPORT NO. 322 ON SENATE BILL NO. 3203

(Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 3203 (Committee Report No. 322), entitled

AN ACT EXEMPTING FROM DOCUMENTARY STAMP TAX ANY SALE, BARTER OR EXCHANGE OF SHARES OF STOCK LISTED AND

TRADED THROUGH THE STOCK EXCHANGE, FURTHER AMENDING FOR THE PURPOSE SECTION 199 OF THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED BY REPUBLIC ACT NO. 9243, AND FOR OTHER PURPOSES.

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

Thereupon, the Chair recognized Senator Lacson, Sponsor of the measure.

MANIFESTATION OF SENATOR PIMENTEL

Senator Pimentel expressed his support for the bill, adding that he would no longer continue his interpellation as his query on the impact of the non-collection of the documentary stamp tax on government finances had already been answered by Senator Lacson.

REMARKS OF SENATOR LACSON

Senator Lacson informed the Body that there was a tremendous increase in the number of transactions in the stock exchange during the suspension of the payment of the DST from March 2004 to March 2009. This, he said, resulted in a 500% increase in tax collection owing to the stock transaction tax levied on trading.

MANIFESTATION OF SENATOR ZUBIRI

Senator Zubiri believed that the bill would definitely assist in the development of the local stock exchange considering that the Philippines is one of the countries that heavily taxes stock market transactions.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

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

COAUTHOR

Upon his request, Senator Zubiri was made a coauthor of Senate Bill No. 3203.

TERMINATION OF THE PERIOD OF AMENDMENTS

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

APPROVAL OF SENATE BILL NO. 3203 ON SECOND READING

Submitted to a vote, there being no objection, Senate Bill No. 3203 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 3203

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

COAUTHOR

Upon his request, Senator Gordon was made a coauthor of Senate Bill No. 3203.

COMMITTEE REPORT NO. 321 ON SENATE BILL NO. 3197

(Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 3197 (Committee Report No. 321), entitled

AN ACT PENALIZING UNFAIR TRADE
AND ANTI-COMPETITIVE PRACTICES
IN RESTRAINT OF TRADE,
UNFAIR COMPETITION, ABUSE OF
DOMINANT POWER, STRENGTHENING
THE POWERS OF REGULATORY
AUTHORITIES AND APPROPRIATING
FUNDS THEREFOR, AND FOR OTHER
PURPOSES.

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

Thereupon, the Chair recognized Senate President Enrile, Sponsor of the measure, and Senator Defensor Santiago for her interpellation.

INTERPELLATION OF SENATOR DEFENSOR SANTIAGO

Preliminarily, Senator Defensor Santiago stated that she is a very strong supporter of anti-trust legislation ever since she was a student in law school. She said that she was struck by the fact that in enacting the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (HSR Act), the committee chair took into consideration several volumes of legislations, whereas in the Philippines, there is only one provision on anti-trust in the Revised Penal Code. She said that she filed no less than two bills that were considered in the drafting of Senate Bill No. 3197.

Senator Defensor Santiago noted that while the word "Firm" as defined in Section 4 (Definition of Terms) of the bill does not include government agencies, there may be circumstances in which a government body acts in a monopolistic behavior or in restraint of trade. She noted that by experience, there have been government monopolies in certain industries such as the National Power Corporation (NPC) whose monopoly of the vertically integrated power and energy industry led to negative economic consequences until the enactment of the EPIRA in 2001. In view thereof and similar experiences, she asked on the prudence of including government bodies in the coverage of the term "firm" in the bill.

Senate President Enrile replied that traditionally, anti-trust laws govern the economic activities of individuals engaged in any business but not of government entities since they do not engage in business for profit. With regard to the NPC, he explained that it is a monopoly franchised to handle the power industry, specifically on the side of generation and transmission and, at one point in time, even distribution. He did not object to the proposal to include government corporations if they are competing in the market for products that are patronized by any segment of the population.

Senator Defensor Santiago observed that the measure merely gives the Department of Justice (DOJ) the responsibility of enforcing the Unfair Competition Law in contrast to Senate Bill No. 3099, the measure that she filed, that calls for the creation of the Competition Regulation Commission.

Senate President Enrile stated that he filed the bill so as not to burden the public with additional taxes needed to enforce the anti-trust law. He

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observed that in the U.S., at the beginning, it was the Office of the Attorney General that enforced the anti-trust law but since then, several commissions with different purposes were created to enforce the same. Therefore, he said, it is enough for the DOJ to be given the responsibility of enforcing the country's anti-trust law.

Senator Defensor Santiago stated that she has a different position on fiscal prudence because of the recent implication of the DOJ prosecutors in controversial bribery cases. She surmised that given their relatively low salaries, the prosecutors would certainly succumb to temptations from wealthy multi-national corporations. She asserted that an independent collegial body with specific functions, duties and qualifications would act more efficiently and effectively in enforcing the provisions of the proposed Act. She stated that there are advantages and disadvantages in designating the DOJ as the primary government agency to enforce the anti-trust measure – the advantage is fiscal economy and the disadvantage is the tendency to criticize the prosecutorial service.

Senate President Enrile acknowledged the merit of the suggestion but pointed out that a collegial body cannot guarantee rectitude in the enforcement of laws. For instance, he noted, the Securities and Exchange Commission became inutile in protecting the people against the pre-need corporations. Instead of creating an additional layer of bureaucracy to handle the Unfair Competition Law, he suggested that the DOJ be rid of unwanted personnel and strengthen the skills and capability of new recruits to the Department. He believed that there are still well-motivated Filipinos who can perform the task.

Asked whether the DOJ and the Department of Trade and Industry ever prosecuted any person for violation of the Revised Penal Code provision on unfair competition, Senate President Enrile answered in the negative, as he noted that the provisions of the Code are so broad and the elements of the crime so difficult to define. He presumed that the measure would narrow down the anti-trust concept to make it easier to understand and enforce.

Senator Defensor Santiago observed that the presence of corrupt officials in the SEC or the DOJ does not necessarily make the collegial body or the prosecutorial service corrupt. She pointed out that the essence of the problem is that some of the most powerful, influential and wealthy people of the country,

for instance, the owners and stockholders of big monopolies or the President's contributors, would be the target of the anti-trust law.

