



REPUBLIC OF THE PHILIPPINES

S e n a t e

Pasay City

Journal

SESSION NO. 46

Wednesday, December 19, 2007

**FOURTEENTH CONGRESS
FIRST REGULAR SESSION**

SESSION NO. 46
Wednesday, December 19, 2007

CALL TO ORDER

At 3:30 p.m., the Senate President, Hon. Manny Villar, called the session to order.

PRAYER

Sen. Benigno Simeon C. Aquino III led the prayer, to wit:

Almighty Father,

We are nearing the end of a year wrought by seemingly insurmountable crisis, yet our questions remain unanswered and our problems unresolved. Doubt seems to be the only certainty looming within the horizon.

As a new year dawns, so does the call for new beginnings. While this renewed hope springs at the onset, we should let it grow throughout the year. We must break the chain of broken promises and learn from our mistakes so that we become ready to face the future.

May the Holy Spirit come upon all of us, especially those who need enlightenment as we move our country towards stability and progress.

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:

| | |
|-----------------------|----------------------|
| Angara, E. J. | Ejercito Estrada, J. |
| Aquino III, B. S. C. | Enrile, J. P. |
| Arroyo, J. P. | Escudero, F. J. G. |
| Cayetano, A. P. C. S. | Honasan, G. B. |
| Cayetano, C. P. S. | Lacson, P. M. |
| Defensor Santiago, M. | Lapid, M. L. M. |

| | |
|-------------------|---------------------|
| Legarda, L. | Pimentel Jr., A. Q. |
| Madrigal, M. A. | Roxas, M. |
| Pangilinan, F. N. | Villar, M. |

With 18 senators present, the Chair declared the presence of a quorum.

Senators Biazon, Gordon, Revilla and Zubiri arrived after the roll call.

Senator Trillanes was unable to attend the session.

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. 45 and considered it approved.

REFERENCE OF BUSINESS

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

**MESSAGE OF THE
PRESIDENT OF THE PHILIPPINES**

Letter of Her Excellency, President Gloria Macapagal Arroyo, dated 18 December 2007, certifying to the necessity of the immediate enactment of Senate Bill No. 1964, entitled

**AN ACT TO STRENGTHEN THE
UNIVERSITY OF THE PHILIPPINES
AS THE NATIONAL UNIVERSITY,**

to address the urgent need to update and revise the University of the Philippines' 96-year old charter to ensure its institutional flexibility and fiscal autonomy to effectively perform its function as a national university with distinct leadership in higher education and as the foremost graduate university on research and public service.

To the Committee on Rules *AS*

JP

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Letter from the Secretary General of the House of Representatives, informing the Senate that on 17 December 2007, the House of Representatives adopted House Concurrent Resolution No. 11, entitled

CONCURRENT RESOLUTION AMENDING THE LEGISLATIVE CALENDAR OF THE FIRST REGULAR SESSION OF THE FOURTEENTH CONGRESS OF THE PHILIPPINES,

in which it requested the concurrence of the Senate.

To the Archives

Letter from the Secretary General of the House of Representatives, informing the Senate that on 17 December 2007, the House of Representatives agreed to a conference and designated Representatives Mitra, Estrella, Chavez, Padilla, Defensor Sr., Escudero III and Antonino-Custodio as its conferees to the Bicameral Conference Committee on the disagreeing provisions of House Bill No. 2976, entitled

AN ACT TO EXTEND THE UTILIZATION PERIOD OF THE AGRICULTURAL COMPETITIVENESS ENHANCEMENT FUND, AMENDING REPUBLIC ACT NO. 8178, ENTITLED "AN ACT REPLACING QUANTITATIVE IMPORT RESTRICTIONS ON AGRICULTURAL PRODUCTS, EXCEPT RICE, WITH TARIFFS, CREATING THE AGRICULTURAL COMPETITIVENESS ENHANCEMENT FUND," AND FOR OTHER PURPOSES,

and Senate Bill No. 1648, entitled

AN ACT EXTENDING THE UTILIZATION PERIOD OF THE AGRICULTURAL COMPETITIVENESS ENHANCEMENT FUND, AMENDING FOR THIS PURPOSE SECTION 8 OF REPUBLIC ACT NO. 8178, ENTITLED "AN ACT REPLACING QUANTITATIVE IMPORT RESTRICTIONS

ON AGRICULTURAL PRODUCTS, EXCEPT RICE, WITH TARIFFS, CREATING THE AGRICULTURAL COMPETITIVENESS ENHANCEMENT FUND," AND FOR OTHER PURPOSES.

