



**REPUBLIC OF THE PHILIPPINES**

**S e n a t e**

**Pasay City**

# **Journal**

**SESSION NO. 16**

Tuesday, September 4, 2007

**FOURTEENTH CONGRESS  
FIRST REGULAR SESSION**

**SESSION NO. 16**  
Tuesday, September 4, 2007

**CALL TO ORDER**

At 4:02 p.m., the Senate President, Hon. Manny B. Villar, called the session to order.

**PRAYER**

Sen. Ma. Ana C. Madrigal led the prayer, to wit:

O Divine Mother,  
Grant us  
the spark to imagine,  
the daring to innovate,  
the discipline to plan,  
the skill to do,  
the will to achieve,  
the commitment to be responsible  
and the leadership to motivate,

Amen.

**ROLL CALL**

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

|                       |                    |
|-----------------------|--------------------|
| Aquino III, B. S. C   | Lacson, P. M.      |
| Arroyo, J. P.         | Legarda, L.        |
| Cayetano, C. P. S.    | Madrigal, M. A.    |
| Defensor Santiago, M. | Pangilinan, F. N.  |
| Ejercito Estrada, J.  | Revilla Jr., R. B. |
| Enrile, J. P.         | Roxas, M.          |
| Escudero, F. J. G.    | Villar Jr. M. B.   |
| Honasan, G. B.        |                    |

With 15 senators present, the Chair declared the presence of a quorum.

Senators Cayetano (A), Gordon, Lapid, Pimentel and Zubiri arrived after the roll call.

Senator Angara was on official mission abroad.

Senator Trillanes was unable to attend the session.

Senator Biazon was absent.

**ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS**

At this juncture, Senator Pangilinan acknowledged the presence of local council officials from Uva Province, Sri Lanka, headed by Hon. Wedisingha Mudiyansele Attanayake, Deputy Chief Secretary of Finance of the Uva Provincial Council; Mayor Danilo Bencito, Vice Mayor Apolonio Golfo and councilors from the municipality of General Aguinaldo, Cavite; as well as representatives from seafarer groups such as the United Filipino Seafarers, Conference of Maritime Manning Agency, Crewing Managers Associations of the Philippines, Seaman Party Inc, Philippine Maritime Institute Alumni Association Inc., Visayan Maritime Academy Alumni Association Inc., Integrated Marine Deck and Engineers Association headed by Engr. Nelson Ramirez, Capt. Rey Valeroz, Nestor Vargas, Leo Mirande, Luel Osen and Rodolfo Estampador.

**APPROVAL OF THE JOURNAL**

Upon motion of Senator Pangilinan, there being no objection, the Body dispensed with the reading of the Journal of Session No. 15 and considered it approved.

**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. 851, entitled

AN ACT GRANTING ALL QUALIFIED SENIOR CITIZENS TWENTY PERCENT (20%) DISCOUNT ON GASOLINE, KEROSENE, LIQUEFIED ~~AS~~

PETROLEUM GAS (LPG) AND OTHER PETROLEUM PRODUCTS, AMENDING FOR THE PURPOSE SECTIONS 4 AND 10 OF REPUBLIC ACT NO. 7432, AND FOR OTHER PURPOSES

Introduced by Senator Manuel "Lito" M. Lapid

**To the Committees on Social Justice, Welfare and Rural Development; and Energy**

Senate Bill No. 852, entitled

AN ACT PROVIDING FOR THE PRESERVATION, REFORESTATION, FORESTATION AND SUSTAINABLE DEVELOPMENT OF MANGROVE FORESTS IN THE PHILIPPINES, PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Manuel "Lito" M. Lapid

**To the Committee on Environment and Natural Resources**

Senate Bill No. 853, entitled

AN ACT AMENDING PARAGRAPH (D), SECTION 324 OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991

Introduced by Senator Manuel "Lito" M. Lapid

**To the Committee on Local Government**

Senate Bill No. 854, entitled

AN ACT GRANTING FRANKING PRIVILEGE TO THE IMMEDIATE FAMILY MEMBERS OF OVERSEAS CONTRACT WORKERS

Introduced by Senator Manuel "Lito" M. Lapid

**To the Committee on Public Services**

Senate Bill No. 855, entitled

AN ACT TO INSTITUTE A COMPETITIVE AND COMPREHENSIVE MATHEMATICS AND SCIENCE FELLOWSHIP PROGRAM FOR TEACHERS FOR GLOBAL COMPETITIVENESS AND FOR OTHER PURPOSES

Introduced by Senator Manuel "Lito" M. Lapid

**To the Committees on Education, Arts and Culture; Science and Technology; and Finance**

Senate Bill No. 856, entitled

AN ACT GIVING INDIGENT BUT GIFTED AND TALENTED STUDENTS THE OPPORTUNITY TO DEVELOP THEIR CAPABILITIES, AND FOR OTHER PURPOSES

Introduced by Senator Manuel "Lito" M. Lapid

**To the Committees on Education, Arts and Culture; Youth, Women and Family Relations; and Finance**

Senate Bill No. 857, entitled

AN ACT INSTITUTING A COMPREHENSIVE SCREENING PROGRAM FOR MOTHERS AFTER CHILDBIRTH AND FOR OTHER PURPOSES

Introduced by Senator Manuel "Lito" M. Lapid

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

Senate Bill No. 858, entitled

AN ACT PROVIDING THE ENABLING MECHANISMS TO ENSURE THE REGULATION AND MONITORING OF CAREGIVER TRAINING CENTERS IN THE COUNTRY AND THE PROVISION OF QUALITY <sup>AS</sup>

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EDUCATION IN THE CAREGIVING  
PROFESSION AND FOR OTHER  
PURPOSES

Introduced by Senator Manuel "Lito" M.  
Lapid

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

Senate Bill No. 859, entitled

AN ACT AMENDING ARTICLES 163,  
164 AND 165 OF THE REVISED  
PENAL CODE AND FOR OTHER  
PURPOSES

Introduced by Senator Manuel "Lito" M.  
Lapid

**To the Committees on Banks, Financial  
Institutions and Currencies; and Justice and  
Human Rights**

Senate Bill No. 860, entitled

AN ACT INSTITUTING MANDATORY  
GOVERNMENT SERVICE TO  
GRADUATES OF PHILIPPINE  
MERCHANT MARINE ACADEMY  
(PMMA), AMENDING FOR THIS  
PURPOSE REPUBLIC ACT NO. 3680  
AND FOR OTHER PURPOSES

Introduced by Senator Manuel Lito" Lapid

**To the Committee on Civil Service and  
Government Reorganization**

Senate Bill No. 861, entitled

AN ACT REGULATING THE USE OF  
TEXT, GRAPHICS, MULTIMEDIA  
AND OTHER SIMILAR MESSAGING  
SYSTEMS OF MOBILE PHONES AS  
MEDIUM FOR BUSINESS ENTITY  
ADVERTISEMENTS AND FOR  
OTHER PURPOSES

Introduced by Senator Manuel "Lito" M.  
Lapid

**To the Committee on Public Services**

Senate Bill No. 862, entitled

AN ACT AMENDING CERTAIN PRO-  
VISIONS OF REPUBLIC ACT 6847,  
OTHERWISE KNOWN AS THE  
PHILIPPINE SPORTS COMMISSION  
ACT

Introduced by Senator Manuel "Lito" M.  
Lapid

**To the Committees on Games, Amusement  
and Sports; and Ways and Means**

Senate Bill No. 863, entitled

AN ACT PROHIBITING THE USE OF  
STAPLE WIRES OR ANY OTHER  
SIMILAR FORM OF METAL  
OBJECTS AS MEDIUM FOR  
CLOSING AND SEALING FOOD  
ITEMS INSIDE ITS PACKAGING,  
PROVIDING PENALTIES FOR  
VIOLATION THEREFOR AND FOR  
OTHER PURPOSES

Introduced by Senator Manuel "Lito" M.  
Lapid

**To the Committee on Trade and Commerce**

Senate Bill No. 864, entitled

AN ACT REQUIRING NEW PUBLIC-  
SERVING AND NEWLY RENOVATED  
PUBLIC-SERVING ESTABLISH-  
MENTS TO PROVIDE BABY-  
FRIENDLY FACILITIES AND FOR  
OTHER PURPOSES

Introduced by Senator Manuel "Lito" M.  
Lapid

**To the Committees on Health and Demo-  
graphy; and Youth, Women and Family Relations**

Senate Bill No. 865, entitled

AN ACT CREATING A DENTAL UNIT  
IN EVERY RURAL HEALTH UNIT  
UNDER THE DEPARTMENT OF  
HEALTH AS PART OF THE  
PRIMARY APPROACH IN THE

DELIVERY OF HEALTH SERVICES  
AND PROVIDING FUNDS THEREFOR

Introduced by Senator Angara

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

Senate Bill No. 866, entitled

AN ACT ESTABLISHING THE PHILIPPINE AIR FORCE ACADEMY (PAFA) AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Angara

**To the Committees on National Defense and Security; Education, Arts and Culture; and Finance**

Senate Bill No. 867, entitled

AN ACT AMENDING REPUBLIC ACT NO. 8353, OTHERWISE KNOWN AS THE ANTI-RAPE LAW OF 1997

Introduced by Senator Angara

**To the Committees on Justice and Human Rights; and Youth, Women and Family Relations**

Senate Bill No. 868, entitled

AN ACT TO ESTABLISH THE CASEC-NAN PROTECTED LANDSCAPE LOCATED WITHIN THE MUNICIPALITIES OF DUPAX DEL NORTE, DUPAX DEL SUR AND ALFONSO CASTAÑEDA, PROVINCE OF NUEVA VIZCAYA, MUNICIPALITY OF NAGTIPUNAN, PROVINCE OF QUIRINO AND MUNICIPALITIES OF MARIA AURORA AND DIPACULAO, PROVINCE OF AURORA AS A PROTECTED AREA AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Environment and Natural Resources; and Finance**

Senate Bill No. 869, entitled

AN ACT ESTABLISHING AN EMERGENCY MEASURE TO ALLEVIATE THE PLIGHT OF COCONUT FARMERS ADVERSELY AFFECTED BY LOW PRICES OF COPRA AND OTHER COCONUT PRODUCTS, AND PROVIDING FUNDS THEREFOR

Introduced by Senator Angara

**To the Committees on Agriculture and Food; and Finance**

Senate Bill No. 870, entitled

AN ACT CREATING THE CIVIL AVIATION AUTHORITY OF THE PHILIPPINES FOR THE REGULATION OF ALL CIVIL AVIATION ACTIVITIES AND INSTITUTION OF SAFETY REQUIREMENTS, DEFINING ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Public Services; Ways and Means; and Finance**