Senate President Enrile stated that it is easier to corrupt a collegial body because a businessman, for instance, could have one of his lawyers appointed as a commissioner. But he expressed confidence that a justice secretary with the will can enforce the law as long as he exercises leadership.

On whether it is worthy to consider adopting the HRS Act of 1976 model, Senate President Enrile revealed that the text of the proposed measure was already culled from the Sherman Antitrust Act, the Robinson-Patman Act, the Clayton Antitrust Act as well as the amendments thereto.

At this juncture, Senator Defensor Santiago disclosed that corporate giants are purchasing and acquiring various industries: San Miguel Corporation bought into Petron and Meralco; PLDT-Smart bought into Meralco; and First Gen bought into power plants. To preempt any monopolistic behavior, she said that the U.S. Antitrust Act (HSR Act) was adopted to provide the U.S. federal government the opportunity to review the potential effects on competition of certain mergers, acquisitions or other consolidations that meet the size and tests of the Act.

Senate President Enrile explained that in the original bill that he filed, he covered mergers, consolidations and corporate acquisitions. But considering the present industrial structure, he said that he wanted to make the bill as simple as possible as a starting point. However, he gave assurance that the matters could be included in the bill if necessary. As regards big companies like San Miguel Corporation acquiring interests in Meralco, he stated that he sees no problem about it because Meralco is a monopoly and the only competition that exists would be in the area of supply or generation of electricity which is covered by the measure.

On the proposal to include in the bill tests to determine whether premerger notification satisfied certain requirements so SEC can study the same prior to its approval, Senate President Enrile replied that such tests are covered in the bill, specifically in the definition of "control" which refers to "at least twenty percent (20%) ownership, directly or indirectly, of a firm or a group of firm by another firm." *per*

Senator Defensor Santiago suggested that at the proper time, a separate provision be introduced on what tests should be passed by those applying for mergers.

Senate President Enrile reasoned that the tests in American statutes were adopted because of the complexity of the U.S. corporate world, unlike in the Philippines, where corporation A simply acquires corporation B, and it boils down to the question whether it would mean control of the market. He assured Senator Defensor Santiago that he would be open to proposals at the proper time.

Asked why Section 4 (c) provides for 20% ownership when it is 50% in the U.S. Antitrust Act, Senate President Enrile explained that if 20% is combined with another 20%, pricing is already affected.

Finally, Senator Defensor Santiago proposed that the definition of the term "control group" be added to Section 4. She said that under the HSR Act, "control group" means "the ultimate control person and all entities controlled by it. The ultimate control person is the person or entity within a control group who is not controlled by any other person or entity." Senate President Enrile welcomed the proposal, adding that it would help refine the law.

Senator Defensor Santiago stated that she would introduce other amendments at the proper time.

INTERPELLATION OF SENATOR AQUINO

Senator Aquino observed that Section 7 (B), provides for circumstances but not the schemes on bid rigging which should be penalized as being anti-competitive. In response, Senate President Enrile stated that the schemes are the attempts of an individual or a group to monopolize the market so that it would be easier to act in concordance with the others; or to cartelize the market or divide it either by allocating capacities or volumes or by cutting the market geographically. He maintained that these matters are already covered in other parts of the bill.

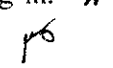
On the suggestion to include the schemes in bid rigging, Senate President Enrile stressed that bid rigging is already covered in the bill as a penalized act. He said that the danger in itemizing the elements to be penalized is the burden on the prosecutors to establish the elements.

Asked on the meaning of "bona fide selection of customers" in Section 7.F.(4), Senate President Enrile clarified that "bona fide" means good intent, meaning there is no intent to do any predatory act or activity in order to gain an advantage by expanding the market or inordinately increasing the price. He stated that if an entity is limiting customers to certain sizes or if the circumstances show a possible act of discrimination, it would be punishable under the bill.

Asked if having a price schedule that is not uniform to all clientele but is based on the perceived value of the customer is prohibited under the proposed Act, Senate President Enrile replied that there are many possible combinations of business practices that cannot be spelled out in the bill, for instance, an entity dropping the price to injure a competitor who cannot follow suit because it stands to lose its customers but, if it does, it would still lose due to the cost of production given the size of the competitor; or an entity quietly giving certain advantages to customers so as to gain a bigger share of the market.

On whether distribution schemes would be based on exclusive territories, Senate President Enrile stated that it is prohibited under the measure, saying that it prevents or actually lessens competition.

Citing American practice, Senator Aquino stated that there are given territorial areas where other vendors are proscribed from selling in a market that have certain distributors. In response thereto, Senate President Enrile stated that Philip Morris and Fortune Tobacco, for instance, can appoint their own distributors per region and while there may be no cabal between the two, there is at least a semblance of competition. However, he said that if there is only one major player that appoints and divides the market among its agents, it is an anti-trust problem because there would be an unintended monopoly. Further, he said that if two players divided territories between them in order not to compete against each other, they would come under the ambit of the law.

Senator Aquino opined that a better example would be the distribution of the medicine *Norvasc* that is sold in the Philippines at P45 while it sells at P5 in India. He surmised that the drug firm has a monopoly on the medicine in the Philippines and can sell it at any price; moreover, it has prevented *Norvasc* manufactured in India from coming in. 

Senate President Enrile posited that once the bill is passed into law, it would be dangerous for the patentee of *Norvasc* to prevent the importation of the same drug from India or anywhere else. He explained that the law would prohibit a pharmaceutical company from having an unwritten understanding with another pharmaceutical companies that neither can enter the other market. He said that a business entity can import *Norvasc* to compete with *Norvasc* made in the Philippines. He stressed that the rationale of the measure is to foster free competition for the benefit of the local consumers.

Asked what permissible "exclusive distributorship" means, Senate President Enrile stated that it suggests comparable substitutes for the product. For instance, he said that Philip Morris and Fortune Tobacco can appoint exclusive distributors or licensed exclusive representatives in different regions but they compete with each other.

As regards single entities, Senate President Enrile stated that if there is no entrant in a given area, the single entity cannot be punished for being a monopoly because it was not created intentionally to destroy competition but it just so happened that there is no other player. On the other hand, he said that a monopoly would do anything to prevent a newcomer from establishing itself in the same market.