To the Archives

BILLS ON FIRST READING

Senate Bill No. 1967, entitled

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

Introduced by Senator Miriam Defensor Santiago

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

Senate Bill No. 1968, entitled

AN ACT REQUIRING THE PROPER LABELING OF FOOD PRODUCED FROM THE USE OF FERTILIZER MADE FROM RECYCLED SEWAGE SLUDGE

Introduced by Senator Miriam Defensor Santiago

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

Senate Bill No. 1969, entitled

AN ACT REQUIRING FOOD ESTABLISHMENTS TO DISCLOSE THE INGREDIENTS OR ADDITIVES THAT THEY USE IN THEIR PRODUCTS

Introduced by Senator Miriam Defensor Santiago

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

pb

ADDITIONAL REFERENCE OF BUSINESS

Senate Bill No. 1974, entitled

BILLS ON FIRST READING

Senate Bill No. 1970, entitled

AN ACT TO PROVIDE FOR THE
DISCLOSURE OF LOBBYING
ACTIVITIES

Introduced by Senator Miriam Defensor
Santiago

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

Senate Bill No. 1971, entitled

AN ACT TO PROVIDE PROTECTION
OF PRIVACY OF INFORMATION
IN MOTOR VEHICLE RECORDS

Introduced by Senator Miriam Defensor
Santiago

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

Senate Bill No. 1972, entitled

AN ACT ESTABLISHING A WHISTLE-
BLOWER BILL OF RIGHTS

Introduced by Senator Miriam Defensor
Santiago

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

Senate Bill No. 1973, entitled

AN ACT GIVING INDIGENT BUT
GIFTED AND TALENTED STUDENTS
THE OPPORTUNITY TO DEVELOP
THEIR CAPABILITIES

Introduced by Senator Miriam Defensor
Santiago

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

AN ACT REQUIRING THE DEPART-
MENT OF HEALTH TO CONDUCT
A STUDY ON THE PREVALENCE
AND ISSUES RELATED TO
CONTAMINATION OF WORKER'S
HOMES WITH HAZARDOUS
CHEMICALS AND SUBSTANCES
TRANSPORTED FROM THEIR
WORKPLACE AND TO ISSUE OR
REPORT ON REGULATIONS TO
PREVENT OR MITIGATE THE
FUTURE CONTAMINATION OF
WORKERS' HOMES

Introduced by Senator Miriam Defensor
Santiago

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

Senate Bill No. 1975, entitled

AN ACT ESTABLISHING A CODE
OF CONDUCT AND ETHICAL
STANDARDS FOR THE ELEC-
TORAL PROCESS, ENUMERATING
PROHIBITED ACTS, AND PROVID-
ING FOR THEIR PENALTIES

Introduced by Senator Miriam Defensor
Santiago

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

Senate Bill No. 1976, entitled

AN ACT CREATING FIVE (5)
ADDITIONAL BRANCHES OF
METROPOLITAN TRIAL COURTS
IN THE NATIONAL CAPITAL
REGION, AMENDING FOR THE
PURPOSE BATAS PAMBANSA
BLG. 129, AS AMENDED, OTHER-
WISE KNOWN AS THE JUDICIARY
REORGANIZATION ACT OF 1980,
APPROPRIATING FUNDS THEREFOR,
AND FOR OTHER PURPOSES *AS*

po

Introduced by Senator Manny Villar

To the Committees on Justice and Human Rights; and Finance

Senate Bill No. 1977, entitled

**AN ACT AMENDING THE NATIONAL
INTERNAL REVENUE CODE OF
1997 AS AMENDED**

Introduced by Senator Juan Miguel F. Zubiri

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

COMMITTEE REPORT

Committee Report No. 28, prepared and submitted jointly by the Committees on Justice and Human Rights; and Finance, on Senate Bill No. 1978, with Senators Jinggoy Ejercito Estrada, Biazon, Miriam Defensor Santiago, Francis "Chiz" G. Escudero and Enrile as authors thereof, entitled

**AN ACT PENALIZING TORTURE AND
OTHER CRUEL, INHUMAN AND
DEGRADING TREATMENT OR
PUNISHMENT, PRESCRIBING
PENALTIES THEREFOR AND FOR
OTHER PURPOSES,**

recommending its approval in substitution of Senate Bill Nos. 7, 39, 1306, 1337 and 1848.

