



REPUBLIC OF THE PHILIPPINES
Senate
Pasay City

Journal

SESSION NO. 26
Monday, October 1, 2018

SEVENTEENTH CONGRESS
THIRD REGULAR SESSION

SESSION NO. 26
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CALL TO ORDER

At 3:00 p.m., the Senate President, Hon. Vicente C. Sotto III, called the session to order.

SILENT PRAYER

The Body observed a minute of silent prayer.

NATIONAL ANTHEM

The Senate Choir led the singing of the national anthem.

ROLL CALL

Upon direction of the Senate President, the Secretary of the Senate, Atty. Myra Marie D. Villarica, called the roll, to which the following senators responded:

Angara, S.
Aquino, P. B. IV B.
Binay, M. L. N. S.
Drilon, F. M.
Ejercito, J. V. G.
Gatchalian, W.
Gordon, R. J.
Honasan, G. B.

Hontiveros, R.
Lacson, P. M.
Poe, G.
Sotto III, V. C.
Trillanes IV, A. F.
Villanueva, J.
Villar, C. A.
Zubiri, J. M. F.

With 16 senators present, the Chair declared the presence of a quorum.

Senators Escudero, Legarda, Pangilinan, Pimentel and Recto arrived after the roll call.

Senator Pacquiao was unable to attend the session "due to a family matter" as indicated in the October 1, 2018 letter of the Senator's chief of staff.

Senator De Lima was unable to attend the session as she was under detention.

APPROVAL OF THE JOURNAL

Upon motion of Senator Zubiri, there being no objection, the Body dispensed with the reading of the Journal of Session No. 25 (September 26, 2018) and considered it approved.

**ACKNOWLEDGMENT
OF THE PRESENCE OF GUESTS**

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

- Jesus Is Lord's Executive Management Board represented by Rev. Renato Bernardo, Rev. Joey Crisostomo, Rev. Alex Garcia, Rev. Virgie

Handwritten signature

Hernandez, Rev. Noel Casimpoy, Sis. Menchie Tobias, Atty. Jack Silva, along with the other members of the JIL – guests of Senator Villanueva;

- Students from the Adventist University of the Philippines, taking up their masteral in Public Health; and
- Students from the Elizabeth Seton School.

Senate President Sotto welcomed the guests to the Senate.

APPROVAL OF SENATE BILL NO. 1985 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, Senate Bill No. 1985, printed copies of which were distributed to the senators on September 25, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT AMENDING SECTION 11 OF
REPUBLIC ACT NO. 9006, OTHER-
WISE KNOWN AS THE “FAIR
ELECTION ACT.”

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Lacson
Aquino	Pangilinan
Binay	Pimentel
Drilon	Poe
Ejercito	Sotto
Gatchalian	Trillanes
Gordon	Villanueva
Honasan	Villar
Hontiveros	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1985 approved on Third Reading.

MOTION TO CONSIDER HOUSE BILL NO. 6591 ON THIRD READING

Senator Zubiri moved that the Body consider, on Third Reading, House Bill No. 6591, printed copies of which were distributed to the senators on September 25, 2018.

PARLIAMENTARY INQUIRY OF SENATOR DRILON

At this juncture, Senator Drilon recalled having introduced an amendment to House Bill No. 6591 which was accepted by the Sponsor and duly approved by the Body, limiting the holiday to the Province of Leyte and recognizing the efforts of the volunteers who assisted in the disaster. He then inquired why the title of the bill did not reflect the contents of the bill as amended, which the Body agreed upon.

SUSPENSION OF SESSION

Upon motion of Senator Zubiri, the session was suspended.

It was 3:07 p.m.

RESUMPTION OF SESSION

At 3:11 p.m., the session was resumed.

REMARKS OF SENATOR PRESIDENT SOTTO

Senate President Sotto stated that Senator Drilon earlier questioned why the title of the bill that was printed in the day's agenda did not reflect the amendment that he introduced. He then ruled that what the Body should consider on Third Reading should be House Bill No. 6591 as amended by the Senate.

APPROVAL OF SENATE BILL NO. 6591 ON THIRD READING

Thereupon, upon motion of Senator Zubiri, there being no objection, the Body considered, on Third

rw

Reading, House Bill No. 6591, as amended by the Senate, copies of which were distributed to the Senators on September 25, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT DECLARING NOVEMBER 8 OF EVERY YEAR A SPECIAL NON-WORKING HOLIDAY IN THE PROVINCE OF LEYTE TO BE KNOWN AS "LEYTE RESILIENCY DAY."

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Lacson
Aquino	Pangilinan
Binay	Pimentel
Drilon	Poe
Ejercito	Sotto
Gatchalian	Villanueva
Gordon	Villar
Honasan	Zubiri
Hontiveros	

Against

None

Abstention

None

With 17 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 6591 approved on Third Reading.

MANIFESTATION OF SENATOR ZUBIRI

Senator Zubiri stated that the Third Reading copy of Senate Bill No. 1629 did not reflect his and Senator Aquino's coauthorship of the bill. He then requested that the Secretariat make the necessary correction on the Third Reading copies.

APPROVAL OF SENATE BILL NO. 1629 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, Senate Bill No. 1629, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT WAIVING GOVERNMENT FEES AND CHARGES ON THE ISSUANCE OF DOCUMENTS REQUIRED IN THE APPLICATION FOR EMPLOYMENT OF FIRST TIME JOBSEEKERS.

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Hontiveros
Aquino	Lacson
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Escudero	Sotto
Gatchalian	Villanueva
Gordon	Villar
Honasan	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1629 approved on Third Reading.

MANIFESTATION OF SENATOR VILLANUEVA

Senator Villanueva requested that his manifest-



ation on Senate Bill No. 1629 be inserted into the record.

Following is the full text of Senator Villanueva's manifestation:

It is such a privileged task that I have to be given this opportunity to thank and congratulate all of you for the speedy approval on Third Reading of Senate Bill No. 1629, "An Act Waiving Government Fees and Charges on the Issuance of Documents Required in the Application for Employment of First-Time Jobseekers."

I would like to thank all the sponsors and coauthors of this measure: Sen. Sonny Angara, Sen. Grace Poe, Sen. JV Ejercito, Sen. Nancy Binay, Sen. Antonio Trillanes, Sen. Loren Legarda, Sen. Leila de Lima and Sen. Richard Gordon. Let me also acknowledge the good Minority Leader, Sen. Franklin Drilon, for the commendable effort that he exerted in the scrutiny of this measure.

It is a great service to the nation that we provided ways and means for the younger generation's ease of entrance into the country's labor force as valuable human resources and productive citizens.

This measure will enable our fresh graduates to find jobs immediately upon completing schooling, without the burden of paying what for them is a substantial amount for employment requirements, while still financially dependent.

It will benefit their families: the first-time jobseekers will not have to ask for more money to pay for employment requirements after already spending a lot for the education and training of the younger family members or ward.

Moreover, it will give the younger generation better opportunity to earn immediately after leaving school, giving them financial independence, and providing their families better economic chances and even advantage.

This measure is apt to motivate our fresh graduates to immediately seek employment because they will be exempted from fees only as first-time jobseekers, and only for a limited time of one year after leaving school. It is also for this reason that our frontline government agencies should not and will not lose income consequent to this measure.

This legislation will bring far greater benefit to our country and economy. Fresh, eager, skilled, technologically updated, optimistic and driven younger human resources will be injected

into the bloodstream that is our economy. It will indeed be a boost in the country's economic life and strategy.

Thank you very much and God bless us all.

MANIFESTATION OF SENATOR POE

Senator Poe thanked the Members of the Body for passing Senate Bill No. 1629 on Third Reading since the first-time jobseekers who are beneficiaries of measure, are students from the provinces who have to come all the way to Metro Manila to look for work, and who would feel a sense of relief that they would not have to pay for their requirements and permits.

APPROVAL OF SENATE BILL NO. 1597 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, Senate Bill No. 1597, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT INSTITUTIONALIZING THE GRANT OF STUDENT FARE DISCOUNT PRIVILEGES ON PUBLIC TRANSPORTATION AND FOR OTHER PURPOSES.

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Hontiveros
Aquino	Lacson
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Escudero	Sotto
Gatchalian	Villanueva
Gordon	Villar
Honasan	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1597 approved on Third Reading.

APPROVAL OF HOUSE BILL NO. 7387 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, House Bill No. 7387, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT GRANTING PHILIPPINE
CITIZENSHIP TO KWOK HING
CARLOS YEUNG.

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Hontiveros
Aquino	Lacson
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Escudero	Sotto
Gatchalian	Villanueva
Gordon	Villar
Honasan	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 7387 approved on Third Reading.

APPROVAL OF HOUSE BILL NO. 7388 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, House Bill No. 7388, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT GRANTING PHILIPPINE
CITIZENSHIP TO BRUCE DONALD
MCTAVISH.

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Hontiveros
Aquino	Lacson
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Escudero	Sotto
Gatchalian	Villanueva
Gordon	Villar
Honasan	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 7388 approved on Third Reading.