Asked if the entity that imports *Norvasc* from India would be allowed to violate the exclusive distributorship agreement entered into by the patent holder in the Philippines, Senate President Enrile opined that the importation of the same medicine cannot be stopped since it has already happened. He stated that if foreign exclusive distributorship is granted an entity in the Philippines, it must respect the provision on exclusive distributorship. However, he stressed that local manufacturers of a certain product cannot impede the importation of the same by Filipino businessmen, otherwise, it would run counter to the measure.

Asked whether Section 12 would be violative of the right to due process and right against self-incrimination of individuals and corporations in any proceedings against them, Senate President Enrile replied in the negative, saying that the prosecution cannot use the documents produced against them as evidence in any criminal proceeding.

SUSPENSION OF SESSION

Upon motion of Senator Aquino, the session was suspended.

It was 4:46 p.m.

RESUMPTION OF SESSION

At 4:51 p.m., the session was resumed.

Quoting Section 17, Article 3 of the Bill of Rights that states, "No person shall be compelled to be a witness against himself," Senator Aquino pointed out that the right against self-incrimination applies to all proceedings, whether criminal, civil or administrative.

In response, Senate President Enrile said that the provision can be used as a defense in a proper case and it is the court that would ultimately decide whether indeed, on the basis of facts attendant to the requirement to produce the document, there is danger of self-incrimination.

Senator Aquino clarified that his intent was to ensure that the regulatory agencies would have enough basis in the law to do their functions and the law would not be subjected to a constitutional question.

Senate President Enrile explained that the proposed Act would be enforced by the Secretary of Justice who shall decide if there is no danger of self-incrimination and even if there is, he could compel the presentation of required documents or testimony. However, he said that the person has recourse to go to the Court of Appeals and get a rectification of the decision of the Justice Secretary and if that is unavailing, he could go to the Supreme Court which will finally decide the case.

On the concern that the provision which states, "That the person who refuses to disclose the information or produce the document or other material required by the inquiring officer in relation to the preliminary inquiry being conducted shall nevertheless be obliged to give the name and address of the firm to whom, or by whom, or on whose behalf, such privileged communication was made" might violate the rules on privileged communication, Senate President Enrile stated that the provision was patterned after the U.S. Constitution. He believed

that the provision has never been questioned in the U.S. Supreme Court. Moreover, he pointed out that self-incrimination can only be raised by an individual person.

With respect to Section 13, asked whether giving persons immunity from reprisal would open up the floodgate to potential whistleblowers whose main aim is just to damage the image of a company or entity under inquiry, Senate President Enrile said that it is incumbent upon the Department of Trade to sift through the evidence in the same way that the Senate looks at the evidence to determine whether indeed there is a case involved. If there is sufficient evidence that warrants the filing of a case, he said that the person or whistleblower who provided the information to the DOJ should not to be harassed with lawsuits from third parties that are affected.

Senator Aquino said that no one should be given the opportunity to make false accusations and get away scot-free after damaging the entities. Senate President Enrile said that at the proper time, he would welcome an amendment to ensure that the bill would not be abused for pecuniary interest.

In relation to Section 16, asked how the *parens patriae* doctrine would work under the current system of justice, Senate President Enrile explained that the purpose of the provision is to help the consumers of products of a given firm who cannot hire a good lawyer to assert their rights. Thus, he said that in the proposed Act, the DOJ would act as the lawyer for the injured persons and bring a case in the name of the Republic of the Philippines in its capacity as *parens patriae*. He added that the financial burden on the party brought to court under Section 16 would be treble the damages done to the injured persons.

Senate President Enrile drew attention to Section 18 which allows the distribution of monetary relief recovered in a civil action. He said that it was introduced in the legal system in 1935 and has remained in the statutes but could not be implemented and enforced to protect the public because the people involved just did not have the capability or the financial muscle to assert their damaged rights. He explained that it would be the responsibility of the DOJ to institute a civil suit in its capacity as *parens patriae* of the people—apart from the criminal liability that may be incurred

by a company that has committed the punishable act—to exact damages against that company for the benefit of the public.

Senate President Enrile said that at the proper time, he would consider and accept amendments to clarify the section prioritizing payments to citizens injured by violations of the proposed Act.

In closing, Senator Aquino requested to be furnished with copies of the projected initial expenses for the bill. He explained that he wanted to find out where the funding for the initial implementation would be sourced in preparation for the 2010 budget deliberations. Senate President Enrile gave the assurance that the budget estimate would be provided the next day.

SUSPENSION OF SESSION

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

It was 5:05 p.m.

RESUMPTION OF SESSION

At 5:09 p.m., the session was resumed.

MANIFESTATION OF SENATOR ZUBIRI

Senator Zubiri manifested that Senator Angara made reservation to interpellate Senate President Enrile in the next day's session.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 3197

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

SUSPENSION OF SESSION

Upon motion of Senator Zubiri, the session was suspended.

It was 5:09 p.m.

RESUMPTION OF SESSION

At 5:10 p.m., the session was resumed.

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RESUMPTION OF SESSION

At 5:10 p.m., the session was resumed.

**COMMITTEE REPORT NO. 253
ON SENATE BILL NO. 3106**

(Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 3106 (Committee Report No. 253), entitled

**AN ACT PROVIDING FOR A MAGNA
CARTA FOR HOMEOWNERS, AND
FOR OTHER PURPOSES.**

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

SUSPENSION OF SESSION

Upon motion of Senator Zubiri, the session was suspended.

It was 5:10 p.m.

RESUMPTION OF SESSION

At 5:11 p.m., the session was resumed.

Upon resumption, the Chair recognized Senator Zubiri, Sponsor of the measure, and Senator Aquino for his interpellation.

INTERPELLATION OF SENATOR AQUINO

Senator Aquino asked whether a homeowner in a gated community who has the option not to be a member of the association could be selective in fulfilling his/her obligations to the community. In reply, Senator Zubiri said that at the proper time, the Committee would strengthen the provisions on the right of members and non-members. He said that the bill allows homeowners to join or not to join the association unless the title of the property has an annotation that says that the owner is an automatic member of the homeowners association. However, he said that in *Village vs. Dionisio*, the Supreme Court ruled that unless there is an annotation to the contrary, a buyer can opt not to be a member of the association.