Sponsors: Senators Francis "Chiz" G. Escudero and Enrile

To the Calendar for Ordinary Business

**COMMITTEE REPORT NO. 24
ON SENATE BILL NO. 1964
(Continuation)**

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1964 (Committee Report No. 24), entitled

**AN ACT TO STRENGTHEN THE
UNIVERSITY OF THE PHILIP-
PINES AS THE NATIONAL
UNIVERSITY.**

Senator Pangilinan stated that the parliamentary status was still the period of committee amendments. He said that the Committee had agreed to accommodate nine of the ten proposed amendments of Senator Madrigal and on the tenth amendment, on the issue of the consultative assembly, a compromise formulation was agreed upon, subject to style.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 3:39 p.m.

RESUMPTION OF SESSION

At 3:41 p.m., the session was resumed.

COMMITTEE AMENDMENTS

As proposed by Senator Pangilinan, there being no objection, the Body approved the following amendments, one after the other:

1. On page 3, lines 22 and 23, after the phrase "poor and deserving students," insert the phrase INCLUDING BUT NOT LIMITED TO VALEDICTORIANS AND SALUTATORIANS OF PUBLIC HIGH SCHOOLS;
2. On the same page, line 25, after the words "religious beliefs," insert the phrase ECONOMIC STATUS and a comma (,);
3. On page 4, line 9, after the word "jurisdiction," insert a sentence to read: THE UNIVERSITY, TAKING INTO ACCOUNT NATIONAL GOALS AND PRIORITIES, SHALL EXCLUSIVELY DETERMINE ITS TEACHING, RESEARCH AND EXTENSION THRUSTS, PLANS, POLICIES, PROGRAMS AND STANDARDS, AND, ON THE BASIS OF SUCH DETERMINATION, THE UNIVERSITY SHALL RECOMMEND ITS ANNUAL BUDGET TO THE PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES AND CONGRESS;
4. On the same page, line 22, after the word "full-time," delete the word "tenured";
5. On page 6, delete lines 19 to 21, and in lieu thereof, insert a new subparagraph (f) to read as follows:

(f) TO APPROVE THE RULES ON STUDENT DISCIPLINE RECOMMENDED BY THE UNIVERSITY COUNCILS, *Ab*

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THROUGH THE PRESIDENT OF THE UNIVERSITY, WITH THE BOARD RETAINING THE POWER TO REVIEW AND PASS FINAL JUDGMENT ON STUDENT DISCIPLINARY CASES;

6. On page 7, line 22, after the word "after," insert the words DUE AND;
7. On page 9, reword lines 16 to 20 as follows:

THE PRESIDENT OF THE UNIVERSITY SHALL BE APPOINTED BY THE BOARD OF REGENTS AND SHALL SERVE FOR A TERM OF SIX YEARS.;

8. On page 11, delete lines 24 to 27 and in lieu thereof, insert a new paragraph to read as follows:

(2) SUBJECT TO DUE AND COMPREHENSIVE CONSULTATION WITH THE STUDENTS, THERE SHALL BE A STUDENT PUBLICATION ESTABLISHED IN EVERY CONSTITUENT UNIT AND COLLEGE TO BE FUNDED BY STUDENT FEES. FREEDOM OF EXPRESSION AND AUTONOMY IN ALL MATTERS OF EDITORIAL AND FISCAL POLICY SHALL BE GUARANTEED ESPECIALLY IN THE SELECTION OF ITS EDITORS AND STAFF.;

9. On page 12, line 1, after the word "shall," replace the words "provide subsidy" with SUPPORT;
10. On the same page, after line 29, insert another subsection to read as follows:

(d) ANY PLAN TO GENERATE REVENUES AND OTHER SOURCES FROM LAND GRANTS AND OTHER REAL PROPERTIES ENTRUSTED TO THE UNIVERSITY SHALL BE CONSISTENT WITH THE UNIVERSITY'S ACADEMIC MISSION AND ORIENTATION AS THE NATIONAL STATE UNIVERSITY AS WELL AS PROTECT THE UNIVERSITY FROM UNDUE INFLUENCE AND CONTROL OF COMMERCIAL INTERESTS: *PROVIDED*, THAT SUCH PROGRAMS, PROJECTS OR MECHANISMS SHALL BE APPROVED BY THE BOARD SUBJECT TO A TRANSPARENT AND DEMOCRATIC PROCESSES OF CONSULTATION WITH THE UNIVERSITY'S CONSTITUENTS: *PROVIDED, FINALLY*, THAT FUNDS GENERATED FROM SUCH PROGRAMS, PROJECTS OR MECHANISMS SHALL NOT BE MEANT TO REPLACE IN PART OR IN WHOLE THE ANNUAL APPROPRIATIONS

PROVIDED BY THE NATIONAL GOVERNMENT TO THE UNIVERSITY.;

11. On page 13, line 29, after the word "transactions," replace the semicolon (;) with a colon (:) and insert the following proviso:

PROVIDED, THAT IF THE BOARD OF REGENTS DIFFERS WITH THE FAIRNESS OPINION REPORT, THEY SHALL JUSTIFY THEIR DECISION IN WRITING AND MAKE THIS AVAILABLE TO THE UNIVERSITY COMMUNITY.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 3:46 p.m.

RESUMPTION OF SESSION

At 3:53 p.m., the session was resumed.

COMMITTEE AMENDMENTS

(Continuation)

12. On page 2, line 21, after the word "world," change the period (.) to a semicolon (;) and add the word AND;
13. On the same page, after line 21, add a paragraph to read as follows:

(8) PROVIDE DEMOCRATIC GOVERNANCE IN THE UNIVERSITY BASED ON COLLEGIALLY, REPRESENTATION, ACCOUNTABILITY, TRANSPARENCY, AND ACTIVE PARTICIPATION OF ITS CONSTITUENTS. THE BOARD OF REGENTS SHALL, IN CONSULTATION WITH ALL THE UNIVERSITY CONSTITUENTS, PROMULGATE GUIDELINES TO IMPLEMENT THE PROVISION OF THIS ACT WHICH SHALL INCLUDE A MECHANISM FOR THE APPROPRIATE FORUM FOR STUDENTS, FACULTY, REPS, STAFF, ALUMNI TO DISCUSS NON-ACADEMIC ISSUES AFFECTING THE UNIVERSITY.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 3:54 p.m. *He*

pb

RESUMPTION OF SESSION

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

COMMITTEE AMENDMENTS

(Continuation)

14. On page 16, between lines 15 and 16, subject to style, insert a new section to read as follows:

SEC. 32. *TRANSITORY PROVISIONS.* – THE NECESSARY IMPLEMENTING RULES AND REGULATIONS IN RELATION TO THE INSTITUTIONALIZATION OF THE APPROPRIATE FORUM AS STIPULATED IN SECTION 3, NUMBER 8 OF THIS ACT SUBJECT TO THE FINAL APPROVAL OF AN OVERSIGHT COMMITTEE OF CONGRESS COMPOSED OF THREE REPRESENTATIVES FROM THE HOUSE OF REPRESENTATIVES AND OF THE SENATE, COMPOSED OF THE CHAIRMAN OF THE HOUSE COMMITTEE ON HIGHER EDUCATION, THE CHAIRMAN OF THE SENATE COMMITTEE ON EDUCATION AND TWO OTHER MEMBERS OF THE HOUSE AND OF THE SENATE, RESPECTIVELY.

As a consequence, the following section was renumbered accordingly.

TERMINATION OF THE PERIOD OF COMMITTEE AMENDMENTS

There being no other committee amendment, upon motion of Senator Pangilinan, there being no objection, the Body closed the period of committee amendments and proceeded to the period of individual amendments.