Senate Bill No. 871, entitled

AN ACT AMENDING REPUBLIC ACT NUMBERED SEVENTY-SIX HUNDRED AND FIFTY-THREE ENTITLED "THE NEW CENTRAL BANK ACT" AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committee on Banks, Financial Institutions and Currencies**

Senate Bill No. 872, entitled

AN ACT TO STANDARDIZE AND ENHANCE THE PRACTICE OF AGROFORESTRY IN THE COUNTRY, CREATING THE BOARD OF AGROFORESTRY UNDER THE PROFESSIONAL REGULATIONS COMMISSION, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES *AS*

*po*

Introduced by Senator Angara

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

Senate Bill No. 873, entitled

AN ACT AUTHORIZING GOVERNMENT HOSPITALS TO UTILIZE ALL ITS INCOME FOR HOSPITAL OPERATIONS PARTICULARLY MAINTENANCE AND OTHER OPERATING EXPENSES (MOOE) AND CAPITAL OUTLAY

Introduced by Senator Angara

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

Senate Bill No. 874, entitled

AN ACT INSTITUTING REFORMS IN THE CRIMINAL JUSTICE SYSTEM BY ENHANCING DNA TECHNOLOGY ANALYSIS AS A POTENT INVESTIGATIVE TOOL, CREATING THE DNA ADVISORY BOARD UNDER THE NATIONAL BUREAU OF INVESTIGATION, AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Justice and Human Rights; and Finance**

Senate Bill No. 875, entitled

AN ACT REQUIRING THE SUBMISSION TO CONGRESS OF THE CORPORATE BUDGET OF ALL GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS, THEIR SUBSIDIARIES AND AFFILIATES, AMENDING FOR THE PURPOSE SECTION 13 OF PD 1177, OTHERWISE KNOWN AS THE BUDGETARY REFORM ACT OF 1977

Introduced by Senator Angara

**To the Committees on Finance; and Government Corporations and Public Enterprises**

Senate Bill No. 876, entitled

AN ACT AMENDING PRESIDENTIAL DECREE NO. 1638, OTHERWISE KNOWN AS THE AFP MILITARY PERSONNEL RETIREMENT AND SEPARATION DECREE OF 1979

Introduced by Senator Angara

**To the Committee on National Defense and Security**

Senate Bill No. 877, entitled

AN ACT ESTABLISHING A NATIONAL IDENTIFICATION SYSTEM IN THE PHILIPPINES, CONSTITUTING FOR THE PURPOSE THE NATIONAL REGISTRATION COORDINATING COUNCIL, AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Constitutional Amendments, Revision of Codes and Laws; and Finance**

Senate Bill No. 878, entitled

AN ACT GIVING OFFENDERS THE FULLEST BENEFIT OF PREVENTIVE IMPRISONMENT, AMENDING FOR THE PURPOSE ARTICLE 29 OF REPUBLIC ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE, AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committee on Justice and Human Rights**

Senate Bill No. 879, entitled

AN ACT FURTHER AMENDING SECTION THREE OF REPUBLIC ACT NUMBERED THREE HUNDRED AND FORTY, AS AMENDED, OTHERWISE KNOWN AS THE ARMED FORCES RETIREMENT LAW

Introduced by Senator Angara

**To the Committee on National Defense and Security**

Senate Bill No. 880, entitled

AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 8293 OR THE "INTELLECTUAL PROPERTY CODE OF THE PHILIPPINES" AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committee on Trade and Commerce**

Senate Bill No. 881, entitled

AN ACT PROVIDING BENEFITS TO DEPENDENTS OF PUBLIC SCHOOL TEACHERS AMENDING FOR THESE PURPOSES REPUBLIC ACT NUMBER FORTY-SIX HUNDRED SEVENTY (R.A. NO. 4670) OTHERWISE KNOWN AS THE MAGNA CARTA FOR PUBLIC SCHOOL TEACHERS, AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Education, Arts and Culture; and Cooperatives**

Senate Bill No. 882, entitled

AN ACT PRESCRIBING STRICTER PENALTIES ON THE CRIME OF DELIVERING PRISONERS FROM JAIL AND INFIDELITY IN THE CUSTODY OF PRISONERS, AMENDING FOR THE PURPOSE ARTICLES 156, 223 AND 224 OF REPUBLIC ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE, AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committee on Justice and Human Rights**

Senate Bill No. 883, entitled

AN ACT TO ACCELERATE THE DEVELOPMENT OF IDLE AND UNDERUTILIZED AGRICULTURAL LANDS AS A MEANS TO GENERATE EMPLOYMENT

Introduced by Senator Angara

**To the Committees on Agriculture and Food; and Finance**

Senate Bill No. 884, entitled

AN ACT ESTABLISHING THE CARAGA STATE UNIVERSITY IN THE CARAGA REGION BY INTEGRATING THE NORTHERN MINDANAO STATE INSTITUTE OF SCIENCE AND TECHNOLOGY (NORMISIST) IN AMPAYON, BUTUAN CITY, THE NORTHERN MINDANAO COLLEGE OF ARTS, SCIENCE AND TECHNOLOGY (NMCAST) IN CABADBARAN, AGUSAN DEL NORTE, AND THE SIARGAO NATIONAL COLLEGE OF SCIENCE AND TECHNOLOGY (SNCST) IN DEL CARMEN, SIARGAO, SURIGAO DEL NORTE AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Angara

**To the Committee on Rules**

Senate Bill No. 885, entitled

AN ACT AMENDING CERTAIN SECTIONS OF PRESIDENTIAL DECREE NUMBERED SIX HUNDRED, OTHERWISE KNOWN AS THE MARINE POLLUTION DECREE OF 1974

Introduced by Senator Angara

**To the Committees on Environment and Natural Resources; and Public Services**

Senate Bill No. 886, entitled

AN ACT ADOPTING A SALARY SCHEDULE FOR THE MEMBERS *He*

OF THE BENCH AND OTHER  
LAWYERS IN THE JUDICIARY,  
PROVIDING FUNDS THEREFOR,  
AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Justice and Human  
Rights; Civil Service and Government  
Reorganization; and Finance**

Senate Bill No. 887, entitled

AN ACT AMENDING ARTICLES 83, 87,  
100, 128 AND 131 OF PRESIDENTIAL  
DECREE 442, OR THE LABOR CODE  
OF THE PHILIPPINES

Introduced by Senator Angara

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

Senate Bill No. 888, entitled

AN ACT PROVIDING FOR INVEST-  
MENT INCENTIVES TO ACCE-  
LERATE DEVELOPMENT IN  
MINDANAO, CREATING THE  
MINDANAO INCENTIVES DEVELOP-  
MENT AUTHORITY FOR THIS  
PURPOSE, AND FOR OTHER  
PURPOSES

Introduced by Senator Angara

**To the Committees on Government Corp-  
orations and Public Enterprises; Economic  
Affairs; Ways and Means; and Finance**

Senate Bill No. 889, entitled

AN ACT PROVIDING FOR BENEFITS  
TO MILITARY DEPENDENTS,  
CREATING THE MILITARY DEPEND-  
ENTS WELFARE OFFICE, APPRO-  
PRIATING FUNDS THEREFOR AND  
FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on National Defense  
and Security; and Finance**

Senate Bill No. 890, entitled

AN ACT PROVIDING FOR THE  
LEGITIMATION OF CHILDREN  
BORN TO PARENTS BELOW  
MARRYING AGE, AMENDING FOR  
THE PURPOSE THE FAMILY CODE  
OF THE PHILIPPINES, AS AMENDED

Introduced by Senator Angara

**To the Committee on Youth, Women and  
Family Relations**

Senate Bill No. 891, entitled

AN ACT DECLARING EVERY 26<sup>TH</sup> OF  
JUNE OF EVERY YEAR AS PHILIP-  
PINE-FRANCE FRIENDSHIP DAY

Introduced by Senator Angara

**To the Committees on Education, Arts and  
Culture; and Finance**

Senate Bill No. 892, entitled

AN ACT INSTITUTIONALIZING THE  
GRANT OF STUDENT FARE DIS-  
COUNT PRIVILEGES ON LAND,  
WATER AND AIR TRANSPORT  
UTILITIES AND FOR OTHER  
PURPOSES

Introduced by Senator Angara

**To the Committees on Education, Arts and  
Culture; and Public Services**

Senate Bill No. 893, entitled

AN ACT PROVIDING MECHANISMS  
FOR THE REDUCTION OF THE DIS-  
TRIBUTION OF MERCURY-ADDED  
PRODUCTS AND ITS PROPER  
DISPOSAL THEREOF IN ORDER TO  
REDUCE THE INTRODUCTION OF  
MERCURY INTO THE ENVIRONMENT

Introduced by Senator Angara

**To the Committees on Environment and  
Natural Resources; and Health and Demography**



Senate Bill No. 894, entitled

AN ACT DECLARING MAY 7 OF EVERY YEAR AS HEALTH WORKERS' DAY

Introduced by Senator Angara

**To the Committee on Health and Demography**

Senate Bill No. 895, entitled

AN ACT AUTHORIZING THE COURT TO REQUIRE COMMUNITY SERVICE IN LIEU OF IMPRISONMENT FOR THE PENALTY OF ARRESTO MENOR, AMENDING FOR THAT PURPOSE ARTICLE 88 OF THE REVISED PENAL CODE, AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committee on Justice and Human Rights**

Senate Bill No. 896, entitled

AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT 8239, OTHERWISE KNOWN AS THE "PHILIPPINE PASSPORT ACT OF 1996" AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Foreign Relations; and Justice and Human Rights**

Senate Bill No. 897, entitled

AN ACT AMENDING ARTICLE 334 OF ACT NUMBER 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE

Introduced by Senator Angara

**To the Committees on Constitutional Amendments, Revision of Codes and Laws; and Youth, Women and Family Relations**

Senate Bill No. 898, entitled

AN ACT INSTITUTIONALIZING REFORMS IN REAL PROPERTY APPRAISAL AND ASSESSMENT PRACTICES IN THE PHILIPPINES, CREATING FOR THE PURPOSE THE NATIONAL APPRAISAL AUTHORITY AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Ways and Means; Local Government; and Finance**

Senate Bill No. 899, entitled

AN ACT AMENDING REPUBLIC ACT NO. 9136, OTHERWISE KNOWN AS THE ELECTRIC POWER INDUSTRY REFORM ACT OF 2001 AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Energy; Public Services; and Ways and Means**


Senate Bill No. 900, entitled

AN ACT REQUIRING ALL BRANCHES AND AGENCIES OF THE GOVERNMENT, INCLUDING GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS AND THEIR SUBSIDIARIES TO DISCLOSE THE IDENTITY OF THEIR FOREIGN CONSULTANTS, THE NATURE OF THEIR WORK AND THEIR COMPENSATION, PERKS AND OTHER PRIVILEGES, AND PROVIDING PENALTIES IN CASE OF VIOLATION THEREOF