Senator Zubiri said that he understood the concern of the homeowners' association that a non-member,

just as a member, could avail of the services and benefits such as garbage collection and security services. To balance this, he said that Section 5 provides that non-members have the right to enjoy basic services and facilities provided by the association subject to the payment of fees and charges.

As regards Section 7 (2) which provides that a non-member shall have the right to enjoy all other rights as provided for in the by-laws of the association, Senator Zubiri admitted that said provision was also being questioned by homeowners' associations, thus, at the proper time, the Committee would propose its deletion.

To the assertion that giving non-members the option to pay or not to pay fees for certain services would make the life of the homeowners' association more difficult especially under tight economic conditions, Senator Zubiri stated that under the measure, non-members can avail of basic community services and other facilities provided by the association such as security, street and vicinity lights, maintenance, repairs and cleaning of streets, garbage collection and disposal subject to the payment of reasonable fees and charges. He explained that the provision was included in response to the complaints of homeowners in government housing projects who were forced to join respective associations and fulfill obligations against their wishes.

On whether a non-member elderly couple would have the option to pay or not to pay fees for the upkeep of parking facilities that they do not use, Senator Zubiri replied that the couple, like the members, would be required to pay the necessary fees and charges. He gave assurance that the Committee would propose an amendment that non-members shall be required to pay the same amount of fees and charges that a regular member pays for the upkeep of all common areas such parks, sports facilities, swimming pools.

Asked if there are fees and charges that non-members are exempted from paying, Senator Zubiri replied in the negative, adding that they simply cannot participate in the association's deliberations. He gave assurance that at the proper time, the provision would be clarified.

Senator Aquino observed that the only right that is being given to all homeowners is the option not to join the association which could result in their non-

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that Section 7 speaks of the rights of a non-member homeowners and Section 9, the rights of a member homeowners.

Senator Zubiri disclosed that one of the reasons why the bill did not get the Senate's approval was that many homeowners had complained of the tyrannical rule of homeowners' associations. To address this concern, he said that the Committee wanted to craft legislation that would include the rights of homeowners without abolishing or diminishing the rights of the homeowners' associations. He believed that without the Magna Carta, it would be difficult to deal with the estimated 100 cases pending in the HLURB as well as those lodged in the courts.

Asked how a non-member or member not in good standing would be prevented from utilizing common security services such as access to entrance and exit gates and the roving patrols, Senator Zubiri said that he/she must pay the fees as provided for in the Magna Carta. In case of failure to pay the fees, Senator Zubiri stated that the association's by-laws has a penal provision for non-payment of fees, and a collection case may be filed in the regular courts under the Civil Code.

INQUIRY OF SENATOR PIMENTEL

Senator Pimentel asked when the discussion on the CARP would resume since representatives of several landless farming communities were in the Senate premises awaiting action on the measure. Senator Zubiri said that Senator Honasan had requested for more time to consolidate all the proposed committee and individual amendments.

Senator Pimentel expressed hope that the Body could give top priority to the measure considering that there are only a few session days left.

INTERPELLATION OF SENATOR PIMENTEL

Senator Pimentel asked why government intervention is needed in the affairs of a private subdivision that is not availing of any government subsidy or funds. He believed that such an intervention would probably apply to government-funded subdivisions but not to a private subdivision or a gated community except to ensure that the laws are

properly enforced. He also asked how the bill would affect privately owned subdivisions like San Lorenzo, Forbes Park and Dasmariñas Village, which did not likely avail of any concession from the government to start their subdivisions and attract homeowners to settle in their communities.

Senator Zubiri believed that government can become involved in the policy of private subdivisions to temper the excesses and possible abuses of both the homeowners' associations and individual homeowners. He disclosed that officers of subdivision associations are fighting each other because their by-laws, rules and regulations are amended to suit the incumbent set of officers. He expressed concern that in the absence of a clear-cut Magna Carta, there could be danger if cases, such as those involving association officers, remain pending in courts.

Senator Pimentel clarified that he is not a resident of any subdivision that might be regulated by the bill and he is not opposed to the measure, but he has been approached by some homeowners' associations for assistance. He said that he wanted to move the legislation forward and introduce modifications.

Senator Pimentel believed that transferring the resolution of cases involving homeowners and homeowners' associations from the courts to the HLURB would not necessarily be a better move, as the courts are better venues for settlement. The HLURB, he said, is not better qualified than a judge to decide controversies of such nature. He pointed out that there is no provision in the Revised Penal Code or in the Civil Code which prohibits such cases from being brought to the proper courts. For his part, Senator Zubiri believed that although the courts are competent to handle such cases, they may have difficulty in coming out with a decision on particular issues, for instance, the election of officers, due to lack of legislation. He clarified that the Magna Carta for Homeowners is also a pro-poor measure that would also give homeowners the right to defend themselves while giving the homeowners' association the opportunity to exert its rights over erring homeowners. He requested Senator Pimentel's assistance in crafting a legislation that would be equitable to both parties.

Assuring Senator Zubiri of his support, Senator Pimentel said that he would be presenting his amendments at the proper time.

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SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 3106

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

SUSPENSION OF SESSION

Upon motion of Senator Zubiri, the session was suspended.

It was 5:43 p.m.

RESUMPTION OF SESSION

At 5:46 p.m., the session was resumed.

MANIFESTATION OF SENATOR ZUBIRI

Senator Zubiri said that he had been requested by Senator Madrigal to submit the report of the reconstituted Bicameral Conference Committee on the disagreeing provisions on Senate Bill No. 2396 and House Bill No. 4273 (Magna Carta of Women) for the Body's approval.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 2396 AND HOUSE BILL NO. 4273

Upon motion of Senator Zubiri, there being no objection, the Body considered the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2396, and House Bill No. 4273, both entitled

**AN ACT PROVIDING FOR THE MAGNA
CARTA OF WOMEN.**

INSERTION OF THE JOINT EXPLANATION OF THE CONFERENCE COMMITTEE INTO THE RECORD OF THE SENATE

Upon motion of Senator Zubiri, there being no objection, the Body approved the insertion of the joint explanatory note of the conference committee into the Journal and Record of the Senate.