INQUIRY OF SENATOR PIMENTEL

Asked by Senator Pimentel if under the bill or by policy, the University shall get a share of the income to be derived from the commercialization of inventions it funded, Senator Pangilinan replied that U.P. has guidelines for the protection of intellectual property which includes a share in the earnings derived from inventions.

PIMENTEL AMENDMENT

On the new Section 32, as proposed by Senator Pimentel and accepted by the Sponsor, there being no objection, the Body approved, subject to style, the insertion of the period of ONE HUNDRED TWENTY

(120) DAYS within which to issue the implementing rules and regulations.

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

There being no other individual amendment, upon motion of Senator Pangilinan, there being no objection, the Body closed the period of individual amendments.

APPROVAL OF SENATE BILL NO. 1964 ON SECOND READING

Submitted to a vote, there being no objection, Senate Bill No. 1964 was approved on Second Reading.

PRESIDENTIAL CERTIFICATION

Upon direction of the Chair, Secretary Reyes read the President's certification as to the necessity of the immediate enactment of Senate Bill No. 1964, to wit:

MALACAÑANG PALACE
Manila

December 18, 2007

HON. MANUEL B. VILLAR, JR.
Senate President
Philippine Senate
Pasay City

Dear Senate President Villar;

Pursuant to the provisions of Article VI, Section 26 (2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of Senate Bill No. 1964, under Committee Report No. 24, entitled

AN ACT TO STRENGTHEN THE
UNIVERSITY OF THE PHILIPPINES
AS THE NATIONAL UNIVERSITY,

to address the urgent need to update and revise the University of the Philippine 96-year old charter to ensure its institutional flexibility and fiscal autonomy to effectively perform its function as a national university with distinct leadership in higher education and as the foremost graduate university on research and public service.

Best wishes.

Very truly yours,

(Sgd.) GLORIA ARROYO

Cc: HON. JOSE C. DE VENECIA, JR.
Speaker
House of Representatives
Quezon City

APPROVAL OF SENATE BILL NO. 1964 ON THIRD READING

In view of the presidential certification, upon motion of Senator Pangilinan, there being objection, the Body considered, on Third Reading, Senate Bill No. 1964

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

AN ACT TO STRENGTHEN THE
UNIVERSITY OF THE PHILIPPINES
AS THE NATIONAL UNIVERSITY.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

| | |
|-------------------|------------|
| Angara | Lacson |
| Aquino | Lapid |
| Arroyo | Legarda |
| Cayetano (A) | Madrigal |
| Cayetano (P) | Pangilinan |
| Defensor Santiago | Pimentel |
| Ejercito Estrada | Roxas |
| Enrile | Villar |
| Escudero | |

Against

None

Abstention

None

With 17 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1964 approved on Third Reading.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 4:05 p.m.

RESUMPTION OF SESSION

At 4:07 p.m., the session was resumed.

PRIVILEGE SPEECH OF SENATOR PIMENTEL

Availing himself of the privilege hour, Senator Pimentel called attention to the plan of the Professional Regulation Commission to implement next year a management-level course for marine deck and engine officers, which was being objected to by seven organizations, namely, the PMI Alumni Association Inc., headed by Capt. Lowel P. Osenia; the Visayan Maritime Academy Alumni Association, led by Capt. Leo Mirande; the Seaman's Party, led by Capt. Nestor Vargas; the Crewing Managers Association of the Philippines, led by Capt. Reynaldo Valleros; Conference of Maritime Manning Agencies, led by Capt. Rodolfo Estampador; the Integrated Marine Deck and Engine Officers, led by Capt. Lamberto Torres; and the United Filipino Seafarers, led by Engr. Nelson P. Ramirez.

Senator Pimentel stated that the groups are objecting to the resolution because of its very broad requirement that the candidate for certification at the management level should have completed the approved education and training, which, to them, is a duplication of what is provided for in Section 14(d), Article V of Republic Act No. 8544 – that the candidate must be a graduate of Bachelor of Science in Maritime Transportation or Bachelor of Science in Marine Engineering. He believed that those who have been certified as graduates of either course had already complied with the requirement.

