



SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Second Regular Session )

74 DEC 17 P5:04

SENATE  
S.B. NO. 2524

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Introduced by Senator Maria Lourdes Nancy S. Binay

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AN ACT MANDATING THE NATIONAL COMMISSION ON INDIGENOUS PEOPLES  
TO PROVIDE TRANSPORTATION, FOOD AND NON-MONETARY ASSISTANCE TO  
INDIGENT LITIGANTS WHO ARE MEMBERS OF INDIGENOUS CULTURAL  
COMMUNITIES WHILE IN ATTENDANCE OF HEARINGS OR PROCEEDINGS IN  
THE NCIP

EXPLANATORY NOTE

It has come to our attention that many of our poor countrymen who are members of the Indigenous Cultural Communities/Indigenous Peoples are not able to adequately protect their rights under Republic Act 8371 or the Indigenous Peoples Rights Act ("IPRA") on account of lack of transportation from their respective residences or even their inability to pay for transportation from their respective residence to Regional Hearing Offices of the National Commission on Indigenous Peoples ("NCIP"). Moreover, as many of the Regional Hearing Offices are located in cities, they can barely afford to pay for their food while attending to the hearings on their complaints and other legal concerns.

Given the above situation, it appears that many of the cases of our ICC/IP brothers and sisters have been dismissed for lack of interest to prosecute. In essence, justice is being denied to them solely on the account of their poverty or inability to attend to the most basic necessities while attending hearings.

We note that the NCIP is sufficiently clothed with authority to charge reasonable administrative fees and charges, the funds of which can be diverted or allocated to support the intent of this proposed legislation. We understand that majority of those requesting for Certificate Precondition pursuant to Section 59 of the IPRA for instance, can pay for said reasonable fees and charges. The NCIP should be expressly given authority to allocate funds from this source.

For the above reasons, the passage of this bill is earnestly requested.

MARIA LOURDES NANCY S. BINAY  
Senator



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2 TO PROVIDE TRANSPORTATION, FOOD AND NON-MONETARY ASSISTANCE TO  
3 INDIGENT LITIGANTS WHO ARE MEMBERS OF INDIGENOUS CULTURAL  
4 COMMUNITIES WHILE IN ATTENDANCE OF HEARINGS OR PROCEEDINGS IN  
5 THE NCIP

6  
7 *Be it enacted by the Senate and House of Representatives of the Philippines in Congress*  
8 *assembled:*

9  
10 SECTION 1. Section 44 of Republic Act 8371 is hereby amended to read as follows:

11  
12 Section 44. *Powers and Functions.* - To accomplish its mandate, the NCIP shall have  
13 the following powers, jurisdiction and function:

14  
15 a) To serve as the primary government agency through which ICCs/IPs can seek  
16 government assistance and as the medium, thorough which such assistance may be  
17 extended[;], AND TO PROVIDE TRANSPORTATION, FOOD, AND OTHER  
18 NON-MONETARY ASSISTANCE TO INDIGENT ICCS/IPS WHO ARE  
19 LITIGANTS BEFORE ANY PROCEEDINGS;

20  
21 b) To review and assess the conditions of ICCs/IPs including existing laws and  
22 policies pertinent thereto and to propose relevant laws and policies to address their  
23 role in national development;

24  
25 c) To formulate and implement policies, plans, programs and projects for the  
26 economic, social and cultural development of the ICCs/IPs and to monitor the  
27 implementation thereof;

28  
29 d) To request and engage the services and support of experts from other agencies of  
30 government or employ private experts and consultants as may be required in the  
31 pursuit of its objectives;

32  
33 e) To issue certificate of ancestral land/domain title;

34  
35 f) Subject to existing laws, to enter into contracts, agreements, or arrangement, with  
36 government or private agencies or entities as may be necessary to attain the objectives

1 of this Act, and subject to the approval of the President, to obtain loans from  
2 government lending institutions and other lending institutions to finance its programs;  
3

4 g) To negotiate for funds and to accept grants, donations, gifts and/or properties in  
5 whatever form and from whatever source, local and international, subject to the  
6 approval of the President of the Philippines, for the benefit of ICCs/IPs and  
7 administer the same in accordance with the terms thereof; or in the absence of any  
8 condition, in such manner consistent with the interest of ICCs/IPs as well as existing  
9 laws;

10  
11 h) To coordinate development programs and projects for the advancement of the  
12 ICCs/IPs and to oversee the proper implementation thereof;

13  
14 i) To convene periodic conventions or assemblies of IPs to review, assess as well as  
15 propose policies or plans;

16  
17 j) To advise the President of the Philippines on all matters relating to the ICCs/IPs  
18 and to submit within sixty (60) days after the close of each calendar year, a report of  
19 its operations and achievements;

20  
21 k) To submit to Congress appropriate legislative proposals intended to carry out the  
22 policies under this Act;

23  
24 l) To prepare and submit the appropriate budget to the Office of the President;

25  
26 m) To issue appropriate certification as a pre-condition to the grant of permit, lease,  
27 grant, or any other similar authority for the disposition, utilization, management and  
28 appropriation by any private individual, corporate entity or any government agency,  
29 corporation or subdivision thereof on any part or portion of the ancestral domain  
30 taking into consideration the consensus approval of the ICCs/IPs concerned[;] AND  
31 TO IMPOSE REASONABLE ADMINISTRATIVE CHARGES AND FEES FOR  
32 SUCH CERTIFICATIONS TAKING INTO CONSIDERATION THE ABILITY TO  
33 PAY OF THE APPLICANT FOR CERTIFICATION;

34  
35 n) To decide all appeals from the decisions and acts of all the various offices within  
36 the Commission;

37  
38 o) To promulgate the necessary rules and regulations for the implementation of this  
39 Act;

40  
41 p) To exercise such other powers and functions as may be directed by the President of  
42 the Republic of the Philippines; and

43  
44 q) To represent the Philippine ICCs/IPs in all international conferences and  
45 conventions dealing with indigenous peoples and other related concerns.

46  
47 SECTION 2. *Funding and Appropriations.* A budget of Twenty Million Pesos  
48 (P20,000,000.00) is hereby appropriated for the implementation of the program of indigent  
49 ICC/IP litigants. The NCIP is hereby empowered to allocate collections from administrative  
50 fees and charges for purposes of the program for indigent litigants.

1 SECTION 3. *Repealing Clause.* All laws, decrees, executive orders, proclamations, rules and  
2 regulations, and other issuances, or parts thereof inconsistent with the provisions of this Act  
3 are hereby repealed or modified accordingly.

4  
5 SECTION 4. *Separability Clause.* If, for any reason, any section or provision of this Act is  
6 held unconstitutional or invalid, the other sections or provisions hereof shall not be affected  
7 thereby.

8  
9 SECTION 5. *Effectivity.* This Act shall take effect fifteen (15) days after its complete  
10 publication in at least two (2) newspapers of general circulation.

11  
12 Approved,