The full text of the joint explanatory note follows:

The Conference Committee on the disagreeing provisions of Senate Bill No. 2396

and House Bill No. 4273, after having met and fully discussed the subject matter in a conference, thereby report to their respective Houses the following that:

1. The conferees agreed to use the Senate version as the working draft;
2. On Section 2, the 1st paragraph of both versions were integrated, subject to style. Still on the same paragraph, the letter "s" in the word "outcomes" was deleted, replace the punctuation mark ";" between women and pursue with the word "and."

Still on Section 2, paragraphs 2 and 3 of the Senate version were adopted.

Still on Section 2, paragraph 4 of the Senate version was adopted with the deletion of the 2nd sentence from the word "No" to "beliefs."

Still on Section 2, paragraph 4 of the House version was adopted as paragraph 5 of the reconciled version, and the insertion of the phrase "families and" in between the word "their" and "communities."

Still on Section 2, paragraph 5 of the House version was adopted as paragraph 6 of the reconciled version, changing the word "recognizes" to "reaffirms", and replace the word "and" with the punctuation mark ";" after the word "programs" and insert the phrase "and services" after the word "projects."

3. Section 3 of the Senate version was adopted. However, the last sentence of the 2nd paragraph from the word "Consequently" to "order" was deleted. Also, on the last paragraph the phrase "in accordance with the Philippine Constitution" was inserted after the word "instruments."
4. Section 4 of the Senate version was adopted with an omnibus amendment of changing the punctuation mark "-" to the words "refers to" and place open and close quotation marks on all terms to be defined.

Still on Sec. 4, on sub-paragraph (a) insert the punctuation mark ";" and the word "services" after the word "opportunities."

Still on Sec. 4, sub-paragraphs (b) to (d) {2} of the Senate version were adopted.

Still on Sec. 4, on sub-paragraph (d){2} the letter "s" on the word "fisherfolks" was deleted, insert the punctuation mark ";" and the word "coastal" after the word "waters".

Still on Sec. 4, sub-paragraph (d){3} of the House version was adopted.

Still on Sec. 4, sub-paragraph (d) {3} of the House version was adopted, capitalizing the letter "p" in the word "poor," change the word "tenure" with "abode," insert "s" to "family," add the letter "s" to the word "essential," delete the phrase "the minimum" and the word "amenities."

Still on Sec. 4, sub-paragraph (d){4} of the Senate version was adopted.

Still on Sec. 4, sub-paragraph (d){5} of the House version was adopted, capitalizing the letter "I" on the word "informal" and the letter "e" on the word "economy," insert the word "paid" after the word "subcontracted," and insert the phrase "incorporated and" after the word "household."

Still on Sec. 4, sub-paragraph (d){6} of the House version was adopted, capitalizing the letter "w" in the word "workers."

Still on Sec. 4, sub-paragraph (d){7} of the Senate version was adopted with the inclusion of the phrase "as defined under Section 3 (h), Chapter II of Republic Act No. 8371, otherwise known as The Indigenous Peoples' Rights Act of 1997 (IPRA of 1997)."

Still on Sec. 4, sub-paragraphs (d) {8} to {10} of the Senate version were adopted.

Still on Sec. 4, sub-paragraph (d) {11} of the House version was adopted, capitalize the letter "d" in the word "disabilities."

Still on Sec. 4, sub-paragraph (d) (12) and (e) of the Senate version were adopted.

Still on Sec. 4, sub-paragraph (f) of both versions were deleted.

Still on Sec. 4, sub-paragraphs (f) and (g) of the House version were adopted as new sub-paragraphs (f) and (g) of the reconciled version.

Still on Sec. 4, sub-paragraphs (g), (h), and (i) of the Senate version were adopted as sub-paragraphs (h), (i), and (j) of the reconciled version.

Still on Sec. 4, sub-paragraph (j) of the Senate version, capitalize the letter "w" in the word "women," adopting the same as sub-paragraph (k) of the reconciled version.

Still on Sec. 4, sub-paragraph (k) of the Senate version, capitalize the letter "m" in

the word "military" and the letter "s" in the word "state," adopting the same as sub-paragraph (l) of the reconciled version.

Still on Sec. 4, sub-paragraph (l) of the Senate version, capitalize the letter "p" in the word "protection," adopting the same as sub-paragraph (m) of the reconciled version.

5. Chapter III, Sections 5 to 7 of the Senate version were adopted and of the same number in the reconciled version.
6. Chapter IV, Sections 8 to 11 of the Senate version were adopted and of the same number in the reconciled version.
7. On Sec. 9 sub-paragraph (b), the phrase "particularly International Humanitarian Laws" was deleted.

Still on Sec. 9, sub-paragraph (d), the phrase "are encouraged to" was deleted and replaced with the word "shall."

8. On Sec. 11 sub-paragraphs (a) and (b) of the House version were adopted. On sub-paragraph (a), the word "incrementally" was inserted after the pronoun "be." Also, sub-paragraphs (c), (d), and (e) of the Senate version were adopted. On sub-paragraph (e), the phrase "leadership hierarchy" and punctuation mark "," were inserted between the words "their" and "internal."

Still on Sec. 11, sub-paragraph (f) of the House version was adopted.

9. Sections 12 and 13 of the Senate version were adopted and of the same number in the reconciled version.
10. On Sec. 13, sub-paragraphs (c), delete the punctuation mark "," after the words "expulsion" and "non-readmission" and insert the word "and;" and delete the phrase "prohibiting enrollment, and other related discrimination," delete also the phrase "students and" and replace the word "out" with "outside." Thus, it shall read as "Expulsion and non-readmission of women faculty due to pregnancy outside of marriage shall be outlawed." After the paragraph, insert the sentence "No school shall turn out or refuse admission to a female student solely on the account of her having contracted pregnancy outside of marriage during her term in school."
11. Section 14 of the Senate version was adopted.
12. Section 15 of the Senate version was adopted, with the insertion of the punctuation mark "," after the word "military" and the insertion

of the phrase "police, and other similar services." Also, the same phrase was inserted as omnibus amendment to the succeeding two paragraphs. Also, the phrase "provide women-friendly equipment and establish women-friendly facilities such as barracks, air and naval crafts, and other related military facilities that would enable them to render service and perform their duties in keeping with their personal dignity" was deleted and was replaced with the phrase "ensure that the personal dignity of women shall always be respected."