APPROVAL OF HOUSE BILL NO. 7179 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, House Bill No. 7179, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT GRANTING PHILIPPINE
CITIZENSHIP TO MAYLEEN TING.

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Hontiveros
Aquino	Lacson
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Escudero	Sotto
Gatchalian	Villanueva
Gordon	Villar
Honasan	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 7179 approved on Third Reading.

APPROVAL OF HOUSE BILL NO. 7180 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, House Bill No. 7180, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT GRANTING PHILIPPINE
CITIZENSHIP TO FATHER JULIAN
C. MAZANA.

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Hontiveros
Aquino	Lacson
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Escudero	Sotto
Gatchalian	Villanueva
Gordon	Villar
Honasan	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 7180 approved on Third Reading.

APPROVAL OF SENATE BILL NO. 1716 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, Senate Bill No. 1716, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT CREATING AND ESTABLISH-
ING A SPORTS COMPLEX KNOWN

pro

AS THE PHILIPPINE AMATEUR SPORTS TRAINING CENTER, AND FUNDING FOR THE ACQUISITION OF PROPERTY, CONSTRUCTION OF FACILITIES, INCLUDING ITS ADMINISTRATION, MAINTENANCE AND MANAGEMENT, AND FOR OTHER PURPOSES.

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Lacson
Aquino	Legarda
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Gatchalian	Sotto
Gordon	Villanueva
Honasan	Villar
Hontiveros	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1716 approved on Third Reading.

APPROVAL OF SENATE BILL NO. 1819 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, Senate Bill No. 1819, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT ESTABLISHING THE OFFICE FOR SOCIAL WELFARE ATTACHÉ,

AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS THE "MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995, AS AMENDED, AND FOR OTHER PURPOSES."

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Lacson
Aquino	Legarda
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Gatchalian	Sotto
Gordon	Villanueva
Honasan	Villar
Hontiveros	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1819 approved on Third Reading.

MANIFESTATION OF SENATOR VILLANUEVA

Upon request of Senator Villanueva, his manifestation on Senate Bill No. 1819 was deemed read and inserted into the *Journal and Record of the Senate*.

The full text of Senator Villanueva's speech follows:

This legislative exercise is a clear evidence of our honest and compassionate service to people and nation particularly to the OFWs and their families.

Mula pa noon hanggang sa ngayon ay tuloy-tuloy at sunod-sunod po ang mga kaso



ng pang-aabuso sa mga kababayan nating OFW lalo na sa Middle East, mga kaso ng pananakit, pang-aapi, pang-aalipin at pag-psalang sa mga kawawa nating kababayan.

Walang humpay ang pagtindi ng pangangailangang repasuhin ang mga batas para sa mga OFWs, gayundin ang mga programang magpapatingkad ng malasakit ng gobyerno sa kanila. At ito po ang pinanindigan at pinangatwanan natin ngayon.

Data shows that from 2013 until the first semester of 2018, our social welfare attachés served a total of 78,241 distressed Overseas Filipinos who were victims of physical, sexual, and psychological abuses and maltreatment, including victims of trafficking, marital conflicts, abandoned or neglected children, and other vulnerable sectors.

Such feat was a practical impossibility considering that our hearings in the Committee on Labor reveal that as of May 2018 *pito (7) lamang po ang naka-deploy na mga social welfare attachés sa iba't-ibang panig ng mundo.*

To properly respond and cater to the tremendous need of our OFWs, facing horrendous conditions abroad, it is but necessary that we scrutinize every crevice to find ways and means to show sincere compassion, care and protection for our compatriots *na handang magsakripisyo para sa bayan at mahal sa buhay.*

Basta kapakanan ng ating mga OFWs, alam ko po na palaging handang magbigay ng suporta ang buong Senado kaya lubos po ang ating pasasalamat sa lahat ng ating mga kasamahan lalo na sa mga co-sponsors ng SB 1819: Sen. Loren Legarda, Sen. Sonny Angara at Sen. Win Gatchalian, gayundin kay Sen. Frank Drilon sa kanyang hangaring mapaganda ang ating mga panukalang batas.

Maraming salamat po at pagpalain tayong lahat ng Poong Maykapal.

APPROVAL OF SENATE BILL NO. 2023 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, Senate Bill No. 2023, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT PROVIDING SPECIAL PROTECTION OF CHILDREN IN SITUATIONS OF ARMED CONFLICT AND PROVIDING PENALTIES THEREOF.

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Lacson
Aquino	Legarda
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Gatchalian	Sotto
Gordon	Villanueva
Honasan	Villar
Hontiveros	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 2023 approved on Third Reading.

MANIFESTATION OF SENATOR VILLANUEVA

Upon request of Senator Villanueva, his manifestation on Senate Bill No. 2023 was deemed read and inserted into the *Journal and Record of the Senate*.

The full text of Senator Villanueva's speech follows:

Hindi po sundalo ang mga kabataan. Sa halip na baril at bala, libro at lapis ang dapat hawak nila. Sa halip na magdigmaan, paglalaro at pag-aaral ang dapat na inaatupag nila.

Ito po ang dahilan kung bakit sinusuportahan natin ang Senate Bill No. 2023 o ang "Special Protection of Children in Situations of Armed Conflict Act" dahil naniniwala po tayo



na ang mga musmos ay hindi kailanman dapat maipit sa kahit anong tension o armadong labanan.

The best interests of children are guaranteed by the fundamental law but even the natural law of the Scriptures provides: "The Lord says that no one should do wrong or be violent towards innocent children and orphans" (Jeremiah 22:3) More so, "children are a gift from God" (Psalm 127:3) and a blessing, and are to be loved and cared for.

Many Filipino children face unspeakable violence because of various armed conflicts in the country predominantly in Mindanao and several conflict-related incidents between the New People's Army and the government forces.

We believe that Senate Bill No. 2023 will prevent utter disregard to shielding children, the most vulnerable, from the impact of war or armed conflict such as recruitment and use of children by armed groups, detention, sexual abuse, abduction, among others.

By passing this measure, we remain committed to various international agreements specifically, the Convention on the Rights of the Child, the International Covenant on Civil and Political Rights and the Convention on Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Children are zones of peace and they deserve our utmost support by guaranteeing their rights to life, the right to be accorded with special respect, the right to be immediately provided and have safe access to essential, adequate and culturally appropriate food and nutrition, the right to be reunited with their families, among others.

Salamat sa mabilis na pagpasa ng Senate Bill No. 2023 dahil gagawing ligtas, payapa at masaya ang buhay at kinabukasan ng kabataang Pilipino, lalo na ang mga naiipit sa digmaan.

Sa hinaharap, sa pamamagitan ng panukalang ito, magiging produktibo at responsible silang mamamayan ng bansa, magiging magiliw sa kanilang trabaho, at magsisilbing lakas ng ating ekonomiya.

Marami pong salamat. God bless us all.

APPROVAL OF SENATE BILL NO. 1997 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading,

Senate Bill No. 1997, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT CREATING THE REGIONAL INVESTMENT AND INFRASTRUC- TURE COORDINATING HUB OF CENTRAL LUZON, AND FOR OTHER PURPOSES.

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Lacson
Aquino	Legarda
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Gatchalian	Sotto
Gordon	Villanueva
Honasan	Villar
Hontiveros	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1997 approved on Third Reading.

APPROVAL OF HOUSE BILL NO. 5992 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, House Bill No. 5992, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there



being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT CONVERTING THE SATELLITE OFFICE OF THE LAND TRANSPORTATION OFFICE (LTO) IN THE CITY OF BAYUGAN, PROVINCE OF AGUSAN DEL SUR, INTO A REGULAR DISTRICT OFFICE, AND APPROPRIATING FUNDS THEREFOR.

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Lacson
Aquino	Legarda
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Gatchalian	Sotto
Gordon	Villanueva
Honasan	Villar
Hontiveros	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 5992 approved on Third Reading.

APPROVAL OF HOUSE BILL NO. 4765 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, House Bill No. 4765, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT ESTABLISHING AN EXTENSION OFFICE OF THE LAND TRANSPORTATION OFFICE (LTO) IN THE MUNICIPALITY OF BROOKE'S POINT, PROVINCE OF PALAWAN AND APPROPRIATING FUNDS THEREFOR.

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Lacson
Aquino	Legarda
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Gatchalian	Sotto
Gordon	Villanueva
Honasan	Villar
Hontiveros	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 4765 approved on Third Reading.

APPROVAL OF HOUSE BILL NO. 5627 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, House Bill No. 5627, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT ESTABLISHING A LAND
TRANSPORTATION OFFICE (LTO)



IN THE CITY OF VALENCIA, PROVINCE OF BUKIDNON AND APPROPRIATING FUNDS THEREFOR.

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Lacson
Aquino	Legarda
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Gatchalian	Sotto
Gordon	Villanueva
Honasan	Villar
Hontiveros	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 5627 approved on Third Reading.

APPROVAL OF HOUSE BILL NO. 4065 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, House Bill No. 4065, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT ESTABLISHING A REGULAR DISTRICT OFFICE OF THE LAND TRANSPORTATION OFFICE (LTO) IN THE CITY OF PANABO, PROVINCE OF DAVAO DEL NORTE AND APPROPRIATING FUNDS THEREFOR.

