



REPUBLIC OF THE PHILIPPINES  
**Senate**  
Pasay City

# Journal

**SESSION NO. 45**  
Wednesday, February 1, 2023

**NINETEENTH CONGRESS**  
**FIRST REGULAR SESSION**

Prepared by the  
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Senate of the Philippines

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**SESSION NO. 45**  
Wednesday, February 1, 2023

**CALL TO ORDER**

At 3:10 p.m., the Senate President, Hon. Juan Miguel "Migz" F. Zubiri, called the session to order.

**PRAYER**

Sen. Joel Villanueva led the prayer, to wit:

Heavenly Father, we come before You humbling ourselves; indeed, without You, we can do nothing.

We pray that in today's session, You cleanse our hearts, our minds, and our entire being with Your most precious blood that was shed in Calvary so that we can come to You through our Lord and Savior, Jesus Christ.

Today, we ask that You give us Your treasury of wisdom from heaven, and allow us to do our duties and responsibilities not just as representatives of our people from Luzon, Visayas, Mindanao and all over the world, but also to give You praise, glory, and honor.

We also thank You for the provisions of Your blessings, and we pray that You continuously bless every senator, every office, and every employee of this institution with Your blessings from heaven.

We love You and thank You, and unto Your hands we commit everything that we are going to do today as we carefully give back to You all the glory, all the honor and praise in Jesus' Name.

Amen.



**ROLL CALL**

Upon direction of the Senate President, the Secretary of the Senate, Atty. Renato N. Bantug Jr., called the roll, to which the following senators responded:

Angara, S.	Marcos, I. R.
Binay, M. L. N. S.	Padilla, R. C.
Cayetano, P. S.	Pimentel III, A. K.
Dela Rosa, R. B. M.	Poe, G.
Ejercito, J. V. G.	Revilla Jr., R. B.
Escudero, F. J. G.	Tolentino, F. T. N.
Estrada, J. E.	Tulfo, R. T.
Gatcahlian, W.	Villanueva, J.
Go, C. L. T.	Villar, C. A.
Hontiveros, R.	Villar, M. A.
Lapid, M. L. M.	Zubiri, J. M. F.
Legarda, L.	

With 23 senators present, the Chair declared the presence of a quorum.

Senator Cayetano (A) was on official business to attend gatherings of organized associations of Filipinos in Singapore and other meetings, as stated in the January 30, 2023 letter of his chief of staff.

**SUSPENSION OF SESSION**

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

*It was 3:12 p.m.*

**RESUMPTION OF SESSION**

At 3:14 p.m., the session was resumed.

**APPROVAL OF THE JOURNAL**

Upon motion of Senator Villanueva, there being no objection, the Body dispensed with the reading of the Journal of Session No. 44 (January 31, 2023) and considered it approved.

**ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS**

At this juncture, Senator Villanueva acknowledged the presence in the gallery of the following guests:

- Pampanga Governor Dennis G. Pineda, Vice Governor Lilia G. Pineda, Provincial Board Members Alyssa Michaela M. Gonzales and Olga Frances D. Dizon, and Guagua Mayor Anthony Joseph S. Torres;
- Rep. Bai Dimple Mastura of Maguindanao and Cotabato City;
- National Commission on Muslim Filipinos (NCMF) representatives led by Commissioner Dalisay N. Macadawan, Atty. Nena M. Balindong, and NCMF Youth Ambassador of Goodwill Ms. Rozelle Elizabeth Padilla-Mir;
- Marawi Compensation Board Chairperson Atty. Maisara C. Dandamun-Latiph;

- Bureau of Manila Muslim Affairs Dir. Shey Sakaluran Mohammad;
- BARRM Regional State Prosecutor Atty. Rohairah Ampuan Lao;
- Representatives of the Philippine Commission on Women led by Undersecretary Sandra Sanchez Montano and Commissioners Judy Calimutan and Asliyah Limbona;
- Social Security System Commissioner and Philippine Muslim Women Council President Bai Norhata M. Alonto;
- First Muslim Hijabi TV news broadcaster in the Philippines Ms. Princess Habiba Sarip;
- Agusan Del Norte Mayor Junjun Roble, former Iligan Councilor Ian Chua Uy, and Ernest Chua Uy;
- Cavite Board Members Ram Revilla-Bautista and Romel Enriquez; and
- Philippine Ambassador to Sweden and Finland Hon. Maria Lumen B. Isleta.