13. On Sec. 16, the 1st paragraph of the Senate version was adopted.

Still on Sec. 16, 2nd paragraph of the House version was adopted, with the punctuation mark "," inserted between the words "space" and "airtime."

Still on Sec. 16, 3rd paragraph of the Senate version was adopted.

14. Section 17 sub-paragraph (a) of the Senate version was adopted, though the title was rephrased as "Women's Right to Health."

Still on Sec. 17, sub-paragraph (a) {1} and {2} of the House version were adopted as {1} and {2} of the reconciled version. No. {2} of the Senate version was adopted as No. 3 of the reconciled version, though was amended to read as "Responsible, ethical, legal, safe, and effective methods of family planning."

Still on Sec. 17, No. 3 of the Senate version was adopted as No. 4 with the insertion of the phrase "and State" after the word "Family" and the phrase "without prejudice to the primary right and duty of parents to educate their children" after the word "services."

Still on Sec. 17, No. 4 of the Senate version was adopted as No. 5 of the reconciled version.

Still on Sec. 17, No. 7 of the House version was adopted as No. 6 of the reconciled version.

Still on Sec. 17, No. 6 of the Senate version was adopted as No. 7, with the word "abortion" before the word "complications" deleted and replaced with the word "pregnancy-related."

Still on Sec. 17, No. 9 of the House version was adopted as No. 8 of the reconciled version.

Still on Sec. 17, No. 8 and 9 of the Senate version was adopted as No. 9 and 10 of the reconciled version.

Still on Sec. 17, the paragraph after No. 12 of the House version was adopted as No. 11 of the reconciled version, with the deletion of the punctuation mark "/" and replaced with the word "and."

Still on Sec. 17, sub-paragraph (b) of the Senate version was adopted. On sub-paragraph (b) {13}, with the insertion of the words "ethical, legal," before the word "safe" as well as insertion of the phrase "including fertility awareness" after the word "methods."

15. Section 18 of the Senate version was adopted, though the phrase "that are not self-inflicted" was deleted.

16. Section 15 of the House version was adopted as Sec. 19 of the reconciled version, though the phrase "or common law relationships referred to under the Family Code" was inserted after the word "marriages" on the 1st paragraph. Also, the phrase "and subject to existing laws." was deleted.

Still on the same section, on sub-paragraphs (d) and (e), the phrase "or common law spouses" was inserted after the word "spouses."

Still on the same section, the last paragraph of Sec. 19 of the Senate version was adopted as last paragraph of the said section of the reconciled version.

17. Chapter IV, 1st paragraph of the House version was adopted as the same of the reconciled version.

18. Section 20 of the Senate version was adopted.

19. Section 17 of the House version was adopted as Section 21 of the reconciled version.

20. Section 22 of the Senate version was adopted. On sub-paragraph (B) {2}, the phrase "of one hundred twenty (120) days for pregnant employees in the public and private sector" was deleted and replaced with the phrase "pursuant to the Labor Code and other pertinent laws."

21. Sections 23, 24, 25, 26, 27, and 28 of the Senate version were adopted.

22. Sub-paragraphs (A,) (B), and (D) of Section 29 of the Senate version were adopted as Section 29 of the reconciled version. Sub-paragraphs (C) and (E) of Sec. 25 of the

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House version were adopted as sub-paragraphs (C) and (E) of Sec. 29 of the reconciled version.

23. Section 30 of the Senate version was adopted with the insertion of the words "and survivors" after "victims" and the word "and" between the words "rape" and "incest." The hyphen (-) in the compound word "rape-incest" was deleted. Also, the word "involuntary" before the word "prostitution" was deleted.
24. Section 31 of the Senate version was adopted.
25. Section 32, subsections (A), (C), (D) and (E) were adopted. Subsection (B) of the Senate version was adopted though the phrase "caused by pernicious media and other influences that endanger their integral development" was deleted.
26. Section 33, 34, 35, and the 1st two sub-paragraphs of Section 36 of the Senate version were adopted.
27. The 1st paragraph of sub-paragraph (A) of Section 32 of the House version was adopted as 1st paragraph of sub-paragraph (A) of Section 36 of the reconciled version.

As an omnibus amendment, all punctuation marks "-" were deleted.

Still on Sec. 36, the 2nd paragraph of sub-paragraph (A) of the Senate version was adopted as the 2nd paragraph of sub-paragraph (A) of the reconciled version.

Still on Sec. 36, the 3rd paragraph of sub-paragraph (A) of the Senate version was adopted as the 3rd paragraph of the reconciled version, with the insertion of the word "annual" before the word "audit," delete the word "economy" after the word "determining" and replace it with the phrase "its judicious use and the." Delete the phrase "and in contributing to the attainment of the objectives" after the word "issues" and replace it with the phrase "women empowerment, gender equality and" between the words "on" and "GAD."

Still on Sec. 36, the 4th paragraph of sub-paragraph (A) up to sub-paragraph (C) of the Senate version were adopted.

On sub-paragraph (B) of the Senate version as adopted, delete the punctuation mark "/" between "and" and "or."

On sub-paragraph (C), replace the word "formation" with the word "formulation."

28. Section 30 of the House version was adopted as Section 37 of the reconciled version.

29. Section 38 of the Senate version was adopted as Section 38 of the reconciled version. The phrase "may call upon" after the acronym PCW and the phrase "the overall" was replaced with the phrase "may direct."

30. Section 39 of the Senate version, including sub-paragraphs (A), (B), and (C) were adopted as Section 39 of the reconciled version. Also, insert the phrase "acting as Gender and Development Ombud" before the word "consistent."

On sub-paragraph (A), replace the word "coordinate" with the word "Monitor."

On sub-paragraph (B), insert the word "human" between the words "women's" and "rights."

Still on the new section, sub-paragraph (F) of Section 31 of the House version was adopted as sub-paragraph (D) of Section 38 of the reconciled version, capitalizing the letter "a" in the word "assist."

Still on the new section, sub-paragraph (D) of Section 31 of the house version was adopted as sub-paragraph (E) of the reconciled version, capitalizing the letter "r" in the word "recommend."

31. Section 40 of the Senate version was adopted, capitalizing the letter "c" in the word "congress," delete the phrase "the legislature" after the word "agencies."