Introduced by Senator Angara

**To the Committees on Civil Service and Government Reorganization; and Government Corporations and Public Enterprises**

**ADDITIONAL REFERENCE OF BUSINESS**

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



**BILLS ON FIRST READING**

Senate Bill No. 901, entitled

AN ACT ESTABLISHING THE BATAAN NATURAL PARK AND THE SUBIC WATERSHED FOREST RESERVE SITUATED IN THE MUNICIPALITIES OF HERMOSA, ORANI, SAMAL, ABUCAY, BAGAC AND MORONG IN THE PROVINCE OF BATAAN AND A PORTION OF THE SUBIC BAY SPECIAL ECONOMIC ZONE WITHIN THE ISLAND OF LUZON AS A PROTECTED AREA UNDER THE CATEGORY OF A NATURAL PARK, PROVIDING FOR ITS MANAGEMENT, AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Environment and Natural Resources; and Finance**

Senate Bill No. 902, entitled

AN ACT CREATING THE CORDILLERA TERRACES AUTHORITY, DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Education, Arts and Culture; Local Government; Ways and Means; and Finance**

Senate Bill No. 903, entitled

AN ACT ESTABLISHING A CIVIL SERVICE CODE OF THE PHILIPPINES AND FOR OTHER PURPOSES

Introduced by Senator Angara

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

Senate Bill No. 904, entitled

AN ACT DECLARING AN ELECTIVE OFFICIAL *IPSO FACTO* RESIGNED

FROM HIS ELECTIVE OFFICE UPON THE FILING OF HIS CERTIFICATE OF CANDIDACY

Introduced by Senator Angara

**To the Committee on Constitutional Amendments, Revision of Codes and Laws**

Senate Bill No. 905, entitled

AN ACT RATIONALIZING THE FORFEITURE AND DISPOSITION OF PROPERTY SEIZED BY THE BUREAU OF CUSTOMS, AMENDING FOR THE PURPOSE CERTAIN SECTIONS OF THE TARIFF AND CUSTOMS CODE OF THE PHILIPPINES, AS AMENDED

Introduced by Senator Angara

**To the Committee on Ways and Means**

Senate Bill No. 906, entitled

AN ACT PROVIDING ADDITIONAL INSURANCE BENEFITS TO BARANGAY CAPTAINS, PROVIDING FUNDS FOR THE PAYMENT OF PREMIUMS, AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Government Corporations and Public Enterprises; Local Government; and Finance**

Senate Bill No. 907, entitled

AN ACT CREATING AN ADVANCED STUDIES DEVELOPMENT PROGRAM FOR EXCEPTIONAL EMPLOYEES FROM THE GOVERNMENT AND THE PRIVATE SECTOR AND FOR OTHER PURPOSES

Introduced by Senator Angara

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

Senate Bill No. 908, entitled

AN ACT PROVIDING FOR THE AUTOMATIC RETENTION BY THE BARANGAY OF ITS FIFTY PERCENT (50%) SHARE IN THE COMMUNITY TAX COLLECTED BY SAID BARANGAY, AMENDING SECTION 164 OF THE LOCAL GOVERNMENT CODE OF 1991

Introduced by Senator Angara

**To the Committees on Local Government; and Ways and Means**

Senate Bill No. 909, entitled

AN ACT TO INTEGRATE COMPUTER EDUCATION PROGRAM INTO THE EDUCATIONAL SYSTEM AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Education, Arts and Culture; Ways and Means; and Finance**

Senate Bill No. 910, entitled

AN ACT DEFINING THE CRIME OF ART FORGERY, PROVIDING PENALTIES THEREOF AND CREATING THE ART AUTHENTICATION BOARD AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Justice and Human Rights; Education, Arts and Culture; and Finance**

Senate Bill No. 911, entitled

AN ACT ESTABLISHING A PROGRAM FOR THE ACQUISITION OF SCHOOL SITES AND THE CONSTRUCTION, MAINTENANCE, REHABILITATION, AND REPAIR OF SCHOOL BUILDINGS IN THE PUBLIC ELEMENTARY AND SECONDARY SCHOOLS NATIONWIDE, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Education, Arts and Culture; Public Works; and Finance**

Senate Bill No. 912, entitled

AN ACT DECLARING THE *SHEIKH KARIMUL MAKHDUM* MOSQUE, CONSIDERED AS THE FIRST AND OLDEST MUSLIM HOUSE OF PRAYER OR MOSQUE IN THE PHILIPPINES, CONSTRUCTED IN 1380 A.D. AT TUBIG, INDANGAN, SIMUNUL, PROVINCE OF TAWI-TAWI, AS A NATIONAL SHRINE, AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Education, Arts and Culture; and Finance**

Senate Bill No. 913, entitled

AN ACT INSTITUTING A SELF-SUSTAINING FOREST MANAGEMENT PROGRAM, BY PROVIDING INCENTIVES TO TREE PLANTERS ON PRIVATE LANDS, FOREST LANDS, AND OTHER PUBLIC LANDS AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Environment and Natural Resources; and Local Government**

Senate Bill No. 914, entitled

AN ACT PROHIBITING THE USE OF THE WORD "MUSLIM" OR "ISLAMIC" IN PRINT, RADIO, TELEVISION AND OTHER FORMS OF BROADCAST MEDIA TO REFER TO OR DESCRIBE ANY PERSON CONVICTED OF ANY CRIME, OR SUSPECTED OF COMMITTING ANY UNLAWFUL ACT, AND PROVIDING PENALTIES THEREFOR

Introduced by Senator Angara

**To the Committee on Public Information and Mass Media**

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Senate Bill No. 915, entitled

AN ACT INSTITUTIONALIZING A SCHOOL MODERNIZATION AND INNOVATION PROGRAM FOR PUBLIC ELEMENTARY AND SECONDARY SCHOOLS, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Education, Arts and Culture; and Finance**

Senate Bill No. 916, entitled

AN ACT GRANTING THE RIGHT TO FRANCHISES TO DEVELOP THE RURAL AIRPORT INFRASTRUCTURE NETWORK IN THE PHILIPPINES FOR COMMERCIAL AND OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Public Services; and Ways and Means**

Senate Bill No. 917, entitled

AN ACT EXPANDING AND STRENGTHENING THE COVERAGE OF R.A. NO. 7323, OTHERWISE KNOWN AS THE SPECIAL PROGRAM FOR EMPLOYMENT OF STUDENTS

Introduced by Senator Angara

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

Senate Bill No. 918, entitled

AN ACT TO ABOLISH THE PENALTY OF IMPRISONMENT IN LIBEL CASES, AMENDING FOR THE PURPOSE ARTICLES 355, 356, 357 AND 360 OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE AND FOR OTHER PURPOSES

Introduced by Senator Angara

**To the Committees on Constitutional Amendments, Revision of Codes and Laws; and Public Information and Mass Media**

Senate Bill No. 919, entitled

AN ACT TO ESTABLISH AND MAINTAIN AN OFFICE OF VETERANS AFFAIRS IN THE PHILIPPINE EMBASSY IN THE UNITED STATES OF AMERICA, PRESCRIBING ITS FUNCTIONS, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

**To the Committees on National Defense and Security; Foreign Relations; and Finance**

Senate Bill No. 920, entitled

AN ACT CREATING THE DEPARTMENT OF INFORMATION AND COMMUNICATIONS TECHNOLOGY, DEFINING ITS POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

**To the Committees on Science and Technology; Civil Service and Government Reorganization; and Finance**

Senate Bill No. 921, entitled

AN ACT EMPOWERING WOMEN BY PROVIDING THEM FINANCIAL, EDUCATIONAL AND INFORMATION ASSISTANCE IN ORDER FOR THEM TO EXCEL IN COMMERCE AND TRADE

Introduced by Senator Loren Legarda

**To the Committees on Youth, Women and Family Relations; Trade and Commerce; and Finance**

Senate Bill No. 922, entitled

AN ACT PROVIDING FOR THE REGULARIZATION OF EMPLOYEES, *AK*

PROHIBITING CONTRACTUAL OR LABOR-ONLY CONTRACTING FOR REGULAR POSITIONS, PROVIDING PENALTIES FOR VIOLATION THEREOF

Introduced by Senator Loren Legarda

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

Senate Bill No. 923, entitled

AN ACT MAKING R. A. NO. 7323 MORE EFFECTIVE AND RELEVANT TO PRESENT AND FUTURE CONDITIONS BY EXPANDING ITS COVERAGE IN TERMS OF EMPLOYER PARTICIPATION, ADJUSTING THE INCOME CLASSIFICATION REQUIREMENT THEREIN PROVIDING AUTOMATIC AND NON-DIMINUTION CLAUSES ON ITS BUDGETARY ALLOCATION AND PROVIDING PENALTIES FOR THOSE WHO DISHONOR THE EDUCATION VOUCHERS, AMENDING FOR THESE PURPOSES R.A. NO. 7323 ENTITLED AN ACT TO HELP POOR BUT DESERVING STUDENTS PURSUE THEIR EDUCATION BY ENCOURAGING THEIR EMPLOYMENT DURING SUMMER AND/OR CHRISTMAS VACATIONS, THROUGH INCENTIVES GRANTED TO EMPLOYERS, ALLOWING THEM TO PAY ONLY SIXTY PER CENTUM OF THEIR SALARIES OR WAGES AND THE FORTY PER CENTUM THROUGH EDUCATION VOUCHERS TO BE PAID BY THE GOVERNMENT PROHIBITING AND PENALIZING THE FILING OF FRAUDULENT OR FICTITIOUS CLAIMS, AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

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

Senate Bill No. 924, entitled

AN ACT TO STRENGTHEN THE PENAL PROVISIONS WITH RESPECT TO

DELINQUENT PARENTS, AMENDING FOR THE PURPOSE ARTICLES 276, 277, AND 278 OF THE REVISED PENAL CODE, AS AMENDED

Introduced by Senator Loren Legarda

**To the Committees on Constitutional Amendments, Revision of Codes and Laws; and Youth, Women and Family Relations**

Senate Bill No. 925, entitled

AN ACT PROVIDING COMPENSATION FOR PERSONS WRONGFULLY CONVICTED OF A CRIME AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

**To the Committee on Justice and Human Rights**

Senate Bill No. 926, entitled

AN ACT TO FURTHER AMEND PRESIDENTIAL DECREE NO. 1146 AS AMENDED BY REPUBLIC ACT NO. 8291 OTHERWISE KNOWN AS THE REVISED GOVERNMENT SERVICE INSURANCE ACT OF 2007

Introduced by Senator Loren Legarda

**To the Committees on Government Corporations and Public Enterprises; and Civil Service and Government Reorganization**

Senate Bill No. 927, entitled

AN ACT TO STRENGTHEN AND REFORM THE SANGGUNIANG KABATAAN, AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED, AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