Senate President Zubiri welcomed the guests to the Senate.

### MANIFESTATION OF SENATOR PADILLA

In celebration of World Hijab Day, Senator Padilla delivered the following manifestation:

*Pagbati po ng kapayapaan, awa, at pagpapala ng nag-iisang Diyos.*

*Sa araw pong ito, ika-1 ng Pebrero, atin pong idinaraos ang World Hijab Day. Nakikiisa po tayo sa buong mundo sa pagkilala at pagtanggap sa ating mga kapatid na kababaihang Muslim na malaya ang kanilang paniniwala sa pamamagitan ng pagsusuo ng hijab.*

*Katuwang po tayo ng maraming bansa sa iba't ibang panig ng mundo na kasalukuyang nagdaraos ng World Hijab Day: mula po sa Ireland, Nigeria, Uganda, Liberia, Kosovo, at iba't ibang estado ng Estados Unidos - sa New York, Texas, Florida, Virginia, Illinois, Colorado, at Arkansas.*

*Dito po sa Senado ay mayroon din po tayong binuksang programa para sa World Hijab Day. Nagpapasalamat po tayo sa ating mga kasamang senador na nagbigay po ng kanilang oras, na nagpaunlak po na magbigay ng kanilang mensahe at suporta, katulad po ng ating ginagalang at minamahal na Sen. Risa Hontiveros, Sen. Cynthia Villar, Sen. Ronald "Bato" dela Rosa, Sen. Mark Villar, ang ating pinunong mayorya na ating tunay po na nagmamalasakit po sa ating mga Muslim, Senator Villanueva, maraming salamat po. At siyempre po sa mga co-author ng ating panukala, unang una po kayo, ating Ginoong Pangulo na kayo po ang nakipaglaban para sa kapatid nating Muslim, kayo po ay ating maituturing na ama, Sen. Migz Zubiri. Maraming salamat po. At siyempre po kay Sen. Bong Revilla Jr., Sen. Jinggoy Estrada, Sen. Imee Marcos, Sen. Lito Lapid, na siya pong kasama natin sa pagfa-file ng panukalang ito.*

*Hindi rin po magiging posible ang ating programa kung wala ang suporta ng ating Senate Secretariat sa pamumuno po ni Atty. Renato Bantug, at sa mga bumubuo po ng Senate Gender and Development Focal Point System sa pangunguna po ni Atty. Maria Valentina Cruz. Maraming, maraming salamat po sa hindi matatawarang suporta.*

*Buong karangalan ko rin pong ipinakikilala ang ating mga iginagalang na panauhin na narito sa Bulwagan—ang ilan lamang po rito ay nabanggit na po ng ating mahal na pinunong mayorya.*

*Nakatataba po ng puso ang isipin na isang dekada mula pasimulan ang World Hijab Day ng ating kapatid na Muslim na si Nazma Khan, higit sa isang daan at limampung bansa na po ang kumikilala sa napakaimportanteng araw na ito.*

*Katuwang po tayo ng buong mundo na hinihimok sa bawat isa—Muslim man o hindi—na magbigay ng pagkakataon sa pag-unawa at pagtanggap ukol sa malaya at walang bahid ng diskriminasyon sa pagsusuo ng hijab.*



*Sa araw na ito, nais po nating itanim sa isip ng lahat: Sa bawat pagkakataong ating masusulyapan ang ating mga kapatid na Muslimah, suot ang kanilang natatanging hijab, ituon po sana natin ang ating pag-iisip higit sa kapirasong tela na sumasaklob sa kanila. Ang hijab po ay hindi lamang bahagi ng kasuotan. Ito po ay kalayaan – kalayaan sa pagpapahayag ng karangalan, ng kayumihan, ng paniniwala. Ang hijab ay isang karapatan.*