Moreover, Senator Pimentel pointed out that while Section 7 of the resolution requires that a candidate should have completed the approved course program, the duties of the maritime boards as outlined in Section 10 of RA 8544, include, among others, the regulation of the profession. Thus, he noted that it becomes a question of law which only the Supreme Court could explain in accordance with the parameters and extent of authority established by the legislature. He said that he would want the Senate to look into the complaint of the seafarers and prevent the PRC from promulgating and implementing a resolution without due consultation with the very agencies that it wants to regulate.

In closing, Senator Pimentel submitted to the Body the letter of the oppositors for appropriate action, noting that a speech of Senator Gordon on the same subject matter had previously been referred to the appropriate committee.

REFERRAL OF THE LETTER TO COMMITTEE

Upon motion of Senator Pangilinan, there being no objection, the Chair referred the letter to the Committee on Rules.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 4:14 p.m.

RESUMPTION OF SESSION

At 4:14 p.m., the session was resumed.

MANIFESTATION OF SENATOR PIMENTEL

Senator Pimentel said that some senators are asking for more time to thoroughly study the voluminous Civil Aviation Authority bill, especially as it involves revenue raising that the Committee on Ways and Means, chaired by Senator Escudero, should go over. He said that this could be reviewed during the holidays, after which it could be made a priority measure.

On the parliamentary status of the bill, Senator Pangilinan stated that it had been approved on Second Reading the previous day.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 4:15 p.m.

RESUMPTION OF SESSION

At 4:21 p.m., the session was resumed.

COMMITTEE REPORT NO. 17 ON SENATE BILL NO. 1881 (Continuation)

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1881 (Committee Report No. 17), entitled

AN ACT ESTABLISHING THE CREDIT INFORMATION SYSTEM AND FOR OTHER PURPOSES.

Senator Pangilinan stated that the parliamentary status was the period of individual amendments.

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

INQUIRY OF SENATOR ROXAS

Replying to the query of Senator Roxas, Senator Angara affirmed that a congressional oversight committee would be established to oversee the activities and operation of the credit information system.

Senator Roxas noted that the Committee has been receptive to his suggestion of a binary-objective type of information-gathering, which is neither essay nor subject to opinions, but a mere yes or no or factual information-gathering. He said that he would leave it to the Committee to draft the provision.

Senator Roxas further noted that prior to the implementation of the law, the SEC or the overseer is required to submit for the approval of the congressional oversight committee a copy of the draft information sheet that would indicate the information to be obtained from the financial institutions.

Senator Angara indicated that he would recommend that the provision that clarifies the nature and format of the credit information to be submitted be included under the section where the SEC is required, with the concurrence of the oversight committee, to draft the implementing rules and regulations.

Replying to further query, Senator Angara confirmed that the receipt or the demand of information from the financial agencies would only begin after the oversight committee shall have approved the information request sheet. In fact, he pointed out, the IRRs would not come into force and effect without the oversight committee's approval.

Senator Angara acceded to the request that the Roxas amendment be considered as a committee amendment.

REOPENING OF THE PERIOD OF COMMITTEE AMENDMENTS

Upon motion of Senator Angara, there being no objection, the Body reopened the period of committee amendments.

Senator Roxas expressed hope that the reopening of the period of committee amendments, to accommodate an additional amendment, would not set a precedent.

SUSPENSION OF SESSION

Upon motion of Senator Roxas, the session was suspended.

It was 4:27 p.m.

RESUMPTION OF SESSION

At 4:32 p.m., the session was resumed.

COMMITTEE AMENDMENTS

As proposed by Senator Angara, there being no objection, the following committee amendments were approved by the Body:

1. On page 11, between lines 20 and 21, insert a new subparagraph (a) to read:
 - (a) THE BASIC CREDIT DATA SHALL BE LIMITED OR CONFINED IN FORM AND CONTENT TO AN OBJECTIVE AND FACTUAL INFORMATION AND SHALL EXCLUDE ANY SUBJECTIVE INFORMATION OR OPINION.; and
2. On pages 11 and 12, reletter subparagraphs (c), (d), (e) and (f) as subparagraphs (b), (c), (d) and (e).