**To the Committees on Local Government; Youth, Women and Family Relations; and Finance**

Senate Bill No. 928, entitled

AN ACT QUALIFYING THE KILLING OF MEMBERS OF BROADCAST AND PRINT MEDIA IN THE LAWFUL EXERCISE OF THEIR FUNCTIONS AS SUCH, AS A CRIME OF MURDER PUNISHABLE UNDER ARTICLE 248 OF THE REVISED PENAL CODE, AS AMENDED

Introduced by Senator Loren Legarda

**To the Committees on Justice and Human Rights; and Constitutional Amendments, Revision of Codes and Laws**

Senate Bill No. 929, entitled

AN ACT TO PROFESSIONALIZE THE PRACTICE OF PRISON MANAGEMENT AND SET FOR THAT PURPOSE THE QUALIFICATION FOR SUPERINTENDENTS OF THE NATIONAL PRISON SYSTEM AND OF WARDENS OF PROVINCIAL, CITY OR MUNICIPAL JAILS

Introduced by Senator Loren Legarda

**To the Committees on Justice and Human Rights; and Civil Service and Government Reorganization**

Senate Bill No. 930, entitled

AN ACT CREATING THE NATIONAL COMMISSION ON MUSLIM FILIPINOS DEFINING ITS POWERS, FUNCTIONS AND RESPONSIBILITIES AND APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

**To the Committees on Cultural Communities; Civil Service and Government Reorganization; and Finance**

Senate Bill No. 931, entitled

AN ACT REQUIRING ALL FRANCHISE HOLDERS OR OPERATORS OF

TELEVISION STATIONS, PRODUCERS OF TELEVISION PROGRAMS, HOME VIDEO PROGRAMS AND MOTION PICTURES TO BROADCAST OR PRESENT THEIR PROGRAMS AND FILMS WITH CLOSED-CAPTION AND PROVIDING PENALTIES FOR VIOLATION THEREOF

Introduced by Senator Loren Legarda

**To the Committee on Public Information and Mass Media**

Senate Bill No. 932, entitled

AN ACT ENSURING AFFORDABILITY, ACCESSIBILITY AND AVAILABILITY OF ESSENTIAL DRUGS AND MEDICINES, CREATING FOR THE PURPOSE THE DRUG POLICY SERVICES WITHIN THE DEPARTMENT OF HEALTH, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

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

Senate Bill No. 933, entitled

AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 6971 OTHERWISE KNOWN AS "THE PRODUCTIVITY INCENTIVES ACT OF 2007" AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

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

Senate Bill No. 934, entitled

AN ACT PROVIDING FOR THE ESTABLISHMENT OF BREAST CARE CENTERS IN EVERY REGION NATIONWIDE, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES <sup>AS</sup>

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Introduced by Senator Loren Legarda

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

Senate Bill No. 935, entitled

AN ACT AMENDING SECTION 11 OF REPUBLIC ACT NO. 3019, OTHERWISE KNOWN AS THE "ANTI-GRAFT AND CORRUPT PRACTICES ACT," BY INCREASING THE PRESCRIPTIVE PERIOD FOR ITS VIOLATION FROM FIFTEEN (15) YEARS TO THIRTY (30) YEARS AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

**To the Committee on Constitutional Amendments, Revision of Codes and Laws**

Senate Bill No. 936, entitled

AN ACT PROVIDING FOR WOMEN EMPOWERMENT AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

**To the Committees on Youth, Women and Family Relations; and Civil Service and Government Reorganization**

Senate Bill No. 937, entitled

AN ACT AMENDING ARTICLE 341 (WHITE SLAVE TRADE) OF THE REVISED PENAL CODE TO PROVIDE A DETERRENT TO THE PROMOTION OF PROSTITUTION AND INCREASING THE PENALTY OF IMPRISONMENT AND FINE AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

**To the Committees on Justice and Human Rights; and Constitutional Amendments, Revision of Codes and Laws**

Senate Bill No. 938, entitled

AN ACT ESTABLISHING A SPECIAL HOSPITAL FOR OVERSEAS CONTRACT WORKERS (OCWs) AND THEIR DEPENDENTS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

**To the Committees on Labor, Employment and Human Resources Development; Health and Demography; and Finance**

Senate Bill No. 939, entitled

AN ACT ESTABLISHING A HOSPITAL FOR TEACHERS AND THEIR DEPENDENTS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

**To the Committees on Health and Demography; Education, Arts and Culture; and Finance**

Senate Bill No. 940, entitled

AN ACT CREATING THE AKLAN AIRPORT AUTHORITY AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

**To the Committees on Government Corporations and Public Enterprises; Public Services; Ways and Means; and Finance**

Senate Bill No. 941, entitled

AN ACT PROVIDING FREE AND SUITABLE PUBLIC EDUCATION FOR CHILDREN WITH DISABILITIES AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Loren Legarda

**To the Committees on Education, Arts and Culture; Youth, Women and Family Relations; and Finance**

Senate Bill No. 942, entitled

AN ACT ESTABLISHING THE PHILIPPINE BUSINESS REGISTRY DATA-BANK, AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

**To the Committees on Trade and Commerce; Local Government; and Finance**

Senate Bill No. 943, entitled

AN ACT INCREASING THE PENALTY FOR THE CRIME OF INCRIMINATORY MACHINATION, AMENDING FOR THE PURPOSE ARTICLE 363 OF THE REVISED PENAL CODE

Introduced by Senator Loren Legarda

**To the Committees on Justice and Human Rights; and Constitutional Amendments, Revision of Codes and Laws**

Senate Bill No. 944, entitled

AN ACT EXPANDING THE GROUNDS FOR DECLARING A PERSON WHO FILED A CERTIFICATE OF CANDIDACY A NUISANCE CANDIDATE, AMENDING SECTION 69 OF BATAS PAMBANSA BLG. 881, AS AMENDED OTHERWISE KNOWN AS THE OMNIBUS ELECTION CODE

Introduced by Senator Loren Legarda

**To the Committee on Constitutional Amendments, Revision of Codes and Laws**

Senate Bill No. 945, entitled

AN ACT REGULATING THE ESTABLISHMENT AND OPERATIONS OF HEALTH MAINTENANCE ORGANIZATIONS (HMOs), PROVIDING THEM INCENTIVES AND FOR OTHER PURPOSES

Introduced by Senator Loren Legarda

**To the Committees on Health and Demography; and Ways and Means**

Senate Bill No. 946, entitled

AN ACT FURTHER AMENDING COMMONWEALTH ACT NO. 542, AS AMENDED, OTHERWISE KNOWN AS AN ACT TO CREATE A CORPORATION TO BE KNOWN AS THE GIRL SCOUTS OF THE PHILIPPINES, AND TO DEFINE ITS POWERS AND PURPOSES

Introduced by Senator Loren Legarda

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

Senate Bill No. 947, entitled

AN ACT TO STRENGTHEN THE SCIENCE AND TECHNOLOGY POPULARIZATION PROGRAM THROUGH THE ESTABLISHMENT OF THE PHILIPPINE SCIENCE CENTRUM AS THE NATIONAL SCIENCE AND TECHNOLOGY LEARNING CENTER/MUSEUM AND PROVIDING FUNDS THEREFOR

Introduced by Senator Manny Villar

**To the Committees on Education, Arts and Culture; Science and Technology; Ways and Means; and Finance**

Senate Bill No. 948, entitled

AN ACT CONCERNING FIRE-SAFE CIGARETTES

Introduced by Senator Manny Villar

**To the Committees on Health and Demography; and Public Order and Illegal Drugs**

Senate Bill No. 949, entitled

AN ACT TO ENSURE THE FAIR AND EQUAL TREATMENT OF PRISONERS, AMENDING FOR THAT PURPOSE ARTICLES 39, 94, 97, AND 99 OF ACT NO. 3815, AS AMENDED, THE



REVISED PENAL CODE, AND FOR  
OTHER PURPOSES

Introduced by Senator Manny Villar

**To the Committees on Justice and Human  
Rights; and Public Order and Illegal Drugs**

Senate Bill No. 950, entitled

AN ACT COMPELLING INTERMEDIATE  
GRADE SCHOOLERS, SECONDARY  
AND COLLEGE STUDENTS TO DO  
COMMUNITY WORK AS PART OF  
THEIR CURRICULUM AND AS  
PREREQUISITE FOR GRADUATION

Introduced by Senator Manny Villar

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

**SECOND ADDITIONAL  
REFERENCE OF BUSINESS**

**RESOLUTIONS**

Proposed Senate Resolution No. 112, entitled

RESOLUTION DIRECTING THE PROPER  
SENATE COMMITTEE TO CONDUCT  
AN INQUIRY, IN AID OF LEGIS-  
LATION, ON THE DEATH OF CRIS  
ANTHONY MENDEZ ALLEGEDLY  
DUE TO FRATERNITY HAZING

Introduced by Senator Miriam Defensor  
Santiago

**To the Committees on Constitutional  
Amendments, Revision of Codes and Laws;  
and Education, Arts and Culture**

Proposed Senate Resolution No. 113, entitled

RESOLUTION DIRECTING THE PROPER  
SENATE COMMITTEE TO CONDUCT  
AN INQUIRY, IN AID OF LEGIS-  
LATION, ON THE RECRUITMENT  
OF CHILD SOLDIERS BY THE MORO  
ISLAMIC LIBERATION FRONT, THE  
NEW PEOPLE'S ARMY, AND THE  
ABU SAYYAF GROUP

Introduced by Senator Miriam Defensor  
Santiago

**To the Committees on Youth, Women and  
Family Relations; and National Defense and  
Security**

Proposed Senate Resolution No. 114, entitled

RESOLUTION DIRECTING THE PROPER  
SENATE COMMITTEE TO CONDUCT  
AN INQUIRY, IN AID OF LEGIS-  
LATION, ON THE ALLEGED USE  
BY THE DEPARTMENT OF AGRICULTURE OF EMERGENCY LIVE-  
LIHOOD FUNDS INTENDED FOR  
FARMERS TO PURCHASE TELE-  
VISION SETS, GASOLINE, CURTAINS,  
AND CAR TIRES, AND THE UN-  
REASONABLE EXPENSES INCURRED  
BY THE DEPARTMENT FOR MOBILE  
PHONES

Introduced by Senator Miriam Defensor  
Santiago

**To the Committees on Accountability of  
Public Officers and Investigations; and Agri-  
culture and Food**

Proposed Senate Resolution No. 115, entitled

RESOLUTION DIRECTING THE PROPER  
SENATE COMMITTEE TO CONDUCT  
AN INQUIRY, IN AID OF LEGIS-  
LATION, ON THE REPORTED PLAN  
OF PRIVATE HOSPITALS TO HOLD  
A "HOSPITAL HOLIDAY," ALLEGED-  
LY DUE TO THE FAILURE OF  
GOVERNMENT TO PROTECT THEM  
FROM THE NON-PAYMENT OF  
HOSPITAL BILLS BY PATIENTS