*Inshallah, ang ating pagkilala at paggunita sa World Hijab Day ay magbubukas ng kamalayan ng lahat upang mabura ang pangungutya ng pag-unawa, ang takot ng tiwala, ang pagbubukod ng pagsasama-sama; at ang diskriminasyon ng buong pagtanggap sa ating mga kapatid na Hijabi.*

*Bilang pagtatapos, akin lamang pong maibahagi ang aking experience kung bakit napakahalaga ng hijab. Alam ninyo po, noong nangyari ang Marawi Siege, isa po tayo sa talagang dumugo ang puso sa nakita nating destruction ng Marawi. Katunayan, nagkaroon tayo ng sama ng loob sa nangyaring ito, nguni't nakita po ng inyong lingkod ang ating Philippine Army, na ang kanilang mga sundalong babae ay nagsuot ng hijab at sila po ay nagbibigay ng tulong, nagbibigay ng pansin, at kanila pong sinabi na mas mabuti nilang maranasan ang pagsuot ng hijab kahit sila ay hindi mga Muslim. Sila po ay nagtrabaho ng kanilang buong tour of duty sa Marawi nakasuot po ang hijab. Sila po ang tinatawag na "Hijabi Soldiers."*

*Alam ninyo po, dito po pinukaw ang puso't isipan ng mga Kamusliman sapagka't nakita po namin dito: Una, "Experience is the best teacher"; wala pong pinakamaganda kundi maranasan ng isang tao kung ano ang nararanasan ng kapwa niya; at pangalawa po, ang sinasabi kanina ni Sen. Risa Hontiveros, ang makita ng mga kapatid po ninyong Muslim that they belong. Napakahalaga po noon na maramdaman po ng inyong mga kapatid na Muslim mula noong 14<sup>th</sup> century, alam natin na puro digmaan na ang naranasan ng ating Kamusliman, at para po ngayon maramdaman nila na kaisa nila, unang-una ang Senado, ay isa pong napakagandang mensahe na ang mga kapatid ninyong Muslim ay mahal po ninyo.*

*Kaya po, maraming maraming salamat po sa aking mga kasama sa Senado, mabuhay po ang kalayaan.*

## **MANIFESTATION OF SENATOR TULFO**

Senator Tulfo commended the organizers of the World Hijab Day festivities in the Senate, led by Senator Padilla. He believed that the celebration was more than just a way to honor a piece of clothing worn by Muslim women, but also an expression of the country's desire to embrace, accept, and respect diversity, inclusion, and equal opportunity. He stated that the occasion provided an opportunity for the global community to come together and show solidarity with the millions of Muslim women who choose to wear the hijab as a symbol of their faith and identity.

He stated that, while the hijab has been a source of contention and misunderstanding, it is important to remember that it is a personal choice made by the women who wear it, and it is a reflection of their beliefs and values. He emphasized that the hijab should not be interpreted as a symbol of oppression, but rather of empowerment and self-expression.

He stated that because he has always championed the cause of Filipinos from all walks of life, listened to their complaints, and helped them find solutions to their problems, he has come to realize that, at the end of the day, everyone has problems and aspirations. He stated that World Hijab Day serves as a reminder that while people differ in perspectives, it is confronted by the same challenges and hurdles that everyone should learn to respect.

He said that World Hijab Day reminds people to come together and show support for one another, to be more inclusive and respectful of one another, and to remember that everyone is equal.

**MANIFESTATIONS ON THE CELEBRATION OF WORLD HIJAB DAY**

Senator Hontiveros, as chairperson of the Committee on Women, Children, Family Relations and Gender Equality, expressed her support for all hijabis or Muslim women who wear their hijabs as a manifestation of their submission to Allah, as well as for all women and girls in the full expression of their personal and religious identities.

Senator Villanueva stated that all senators were in solidarity as the country celebrated World Hijab Day.