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Lacson
Aquino	Legarda
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Gatchalian	Sotto
Gordon	Villanueva
Honasan	Villar
Hontiveros	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 4065 approved on Third Reading.

APPROVAL OF HOUSE BILL NO. 1924 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, House Bill No. 1924, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT CONVERTING THE LAND TRANSPORTATION OFFICE – MEDELLIN EXTENSION OFFICE INTO A REGULAR DISTRICT OFFICE AND APPROPRIATING FUNDS THEREFOR.

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Lacson
Aquino	Legarda
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Gatchalian	Sotto
Gordon	Villanueva
Honasan	Villar
Hontiveros	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 1924 approved on Third Reading.

**APPROVAL OF HOUSE BILL NO. 5955
ON THIRD READING**

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, House Bill No. 5955, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT ESTABLISHING AN EXTENSION OFFICE OF THE LAND TRANSPORTATION OFFICE (LTO) IN THE MUNICIPALITY OF NARRA, PROVINCE OF PALAWAN AND APPROPRIATING FUNDS THEREFOR.

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Lacson
Aquino	Legarda
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Gatchalian	Sotto
Gordon	Villanueva
Honasan	Villar
Hontiveros	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 5955 approved on Third Reading.

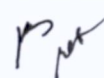
**APPROVAL OF HOUSE BILL NO. 5953
ON THIRD READING**

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, House Bill No. 5953, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT ESTABLISHING A LAND TRANSPORTATION OFFICE (LTO) DISTRICT OFFICE IN THE CITY OF SIPALAY, PROVINCE OF NEGROS OCCIDENTAL AND APPROPRIATING FUNDS THEREFOR.

Secretary Villarica called the roll for nominal voting.



RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Lacson
Aquino	Legarda
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Gatchalian	Sotto
Gordon	Villanueva
Honasan	Villar
Hontiveros	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 5953 approved on Third Reading.

APPROVAL OF HOUSE BILL NO. 5568 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, House Bill No. 5568, printed copies of which were distributed to the senators on September 27, 2018.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT ESTABLISHING A LAND
TRANSPORTATION OFFICE (LTO)
SATELLITE OFFICE IN TICA
ISLAND, PROVINCE OF MASBATE
AND APPROPRIATING FUNDS
THEREFOR.

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Lacson
Aquino	Legarda
Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Gatchalian	Sotto
Gordon	Villanueva
Honasan	Villar
Hontiveros	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 5568 approved on Third Reading.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Zubiri acknowledged the presence in the gallery of the members of the Philippine National Police headed by Police Dir. Edwin Roque and Police Dir. Lorimer Letran.

Senate President Sotto welcomed the guests to the Senate.

SPECIAL ORDER

Upon motion of Senator Zubiri, there being no objection, the Body approved the transfer of Committee Report No. 483 on Senate Bill No. 2031 from the Calendar for Ordinary Business to the Calendar for Special Orders.

COMMITTEE REPORT NO. 483 ON SENATE BILL NO. 2031

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Second Reading, Senate Bill No. 2031 (Committee Report No. 483), entitled

ms put

AN ACT PROVIDING FOR THE RANK CLASSIFICATION IN THE PHILIPPINE NATIONAL POLICE, AMENDING FOR THE PURPOSE SECTION 28 OF REPUBLIC ACT NO. 6975, AS AMENDED, OTHERWISE KNOWN AS THE "DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT ACT OF 1990."

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Zubiri, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

The Chair recognized Senator Lacson for the sponsorship.

SPONSORSHIP SPEECH OF SENATOR LACSON

Senator Lacson, on behalf of the Committee on Public Order and Dangerous Drugs, submitted for plenary consideration Senate Bill No. 2031, entitled "An Act Providing for the Rank Classification in the Philippine National Police, Amending for the Purpose Section 28 of RA 6975, as Amended, Otherwise Known as the Department of Interior and Local Government Act of 1990," under Committee Report No. 483.

The full text of Senator Lacson's sponsorship speech follows:

As a brief background, Section 28 of Republic Act No. 6975, or the Department of the Interior and Local Government Act of 1990, provides that the rank classification of the members of the Philippine National Police (PNP) are as follows: Director General; Deputy Director General; Director; Chief Superintendent; Senior Superintendent; Superintendent; Chief Inspector; Senior Inspector; Inspector; Senior Police Officer 4; Senior Police Officer 3; Senior Police Officer 2 and Senior Police Officer 1; and Police Officer 3, Police Officer 2, and Police Officer 1.

Essentially, the intent of this legislative proposal is simple, that is, to adopt a more common rank nomenclature to standardize the way that our law enforcers are being called.

In order to maintain its clear distinction from the members of the Armed Forces of the Philip-

pin (AFP), the ranks to be used in addressing the PNP personnel shall be preceded by the word "Police."

This measure is geared towards our collective pursuit of eliminating confusion on how our law enforcers must be addressed, and ultimately bringing our policemen closer to the populace.

The Academy of Management, a prestigious institution composed of professionals and scholars, made a study in 2014 that suggests how job titles become vehicles for identity expression and image construction, which then serve as embodiment of how we present ourselves to the world.

Dito sa ating bansa, kung ikaw ay nasa ospital, ang tawag mo sa gumagamot sa iyong karamdaman ay "Doktor" o "Dok." Kung nangangailangan ka ng payo ukol sa mga usaping legal, tinatawag mo ang iyong kausap na "Attorney." Nguni't tuwing may kausap tayong alagad ng batas, mas madalas pa nating marinig ang turing na "Sarge" o pinaigsing "Sergeant," "Major" or "Colonel" kaysa sa tunay na ranggo na ginagamit ng ating kapulisan — PO1, PO2 or SPO1 to SPO4, "Inspector," and so forth.

Coming from the ranks of the law enforcers, and being the eighth Chief of the PNP, I remember that back then, I was never addressed as "Director General" but rather simply "General." Admittedly, even I am guilty of still using the military rank assignments when referring to or talking to my former police officers.

Even up to the present time, during interviews or media conferences, members of the PNP themselves unconsciously use the military nomenclature when pertaining to their superiors or fellow police officers. There are also a number of times wherein mainstream media outlets use incorrect police ranks in their reports.

Just this morning, in a surprise inspection conducted by NCRPO director Guillermo Eleazar, one policeman was caught off guard when asked about the rank designation of Chief PNP Albayalde.

At this juncture, a video clip was presented to the Body.

An American professor named Edward Tufte once said: "Confusion and clutter are failure of design, not the attributes of information."

It has been 28 years since the passage of RA 6975, yet the fact remains that almost

pp

everyone has been more accustomed to the rank classification using military terminologies in addressing the members of our police force while being aware that they are referring to the police and not the military.

There is a psychological phenomenon that tells us that people tend to develop preference for things or people that they are more familiar with. Another social theory also postulates that familiar names are judged more positively than those difficult to recall.

At this juncture, a video clip was presented to the Body.

Further, as a former law enforcer myself, I understand our policemen when they attest that similar ranks between the PNP and counterpart members of the AFP will be advantageous in terms of enhancing their interoperability. The PNP Manual spells out that the "PNP units may either operate as a single force or as a part of joint PNP-AFP combat operations. In both cases, lateral coordination is a must...."

Experiences both of our policemen and soldiers tell us that unnecessary lags occur when one still finds it necessary to check who his or her counterpart from the police or military is. As hyperbolic as it may sound, we cannot afford any delay in coordination in counter-terrorism operations and operations against other threats to national security. You and I would agree that a split second matters if the safety and lives of our people are at stake.

In addition, pushing for this measure will spare our policemen the time of explaining their equivalent ranks to foreign police forces in order to determine the protocol that must come in order every time they are attending regional or international policing engagement.

Some in this hall may be raising eye-brows against this proposal due to the concern that this may mean that we are in effect "militarizing" the police. Such apprehension stems from the constitutional provision that the State shall establish and maintain one police force which shall be national in scope and civilian in character. Hence, we sought the opinion of the Department of Justice (DOJ) to give its position on the constitutionality of this measure.

The DOJ, through a letter duly signed by Undersecretary Emmeline Aglipay-Villar dated 10 August 2018, gave this proposed measure a thumbs-up as it "finds no clear and categorical infringement of the Constitution." Further, the DOJ maintains its position that "the proposed

amendment does not change the civilian character of the national police force, as provided under Section 6, Article XVI of the 1987 Philippine Constitution. The adoption of the military equivalent rank does not imply transfer of control over the PNP from civilian authority to the military. The PNP remains to be civilian in character; administered and controlled by the National Police Commission (NAPOLCOM)."

The NAPOLCOM also expressed its full support to the proposal of amending the present rank classification of the members of the PNP through a position paper dated 10 August 2018. The Commission underscored that "the civilian character of the PNP was already achieved when it was removed from the Armed Forces of the Philippines."

The amendments being proposed by this bill hew to said premise—the Philippine National Police shall continue to adopt a service-oriented outlook in consonance with its existing police-community-relations doctrine consistent with its sworn duty "To Serve and Protect."