Introduced by Senator Miriam Defensor  
Santiago

**To the Committees on Health and Demo-  
graphy; and Social Justice, Welfare and Rural  
Development**

Proposed Senate Resolution No. 116, entitled

RESOLUTION DIRECTING THE APPRO-  
PRIATE COMMITTEES IN THE

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SENATE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE SERIES OF REPORTED INCIDENCE ON THE ENGAGEMENT OF CHILDREN AS CHILD SOLDIERS IN ARMED CONFLICTS IN MINDANAO AND OTHER CRITICAL AREAS IN THE COUNTRY, WITH THE END IN VIEW OF URGING THE PARTIES INVOLVED TO COMPLY WITH OUR INTERNATIONAL TREATY OBLIGATIONS ON THE NON-ENGAGEMENT OF CHILD SOLDIERS IN COMBAT SITUATIONS AND TO PROVIDE THE LEGISLATIVE FRAMEWORK THAT WOULD MAINSTREAM THE ISSUE OF CHILD SOLDIERS INTO THE PRIORITY AGENDA OF THE GOVERNMENT IN ORDER TO PREVENT THE RISING INCIDENCE OF RECRUITMENT OF CHILDREN AS CHILD SOLDIERS

Introduced by Senator Manuel "Lito" M. Lapid

**To the Committees on Youth, Women and Family Relations; and National Defense and Security**

Proposed Senate Resolution No. 117, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE ALLEGATIONS THAT MEDICAL INCINERATORS UNDER THE AUSTRIAN MEDICAL WASTE PROJECT IN THE PHILIPPINES FAILED TO MEET ENVIRONMENTAL ASSESSMENT TEST AND THAT IT CONTINUES TO BE A FINANCIAL LIABILITY OF THE GOVERNMENT DESPITE ITS ADVERSE EFFECT TO HEALTH AND THE ENVIRONMENT

Introduced by Senator Loren Legarda

**To the Committees on Environment and Natural Resources; and Health and Demography**

Proposed Senate Resolution No. 118, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO INTERNET PORNOGRAPHY IN THE COUNTRY, WITH THE END IN VIEW OF INTRODUCING REMEDIAL MEASURES TO PENALIZE TRAFFICKING OF PERSONS ON THE INTERNET

Introduced by Senator Loren Legarda

**To the Committees on Public Information and Mass Media; and Justice and Human Rights**

Proposed Senate Resolution No. 119, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEES ON ENVIRONMENT AND NATURAL RESOURCES; AND ECONOMIC AFFAIRS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE IMPLEMENTATION OF REPUBLIC ACT NO. 7942, OTHERWISE KNOWN AS THE PHILIPPINE MINING ACT OF 1995, PARTICULARLY THE COMPLIANCE OF EXISTING GRANTEEES OF EXPLORATION PERMITS AND CONTRACTORS UNDER MINERAL AGREEMENTS TO SAFETY AND ENVIRONMENT PROTECTION, AND THE IMPACT OF THESE MINING AGREEMENTS TO THE COUNTRY'S ECONOMIC GROWTH

Introduced by Senator Loren Legarda

**To the Committees on Environment and Natural Resources; and Economic Affairs**

Proposed Senate Resolution No. 120, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEES ON ECONOMIC AFFAIRS; AND WAYS AND MEANS TO CONDUCT, IN AID OF LEGISLATION, AN INQUIRY INTO THE STATUS OF IMPLEMENTATION OF REPUBLIC ACT NO. 8240 AND OTHER LAWS WITH FUNDING

DEFICIENCIES, WITH THE END IN VIEW OF DETERMINING APPROPRIATE MEASURES TO ENSURE THAT LAWS ARE ADEQUATELY FUNDED AND IMPLEMENTED

Introduced by Senator Loren Legarda

**To the Committees on Economic Affairs; Ways and Means; and Finance**

### COMMUNICATION

Letter from Assistant Governor and General Counsel Juan De Zuñiga Jr. of the *Bangko Sentral ng Pilipinas*, dated 24 August 2007, furnishing the Senate with a copy of BSP Memorandum No. M-2007-021, dated 15 August 2007, in compliance with Section 15(a) of Republic Act No. 7653 (The New Central Bank Act).

**To the Committee on Banks, Financial Institutions and Currencies**

### SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

*It was 4:36 p.m.*

### RESUMPTION OF SESSION

At 4:43 p.m., the session was resumed.

### INQUIRY OF SENATOR ARROYO

Senator Arroyo wondered if it would be possible for Senator Gordon to deliver his speech about the seafarers the following day as it would be more telling if he did so in his commodore's uniform.

Senator Gordon stated that he would gladly accommodate the request of Senator Arroyo but he clarified that what he wore the last time was a coast guard's uniform which is different from a merchant marine's uniform.

### PRIVILEGE SPEECH OF SENATOR GORDON

Availing himself of the privilege hour, Senator Gordon delivered the following statement:

### AN URGENT MESSAGE FROM FILIPINO SEAFARERS

I rise today as the bearer of a message from our country's legions of seafarers, who seek the intervention of this Chamber with respect to the subject matter of their urgent appeal and opposition pertaining to a new regulation that is being hastily and haphazardly imposed on them and their profession.

Because of the extreme urgency and desperation of our hapless seafarers, they deemed it best to send their letter-petition to this Representation and to other esteemed individuals who they think can help them in their plight.

Such is the importance and exigency of the issue for the concerned seafarers that they feel they must knock on every door of government to stop this action against them. Many of them are here in the Chamber this afternoon.

#### *The Letter Petition*

So that we can comprehend the issue, allow me to summarize quickly the key points.

The subject of their letter is an issuance of the Professional Regulations Commission (PRC) making mandatory the taking of Management Level Courses (MLC) by seafarers aspiring to become marine deck and engine officers.

The seven organizations which signed the letter-petition vehemently oppose the mandatory requirement on the following grounds:

- 1) The topics covered by the Management Level Courses are already part of the curriculum of the maritime schools; hence, it is superfluous for the PRC to require seafarers to take them again in the hands of private training centers;
- 2) The courses are actually upgrading programs which therefore should be optional for seafarers and should not be forced on them who may not need them at all or the shipping principal employing them does not require them as a pre-condition for employment;
- 3) The mandatory courses are an added financial burden for our seafarers, and entail a personal sacrifice of their deserved rest during vacation leave, which they desire to spend with their families at home. The brief training courses cost P42,000 for the six-week course for marine deck officers; and P52,000 for the eight-week course for marine engineers.

In addition to the eight weeks of review that they need to undergo before taking the mandatory courses, there is a total of 16 weeks

for the review and the training courses and all totaling to about P140,000, including expenses for the review and for sustenance.

4) The courses are not needed for complying with the STCW Convention. The convention was adopted in 1978 by the International Maritime Organization to establish basic requirements on training, certification and watchkeeping for seafarers on an international level. It entered into force in 1984 and was subsequently amended in 1995.

5) The signatories contend that the PRC is pushing the MLC program in response to the strong lobby of the training centers with the PRC Board for Marine Officers. These centers obviously stand to gain from the expensive brief training courses, which, if truly required, should be handled by the maritime schools and the Commission on Higher Education.

In addition, the signatories to the letter-petition are protesting as questionable the Interim Courses and Simulator Assessment that the PRC has been imposing on seafarers since 2001. They are not required by the International Convention on Standards of Training, Certification on Watchkeeping, 1978, as amended, or the STCW Convention; and by Republic Act No. 8544 otherwise known as "The Philippine Merchant Marine Officers Act of 1998," which set the requirements for the licensure examination.

They allege that previous scandals in PRC Deck Marine examinations, as in the Nursing Examinations, involved people associated with training and/or review centers that had strong influence on the PRC.

I think we can all recall the recent fiasco of the nursing exams. Once again, the review centers became the culprits and were exposed as the culprits, but up to now the PRC has not acted.

I would dare say that Senator Pimentel also conducted an exposé on the PRC which prompted the Australian government to ban our seafarers for a while because of the cheating and the leakage in exams.

The organizations report that their appeals to the PRC for reconsideration of its decision to implement the regulation have fallen on deaf ears, hence, their appeals to esteemed individuals to whom they sent copies of their letter-petition.

They conclude their letter-petition by asking for a review of the issue by an impartial body, and for an order instructing the PRC to desist from imposing the regulation pending the outcome of the review.

The letter-petition was signed and filed collectively by the following organizations: the Conference of Maritime Manning Agencies (COMMA); the Crewing Managers Association of the Philippines (CMAP); the Seaman's Party Inc. (SPI); the Pobar Marine Services; the United Filipino Seafarers (UFS); the Philippine Maritime Institute Alumni Association, Inc. (PMIAAI); and the Integrated Marine Deck and Engineering Officers Association, Inc. (IMDEOA).

#### *Moving the goal post*

Upon receiving a copy of the letter-petition, I commissioned immediately my staff to undertake a careful review of its substance, its case for redress, and its possible impact on our seafaring community and maritime industry.

The report is enlightening not only with respect to the letter-petition and its merits, but also to the preeminent position that our seafarers occupy in the world maritime industry, the licensing practices of other countries, and the ever-growing demand today for more seafarers.

In light of this report, even to describe this as a case of PRC moving the goal post after our seafarers have made the grade is being too kind.

Republic Act No. 8544, which regulates the practice of the merchant marine profession in our country and mandates national compliance with the STCW Convention, has no provision that justifies the imposition of additional requirements beyond what the law and the international convention require. All it says is that in case of "subsequent or future amendments" to the Convention, the Board is empowered to amend and/or revise its rules and regulations.

No amendments to the STCW have been made since 1995. Republic Act No. 8544 was made into law only in 1998.

The closest thing to a justification is the last item under Section 10 on the powers and duties of the PRC Marine Board. It contains a broad and arbitrary power: "To discharge such other powers and functions as the Board may deem necessary for the practice of the profession and the upgrading, enhancement, development and growth of merchant marine profession in the Philippines."

What then is the context in which this power is being applied in this case? Has our merchant marine profession been disgraced in the world maritime industry? Has our training for marine officers fallen short of global standards that the PRC Marine Board must set the law higher?

To begin with, the Constitution explicitly provides in Article VI, Section 1, that:

The legislative power shall be vested in the Congress of the Philippines which shall consist of a Senate and a House of Representatives, except to the extent reserved to the people by the provision on initiative and referendum.