**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. 1783, entitled

AN ACT CONVERTING BESAO, MOUNTAIN PROVINCE – TUBO, ABRA ROAD INTO A NATIONAL ROAD AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

**To the Committee on Rules**

Senate Bill No. 1784, entitled

AN ACT GRANTING ADDITIONAL BENEFITS AND PRIVILEGES TO FORMER PRESIDENTS OF THE PHILIPPINES

Introduced by Senators Go, Villar (M), Dela Rosa, and Tolentino

**To the Committees on Civil Service, Government Reorganization and Professional Regulation; and Finance**

Senate Bill No. 1785, entitled

AN ACT REQUIRING THE USE OF STANDARDIZED DATE LABELS ON CONSUMER PRODUCTS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7394 OTHERWISE KNOWN AS THE ‘CONSUMER ACT OF THE PHILIPPINES’

Introduced by Senator Go

**To the Committees on Trade, Commerce and Entrepreneurship; and Health and Demography**

Senate Bill No. 1786, entitled

AN ACT MANDATING PUBLIC HIGHER EDUCATION INSTITUTIONS TO STRENGTHEN THEIR MENTAL HEALTH SERVICES, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Go



**To the Committees on Higher, Technical and Vocational Education; Health and Demography; and Finance**

Senate Bill No. 1787, entitled

AN ACT ESTABLISHING THE ELECTRONIC HEALTH OR eHEALTH SYSTEM AND SERVICES IN SUPPORT OF UNIVERSAL HEALTH CARE USING INFORMATION AND COMMUNICATIONS TECHNOLOGY, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

**To the Committees on Health and Demography; Science and Technology; Ways and Means; and Finance**

Senate Bill No. 1788, entitled

AN ACT ESTABLISHING A COLLEGE OF MEDICINE IN THE BENGUET STATE UNIVERSITY LOCATED IN THE MUNICIPALITY OF LA TRINIDAD, PROVINCE OF BENGUET, TO BE KNOWN AS THE BENGUET STATE UNIVERSITY COLLEGE OF MEDICINE, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

**To the Committees on Higher, Technical and Vocational Education; Ways and Means; and Finance**

Senate Bill No. 1789, entitled

AN ACT PROVIDING FOR THE CONVERSION OF THE CANDON-SANTIAGO-SAN ESTEBAN COASTAL ROAD, LOCATED IN THE PROVINCE OF ILOCOS SUR INTO A NATIONAL ROAD AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

**To the Committee on Rules**

Senate Bill No. 1790, entitled

AN ACT CONVERTING THE MUNICIPALITY OF BAYAMBANG INTO A COMPONENT CITY OF THE PROVINCE OF PANGASINAN TO BE KNOWN AS THE CITY OF BAYAMBANG

Introduced by Senator Marcos

**To the Committee on Rules**

Senate Bill No. 1791, entitled

AN ACT AMENDING REPUBLIC ACT NO. 11223, OTHERWISE KNOWN AS THE "UNIVERSAL HEALTH CARE ACT"





Introduced by Senator Revilla Jr.

**To the Committees on Health and Demography; and Finance**

Senate Bill No. 1792, entitled

AN ACT ESTABLISHING A NO-HOMEWORK POLICY FOR ALL ELEMENTARY AND JUNIOR HIGH SCHOOLS IN THE COUNTRY

Introduced by Senator Revilla Jr.

**To the Committee on Basic Education**

Senate Bill No. 1793, entitled

AN ACT EXEMPTING QUALIFIED INDIGENT FILIPINOS FROM PAYMENT OF PROFESSIONAL EXAMINATION FEES AND FOR OTHER PURPOSES

Introduced by Senator Revilla Jr.

**To the Committees on Civil Service, Government Reorganization and Professional Regulation; Social Justice, Welfare and Rural Development; and Finance**

Senate Bill No. 1794, entitled

AN ACT PROVIDING FOR A SYSTEM OF REDISTRIBUTING AND RECYCLING FOOD WASTE TO PROMOTE FOOD SECURITY

Introduced by Senator Revilla Jr.