As a final word, pushing for this measure has in fact reminded this Representation of a sensible discussion in a book that I read about character and ethics in policing. The author, in the name of Edwin Delattre, emphasized, and I wish to paraphrase: "If police are to have the weight of law-abiding citizens on their side, they must make clear that they are eager to know the primary concerns of the public, and more importantly, that they want to be known, as individuals, to the members of the community."

MANIFESTATION OF SENATOR ZUBIRI

Senator Zubiri admitted that he too has been confused, sometimes addressing non-commissioned officers of the PNP as "sarge" or "chief" because he is more familiar with and used to the ranks in the AFP.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 2031

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

COMMITTEE REPORT NO. 477 ON SENATE BILL NO. 1917

(Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second

Reading, Senate Bill No. 1917 (Committee Report No. 477), entitled

AN ACT GRANTING SURVIVORSHIP BENEFITS TO THE DEPENDENT CHILDREN OF A DECEASED RETIRED MEMBER OF THE COMMISSION ON AUDIT, CIVIL SERVICE COMMISSION, COMMISSION ON ELECTIONS, AND THE OMBUDSMAN, WHO IS A SOLO PARENT, OR THE SURVIVING PARENTS OR NOMINATED PERSONS OF SUCH DECEASED RETIREE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10084, ENTITLED, "AN ACT GRANTING SURVIVORSHIP BENEFITS TO THE SURVIVING LEGITIMATE SPOUSE OF A DECEASED RETIRED MEMBER OF THE COMMISSION ON AUDIT, CIVIL SERVICE COMMISSION, COMMISSION ON ELECTIONS AND THE OMBUDSMAN, AND FOR OTHER PURPOSES."

The Chair recognized Senator Legarda for her cosponsorship speech.

COSPONSORSHIP SPEECH OF SENATOR LEGARDA

Senator Legarda registered her full and unequivocal support for the passage of Senate Bill No. 1917, which seeks to grant rights of survivorship benefits not only to the surviving legitimate spouse of a deceased retired member of the Commission on Audit (COA), Civil Service Commission (CSC), Commission on Elections, and the Ombudsman, but also to the dependent children of those members of these offices who are solo parents, as well as the surviving parents or nominated person/s of such deceased retiree.

She believed that the bill recognizes the emerging nuances in the set-up of modern-day Filipino families, and heeds the call for fairness and equality to the members of these constitutionally-created offices who are unmarried or are solo parents, by ensuring that qualified beneficiaries are rightfully provided with benefits and entitlements as allowed by law. In addition, she said that the bill will ultimately contribute to the government's effort to recognize the commitment and sacrifices rendered by these

officials in their service to the country and to the Filipino people.

Senator Legarda expressed hope that in the interest of fairness and justice, the Body would prioritize the passage of the measure which has been passed in the Lower House.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1917

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

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. 2032, entitled

AN ACT GRANTING THE OVERSEAS FILIPINO WORKERS THE RIGHT TO EQUAL PROTECTION ON MONEY CLAIMS, AMENDING FOR THE PURPOSE THE FIFTH PARAGRAPH OF SECTION 10 OF REPUBLIC ACT NO. 8042, AS AMENDED BY REPUBLIC ACT NO. 10022

Introduced by Senator Risa Hontiveros

To the Committees on Labor, Employment and Human Resources Development; and Foreign Relations

Senate Bill No. 2033, entitled

AN ACT CREATING THE PHILIPPINE ARBITRATION COMMISSION AND INSTITUTIONALIZING COMPULSORY ARBITRATION FOR SPECIFIC AREAS OF DISPUTE, AND FOR OTHER PURPOSES

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committees on Justice and Human Rights; and Finance

Senate Bill No. 2034, entitled

AN ACT INCREASING THE MONTHLY MINIMUM WAGE OF PUBLIC SCHOOL TEACHERS TO TWENTY EIGHT THOUSAND PESOS (P28,000.00) AND NON-TEACHING PERSONNEL TO SIXTEEN THOUSAND PESOS (P16,000.00)

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committees on Civil Service and Government Reorganization; Education, Arts and Culture; and Finance

Senate Bill No. 2035, entitled

AN ACT EXTENDING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO THE IGLESIA NI CRISTO, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 4339, ENTITLED "AN ACT GRANTING THE IGLESIA NI CRISTO A FRANCHISE TO ESTABLISH RADIO STATIONS FOR PRIVATE TELECOMMUNICATION," AS AMENDED BY REPUBLIC ACT NO. 7225, AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

To the Committee on Public Services

RESOLUTIONS

Proposed Senate Resolution No. 906, entitled

RESOLUTION EXPRESSING THE FULL SUPPORT OF THE SENATE OF THE PHILIPPINES IN THE OBSERVANCE OF THE WORLD TOURISM DAY

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committee on Rules

Proposed Senate Resolution No. 907, entitled

RESOLUTION DIRECTING THE SENATE

COMMITTEES ON LABOR AND FINANCE, TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE UTILIZATION OF THE P1.4 BILLION WORTH OF FUNDS IN THE 2018 *GENERAL APPROPRIATIONS ACT* FOR DISTRESSED OVERSEAS FILIPINO WORKERS (OFWS) WHO ARE SEEKING ASSISTANCE IN RETURNING TO THE COUNTRY, ON WHETHER THESE AMOUNTS WERE UTILIZED EFFECTIVELY AND REACHED THE INTENDED BENEFICIARIES, AND TO INCLUDE THESE INFORMATION IN THE DELIBERATIONS IN THE *NATIONAL EXPENDITURE PROGRAM* (NEP) FOR FISCAL YEAR 2019

Introduced by Senator Grace Poe

To the Committees on Labor, Employment and Human Resources Development; Foreign Relations; and Finance

COMMUNICATIONS

Letters from the Office of the President of the Philippines, transmitting to the Senate two (2) original copies of the following Republic Acts which were signed by President Rodrigo Roa Duterte:

Republic Act No. 11016, entitled

AN ACT SEPARATING MAGTOMA NATIONAL HIGH SCHOOL – DUPLIGAN ANNEX IN BARANGAY DUPLIGAN, MUNICIPALITY OF TANUDAN, PROVINCE OF KALINGA FROM THE MAGTOMA NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS BIGA NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11017, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY

LINGUNAN, VALENZUELA CITY, TO BE KNOWN AS LINGUNAN NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11018, entitled

AN ACT CONVERTING THE LICOP ELEMENTARY SCHOOL IN SITIO LICOP, BARANGAY SAINZ, MATI CITY, PROVINCE OF DAVAO ORIENTAL INTO AN INTEGRATED SCHOOL TO BE KNOWN AS LICOP INTEGRATED SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11019, entitled

AN ACT INTEGRATING THE DR. EMILIO B. ESPINOSA, SR. MEMORIAL STATE COLLEGE OF AGRICULTURE AND TECHNOLOGY CAMPUS LEARNING SITE IN THE MUNICIPALITY OF CAWAYAN, PROVINCE OF MASBATE, AS A REGULAR CAMPUS OF THE DR. EMILIO B. ESPINOSA, SR. MEMORIAL STATE COLLEGE OF AGRICULTURE AND TECHNOLOGY TO BE KNOWN AS THE DR. EMILIO B. ESPINOSA, SR. MEMORIAL STATE COLLEGE OF AGRICULTURE AND TECHNOLOGY - CAWAYAN CAMPUS, AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11020, entitled

AN ACT ESTABLISHING A NATIONAL SCIENCE HIGH SCHOOL IN BARANGAY BAGUMBAYAN, BALANGA CITY, PROVINCE OF BATAAN TO BE KNOWN AS BALANGA CITY NATIONAL SCIENCE HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11021, entitled

AN ACT SEPARATING THE LILOY NATIONAL HIGH SCHOOL - PATAWAG EXTENSION IN BARANGAY PATAWAG, MUNICIPALITY

OF LILOY, PROVINCE OF ZAMBOANGA DEL NORTE FROM THE LILOY NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS PATAWAG NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11022, entitled

AN ACT SEPARATING THE KALAWIT NATIONAL HIGH SCHOOL - PIANON ANNEX IN BARANGAY PIANON, MUNICIPALITY OF KALAWIT, PROVINCE OF ZAMBOANGA DEL NORTE FROM THE KALAWIT NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS PIANON NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11023, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY CATIGAN, TORIL DISTRICT, DAVAO CITY TO BE KNOWN AS CATIGAN NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11024, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY SIBULAN, TORIL DISTRICT, DAVAO CITY TO BE KNOWN AS MT. APO NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11025, entitled

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

Republic Act No. 11026, entitled

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

Republic Act No. 11027, entitled

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

Republic Act No. 11028, entitled

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

Republic Act No. 11029, entitled

AN ACT SEPARATING THE LAWA NATIONAL HIGH SCHOOL ANNEX IN BARANGAY LAPUAN, MUNICIPALITY OF DON MARCELINO, PROVINCE OF DAVAO OCCIDENTAL FROM THE LAWA NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS LUISA JOYCE MALLARI NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11030, entitled