This is but one of the constitutional provisions which establish the principle of separation of powers in this jurisdiction. It is likewise the basis for another long-standing principle which is the non-delegability of legislative powers. More concretely, Corwin in his commentary on the Constitution of the United States [*Corwin, Constitution of the United States of America* 95 (1964)], cites Chief Justice Taft, to wit:

Chief Justice Taft offered the following explanation of the origin and limitation of this idea as a postulate of constitutional law: "The well-known maxim *delegata potestas non potest delegari*, applicable to the law of agency in the general common law, is well understood and has had wider application in the construction of our Federal and State Constitutions than it has on private law... The Federal Constitution and the State Constitution of this country divide the governmental power into three branches... In carrying out that constitutional division... it is a breach of the national fundamental law if Congress gives up its legislative power and transfers it to the President, or to the Judicial branch, or if by law it attempts to invest itself or its members with either executive power or judicial power."

Philippine jurisprudence is likewise replete with cases upholding the aforementioned principle. One such case is *Tatad vs. Secretary of the Department of Energy* [G.R. Nos. 124360 and 127867, 5 November 1997] where the Supreme Court ruled that:

The Executive is bereft of any right to alter either by subtraction or addition the standards set in R. A. No. 8180 for it has no power to make laws. To cede to the Executive the power to make law is to invite tyranny, indeed, to transgress the principle of separation of powers. The exercise of delegated power is given a strict scrutiny by courts for the delegate is mere agent whose action cannot infringe in the terms of agency.

It is thus alarming to see here an administrative agency overstepping its bounds and imposing additional prerequisites on our seafarers over and beyond the requirements expressly stated in the law and the international convention. Like a thief in the night, they are taking from our seafarers a right to practice their profession, their right to promotion, their hard-earned money and even their right to have a vacation with their families after a year spent at sea.

We should look long and hard at the petitioners because by any reckoning they are a credit to our country. In case we are not observant – some of them are right here in the audience, they occupy the whole bleachers today – they are a vital lifeline for the national economy. One-third of the seafarers in the world are Filipinos and from every testimony and evidence available, we find that Filipino marine officers are highly qualified and highly coveted by foreign ships.

When the Philippines is called "the manning capital of the world" by the world maritime industry, it is not just for the lower-level members of the 230,000 seafarers deployed last year. It means as well the over 52,000 who serve as officers in foreign flag vessels, officers who are men and women.

That is not all. We have also learned that there is a shortage of marine deck and engine officers in the world today. There is a significant global demand for officers, especially quality seafarers. Shipyards are flush with new building orders for more ships from the industry.

Yet, in the face of this demand, our PRC is inexplicably moving — not just to facilitate supply of quality Filipino officers to the world — but to restrict supply. It is adding to the requirements over and above the call of our law and the international convention. And it is imposing added financial costs and burdens on would-be officers. There is something fishy here. In the latter part of my address, I will suggest action to ferret out the truth of all these.

For the moment, the facts clearly point to the soundness of granting our seafarers' plea to review and stay the enforcement of the new regulation. Anything less risks compounding a possible abuse of authority and a possible injustice to our seafarers.

#### *A nation of seafarers*

Such injustice, if true, would be doubly harsh to the ranks of our seafarers, who already face hard life without it being made harder by bureaucratic greed. ~~AF~~

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Of all migrant jobs today, none is probably as hard or forbidding as that of the seafarer. They spend long months at sea, and see all of 15 to 20 people everyday during their assignments which often last up to as long as ten months at a time. They are on call all the time, and they may work 20 hours straight during emergencies. The times of fun and ports of call are few and far between.

Yet nearly 30 percent of human beings who have chosen this hard life are Filipinos – 230,022 of them to be exact last year. And some 6,500 of them are women.

To say that these compatriots of ours chose this life because of poverty and unemployment in our country is the facile answer, and only partially true.

Far more true, I believe, is the fact that seafaring is in our blood. Since time immemorial, we Filipinos have been a creature of our geography. Early in our ancient history, our lives were wedded to the sea. Long before the coming of the Spaniards, says Fr. Horacio de la Costa, S.J., men from Luzon were traveling to North Borneo and the Malay Peninsula to trade. They were not only seafarers and traders, they were shipbuilders as well.

*Huwag nating kalimutan na* even before Magellan, *isang sultan ng Sulu* traveled all the way to China and was given military and imperial honors when he was buried there.

As early as the 17<sup>th</sup> and 18<sup>th</sup> centuries, the Europeans were already looking to Filipinos for the manning of their ships. As the priest Padre Juan Jose Delgado observed in 1750: “Who are the seamen who sail the ships and galleons to Acapulco and other ports and sail them back again? The Spaniards, perhaps? Ask the navigators, the ship’s officers, the boatswains, and they will tell you that this great and inestimable service is performed by the Indians...” Indians, of course, read Filipinos.

One French naval officer by the name of Larcher in 1797 urged his country to establish a strategic base in the Philippines in cooperation with Spain. He wrote: “The Philippine archipelago is composed of an uncounted number of islands inhabited by a healthy, industrious and seafaring people... It would be a simple matter to found a naval base there that no power can challenge....”

And then there is, of course, our Muslim brethren. Spain never succeeded in subjugating the proud principalities of Maguindanao and Sulu. These Filipinos retained their freedom and

continued their maritime tradition. They continued to share with our Indonesian cousins the carrying trade of Southeast Asia.

My point in this brief excursion into history is simply this: We have nothing to apologize for, and everything to be proud of the fact that nearly a third of seafarers in the world are Filipinos.

Our seafarers honor our history and heritage when they brave the oceans, manning virtually every kind of vessel at sea today, to say nothing of the enormous contribution they make to the national economy.

When the PRC decrees that our seafarers need additional courses and time in school, over and above what other countries require of their own seafarers, we must bluntly ask: “Why is it taking this action? Why is it singling out the merchant marine profession for this structure?” When the interim courses were implemented, the number of officers declined from 17,000 to 7,635. Today, it is in the area of 2,000. So it has really gone down, perhaps, because of the strenuous demands made upon our seafarers who want to be a second officer or a master mariner.

*Sino and humaharang niyan? Mismong kababayan natin, itong PRC. Hindi hinihingi ng ibang bansa iyong hinihingi nila sa atin. Hindi nakasaad sa ating mga batas iyan. Hindi nakasaad iyan doon sa mga hinihingi ng International Convention pero kailangan bigyan ng PRC ng karagdagang demand na kailangan dumaan sa mga tinatawag nilang “simulator.”*

When our seafarers are forced to take these courses, *silang pinapahirapan ng ating PRC para bago kumita ang ibang kaibigan nila na dating mga PRC examiners or officers. Iyan ba ang sinasabi ng mga ito, dadagdagan ang bureaucracy, dadagdagan ang hinihiling na examination, dadagdagan ang mga hinihiling na pangangailangan na hindi naman kailangan? Nagre-review na ng eight weeks para makapasa sa eksamin na iyon lang ang hinihingi. Hihingi pa pagkatapos makapasa na dapat ay mabigyan ng lisensiya kaagad. Anong hihingin? Nakapasa na sa eksamin, hihingin pa na pumunta ulit doon sa simulator o doon sa mga courses na kanilang hinihingi na hindi naman kailangan. At magkano ang hinihingi? P52,000 silver pesos.*

We learned from the seafarers themselves that the training schools are behind the lobby for the adoption of the MLC and the simulator assessment requirement by the PRC. These are new simulator training centers, project training centers owned by a former marine board member

— Exact Training Center, Far East Marine Training Center. There has been no public hearing or consultation with stakeholders prior to this decision of the PRC Marine Board. *Ang kinukunsulta nila ay iyong mga hindi involved sa marine courses ngunit kung sinu-sino ang kinukunsulta upang palabasin na may kinunsulta.* A mandatory requirement is just descending on the heads of our seafarers like manna from heaven. But that is not all.

In addition to mandatory training, our seafarers must also go to review centers prior to their licensure examinations. That is another expense of P12,000 per review, to say nothing of these expenses while staying in the metropolis na *nagkakahalaga ng P30,000* for six to eight weeks.

Finally, there is what our seafarers call the “*ispirikitik*” or “*anting-anting*” that attends to the journey of a Filipino to become a marine officer. This is the exam leakage and kickback.

In the exams of 2002, believe it or not, I think there were six examinees that got perfect scores, 100%, *kaya napaulit ni Senator Pimentel nang ineksamin ang nangyari noong 2002. Dahil diyari, hinarang ng Australia ang mga seafarers natin hanggang inayos, subalit hanggang ngayon ay wala pang nakukulong.*

We may not be wise not to prejudice the PRC simply on the basis of these complaints and revelations to us. But considering how in the recent past this agency has so often perverted its public charge, let us also be wise and discerning about what we are confronted with here. The PRC’s record, to say the least, *magmula lamang noong ako ay naging senador*, is far from exemplary and reassuring. I have been a senator for three years now.

As some here will remember, I called for an inquiry into the integrity of the nursing licensure examination following the disastrous leakage of the test by the nursing board. *Alam ba ninyo noong kumuha ng eksamin ang mga nurses, sinabi ng PRC na wala raw leakage.* And what happened? In spite of our findings that there were at least two review centers that were involved, *ang sabi namin, doon na lamang magbigay ng eksamin, pinagpipilitan ng PRC na huwag nang magbigay ng repeat examination.* Against our advice, we told them that the whole world is going to shun our nurses. *Anong nangyari? Pinahiya na naman ang gobyerno at ang mga nurses natin sapagkat iyong examination na nire-require sa Amerika ay hindi sila pinayagan na kumuha kaya kamakailan lang umulit ang lahat — hindi lamang iyong tinamaan ng leakage, kundi lahat ay napi-*

*pilitang mawalan ng isang taon at umulit pa ng eksamin.* I understand 69% of those who took that exam passed mercifully.

I was in Mindanao and I reported this to the Chamber two weeks ago. What did I see there? Teachers who have not been allowed to take their exams because *tinatamad siguro ang PRC na pumunta sa Sulu.* I delivered a privilege speech here, and I wrote a letter to the President as well, telling her *na maraming teachers ang hindi sumusuweldo sa Sulu because kulang daw ang kanilang mga dokumento. Nang malaman ko, ang nangyari pala doon ay wala palang nakakumpleto ng examination.* So when I wrote the President, *ano ang sinabi? Pinadala ang PRC doon at sa isang linggo, nakakuha ng examination iyong mga teachers. Kailangan pa bang pumunta ang isang senador doon sa Sulu upang sabihan ang PRC na gawin nila ang kanilang trabaho, na magbigay ng eksamin doon para makapasa ang mga teachers at habang nagtuturo ay sumusuweldo sila?*

*Nagpunta rin ako sa Basilan at ganoon din ang kuwento. Hindi pa rin sila nakakuha ng eksamin sapagkat tinatamad siguro ang PRC.*

The same is needed now with respect to the plight of our seafarers. It is time to look not only at the merits of this petition but the evident injustice and corruption behind it.

We like to say these days that our overseas contract workers (OFWs) are our heroes of today, marching our exemplars of the past. If this is so, then what the PRC has done and proposes to do even further is no way to treat our living heroes. It is an indignity that must be stopped.