**To the Committees on Agriculture, Food and Agrarian Reform; Social Justice, Welfare and Rural Development; Ways and Means; and Finance**

Senate Bill No. 1795, entitled

AN ACT STRENGTHENING THE PROMOTION AND DELIVERY OF MENTAL HEALTH SERVICES IN BASIC EDUCATION THROUGH THE HIRING AND DEPLOYMENT OF MENTAL HEALTH PROFESSIONALS, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Lapid

**To the Committees on Basic Education; Health and Demography; and Finance**

Senate Bill No. 1796, entitled

AN ACT STRENGTHENING THE MENTAL HEALTH SERVICES OF STATE UNIVERSITIES AND COLLEGES AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Lapid

**To the Committees on Higher, Technical and Vocational Education; Health and Demography; and Finance**

Senate Bill No. 1797, entitled

AN ACT DECLARING NOVEMBER 12 OF EVERY YEAR A REGULAR  
NON-WORKING HOLIDAY IN THE CITY OF VALENZUELA, IN  
COMMEMORATION OF ITS FOUNDATION ANNIVERSARY

Introduced by Senator Lapid

**To the Committee on Local Government**

Senate Bill No. 1798, entitled

AN ACT INSTITUTIONALIZING ENVIRONMENTAL, SOCIAL, AND  
GOVERNANCE INITIATIVES, PROVIDING INCENTIVES THEREFOR, AND  
FOR OTHER PURPOSES

Introduced by Senator Tolentino

Upon motion of Senator Tolentino, there being no objection, the Chair referred the bill to the Committee on Sustainable Development Goals, Innovation and Futures Thinking as the primary committee and the Committee on Trade, Commerce and Entrepreneurship as the secondary committee.

Senate Bill No. 1799, entitled

AN ACT PROVIDING FOR A COMPREHENSIVE AND STRENGTHENED  
NUTRITION PROGRAM FOR SENIOR CITIZENS AND APPROPRIATING  
FUNDS THEREFOR, AMENDING FOR THE PURPOSE REPUBLIC ACT  
NO. 9994, AS AMENDED, OTHERWISE KNOWN AS THE "EXPANDED SENIOR  
CITIZENS ACT OF 2010"

Introduced by Senator Tolentino

**To the Committees on Social Justice, Welfare and Rural Development; Health and  
Demography; and Finance**

Senate Bill. No. 1800, entitled

AN ACT ESTABLISHING A SPECIAL ECONOMIC ZONE AND FREE PORT IN  
ORMOC CITY, PROVINCE OF LEYTE TO BE KNOWN AS THE "EASTERN  
VISAYAS SPECIAL ECONOMIC ZONE AND FREE PORT," AND  
APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

**To the Committee on Economic Affairs; Local Government; Ways and Means; and  
Finance**

Senate Bill No. 1801, entitled

AN ACT TO PROMOTE AND ENHANCE THE DOUBLING OF INCOME OF  
FARMERS, APPROPRIATING FUNDS THEREFOR



Introduced by Senator Marcos

**To the Committees on Agriculture, Food and Agrarian Reform; Ways and Means; and Finance**

Senate Bill No. 1802, entitled

AN ACT ABOLISHING THE PROCUREMENT SERVICE OF THE DEPARTMENT OF BUDGET AND MANAGEMENT (PS-DBM) AND FOR OTHER PURPOSES

Introduced by Senator Tolentino

**To the Committees on Finance; and Civil Service, Government Reorganization and Professional Regulation**

Senate Bill No. 1803, entitled

AN ACT AMENDING SECTION 23 OF REPUBLIC ACT NO. 9184, OTHERWISE KNOWN AS THE GOVERNMENT PROCUREMENT REFORM ACT, PROVIDING FOR ELIGIBILITY OF BIDDERS IN THE PROCUREMENT OF GOODS AND INFRASTRUCTURE PROJECTS AND FOR OTHER PURPOSES

Introduced by Senator Tolentino

**To the Committee on Finance**

Senate Bill No. 1804, entitled

AN ACT PROVIDING FOR THE CONDONATION OF ALL UNPAID PRINCIPAL INTERESTS, PENALTIES, OR SURCHARGES ON LOANS SECURED BY AGRARIAN REFORM BENEFICIARIES UNDER THE COMPREHENSIVE AGRARIAN REFORM PROGRAM AND FOR OTHER PURPOSES