AN ACT CREATING BARANGAY UPPER PUGAAN IN THE MUNICIPALITY OF DITSAAN-RAMAIN, PROVINCE OF LANA DEL SUR;

Republic Act No. 11031, entitled

AN ACT SEPARATING THE FISHING VILLAGE COMPREHENSIVE NATIONAL HIGH SCHOOL ANNEX IN BARANGAY MANA, MUNICIPALITY OF MALITA, PROVINCE OF DAVAO OCCIDENTAL FROM THE FISHING VILLAGE COMPREHENSIVE NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS BENJAMIN VELASCO BAUTISTA SR. NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11033, entitled

AN ACT CONVERTING THE DAVAO ORIENTAL STATE COLLEGE OF SCIENCE AND TECHNOLOGY IN THE CITY OF MATI AND ALL ITS SATELLITE CAMPUSES LOCATED IN THE PROVINCE OF DAVAO ORIENTAL INTO A STATE UNIVERSITY TO BE KNOWN AS THE DAVAO ORIENTAL STATE UNIVERSITY, AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11055, entitled

AN ACT ESTABLISHING THE PHILIPPINE IDENTIFICATION SYSTEM;

Republic Act No. 11056, entitled

AN ACT ESTABLISHING A CAMPUS OF THE POLYTECHNIC UNIVERSITY OF THE PHILIPPINES (PUP) IN THE MUNICIPALITY OF SABLAYAN, PROVINCE OF OCCIDENTAL MINDORO TO BE KNOWN AS THE PUP-SABLAYAN CAMPUS, AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11057, entitled

AN ACT STRENGTHENING THE SECURED TRANSACTIONS LEGAL FRAMEWORK IN THE PHILIP-



PINES, WHICH SHALL PROVIDE FOR THE CREATION, PERFECTION, DETERMINATION OF PRIORITY, ESTABLISHMENT OF A CENTRALIZED NOTICE REGISTRY, AND ENFORCEMENT OF SECURITY INTERESTS IN PERSONAL PROPERTY, AND FOR OTHER PURPOSES;

Republic Act No. 11058, entitled

AN ACT STRENGTHENING COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH STANDARDS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF;

Republic Act No. 11059, entitled

AN ACT ESTABLISHING A RETIREMENT BENEFIT SYSTEM IN THE OFFICE OF THE OMBUDSMAN, AUGMENTING ITS EMPLOYEE BENEFITS, AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11060, entitled

AN ACT SEPARATING THE KALBAY NATIONAL HIGH SCHOOL ANNEX IN BARANGAY SUGAL, MUNICIPALITY OF JOSE ABAD SANTOS, PROVINCE OF DAVAO OCCIDENTAL FROM THE KALBAY NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS EMELIANO S. FONTANARES SR. NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11061, entitled

AN ACT RENAMING THE GUREL—BOKOD—KABAYAN—ABATAN ROAD IN THE PROVINCE OF BENGUET TO CONG. ANDRES ACOP COSALAN ROAD;

Republic Act No. 11062, entitled

AN ACT CONVERTING THE LAND TRANSPORTATION OFFICE (LTO)

EXTENSION OFFICE LOCATED IN MUNTINLUPA CITY INTO A REGULAR LTO DISTRICT OFFICE AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11063, entitled

AN ACT CONVERTING THE CALOOCAN CITY EXTENSION OFFICE OF THE LAND TRANSPORTATION OFFICE (LTO) LOCATED IN MALABON CITY, METRO MANILA INTO A REGULAR LTO DISTRICT OFFICE AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11064, entitled

AN ACT RENAMING PANGLAO ISLAND CIRCUMFERENTIAL ROAD TRAVERSING BARANGAYS TANGNAN, BILISAN, LOOC, POBLACION, DANAOS, TAWALA, BOLOD AND LIBAONG IN THE MUNICIPALITY OF PANGLAO AND BARANGAYS TOTOLAN, SONGCULAN, TABALONG, BINGAG, DAO, SAN ISIDRO, BIKING 1, BIKING 2, CATARMAN, MAYACABAC, POBLACION AND UNION IN THE MUNICIPALITY OF DAUIS, AS ANOS FONACIER CIRCUMFERENTIAL ROAD (DAUIS-PANGLAO);

Republic Act No. 11065, entitled

AN ACT CONVERTING THE LAND TRANSPORTATION OFFICE (LTO) LICENSING CENTER IN THE MUNICIPALITY OF KAWIT, PROVINCE OF CAVITE INTO A REGULAR LICENSING CENTER TO BE KNOWN AS THE LTO CAVITE LICENSING CENTER OF KAWIT, CAVITE AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11066, entitled

AN ACT CONVERTING THE LAND TRANSPORTATION OFFICE (LTO) LICENSING CENTER IN THE CITY

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OF BATANGAS, PROVINCE OF BATANGAS INTO A REGULAR LICENSING CENTER TO BE KNOWN AS THE BATANGAS CITY LICENSING CENTER OF BATANGAS CITY, BATANGAS AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11067, entitled

AN ACT CONVERTING THE LAND TRANSPORTATION OFFICE (LTO) LOCATED IN THE MUNICIPALITY OF BALAYAN, PROVINCE OF BATANGAS INTO A REGULAR LTO DISTRICT OFFICE TO BE KNOWN AS THE LTO DISTRICT OFFICE OF BALAYAN, BATANGAS AND APPROPRIATING FUNDS THEREFOR;

Republic Act No. 11068, entitled

AN ACT CONVERTING THE LAND TRANSPORTATION OFFICE (LTO) LICENSING CENTER IN THE CITY OF SAN PABLO, PROVINCE OF LAGUNA INTO A REGULAR LICENSING CENTER TO BE KNOWN AS THE SAN PABLO CITY LTO LICENSING CENTER AND APPROPRIATING FUNDS THEREFOR; and

Republic Act No. 11069, entitled

AN ACT AMENDING SECTION 1 OF REPUBLIC ACT NO. 9727, REAPPORTIONING THE PROVINCE OF CAVITE INTO EIGHT (8) LEGISLATIVE DISTRICTS.

To the Archives

**COMMITTEE REPORT NO. 300
ON SENATE BILL NO. 1753**

(Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1753 (Committee Report No. 300), entitled

AN ACT RATIONALIZING AND EXPANDING THE POWERS AND

DUTIES OF THE SOCIAL SECURITY COMMISSION TO ENSURE THE LONG-TERM VIABILITY OF THE SOCIAL SECURITY SYSTEM, FURTHER AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 1161, AS AMENDED BY REPUBLIC ACT NO. 8282, OTHERWISE KNOWN AS THE SOCIAL SECURITY ACT OF 1997.

Senator Zubiri stated that the parliamentary status was the period of individual amendments, Senate Bill No. 1753 being a substitute bill.

**SUSPENSION OF CONSIDERATION
OF SENATE BILL NO. 1753**

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

**COMMITTEE REPORT NO. 440
ON SENATE BILL NO. 1998**

(Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1998 (Committee Report No. 440), entitled

AN ACT REPLACING THE QUANTITATIVE IMPORT RESTRICTIONS ON RICE WITH TARIFFS, LIFTING THE QUANTITATIVE EXPORT RESTRICTIONS ON RICE, AND CREATING THE RICE COMPETITIVENESS ENHANCEMENT FUND, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8178, AS AMENDED BY REPUBLIC ACT NO. 9496, AND AS FURTHER AMENDED BY REPUBLIC ACT NO. 10848, AND FOR OTHER PURPOSES.

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

Thereupon, the Chair recognized Senator Villar, sponsor of the measure, and Senator Drilon for the continuation of his interpellation.



INTERPELLATION OF SENATOR DRILON (Continuation)

Continuing with his interpellation, Senator Drilon said that he found difficulty in understanding the proposed amendments being proposed, starting in Section 4, which he read into the record, to wit:

SEC. 4. REPEAL OF SECTION 5. – SECTION 5 OF REPUBLIC ACT NO. 8178 IS HEREBY REPEALED. HENCE, THE NFA SHALL NO LONGER ESTABLISH RULES AND REGULATIONS GOVERNING THE IMPORTATION OF RICE AND ISSUE IMPORT LICENSES OR PERMITS FOR THE PRIVATE SECTOR. LIKEWISE, THE POWER OF THE NFA TO FIRST CERTIFY THE EXISTENCE OF A SHORTAGE BEFORE IMPORTATION IS ALLOWED IS HEREBY REMOVED.

Relative thereto, Senator Drilon requested Senator Villar to spread into the record Section 5 of Republic Act No. 8178 which was being proposed to be repealed by Senate Bill No. 1998.

In reply, Senator Villar said that the bill seeks to repeal the NFA's power governing the importation of rice and the issuance of import licenses and permits for the private sector along with its power to first certify the existence of shortage before importation is allowed.

Senator Drilon pointed out that Section 5 of R.A. No. 8178 actually amended Section 6 of Presidential Decree No. 4, and so he asked whether the bill seeks to repeal Section 6(a) of PD 4. Senator Villar replied that the bill seeks to repeal Section 6(a)xii of PD 4.

SUSPENSION OF SESSION

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

It was 4:09 p.m.