SUGGESTION OF SENATOR PIMENTEL

Senator Pimentel suggested that the concept be introduced in the specific provision to the effect that the law shall not have a retroactive effect, saying that this would give a new lease of life to those who might have done badly in the past but are already capable of rebuilding their lives and their credit to enable them to start all over again and benefit from the new law.

SUSPENSION OF SESSION

Upon motion of Senator Angara, the session was suspended.

It was 4:35 p.m.

RESUMPTION OF SESSION

At 4:55 p.m., the session was resumed.

COMMITTEE AMENDMENT

On page 12, after line 23, as proposed by Senator Angara, there being no objection, the Body approved the insertion of a new subparagraph to read as follows:

- (g) THE BASIC INFORMATION DATA ABOUT A BORROWER SHALL BE LIMITED TO CREDIT INFORMATION EXISTING ON THE DATE OF THE ENACTMENT OF THIS ACT AND THEREAFTER.

TERMINATION OF THE PERIOD OF COMMITTEE AMENDMENTS

There being no other committee amendment, upon motion of Senator Pangilinan, there being no objection, the Body closed the period of committee amendments and proceeded to the period of individual amendments.

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

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

APPROVAL OF SENATE BILL NO. 1881 ON SECOND READING


Submitted to a vote, there being no objection, Senate Bill No. 1881 was approved on Second Reading.

PARLIAMENTARY INQUIRY OF SENATOR ROXAS

In reply to a query of Senator Roxas, Senator Pangilinan affirmed that pursuant to Senate Resolution No. 22, the committees are allowed to conduct hearings and bicameral conferences during the recess.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 4:58 p.m. 

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RESUMPTION OF SESSION

At 4:59 p.m., the session was resumed.

PRESIDENTIAL CERTIFICATION

Upon direction of the Chair, Secretary Reyes read the President's certification as to the necessity of the immediate enactment of Senate Bill No. 1881, to wit:

MALACAÑANG PALACE
Manila

November 23, 2007

HON. MANUEL B. VILLAR, JR.
Senate President
Philippine Senate
Pasay City

Dear Senate President Villar:

Pursuant to the provisions of Article VI, Section 26 (2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of Senate Bill No. 1881, under Committee Report No. 17, entitled

**AN ACT ESTABLISHING A CREDIT
INFORMATION SYSTEM, AND
FOR OTHER PURPOSES,**

to meet the public emergency arising from the urgent need to address the lack of comprehensive and credible credit-related market, in order to improve the overall availability of credit, provide mechanisms to make credit more cost-effective, and reduce the excessive dependence on collateral to secure credit facilities.

Best wishes.

Very truly yours,

(Sgd.) GLORIA M. ARROYO

Cc: HON. JOSE DE VENECIA, JR.
Speaker
House of Representatives
Quezon City

APPROVAL OF SENATE BILL NO. 1881 ON THIRD READING

Pursuant to the presidential certification, upon motion of Senator Pangilinan, there being no objection, the Body considered, on Third Reading, Senate Bill No. 1881.

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

**AN ACT ESTABLISHING A CREDIT
INFORMATION SYSTEM, AND FOR
OTHER PURPOSES**

Secretary Reyes called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

| | |
|------------------|------------|
| Angara | Lapid |
| Aquino | Madrigal |
| Cayetano (P) | Pangilinan |
| Ejercito Estrada | Pimentel |
| Enrile | Roxas |
| Escudero | Zubiri |
| Gordon | Villar |
| Lacson | |

Against

None

Abstention

None

With 15 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1881 approved on Third Reading.

MANIFESTATION OF SENATOR ZUBIRI

Senator Zubiri stated that he was not able to vote on the UP Charter Bill because at the time, he was at a Philippine National Red Cross function with Senator Gordon but had he been present, he would have voted yes. He congratulated the Sponsor of the bill and the whole U.P. leadership.

MANIFESTATION OF SENATOR GORDON

Senator Gordon manifested that he, too, would have voted yes on the U.P. Charter Bill. He explained that he and Senator Zubiri, being governors of the

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Philippine National Red Cross, had to attend to a PNRC function, that was why they came in late and were unable to cast their individual votes.

COAUTHORS

Senator Pangilinan manifested that Senators Angara, Aquino, Cayetano (A), Cayetano (P), Ejercito Estrada, Enrile, Escudero, Gordon, Honasan, Lacson, Lapid, Pimentel, Roxas, Zubiri and Villar are coauthors of Senate Bill No. 1964.