I have here an Australian paper that says, “Australians won’t recognize Philippine crew certificates.” *Hindi tatanggapin ng Australia ang crew certificates natin noong 2002 because nagkalat na naman ang PRC in 2002. Nandito sa kabila, hindi pa tatanggapin ng Commission on Graduates of Foreign Nurses Schools ang mga kumuha ng eksamin last year sa nursing licensure examination until they repeat it, and they had to repeat it.*

*Ngayon naman sa mga seafarers, dinadagdagan ang eksamin. They examined, ngunit pinagre-review, nagbabayad, anim na linggo hanggang walong linggo magre-review, mag-i-eksamin; labindalawang libo ang bayad sa review center, mag-babayad sa pagkain, magbabayad sa pamasaha at pagkatapos makapasa, dadagdagan pa muli ng isang requirement na*

*kumuha ng tinatawag nilang bagong MLC sa isang simulator na nagkakahalaga ng P52,000.*

I therefore urge that the Chamber express the sense of the Senate on this issue and give respect and comfort to our seafarers. Let us endorse their letter-petition to the Executive and urge that their plea for review of the regulation be granted and that its implementation be suspended immediately. And let us refer this privilege speech to the proper committee so that we can indeed take action and ask the PRC this time to no longer whitewash these cases, to reform its system, to make sure that the people who had been caught creating, who have been corrupting the examinations, who have been making a shred of our integrity by their corruption, be brought to be bar of justice. I think it is only fair to do so. In that sense, *iyong mga nagsasabing itong mga bayani natin ay dapat tratuhin natin ng tunay na pagmamalasakit sa bayani, ng konting malasakit sa ating Senado*

#### **INTERPELLATION OF SENATOR MADRIGAL**

At the outset, Senator Madrigal commended Senator Gordon for a stimulating speech on a matter that is seldom discussed in the Chamber but which is significant to the growth of the country in view of its maritime history.

Replying to queries, Senator Gordon explained that there are two types of management level courses, one for Marine Engineering Officers, and another for Marine Deck Officers. He disclosed that the mandatory course before the issuance of the COC includes auxiliary machinery system for management and operation level, for engine; control engineering for management and operation level, for hydraulics; matrix for management level; maritime law for ship officers for management level; and simulator training in collision avoidance. Moreover, he informed the Body that the management level courses run for 94 hours or 12 days; for instance, module 1 for deck officers is 19 hours and module 2 is 19 hours with 12-hour lecture. He added that every subject has a price, from P5,000 to P14,000; the 12-day course costs P21,000.

As to the training centers accredited to give the simulator courses, Senator Gordon cited the ProTec Training Center owned by a former Marine Board member, Exact Training Center, Far East Maritime Training Center, and New Simulator Training Center.

He noted that practically the same courses, which presently are in the nature of interim courses, are offered again and again at every rank and the PRC now wants to convert these interim courses into management level courses at the cost of P75,000.

To the observation that the management level courses are justified in view of the declining quality of the country's maritime officers, Senator Gordon disagreed. He pointed out that no major accident involving Filipino crewmen has occurred; on the contrary, he had witnessed Filipino crewmen save lives at sea.

To be able to practice the maritime profession, Senator Gordon said that the law only requires the applicants for registration to pass a written technical examination. Unfortunately, he said, the PRC requires an applicant to go through another six to eight weeks of simulation tests before granting a captain his license, as was the case of one Captain Samonte. He believed that this is the reason why the number of officers is declining through the years—from 17,000 in 2000, 7,000 in 2001, and only about 2,000 at present who managed to pass the various courses.

Replying to queries, Senator Gordon said that the principal of Captain Samonte is a Danish shipping company where he previously served as chief officer. He said that the company could have promoted him to captain of the chemical tanker had PRC not required him to take a COC, a course that shipping companies do not require of captains.

On a related matter, Senator Madrigal said that according to her British shipbroker friends, the shipping industry is recently undergoing probably the largest boom time since World War II, with ship rates going up. Thus, she agreed that there is no need to make it anymore difficult for officers to get promoted, especially in light of the PRC's questionable reputation.

Senator Madrigal recounted that her first job out of school was in manning, and that her first exposure was with the Spanish-speaking captains of her father and grandfather. Affirming Senator Gordon's remark that seafaring is in the Philippine blood, she said that the breed of the captains who would give orders in Spanish has died off, but the spirit has not.

Senator Madrigal said that the manning industry expanded in the 1980s with a lot of maritime schools <sup>AS</sup>

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cropping up; in fact, foreign principals would take a full complement of Philippine crew. Today, she lamented, foreign principals would take a full complement of Philippine crew minus the chief engineer and captain, or they would be keeping foreign officers with Philippine crew, maybe because of the decline in the statistics of officers. Nonetheless, she expressed the belief that there is no better officer than the Philippine officer.

Despite the advantage in English of the Filipino seafarer, Senator Madrigal lamented that education in maritime schools has suffered, opening the industry further to competition from the Indian, Burmese and Vietnam complements who are being paid much cheaper rates. Recalling that she had hired apprentices, engine oilers and deck cadets who did not have the foggiest idea that the front end of the ship is from the back, she expressed hope that the Senate could review the Maritime Code, as well as look into the reasons for the decline in the quality of maritime education and the loss of a few principals because of the lack of training of the senior officers.

Senator Madrigal stated that the Danish company could very well pay for the PRC fees of Captain Samonte, as she pointed out that a ship makes an income of about half a million dollars a month or \$6 million per year with Philippine crew, with the principal realizing a net income of about 16% thereof. Aside from foreign principals not paying its Philippine crew as much as they would pay its foreign crew, she pointed out that another problem is with the ITF and the unions. While the Philippines has become a flag of convenience, that is, it is a dual registry country and any ship that has a full Filipino complement flying a Filipino flag should not be touched by the ITF, she said that none of the ships are Filipino-owned because Philippine shipowners have left the business for lack of incentives in the country. She opined that the Senate could also tackle whether or not the Philippines is really a flag of convenience.

In reply, Senator Gordon stated that the Philippines is not yet a flag of convenience. On the suggestion that the Danish principal could pay for the PRC fees of Captain Samonte, he believed that doing so would mean succumbing to outright extortion. He expressed the need to unmask the people in the PRC who do so, given the very dismal performance of the agency.

Given the fact that the Philippines is the number one supplier of seafarers in the world, Senator Gordon

expressed hope that the country would continue to excel in the area, particularly by urging the CHED to improve the technical English of officers because they command international crews. He believed that there is no need to conduct interim courses for officers because they have had these courses in college, thus, it was a mistake for the Philippines to report to the international community that it does not have management level courses because the CHED had included such courses in the curriculum after 2001.

Asked why the Filipino Shipowners' Association and FAME, which oversee 90% of Filipino seafarers, were not included in the letter-petition filed collectively by seafarers' organizations, Senator Gordon said that they simply did not complain. He said, though, that the absence of complaints does not make a thing right; in fact, it even encourages the perpetration of ill-will upon hardworking Filipinos.

Senator Madrigal wondered why both FSA and FAME were silent since their manning business could be greatly affected considering that they are the most famous organizations in the country that control most of the deployment of seafarers. Senator Gordon replied that FAME, a composition of people who run manning agencies, is comfortable in the fact that it is not the one taking the examination, it is not the one who wants to be promoted, it is not severely affected by this.

Replying to further queries, Senator Gordon said that Captain Samonte was eventually replaced. Thus, he pointed out the tragedy of Filipino officers who are being replaced because of too many requirements. He stressed that he has always been an advocate of increasing the value and dignity of Filipinos being sent abroad; for instance, maids should be trained to become governesses, or cooks and chefs.

Senator Gordon pointed out that agencies should ensure that only the most capable and professional officers are manning the ships. He said that FAME should clarify all the issues in a committee hearing.

On whether the AMOSUP supported the move of the PRC, Senator Gordon replied that AMOSUP is not supporting the MLC. He suggested that the implementation of the MLC be suspended while the issue is still being investigated in the Senate.

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Senator Gordon opined that to have a globally competitive Filipino seafarers, education in all levels should be improved especially the sciences. He stressed that when the law prescribes the minimum standards, these should be complied with and not even the PRC could contradict them.

As to the percentage of sea vessels operated entirely by Filipinos, Senator Gordon stated that he does not have the exact figure. He disclosed that deployment of seafarers by flag of registry is as follows:

| <i>Country</i>   | <i>No. of Seafarers</i> |
|------------------|-------------------------|
| Panama           | 55,016                  |
| Bahamas          | 29,457                  |
| Liberia          | 22,000                  |
| Marshall Islands | 9,900                   |
| Singapore        | 9,362                   |
| United Kingdom   | 7,824                   |
| Malta            | 7,803                   |
| Norway           | 7,260                   |
| Cyprus           | 7,255                   |
| Netherlands      | 6,653                   |

On whether there is information as to the kind of vessels they man, Senator Gordon stated that it was not available.

Asked on the level of competence of Filipino maritime graduates to man fully automated ships whose crew compliment has been reduced from 22 to 12 or 16 for a 16,000 to 18,000-ton vessel, Senator Gordon replied that many of the graduates are manning new vessels. Precisely, he said, in these modern times, the students of maritime schools should be computer literate.

Senator Madrigal expressed support for Senator Gordon's initiative to scrutinize the real motives of the PRC in adding another requirement for Filipino seafarers which imposes a financial obligation on them. She asserted that the seafarers today are much better of because of the improved shipping conditions. However, she deplored the inferior maritime education of new seafarers, noting that many of them cannot take the seafaring life and once they board the vessels, they seem to take on the bad behavior of their western counterparts. She therefore underscored the need to include in the curriculum a practicum to enable seafarers to perform better, as well as a code of ethics and behavior to guide the

conduct of seafarers. She argued that the CHED should play an active part in raising the standards of maritime institutions and closing the fly-by-night and errant institutions.

To the observation that PMMA does come out with good sailors and officers and MAAP in Bataan is run by the very competent Captain Oca, Senator Madrigal stated that the captain and majority of the experienced and competent captains were, in fact, trained by her father and grandfather.

#### **INTERPELLATION OF SENATOR PIMENTEL**

At the outset, Senator Pimentel disclosed that he has filed a resolution on the same matter.

Senator Pimentel suggested that the matter be investigated as he expressed concern that some maritime schools are projecting a false image of competence while actually merely making money on their enrollees. Senator Gordon agreed as he noted that the government should try to maintain the Philippines' image of having the best seafarers by not allowing the operation of mediocre or diploma mill schools and review centers.

As regards the suggestion that representatives of maritime schools be invited to the committee hearings to elaborate on the kind of training they give their cadets, Senator Gordon agreed as he stressed the importance of having good maritime schools that provide both adequate training and cultural immersion for their students considering that seafaring is a very lonely, dangerous and demanding life.