RESUMPTION OF SESSION

At 4:13 p.m., the session was resumed.

Senator Drilon suggested that the amendment be clearly worded to state that what was being sought to be repealed was actually Section 6(a)xii of

PD 4. He asked whether the rest of Section 6 would continue to be valid considering that only Section 6(a)xii of PD 4 would be repealed, whether the bill only intends to limit the NFA's power to import or if it seeks to remove the agency's regulatory functions as well. Senator Villar replied that the measure also proposes to remove the NFA's regulatory functions.

Senator Drilon asked Senator Villar to enumerate the NFA's regulatory powers to prevent any dispute should any of them be deleted, particularly since Section 6(a) is very specific on the powers of the agency. He believed that there could not be a general statement without the specific provisions being either repealed or amended in order to achieve the purpose of removing the regulatory powers of the NFA. He again asked Senator Villar to spread into the record the NFA powers that are regulatory in nature and, as such, would be deleted on the basis of Senate Bill No. 1998.

Senator Villar said that the powers enumerated in PD 4 were no longer being exercised by the NFA under the present system; hence, there was no need for them to be included in the bill. If further clarification would be necessary, she said that it could be mentioned in the measure.

Referring to Section 6 of PD 4, as amended by PD 699 and further amended by PD 1485, Senator Drilon pointed out that since not all powers enumerated therein are regulatory in nature, there is a need to determine which powers the NFA can no longer exercise. For instance, he said that subparagraph (a)(iii), which reads "To maintain and manage a national buffer stock the quantity and locations of which shall be determined by the Authority," should be retained.

Senator Villar explained that the other powers were not mentioned in the measure because the bill would only be repealing the power to import and to declare what to be imported; the bill would not repeal the other powers exercised locally. If there would be a need for clarification, she said that the GCG could be allowed to reorganize the NFA as an agency without any importation power. She stated that since it would take time to reorganize NFA after the passage of the tariffication bill, the bill should indicate that the GCG would determine the powers pertaining to local activities that will be removed or retained by the NFA. She reiterated that the bill would only repeal the importation power of the NFA.

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Senator Drilon pointed out that the GCG can only rightsize the NFA on the basis of the powers granted by law to NFA. He added that the statement that the NFA is no longer exercising such powers cannot be given a literal meaning because they can still be exercised while they remain in the statute. Senate President Sotto remarked that such a provision should either be removed, or allowed to be exercised.

Senator Villar believed that the GCG is empowered to do whatever changes it would like to make with regard to the local operation of the NFA. As author of the GCG law, Senator Drilon clarified that the GCG would only allow a streamlining based on the standards set forth in the law.

Senator Drilon asked whether the powers enumerated in Section 6 of PD 4 as amended by PD 699 and further amended by PD 1485, and Section 5 of RA 8178 would still be exercised, or if the regulatory functions of NFA would be deleted. Senator Villar said that the Committee could conduct a study and determine which powers of the NFA would be removed.

Senator Drilon noted that there are two policies set in the bill—tariffication and the removal of the regulatory functions of the NFA. Unless clarified, he said that the NFA would continue to exercise the regulatory functions found in PD 4.

SUSPENSION OF SESSION

Upon motion of Senator Villar, the session was suspended.

It was 4:28 p.m.

RESUMPTION OF SESSION

At 5:31 p.m., the session was resumed.

INTERPELLATION OF SENATOR DRILON (Continuation)

Senator Villar informed the Body that Section 6(a) of PD 1485, grants the National Grains Authority, now known as the NFA, 25 powers in order to effectively carry out its functions. She stated that the proposed measure would limit the powers of the NFA to seven as listed in Section 6(a) of PD 1485, as follows:

1. ii. To maintain and manage a national buffer stock the quantity and locations of which shall be determined by the Authority;

2. iii. To own, lease, operate or otherwise hold lands, buildings, equipment and such other immovable properties, as may be necessary to carry out its functions. (As amended by P. D. No. 699);
3. iv. To enter into, make, perform and carry out contracts of every class and description necessary or incidental to the realization of its functions with other person, firm or corporation, private or public, including loans or borrowing by the Authority from domestic sources, or initiate contracts and/or agreement in behalf of the industry and the government;
4. vi. To inspect palay, rice, corn, corngrits and other grains and their substitutes and/or the by-products/end-products stored by any person, partnerships, corporation or association, for purposes of taking inventory and record of such commodities, and to enter the premises thereof by the use of reasonable means;
5. vii. To order the seizure, whenever there is cornering, or hoarding, as may be defined by the Authority of rice and/or other grains and their substitutes and/or the by-products thereof, including facilities and equipments used in said cornering or hoarding, or whenever there is scarcity of supply of such commodity in the consumer market and/or an unwarranted increase in the price thereof, of the hoarded commodity and its public sale in such quantity as may be needed to stabilize the supply in the area of scarcity and restore prices to normal levels;
6. viii. To establish and enforce standards in grading, sampling and inspection, test and analysis, specification, nomenclature, units of measurement, code of practice and packaging, conservation and transport for grains and their substitutes and/or their by-products/end-products and to effect a transition of standards in measurement of grains from volume to weight, and in metric-system; and
7. xxi. To adopt, alter, and use a corporate seal which shall be judicially noticed, to sue and be sued; and otherwise to do and perform any and all acts, and to exercise any and all powers as may be necessary to carry into effect the provisions of this Act or as are essential to the proper conduct of its operations. (As amended by P.D. No. 699).

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Senator Villar stated that rest of the powers enumerated in Section 6 of PD 1485 would be deleted.

As regards subsection (vi), Senator Drilon questioned its retention since such power is regulatory in nature. Senator Villar clarified that if the NFA was buying, it would be a regulatory power; however, the Authority would merely be inspecting.

Senator Drilon expressed concern over the lines "for purposes of taking inventory and record such commodities, and to enter the premises thereof by the user of reasonable means." He then proposed that the subsection be removed.

Senator Villar stated that at the proper time, subsection (vi) would be deleted.

As regards subsection (vii), Senator Villar asked Senator Drilon if the subsection could be retained since it concerns hoarding and cornering, and she said there would be no agency that would act on those concerns.

SUSPENSION OF SESSION

Upon motion of Senator Drilon, the session was suspended.

It was 5:37 p.m.

RESUMPTION OF SESSION

At 5:38 p.m., the session was resumed.

Upon resumption, Senator Drilon stated that under the Price Act or Republic Act 7581 as well as Republic Act 10623, the Price Coordinating Council is authorized to take action if they discover any hoarding. He then suggested that subsection (vii) be removed. Senator Villar agreed, adding that subsections (ix) to (xx) and (xxii) to (xxv) are proposed to be deleted.

At this juncture, Senator Drilon reiterated his request for the Secretariat to reflect into the Record and the Journal the response of Senator Villar so that during the period of amendments the proper statements would be reflected in the bill.

SUSPENSION OF SESSION

Upon motion of Senator Drilon, the session was suspended.

It was 5:42 p.m.

RESUMPTION OF SESSION

At 5:45 p.m., the session was resumed.

As regards Section 7 of the proposed measure, on the powers of the President, Senator Drilon pointed out that the power to increase, reduce or remove existing tariff rates of import duty including any change in classification is vested in Congress, but it could be delegated as provided for in Section 1608 of the Customs and Tariff Act on the condition the President can only exercise this power when Congress is not in session. He recalled that there was a time when the Executive department requested Congress to revise its legislative calendar because the President then wanted to exercise his power to impose tariffs while Congress was not in session; Congress acceded to the request but the President did not exercise such authority. He said that when Congress acceded to his request, it was in recognition that the President can only exercise such power when Congress is not in session.

Senator Drilon stated as a matter of policy, he has reservation about the President exercising legislative power when it is only Congress that can lower the tariff rate on a specified volume of rice. He said that such move could prejudice the farmers' rice fund. He believed that the President should not exercise such powers when Congress is in session.

He reiterated that it is a practical matter that Congress may be requested to adjourn, as it had happened, to allow the Executive to fix the tariff. However, he maintained that Section 7 of the bill as presently worded, is already giving the President carte blanche the power to lower tariff rates which is basically not his but a legislative function.

Senator Villar stated that at the proper time, Committee would agree to remove the phrase "even when Congress is in session."

On another matter, Senator Drilon asked for clarification of the provision found on page 6, lines 17 to 19.

Senator Villar replied that the provision is an exemption of the power of the President that in case of emergency, he can exact more than 100% tariff which is the maximum under the Customs Modernization and Tariff Act (CMTA). To illustrate, she said that if the price of rice is P20 and the tariff is 100%, in case of emergency, the President can exact more than P20 or more than 100% of the price as a way of protecting the local farmers, especially when the price of imported rice is very cheap.

SUSPENSION OF SESSION

Upon motion of Senator Drilon, the session was suspended.

It was 5:53 p.m.

RESUMPTION OF SESSION

At 5:57 p.m., the session was resumed.

Senator Drilon placed on record that with the deletion of the phrase "EVEN WHEN CONGRESS IS IN SESSION" on page 6, line 8 of the measure, clearly, the powers to the President under the CMTA could be exercised "only when Congress is not in session."