32. The 1st and 2nd paragraphs of Section 41 of the Senate version were adopted as the 1st and 2nd paragraphs of Section 41 of the reconciled version. The 2nd paragraph of Section 34 of the House version was adopted as 3rd paragraph of Section 41 of the reconciled version, deleting the word "the" before the word "filing" and the word "of" after the word "filing," and delete the phrase "or the State" after the word "party."

33. Section 33 of the House version was adopted as Section 42 of the reconciled version.

34. Section 42 of the House version was adopted as Section 43 of the reconciled version.

35. Section 35 of the House version was adopted as Section 44 of the reconciled version.

36. Section 44 of the House version was adopted as Section 45 of the reconciled version.

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37. Section 45 of the House version was adopted as Section 46 of the reconciled version.
38. Section 46 of the House version was adopted as Section 47 of the reconciled version.

The title of the Senate version shall read as:

“AN ACT PROVIDING FOR THE MAGNA CARTA OF WOMEN.”

In case of a conflict between the statements/ amendments stated in this Joint Explanation and that of the provisions of the consolidated bill in the accompanying Conference Committee Report, the provisions of the latter shall prevail.

APPROVAL OF THE CONFERENCE COMMITTEE REPORT

Upon motion of Senator Zubiri, there being no objection, the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2396 and House Bill No. 4273 was approved by the Body.

ADDITIONAL REFERENCE OF BUSINESS

The Deputy Secretary for Legislation, Atty. Edwin Bellen, read the following matters, and the Chair made the corresponding referrals:

BILL ON FIRST READING

Senate Bill No. 3259, entitled

AN ACT CREATING THE PERSONS WITH DISABILITIES AFFAIRS OFFICE IN EVERY PROVINCE, CITY AND MUNICIPALITY, AMENDING SECTION 40 OF REPUBLIC ACT NO. 7277, OTHERWISE KNOWN AS AN ACT PROVIDING FOR THE REHABILITATION, SELF-DEVELOPMENT AND SELF-RELIANCE OF DISABLED PERSONS AND THEIR INTEGRATION INTO THE MAINSTREAM OF SOCIETY AND FOR OTHER PURPOSES

Introduced by Senator Antonio “Sonny” F. Trillanes

To the Committees on Social Justice, Welfare and Rural Development; and Local Government

COMMUNICATIONS

Letter from the Office of the President of the Philippines, transmitting to the Senate two (2) copies of the following Republic Acts, which were approved and signed into laws by Her Excellency, President Gloria Macapagal Arroyo, on 17 April 2009:

Republic Act No. 9548, entitled

AN ACT ESTABLISHING AN ARTS AND CULTURE HIGH SCHOOL IN THE CAPITAL TOWN OF PILI, PROVINCE OF CAMARINES SUR TO BE KNOWN AS THE BIKOL HIGH SCHOOL FOR THE ARTS AND CULTURE AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9549, entitled

AN ACT ESTABLISHING A COMPREHENSIVE NATIONAL HIGH SCHOOL IN BARANGAY POBLACION IN THE MUNICIPALITY OF LAKEWOOD, PROVINCE OF ZAMBOANGA DEL SUR TO BE KNOWN AS THE POBLACION COMPREHENSIVE NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9550, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY MINOYA, MUNICIPALITY OF MURCIA, PROVINCE OF NEGROS OCCIDENTAL TO BE KNOWN AS THE MINOYAN NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9551, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY BOGAYO, MUNICIPALITY OF KUMALARANG, PROVINCE OF ZAMBOANGA DEL SUR TO BE KNOWN AS THE BOGAYO NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

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Republic Act No. 9552, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY BOLIWONG, MUNICIPALITY OF LAGAWÉ, PROVINCE OF IFUGAO TO BE KNOWN AS THE LAGAWÉ NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9553, entitled

AN ACT ESTABLISHING AN INTEGRATED NATIONAL HIGH SCHOOL IN BARANGAY BUHATAN, CITY OF SORSOGON, PROVINCE OF SORSOGON TO BE KNOWN AS BUHATAN INTEGRATED NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9554, entitled

AN ACT ESTABLISHING AN INTEGRATED NATIONAL HIGH SCHOOL IN BARANGAY BINALIAN, MUNICIPALITY OF KAYAPA, PROVINCE OF NUEVA VIZCAYA TO BE KNOWN AS BINALIAN INTEGRATED NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9555, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY BALETE, MUNICIPALITY OF KAYAPA, PROVINCE OF NUEVA VIZCAYA TO BE KNOWN AS NAPO-TUYAK NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9556, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY SAGUCAN, MUNICIPALITY OF VINCENZO SAGUN, PROVINCE OF ZAMBOANGA DEL SUR TO BE KNOWN AS SAGUCAN NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9557, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY SALCEDO, MUNICIPALITY OF BANSUD, PROVINCE OF ORIENTAL MINDORO TO BE KNOWN AS FELIMON M. SALCEDO, SR. MEMORIAL NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9558, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY SAN ANTONIO, CITY OF OZAMIZ, PROVINCE OF MISAMIS OCCIDENTAL TO BE KNOWN AS SAN ANTONIO NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9559, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY BULULAWAN, MUNICIPALITY OF LAKEWOOD, PROVINCE OF ZAMBOANGA DEL SUR TO BE KNOWN AS BULULAWAN NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9560, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY HANDUMON, MUNICIPALITY OF GETAFE, PROVINCE OF BOHOL TO BE KNOWN AS HANDUMON NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9561, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY PANLAYAAN, WEST DISTRICT, CITY OF SORSOGON, PROVINCE OF SORSOGON TO BE KNOWN AS PANLAYAAN NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

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Republic Act No. 9562, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY BAYASONG, MUNICIPALITY OF PILAR, PROVINCE OF SORSOGON TO BE KNOWN AS BAYASONG NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9563, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY TOGORON, MUNICIPALITY OF MONREAL, PROVINCE OF MASBATE TO BE KNOWN AS TOGORON NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9564, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY LIBAYOY, MUNICIPALITY OF TIGBAO, PROVINCE OF ZAMBOANGA DEL SUR TO BE KNOWN AS LIBAYOY NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9565, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY PICANAN, MUNICIPALITY OF KUMALARANG, PROVINCE OF ZAMBOANGA DEL SUR TO BE KNOWN AS PICANAN NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9566, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY SAN JOSE, MUNICIPALITY OF LIBJO, PROVINCE OF DINAGAT ISLANDS TO BE KNOWN AS SAN JOSE NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9567, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY

MABUNAO, CITY OF PANABO, PROVINCE OF DAVAO DEL NORTE TO BE KNOWN AS MABUNAO NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9568, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY KATIPUNAN, MUNICIPALITY OF SILAGO, PROVINCE OF SOUTHERN LEYTE TO BE KNOWN AS KATIPUNAN NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9569, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY BUNAWAN, CITY OF DAVAO TO BE KNOWN AS BERNARDINO B. BOSQUE NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9570, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY BANNAWAG, MUNICIPALITY OF MARIA AURORA, PROVINCE OF AURORA TO BE KNOWN AS DIMANPUDSO NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9571, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY CATMON, MUNICIPALITY OF STA. MARIA, PROVINCE OF BULACAN TO BE KNOWN AS CATMON NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9572, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY OZAMIZ (GUBA), MUNICIPALITY OF CLARIN, PROVINCE OF MISAMIS

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OCCIDENTAL TO BE KNOWN AS CONGRESSMAN HILARION J. RAMIRO, JR. MEMORIAL NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9573, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY BULIHAN, CITY OF MALOLOS, PROVINCE OF BULACAN TO BE KNOWN AS BULIHAN NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9574, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY SOLO, MUNICIPALITY OF MABINI, PROVINCE OF BATANGAS TO BE KNOWN AS MABINI NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

and Republic Act No. 9575, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN THE MUNICIPALITY OF PICONG, PROVINCE OF LANA DEL SUR TO BE KNOWN AS PICONG NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR.

To the Archives

Letter from the Office of the President of the Philippines, transmitting to the Senate two (2) copies of the following Republic Acts, which were approved and signed into law by Her Excellency, President Gloria Macapagal Arroyo on 30 April 2009:

Republic Act No. 9577, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN THE MUNICIPALITY OF LIANGA, PROVINCE OF SURIGAO DEL SUR TO BE KNOWN AS THE LIANGA NATIONAL COMPREHENSIVE HIGH SCHOOL

AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9578, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY JUPI, MUNICIPALITY OF GUBAT, PROVINCE OF SORSOGON TO BE KNOWN AS THE JUPI NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9579, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY GATE, MUNICIPALITY OF BULAN, PROVINCE OF SORSOGON TO BE KNOWN AS THE GATE NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9580, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY NANENG, CITY OF TABUK, PROVINCE OF KALINGA TO BE KNOWN AS NANENG NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9581, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY RECODO, CITY OF ZAMBOANGA TO BE KNOWN AS THE RECODO NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9582, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY SALAWAO, STO. NIÑO, MUNICIPALITY OF TALAINGOD, PROVINCE OF DAVAO DEL NORTE TO BE KNOWN AS THE DATU JOSE A. LIBAYAO MEMORIAL NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

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Republic Act No. 9583, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY MESAJOY, MUNICIPALITY OF NEW CORELLA, PROVINCE OF DAVAO DEL NORTE TO BE KNOWN AS THE MESAJOY NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9584, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY SAGAYEN, MUNICIPALITY OF ASUNCION, PROVINCE OF DAVAO DEL NORTE TO BE KNOWN AS THE SAGAYEN NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9585, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY SEMONG, MUNICIPALITY OF KAPALONG, PROVINCE OF DAVAO DEL NORTE TO BE KNOWN AS THE SEMONG NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9586, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY MARAYAG, MUNICIPALITY OF LUPON, PROVINCE OF DAVAO ORIENTAL TO BE KNOWN AS THE MARAYAG NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9587, entitled

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

Republic Act No. 9588, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY SINUBONG, CITY OF ZAMBOANGA TO BE KNOWN AS THE SINUBONG NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 9589, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY CADANDANAN, MUNICIPALITY OF BULAN, PROVINCE OF SORSOGON TO BE KNOWN AS THE CADANDANAN NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

and Republic Act No. 9590, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY LAJONG, MUNICIPALITY OF JUBAN, PROVINCE OF SORSOGON TO BE KNOWN AS THE LAJONG NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR.

To the Archives

REFERRAL OF SPEECH TO COMMITTEES

Upon motion of Senator Zubiri, there being no objection, the Chair referred the privilege speech of Senator Revilla primarily to the Committee on Youth, Women and Family Relations, and secondarily to the Committee on Public Information and Mass Media.

CHANGE OF REFERRAL

Upon motion of Senator Zubiri, there being no objection, the Chair referred Senator Pimentel's privilege speech on "streakers," which was originally referred to the Committee on Education, Arts and Culture, to the Committee on Youth, Women and Family Relations.

MANIFESTATION OF SENATOR ZUBIRI

Senator Zubiri informed the Body of Senator Revilla's request that the Committee on Youth,

Women and Family Relations take up the privilege speech of Senator Pimentel along with his own speech.

**COMMITTEE REPORT NO. 50
ON SENATE BILL NO. 1836**

(Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1836 (Committee Report No. 50), entitled

**AN ACT ADDRESSING THE SYSTEM
OF PROSTITUTION, IMPOSING
PENALTIES ON ITS PERPETRA-
TORS, PROVIDING PROTECTIVE
MEASURES AND SUPPORT SERVICES
FOR ITS VICTIMS, AMENDING FOR
THE PURPOSE ARTICLES 202 AND
341 OF THE PENAL CODE.**

Senator Zubiri stated that the parliamentary status was the period of interpellations. He manifested that Senator Pangilinan would no longer interpellate on the bill.

**TERMINATION OF THE PERIOD
OF INTERPELLATIONS**

There being no interpellation, upon motion of Senator Zubiri, there being no objection, the Body closed the period of interpellations.

**SUSPENSION OF CONSIDERATION
OF SENATE BILL NO. 1836**


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

ADJOURNMENT OF SESSION

Upon motion of Senator Zubiri, there being no objection, the Senate President Pro Tempore declared the session adjourned until three o'clock in the afternoon of the following day.

It was 5:58 p.m.

I hereby certify to the correctness of the foregoing.


EMMA LIRIO-REYES
Secretary of the Senate
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Approved on May 25, 2009