Introduced by Senator Dela Rosa

**To the Committee on Agriculture, Food and Agrarian Reform**

Senate Bill No. 1805, entitled

AN ACT PROMOTING THE USE OF AEROPONICS, HYDROPONICS AND AQUAPONICS FOR THE PRODUCTION OF HIGH VALUE FISH, CROPS AND VEGETABLES, AND FOR OTHER PURPOSES

Introduced by Senator Marcos

**To the Committees on Agriculture, Food and Agrarian Reform; Basic Education; and Finance**

Senate Bill No. 1807, entitled

AN ACT PROMOTING PHILIPPINE INDIGENOUS AND TRADITIONAL WRITING SYSTEMS AND PROVIDING FOR THEIR PROTECTION, PRESERVATION, AND CONSERVATION

Introduced by Senator Estrada

**To the Committee on Culture and the Arts**

Senate Bill No. 1808, entitled

AN ACT EXPANDING THE PROHIBITED ACTS OF DISCRIMINATION AGAINST WOMEN ON ACCOUNT OF SEX, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE "LABOR CODE OF THE PHILIPPINES"

Introduced by Senator Estrada

**To the Committees on Labor, Employment and Human Resources Development; and Women, Children, Family Relations and Gender Equality**

Senate Bill No. 1809, entitled

AN ACT GRANTING THE BASES CONVERSION DEVELOPMENT AUTHORITY, THE POWER TO ASSIST THE DEPARTMENT OF NATIONAL DEFENSE IN THE CREATION OF NEW MILITARY BASES AND FACILITIES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7227, AS AMENDED BY REPUBLIC ACT NO. 9400, OTHERWISE KNOWN AS THE BASES CONVERSION AND DEVELOPMENT ACT OF 1992

Introduced by Senator Estrada

**To the Committees on Government Corporations and Public Enterprises; and National Defense and Security, Peace, Unification and Reconciliation**

Senate Bill No. 1810, entitled

AN ACT PROVIDING FOR THE ISSUANCE OF A LIST OF LOW-LYING AREAS OF THE PHILIPPINE TERRITORY VULNERABLE TO RISING SEA LEVELS AS A RESULT OF CLIMATE CHANGE, AND AREAS AT HIGH RISK FOR NATURAL DISASTERS, MANDATING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, DEPARTMENT OF SCIENCE AND TECHNOLOGY, CLIMATE CHANGE COMMISSION AND OTHER CONCERNED GOVERNMENT AGENCIES FOR ITS REGULAR UPDATING AND APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Zubiri

**To the Committees on Environment, Natural Resources and Climate Change; Science and Technology; and Finance**

Senate Bill No. 1811, entitled

AN ACT ESTABLISHING GREATER RESPONSIBILITY AND ACCOUNTABILITY FROM PRIVATE EMPLOYMENT AGENCIES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10361, OTHERWISE KNOWN AS THE "BATAS KASAMBAHAY"

Introduced by Senator Lapid

**To the Committees on Labor, Employment and Human Resources Development**

Senate Bill No. 1812, entitled

AN ACT AMENDING SECTIONS 3 AND 4 REPUBLIC ACT NO. 10845, OTHERWISE KNOWN AS THE ANTI-AGRICULTURAL SMUGGLING ACT OF 2016 AND FOR OTHER PURPOSES

Introduced by Senator Lapid

**To the Committee on Agriculture, Food and Agrarian Reform; and Justice and Human Rights**

Senate Bill No. 1813, entitled

AN ACT DECLARING JUNE 17 OF EVERY YEAR A SPECIAL NON-WORKING HOLIDAY IN THE CITY OF LAPU-LAPU, PROVINCE OF CEBU, IN COMMEMORATION OF ITS CHARTER ANNIVERSARY

Introduced by Senator Lapid

**To the Committee on Local Government**

Senate Bill No. 1814, entitled

AN ACT ESTABLISHING THE MAHARLIKA INVESTMENT FUND, PROVIDING FOR THE MANAGEMENT, INVESTMENT, AND USE OF THE PROCEEDS OF THE FUND, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Tulfo