Asked on the difference between Section 7(A) and (B) on page 6 and the powers granted to the President under the CMTA, Senator Villar replied that the Committee would accept an amendment indicating that the President can only exercise powers (A) and (B) when Congress is not in session.

Senator Villar also informed the Body that Sections 8 and 9 of the bill would be deleted because the powers provided therein had already been removed by the amendment of PD 4.

SUSPENSION OF SESSION

Upon motion of Senator Drilon, the session was suspended.

It was 6:02 p.m.

RESUMPTION OF SESSION

At 6:03 p.m., the session was resumed.

Upon resumption, Senator Drilon said that he would suspend his interpellations on the bill for the

day and that the next topic he would discuss would be the Rice Competitiveness Enhancement Fund (RCEF).

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1998

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

SENATE CONFEREES

Upon motion of Senator Zubiri, there being no objection, Senate President Sotto designated Senator Pimentel as chair, and Senators Gatchalian, Zubiri and Aquino as members of the Senate panel in the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 1985 and House Bill No. 6604 (Fair Elections Act).

COMMITTEE REPORT NO. 392 ON SENATE BILL NO. 1826

(Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1826 (Committee Report No. 392), entitled

AN ACT STRENGTHENING WORKERS RIGHT TO SECURITY OF TENURE, AMENDING FOR THE PURPOSE ARTICLES 106, 107, 108, AND 109 OF BOOK III, AND ARTICLES 294 [279], 295 [280], 296 [281], AND 297 [282] OF BOOK VI OF PRESIDENTIAL DECREE NO. 442, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES, AS AMENDED.

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

Thereupon, the Chair recognized Senator Villanueva, sponsor of the measure, and Senator Zubiri for his interpellation.

INTERPELLATION OF SENATOR ZUBIRI

Preliminarily, Senator Zubiri informed the Body he filed a similar bill as early as 1998 and had constantly filed it for several Congresses. He said that he was pleased that it was finally moving forward.

Senator Zubiri recalled that as former chairperson of the Committee on Trade and Commerce, he held numerous meetings and consultations with local and international chambers regarding concerns on labor contracting. After leaving the Senate in 2011, he said that he became an entrepreneur, putting up a number of small power and industrial ice plants which only employed regular workers.

Asked to highlight the salient features of the proposed measure, Senator Villanueva stated that the bill reiterates the policy bias of the State towards secure and quality employment by amending Articles 106 to 109 and 294 to 297 of the Labor Code, on the prohibition against labor-only contracting. He said labor-only contracting and legitimate-job contracting should be clearly defined amid false rumors that all forms of contractualization would be prohibited, when, in fact, job-contracting would still be allowed. He pointed out that the bill would be requiring license for job contractors and imposing a fine up to P5 million on those found to be engaged in labor-only contracting with a "cabo." He explained that the system of "cabo" started in the port area where a "cabo" supplies workers to an employer and is in charge of paying them for their services but is not responsible for taking care of the employees' benefits and security.

Senator Villanueva also said that the bill seeks to provide a transition support program for displaced workers of contractors, which is also being proposed by some members of the Body; it would simplify the status of employment into regular, probationary, regular-seasonal and regular-project-based status to ensure that the workers have something to look forward to; as well as the policy on "no work, no pay." He cited for instance a resort worker who would only work for three months or during the peak season and would be out of job for the rest of the year, but who would still be assured of a job by the summer of the following year. He said that resort workers and the like belong to regular seasonal workers. He added that the status of workers was simplified for easy implementation by the Department of Labor.

Senator Zubiri said that the system of contractualization in certain industries could not really be avoided as he cited his province in Bukidnon, which is basically an agricultural province, where multinational companies are operating. In sugar production, he said that sugar cane would take about seven months before it can be harvested and milled.

Thus, he lamented that farm owners, who are agrarian reform beneficiaries and have only three hectares of land, would have difficulty having regular workers helping them in planting, weeding, harvesting and loading their products because the workers are idle for five months. In such case, Senator Villanueva said that it is where the "no work, no pay" policy would come in. However, he stressed that in the next planting season, the farm workers are assured that they could go back and work with the same farm owner.

Asked how the proposed measure qualifies "endo," Senator Villanueva defined "endo," which is short for "end of contract," by referring to a 1997 court decision in *Purefoods Corporation versus NLRC* which stated that "endo" is a scheme of continuously employing workers on a fix period and replacing such workers again upon expiration of the contract with other workers on the same employment duration. He said that "endo" became a common work arrangement in malls and in supermarkets and later on was adopted by the manufacturing sector and the agribusiness. He said that this is being done directly by companies by hiring workers or indirectly, wherein companies seek the services of contractors or sub-contractors.

However, Senator Villanueva clarified that the measure does not prohibit all forms of contractualization, as he cited job contracting. He pointed out that with "endo" would come in the "5-5-5" scheme, recalling the case of Carlos Miguel Francisco, who changes his work every five months from being a bagger to carrying supplies in the supermarket, but in the same company. He said that Francisco, and some 1.9 million Filipinos who fell victims to the evils of the contractualization scheme, would have no peace of mind and is not assured of whether or not he would still be re-hired by the company the moment his contract expires after five months.

Senator Zubiri agreed to the observation, adding it is unfair to the workers that many large companies are practicing such type of hiring because the workers could not get what is due them in terms of benefits. He echoed the statement of Senator Villanueva that the workers would really have sleepless nights just thinking what would happen to them on the fourth or fifth month.

Asked whether the effects of contractualization would also affect productivity, Senator Villanueva affirmed that working without peace of mind would

affect efficiency and productivity. Thus, he said that the measure would give the Filipino workers security of tenure which is also enshrined in the Constitution.

Senator Zubiri asked how a balance could be maintained between the employer's rights as against the rights of the workers. He cited scenarios in socialist countries in Europe wherein the rights of the workers are very much protected that employers and companies find it hard to manage their business because their workers are not efficient as they should be. He mentioned France and Italy wherein working hours are limited to six hours per day.

Senator Villanueva agreed that balance is the key, that business in the country would not have the opportunity to grow. He said that the Committee made a comprehensive and research-based engagement and consultation with the widest range of stakeholders, as well as government agencies, contractors and other parties that have concerns and advocacies as regards "endo" and security of tenure. He added that more than 40 meetings were held aside from public hearings to come up with the committee report. He also cited the contributions made by Senators Hontiveros, Villar and Recto, among others. Further, he stated that the primary provisions and touchstones of the committee report were also based on the actual experience, data and research provided by the DOLE, who has expressed full support to the measure. Most importantly, he said that the President, himself certified to the urgency of the measure to end the evils of contractualization.

Asked to identify the major industries and companies that practice "endo," Senator Villanueva cited manufacturing, including wholesale and retail trade with 45.09%; repair of motor vehicles with 13.58%; transportation and storage with 5.57%; and accommodation and food service activities with 5.52%. As regards the job services contracted out by establishment, he cited production and assembly with 34.24%; security services with 19.72%; janitorial with 9.52%; marketing/sales with 5.28% and repair, maintenance and construction with 4.06%.

Senator Zubiri lamented that many of those companies that hired more contractual workers belong to the top 1000 companies in the country and many are owned by billionaires and multinational companies.

Senator Villanueva revealed that in the last hearing with the DOLE, officials from PLDT

expressed willingness to comply and is more than willing to subscribe and submit if there would be a clear law that would mandate such policy.

Asked if the measure would hurt the finances of the companies or the employers, Senator Villanueva answered in the negative, saying there would be no additional cost prescribed in the measure. He explained that there are already legislations, for instance, on PhilHealth, SSS and Pag-IBIG as well as the 13th month pay and that what the measure is seeking to give to the workers is security of tenure and peace of mind.

Asked whether the bill would affect the wealth of those billionaires owning business establishments, Senator Villanueva replied that it would not hurt them on the assumption that they are already following the law and not abusing the workers. On the other hand, he revealed that the Committee has received complaints from companies that some labor inspectors would accuse them of practicing labor-only contracting even when they are not. Thus, he opined that labor-only contracting should be defined and clarified for the benefit not only of the DOLE but also the employers and the workers. Also, he revealed that many employers or companies that seek the help of contracting agencies are paying an additional 10% to 20%, which could already become savings and additional income to them because they do not have to pay contracting agencies if they already have regular employees.

Senator Zubiri stated that many employers he talked to complained about workers not performing very well, and that they could be replaced immediately by contracting agencies. Under the proposed measure, he asked what powers the employers would have against workers who are abusive or are not performing well.

Senator Villanueva explained that the flexibility of the employers should be retained as long as it is within the bounds of the law. He emphasized that the measure is not anti-business, the prerogative of the management to hire and fire workers is still recognized to the extent that the grounds for removal or termination should be provided by the company rules and regulations or collective bargaining agreement. Also, he said that by the mere act of submitting the documents to the DOLE, the employers can still hire seasonal and project-based employees. As regards competitive advantage, he maintained that labor should not be the sole consideration of competitiveness but that the government should be consistent also in its position to

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make stable business environment by capitalizing on its people and not seeing them as liability.