To the observation that in order to comply with the PRC requirement, vacationing Filipino seafarers are compelled to study in review centers, Senator Gordon adverted to Section 8, Article IV of CHED Memorandum Order No. 13 which enumerates the requisite minimum standard of competence for masters and shipmates which would enable a seafarer to be promoted if he passes the written examination. He suggested that government encourage the establishment of maritime training centers that focus on improving the seafarer's competence through simulator training, laboratory and computer technology rather than allow the operation of schools and review centers which are not even accredited by the CHED.

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Senator Pimentel surmised that the situation came about because some former PRC examiners running review centers conspired with certain PRC officials to make money by referring examinees to them. He urged Senator Ejercito Estrada, chair of the Committee on Labor, Employment and Human Resources Development, to ask the National Bureau of Investigations to look into the business affiliations of people running maritime review centers. Senator Gordon agreed, noting that Senator Pimentel himself had urged the PRC in his resolution to act on the tainted seafarers' examination in 2002 which had involved members of its own board of examiners. He stressed the importance of having closure on these anomalies as he noted that there had been no development in the case.

In closing, Senator Pimentel said that the matter would be taken up by the Committee on Labor, Employment and Human Resources Development.

#### **INTERPELLATION OF SENATOR LEGARDA**

Asked by Senator Legarda whether there is a single government agency that takes care of the needs as well as protects and upholds the rights of seafarers, Senator Gordon replied that their needs are addressed by several agencies such as the POEA, DOLE, MARINA, OWWA and the Coast Guard.

As regards the suggestion to establish a commission that would address the needs and protect the welfare of seafarers, Senator Gordon said that he would like to propose the creation of a National Seafarers Administration and asked that Senator Legarda be a cosponsor of the measure.

For her part, Senator Legarda stated that she, in fact, filed a bill which seeks the establishment of a National Seafarers Commission which will develop, organize, maintain, operate, integrate and streamline all the policies and programs related to the Philippine seafaring profession and make it more competitive.

On a related matter, Senator Legarda pointed out that even though Filipino seafarers are major dollar earners, with about a million remitting more than US\$1.2 billion in the first quarter of 2006, they have to undergo a tedious bureaucratic process to be able to work abroad. She lamented that having a system that requires first-time seafarers to go through several

agencies to secure permits and clearances is very discouraging. Senator Gordon shared the same sentiment and underscored the importance of giving seafarers real support instead of offering mere oral manifestations of heroism.

Senator Legarda stated that she is supportive of the idea of creating a National Seafarers Commission as she has often been approached by seamen who share their never-ending problem with bureaucratic red tape. Senator Gordon agreed as he added that even foreign shipowners wonder why the Philippine government imposes so many requirements and makes it difficult for seafarers to work overseas. However, he stressed the importance of ensuring that overseas workers are properly educated and given the kind of support that would make them competitive.

#### **REMARK OF SENATOR PANGILINAN**

Senator Pangilinan associated himself with the effort of Senators Legarda, Gordon and Pimentel to get to the bottom of the new requirement being imposed by the PRC on Filipino seafarers.

#### **REFERRAL OF SPEECH TO COMMITTEE**

Upon motion of Senator Pangilinan, there being no objection, the Chair referred the privilege speech of Senator Gordon and the interpellations thereon to the Committee on Labor, Employment and Human Resources Development.

#### **THIRD ADDITIONAL REFERENCE OF BUSINESS**

The Secretary of the Senate read the following resolutions which the Chair referred to the committees hereunder indicated:

Proposed Senate Resolution No. 121, entitled

**RESOLUTION DIRECTING THE COMMITTEES ON JUSTICE AND HUMAN RIGHTS; AND PUBLIC ORDER AND ILLEGAL DRUGS TO INQUIRE, LOOK INTO AND INVESTIGATE, IN AID OF LEGISLATION, THE PROLIFERATION OF FRATERNITY HAZINGS IN EDUCATIONAL INSTITUTIONS, MILITARY ORGANIZATIONS AND SIMILAR GROUPS WHICH RESULTED TO SERIOUS**

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INJURIES AND DEATHS OF NEO-PHYTES UNDERGOING INITIATIONS, WITH THE END IN VIEW OF DETERMINING IF THERE IS LAXITY IN THE ENFORCEMENT OF REPUBLIC ACT NO. 8049 OTHERWISE KNOWN AS THE ANTI-HAZING LAW

Introduced by Senator Gregorio B. Honasan II

**To the Committees on Constitutional Amendments, Revision of Codes and Laws; and Education, Arts and Culture**

Proposed Senate Resolution No. 122, entitled

RESOLUTION DIRECTING THE COMMITTEE ON WAYS AND MEANS TO CONDUCT AN INQUIRY AND THOROUGH REVIEW, IN AID OF LEGISLATION, THE VIABILITY TO AMEND SECTION 4 OF REPUBLIC ACT NO. 9334 OR THE SIN TAX LAW BY INCREASING FURTHER THE RATES SET ON THE EXCISE TAX IMPOSED ON TOBACCO, CIGARETTES AND CIGARS, WITH THE END IN VIEW OF COLLECTIVELY REDUCING GOVERNMENT'S BALLOONING PUBLIC SECTOR BUDGET DEFICIT, PREVENT THE INCIDENCE OF SMOKING-RELATED DISEASES, AND PROVIDE PROTECTION TO THE ENVIRONMENT

Introduced by Senator Gregorio B. Honasan II

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

Proposed Senate Resolution No. 123, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEES TO INVESTIGATE, IN AID OF LEGISLATION, THE ALLEGED PROLIFERATION OF SMUGGLED DRUGS AND OTHER HEALTH PRODUCTS IN THE COUNTRY IN ORDER TO

COME UP WITH CORRECTIVE LEGISLATION TO ADDRESS THE SAID PROBLEM

Introduced by Senator Ramon "Bong" Revilla Jr.

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

Proposed Senate Resolution No. 124, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON JUSTICE AND HUMAN RIGHTS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE APPARENTLY DETERIORATING SIGNIFICANCE AND EFFECTIVENESS OF THE WITNESS PROTECTION PROGRAM AS DEFINED AND ESTABLISHED UNDER REPUBLIC ACT NO. 6981

Introduced by Senator Francis "Chiz" G. Escudero

**To the Committee on Justice and Human Rights**

Proposed Senate Resolution No. 125, entitled

RESOLUTION EXPRESSING THE SENSE OF THE SENATE THAT THE GAG ORDER POLICY OF THE GOVERNMENT IS AN ASSAULT TO THE CONSTITUTIONAL GUARANTEE ON THE PEOPLE'S RIGHT TO INFORMATION AND THE STATE POLICIES ON TRANSPARENCY AND ACCOUNTABILITY

Introduced by Senator Manny Villar

**To the Committee on Rules**

#### COAUTHORS

Senator Pangilinan manifested that he and Senate President Villar, Senators Cayetano (P), Zubiri, Angara, Aquino, Ejercito Estrada, Escudero, Honasan, Madrigal and Pimentel are coauthors of Proposed Senate Resolution No. 102 (Commending the Ten Outstanding Teachers of 2007).

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## CHANGE OF REFERRAL

At the instance of Senator Gordon, upon motion of Senator Pangilinan, there being no objection, the Chair referred Senate Bill No. 290 primarily to the Committee on Constitutional Amendments, Revision of Codes and Laws; and secondarily to the Committee on Youth, Women and Family Relations.

## SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

*It was 6:25 p.m.*

## RESUMPTION OF SESSION

At 6:26 p.m., the session was resumed.

## PROPOSED SENATE RESOLUTION NO. 125

Upon motion of Senator Pangilinan, there being no objection, the Body considered Proposed Senate Resolution No. 125, entitled

RESOLUTION EXPRESSING THE SENSE OF THE SENATE THAT THE GAG ORDER POLICY OF THE GOVERNMENT IS AN ASSAULT TO THE CONSTITUTIONAL GUARANTEE ON THE PEOPLE'S RIGHT TO INFORMATION AND THE STATE POLICIES ON TRANSPARENCY AND ACCOUNTABILITY.

Secretary Reyes read the text of the resolution, to wit:

*Whereas*, the significance of the citizen's right to know/right to information is manifested in various provisions of the fundamental law:

- ◆ Article III, Section 3 states, "[t]he right of the people to information on matters of public concern shall be recognized. Access to official records, and to documents and papers pertaining to official acts, transactions or decision, as well as to government research data used as basis for policy development, shall be afforded the citizen, subject to such limitations as may be provided by law,"

- ◆ Article II, Section 28 enshrines, "[s]ubject to reasonable conditions prescribed by law, the State adopts and implements a policy of full public disclosure of all its transactions involving public interest."

- ◆ Article II, Section 27 provides, "[t]he State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption."

*Whereas*, the people's right to official information is an indispensable element of a functioning democracy;

*Whereas*, the significance of the citizen's right to know is reflected in various decisions of the Supreme Court stating, "there can be no realistic perception by the public of the nation's problems, not a meaningful democratic decision-making if they are denied access to information of general interest";

*Whereas*, the free flow of information about the affairs of government paves the way for a healthy debate in public policy and promotes transparency and accountability in government and serves as vital safeguard against corruption, irregularities and illegal activities;

*Whereas*, access to official information exposes the vested interests involved, and leads in the identification of corrupt officials and in the long run, cleaning the mess in bureaucracy;

*Whereas*, the government and its officials must not be "onion-skinned" as "public office is a public trust" and anyone who accepts to serve the civil service is presumed to be in solidarity with democracy's national commitment that debate on public issues should be uninhibited, robust and wide-open;

*Whereas*, the gag order on government officials to speak on matters of public interest is a smack on the constitutional guarantee on the right to information and an insult to the twin tenets of transparency and accountability ordained in the 1987 Philippine Constitution:  
*Now, therefore, be it*

*Resolved by the Senate of the Philippines*, as it is hereby resolves, To express the sense of the Senate that the gag order policy of the government is an assault to the constitutional guarantee on the people's right to information and the State policies on transparency and accountability.

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**SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 6:30 p.m.*

**RESUMPTION OF SESSION**

At 6:30 p.m., the session was resumed.

**SUSPENSION OF CONSIDERATION OF PROPOSED SENATE RESOLUTION NO. 125**

Senator Pangilinan requested that the Committee on Rules be given at least a day to introduce some amendments to the resolution.


Upon motion of Senator Pangilinan, there being no objection, the Body suspended consideration of the resolution.

**ADJOURNMENT OF SESSION**

Upon motion of Senator Pangilinan, there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of the following day.

*It was 6:31 p.m.*

I hereby certify to the correctness of the foregoing.

  
EMMA LIRIO REYES  
Secretary of the Senate *ELR*

Approved on September 5, 2007