**To the Committee on Banks, Financial Institutions and Currencies; Government Corporations and Public Enterprises; Ways and Means; and Finance**

#### COMMITTEE REPORT

Committee Report No. 20, prepared and submitted by the Committee on Ways and Means, on Senate Bill No. 1806, with Senators Lapid, Gatchalian, and Revilla Jr. as authors thereof, entitled

AN ACT PROVIDING FOR THE BILL OF RIGHTS AND OBLIGATIONS OF TAXPAYERS, CREATING THE OFFICE OF THE NATIONAL TAXPAYER ADVOCATE, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill Nos. 1077, 1199, and 1309.

Sponsor: Senator Gatchalian

**To the Calendar for Ordinary Business**



**SUSPENSION OF SESSION**

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

*It was 3:40 p.m.*

**RESUMPTION OF SESSION**

At 6:05 p.m., the session was resumed.

**COAUTHOR**

Upon motion of Senator Villanueva, there being no objection, Senator Estrada was made coauthor of Senate Bill No. 1604 (ARAL Bill).

**LETTER OF SENATOR CAYETANO (A)**

Senator Villanueva informed the Body of the receipt of a letter from Senator Cayetano (A), chair of the Committee on Government Corporations and Public Enterprises, addressed to all Members of the Senate, regarding the referral of the Maharlika Investment Fund Bills.

At the instance of Senator Cayetano (A), upon motion of Senator Villanueva, there being no objection, the letter was made part of the *Record of the Senate*.

*Following is the full text of Senator Cayetano's letter:*

10 February 2023

Members of the Senate of the Philippines  
Senate of the Philippines  
Pasay City

Through : The Office of the Senate President  
The Office of the Majority Leader

Re : Primary Committee Referral of House Bill (H.B.) No. 6608  
and Senate Bill (S.B.) No. 1670 (*Maharlika Investment Funds Bills*)

Dear Esteemed Colleagues:

I write today to register, for the record, my concerns and objections to the primary referral of H.B. No. 6608 and S.B. No. 1670, collectively the "Maharlika Investment Fund Bills," -to the Committee on Banks, Financial Institutions, and Currencies instead of the Committee\*+ on Government Corporations and Public Enterprises.

What is most important to me is independence of the Senate towards producing the best possible legislation, that will both protect and benefit our people. One way of ensuring that is being zealous with our rules and the process of legislation, which is as important as the final product. It all starts with the resolution or the bill getting referred to the right committee/s. Based on the Rules of the Senate and the following reasons, we can conclude that the Maharlika Investment Fund Bills should have been referred to the Committee on Government Corporations and Public Enterprises, regardless of who its Chairperson is:

First, an initial reading of the bills would give the impression that their primordial purpose is to create the Maharlika Investment Fund (MIF). A closer look, however, would reveal an intention to create – first and foremost – the Maharlika Investment Corporation (MIC), (not just a fund) a State investment body proposed to be responsible for the overall governance and management of the MIF. Thus, the creation and investment of the MIF is contingent on the establishment of the MIC.

qb

One of our respected colleagues argued that there should be an existing government corporation and questions affecting said existing government corporation for the Committee on Government Corporations and Public Enterprises to have jurisdiction. In this case, since no such government corporation exists, the primary referral to the Committee on Banks, Financial Institutions and Currencies was in order.

Contrary to this argument, the institution of the MIC involves questions affecting government corporations because the capitalization and funding of the MIF would come from other government corporations. Furthermore, such reasoning would result in the absurd situation wherein all bills creating government corporations would no longer be primarily referred to the Committee on Government Corporations and Public Enterprises.

Second, as the bills are currently-worded, the MIF would source its initial capitalization from the Bangko Sentral ng Pilipinas, a GOCC, and Land Bank of the Philippines, a GOCC/GFI. Subsequent annual contributions to the fund shall be sourced from Development Bank of the Philippines, PAGCOR, and other government-owned gaming corporations.