Senator Zubiri expressed his belief of sharing, pointing out that business makes money but the people also have to grow with the business. He stated that employees deserve a break especially at the time that inflation is almost up to 7%. He added that workers need not only to be regularized but their salary must also be raised, and that companies need to make sacrifices. He agreed that the measure could really help the economy, especially with a workforce of millions who are satisfied with their daily lives because they have security in their jobs.

Senator Villanueva stated that "endo" and labor-only contracting are the anti-thesis to the constitutionally-guaranteed right to security of tenure which provides certainty to workers that they would have jobs until any of the circumstances or grounds for separation provided by law would arise. He said that everything is uncertain, insecure and unstable in endo or labor-only contracting as workers are made to transfer from contract to contract, or from one labor contractor to another and that they are deemed replaceable anytime, with or without grounds. He also noted that it is a poverty trap as the insecurity of the job forces the workers to close their eyes to their employers' non-compliance with lawful benefits and would endure earning below the minimum wage as their salaries are not adjusted accordingly. He also noted that endo and labor-only contracting enable employers to prevent the acquisition of a regular or permanent status; therefore, putting an end to it would strengthen the constitutionally-guaranteed right to security of tenure.

Relatively, Senator Zubiri believed that it would not hurt the income of big companies if they would share some of their profits with their employees. He expressed his full support for the measure, as he informed the Body that several people have approached him earlier to present their position papers which seemed doable. Furthermore, he said that he would look into the matter so that during the period of amendments, a win-win solution could be made without killing the industries or impairing the rights of the workers.

Senator Villanueva believed that the discussion has cleared some ambiguous provisions that have been lingering in the society. He reiterated that the measure does not aim to prohibit all forms of contrac-

tualization and that it is not anti-business; instead, Senate Bill No. 1826 seeks to strike a balance and ensure fairness especially to the workers seeking help in promoting their constitutional right to security of tenure.

INTERPELLATION OF SENATOR GORDON

Asked if endo and labor-only contracting which has been a recurring problem for a long time was being practiced notoriously by wealthy people in the country, Senator Villanueva replied in the affirmative. Accordingly, he enumerated several of the Top 20 companies with the most number of affected workers according to the Department of Labor and Employment, to wit: DOLE Philippines, Jollibee, PLDT, Philsaga Mining Corporation, General Tuna Corporation, Sumi Philippines Wiring Systems Corporation, Franklin Baker Inc., Pilipinas Kyohritsu Inc., Furukawa Automotive Systems, Magnolia, Inc., KCC Property Holdings, Sumifru Philippines, Corp., Hinatuan Mining Corp., KCC Mall De Zamboanga, PAL, Nidec Precision Philippines Corporation, Peter Paul Phil. Corporation, and Koronadal Commercial Corporation, among others. Thereafter, Senator Gordon requested for a copy of the list.

As regards SM which is one of the biggest corporations which is reputed to practice endo and labor-only contracting, Senator Villanueva disclosed that for the first quarter of 2018, SM has volunteered to regularize 6,999 workers out of its 40,000 workers.

Asked if the whole system could be changed and not just fractions of it, Senator Villanueva believed that through the bill, all big business firms in the country would be forced to regularize their employees.

Senator Gordon wondered how the owners of big companies would control the banks and cause people to lease their establishments but would not even pay their workers on time. Noting the malpractices going on, he disclosed that some tenants have been complaining that they had to borrow money at a very stringent rate, but would delay payments for their deliveries.

Asked if the bill could address such a malpractice, Senator Villanueva admitted that delayed payments mean that the contractual workers would not receive their wages on time.

Notwithstanding the contribution of businesses by way of taxes and job creation, Senator Gordon

also tackled the push and pull effect of businesses. He said that when the government creates major highways like EDSA, malls built along the thoroughfare cause heavy traffic since each one would put up its own transport station thus, the highway which was originally designed for 80 kilometers/hour traffic ends up moving at five kilometers/hour.

Saying that businesses do not really pour in much investments and that Filipinos are always at the short end of the stick, he proposed that the bill put a stop to the practice by mandating that employers no longer hire people on the basis of five-month increments but that they should give them a career in the company as a "salaryman" similar to the workers in Japan.

In clarifying the definition of labor-only contracting, Senator Villanueva said that a sales person would be hired in a mall on a five-month period after which he/she would again be contracted to work on another floor or to work on a different task.

Senator Gordon expressed concern for the workers' feeling of insecurity and stress on the fact that they could be pulled out from their jobs anytime. Unlike regular employees, he said that worker who are victims of endo and labor-only contracting are always insecure and feel the need to behave like a trained bear for fear of losing their jobs at any time. Through the bill, he hoped that the suffering of most workers would be put to an end.

Senator Villanueva assured that the main goal of the measure coincides with the constitutional mandate on the right to security of tenure. Recalling his sponsorship speech, he said that the problem of contractual employees like Jornell Quiza who worked with NutriAsia for eight years without any salary increase or security of tenure would be addressed. He stressed that he wanted to ensure the regularization of employees who are victims of such schemes. Also, he noted the solidary liability of the principal contractor in insuring that the wages and other benefits of the workers would be paid on time.

To the observation that such practice occurs because the country, the government and the business sector have not generated enough jobs, Senator Villanueva agreed. He said that whenever people speak of unemployment, there is the problem of underemployment which grew from 16% to 17.2%. Thus, he believed that the government has to push for measures that would protect workers from being

abused since not all labor issues are primarily coming from the labor sector.

Senator Villanueva further agreed with Senator Gordon that creating jobs and promoting good education could eventually generate better products and inventions similar to how Taiwan, Korea and Japan, which started with labor-only contracting, have progressed after doing away with such practice.

Senator Gordon surmised that the Philippines' failure to reach such status might be due to a lack of continuity of policy. He opined that he had initially thought that development could be likened to how his mother started their small restaurant which eventually expanded into a bigger enterprise along with other small restaurants while staying in the same spot as the original pioneer of the business. He suggested that the agencies like the Department of Trade and Industry or the Department of Tourism keep track of businesses that are brought in, or jobs that had been created, even though the scorecard is usually based on the Philippines' memorandum of agreements with other countries although those are not always apparent. He expressed admiration for Filipino-Chinese businessmen who know how to grow their business but decried those who keep workers in chains and letting them work in stressful situations. He suspected that some of them used their influence to acquire government properties and natural resources for their own benefit.

Senator Gordon stated that the Body should keep in mind the bigger picture when crafting the law because the proposed measure merely scratches the surface of the issue. In discussing the budget, he said that the DTI should be asked how many jobs they were able to generate. He pointed out that it is hard to bring in businesses because of competition, but it is even worse to get them only to lose them because there was no growth. This, he said, is the purpose behind the Regional Investment and Infrastructure Corporation (RIIC) bill. He said that he and Senator Zubiri were drafting a similar measure for Northern Mindanao. He lamented that the country does not seem to have an aggressive policy for pursuing jobs and investments. When the balance is tilted in favor of the people in terms of education, he said that the situation would improve because businessmen would compete to get the best of the best.

For his part, Senator Villanueva believed that action should initially be taken to improve the plight

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of the labor sector. He pointed out that three people sharing one job is not a real indicator that there is progress. He also expressed concern over PEZA estimates that some 700,000 jobs would be compromised once TRAIN 2 is passed.

Senator Gordon stated that poverty is the absence of choice, and as such more bills ought to be crafted that would create a situation where the government would be forced to lead, not just give out Conditional Cash Transfers (CCT). He said that leaders should plan for the long term and for the greater good, not just for instant gratification, they should look at the issue as more of a philosophical problem such that after the bill is passed, efforts would be made to continue discussing and finding ways and means for getting more investments which translates to better paying jobs and more productive workers. He said that increasing the minimum wage benefits those in that sector but the jobless would find it harder to get employed because of it. He said that the government should urge the people to embody the spirit of communal unity.

Senator Villanueva agreed with Senator Gordon's proposal since the bill would capitalize on growth through investment in human capital.

COAUTHOR

Upon his request, Senator Gordon was made coauthor of Senate Bill No. 1826.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1826

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

COMMITTEE REPORT NO. 156 ON SENATE BILL NO. 1558

(Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1558 (Committee Report No. 156), entitled

AN ACT DEFINING AND PENALIZING
GENDER-BASED STREET AND
PUBLIC SPACES HARASSMENT,

EXPANDING THE DEFINITION
OF SEXUAL HARASSMENT, AND
AMENDING FOR THIS PURPOSE
REPUBLIC ACT NO. 7877, AND FOR
OTHER PURPOSES.

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

Thereupon, the Chair recognized Senator Hontiveros, sponsor of the measure.

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 without prejudice to Members asking questions during the period of amendments.

MANIFESTATION OF SENATOR HONTIVEROS

Senator Hontiveros stated that she would be introducing amendments to Senate Bill No. 1558.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1558


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 Chair declared the session adjourned until three o'clock in the afternoon of the following day.

It was 7:04 p.m.

I hereby certify to the correctness of the foregoing.


ATTY. MYRA MARIE D. VILLARICA
Secretary of the Senate

Approved on October 2, 2018