The feasibility, success, and viability of the establishment of the MIF largely depends on its initial capitalization and funding – which shall be sourced from the abovementioned GOCCs and public enterprises. The bills themselves mention that the MIC shall act as a vehicle for the purpose of mobilizing and utilizing the MIF.

The creation of the MIC means the establishment of a financial institution of the government, i.e., a GFI. A GFI is also deemed as a GOCC whose primary functions are financial in nature. Under the Code of Corporate Governance for GOCCs, the term GOCC “includes Government-Instrumentalities with Corporate Powers (“GICP”), Government Corporate Entities (“GCE”) and (GFIs).

Noting the crucial involvement of other GOCCs as initial investors and the establishment of MIC as both a GOCC and GFI, it would be most proper to refer said bill to the Committee on Government Corporations and Public Enterprises.

Third, the Maharlika Fund bills as presently-worded necessarily involve amendments to the charters of the GOCCs, which would be within the jurisdiction of the Committee on Government Corporations and Public Enterprises.

For instance, LBP and DBP would be required to contribute P50 billion and P25 billion, respectively; the BSP shall be required to remit one hundred percent (100%) of its declared dividends; PAGCOR and other government-owned gaming operators shall contribute at least ten percent (10%) of gross gaming revenue streams.

These new provisions, if enacted into law, are not present in the Charters of these GOCCs and would effectively amend the same. Based on the Rules of the Senate, the Committee on Government Corporations and Public Enterprises has jurisdiction over “all questions affecting government corporations, including all amendments to their charters; the interests of the government in the different industrial and commercial enterprises; privatization.”

When the law (or rule) is clear, there is no room for interpretation. This is basic!

The foregoing reasons would lead one to conclude that the Maharlika Investment Fund Bills should have been primarily referred to the Committee on Government Corporations and Public Enterprises.

I understand that any administration would prefer that a member of the administration bloc, not an independent, to be Chairperson of the committee to which an administration-backed bill is referred to. But the Senate should be independent. There are numerous remedies available to the Majority/administration block if an independent or an opposition Chairperson sits on the bill, sabotages it, or in any way delays hearing it.

Again, let me put on record that I object to the primary referral of the bill and violation of our rules.

But I do respect the vote of the majority.

Despite my personal view that we should have a sense of urgency on and prioritize pressing issues that affect people’s daily lives (*Presyo, Trabaho, Kita at Kaayusan*) – such as insufficient

jobs available, low wages, inflation/high prices of basic commodities such as food and fuel, drugs and peace and order – that need both short-term and long-term solutions, as Chairperson of the Committee on Government Corporations and Public Enterprises, I would have immediately held hearings, gave all sides the opportunity to be heard, and try to find a consensus to be able to come up with best possible legislation on the matter at hand.

Thank you for this opportunity to voice my objection.

I ask that this manifestation in writing be made part of the record.

GOD bless the Senate!

GOD bless the Philippines!

Sincerely,

(signed) Alan Peter S. Cayetano

### **CREATION OF SUBCOMMITTEE ON RCEP**

At the instance of Senator Marcos, Senator Villanueva manifested the creation of the subcommittee on Regional Comprehensive Economic Partnership (RCEP) under the Committee on Foreign Relations and the designation of Senator Legarda as chairperson thereof.

### **ANNOUNCEMENT OF THE CHAIR**

The Chair announced that there would be a briefing on the new Senate building on Monday, February 6, 2023 at two o'clock in the afternoon.

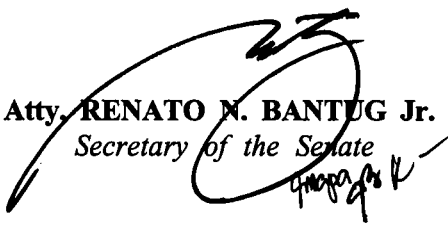
### **ADJOURNMENT OF SESSION**

Upon motion of Senator Villanueva, there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of Monday, February 6, 2023.

*It was 6:08 p.m.*

I hereby certify to the correctness of the foregoing.

Approved on February 6, 2023

  
Atty. RENATO N. BANTUG Jr.  
Secretary of the Senate