PARLIAMENTARY INQUIRY OF SENATOR GORDON

On the matter of nominal voting, Senator Gordon asked the Committee on Rules to clarify whether a member is expected to go to the rostrum to cast his vote, adding that sometimes a member does not even bother to raise his hand but wonders how his vote was recorded.

The Chair referred the query to the Committee on Rules.

Senator Pangilinan replied that the Committee would act on the query and provide an answer.

COMMITTEE REPORT NO. 25 ON HOUSE BILL NO. 3156 (Continuation)

Upon motion of Senator Pangilinan, their being no objection, the Body resumed consideration of House Bill No. 3156 (Committee Report No. 25), entitled

AN ACT CREATING THE CIVIL
AVIATION AUTHORITY OF THE
PHILIPPINES, AUTHORIZING THE
APPROPRIATION OF FUNDS
THEREFOR, AND FOR OTHER
PURPOSES.

RECONSIDERATION OF THE APPROVAL ON SECOND READING OF HOUSE BILL NO. 3156

Upon motion of Senator Pangilinan, there being no objection, the Body reconsidered the approval on Second Reading of House Bill No. 3156 to give way to further individual amendments.

Thereafter, the Chair recognized Senator Enrile, Sponsor of the bill, and Senator Escudero for his amendments.

ESCUDERO AMENDMENTS

As proposed by Senator Escudero and accepted by the Sponsor, there being no objection, the Body approved the following amendments, one after the other:

1. On page 17, delete lines 1 to 5, and in lieu thereof, insert a new provision to read as follows:

SEC. 16. COLLECTION AND UTILIZATION OF FEES. -- ALL MONIES COLLECTED AND/OR EARNED BY THE AUTHORITY UNDER THIS ACT SHALL BE SUBMITTED TO CONGRESS ANNUALLY BEFOREHAND FOR APPROPRIATIONS; and

2. On the same page, Section 17, line 8, after the word "used," insert the words SOLELY AND EXCLUSIVELY.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 5:07 p.m.

RESUMPTION OF SESSION

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

MOTION OF SENATOR AQUINO

Senator Aquino moved to defer consideration of House Bill No. 3156 as he asked for more time to study the measure.

However, Senator Enrile objected to the motion, pointing out that the bill is certified.

SUSPENSION OF SESSION

Upon motion of Senator Aquino, the session was suspended.

It was 5:11 p.m.

RESUMPTION OF SESSION

At 6:28 p.m., the session was resumed. *AK*

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SUSPENSION OF CONSIDERATION OF HOUSE BILL NO. 3156

Upon motion of Senator Pangilinan, the Body suspended consideration of the bill.

SPECIAL ORDER

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of Committee Report No. 16 on Senate Bill No. 1874, from the Calendar for Ordinary Business to the Calendar for Special Orders.

COMMITTEE REPORT NO. 16 ON SENATE BILL NO. 1874

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1874 (Committee Report No. 16), entitled

AN ACT DECLARING MAY 7 OF EVERY
YEAR AS HEALTH WORKER'S DAY.

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

SPONSORSHIP SPEECH OF SENATOR CAYETANO (P)

Upon motion of Senator Pangilinan, there being no objection, the following sponsorship speech of Senator Cayetano (P) was deemed read into the record:

This bill has been approved by the Senate in the 13th Congress. It is very simple. It seeks to declare May 7 of every year as a day to commemorate the foundation of our health care delivery system – our health workers.

Often, this sector of society is neglected. Indeed, there have been laws passed to provide incentives and higher pay for them, such as the Magna Carta of Public Health Workers and the Philippine Nursing Act. Unfortunately, as is seen in the General Appropriations Act, not only for 2008, but since the passage of such laws, the funds for the increase in pay and benefits have not been incorporated in the budget of the concerned agencies.

While waiting for the funds to implement such laws to be released, let us accord our health workers our commendation and our deep appreciation for their hard work and selfless dedication to their duties through the passage of this bill which seeks to declare May 7 as their day of celebration.

Given the current problem of migration, we, as policy-makers, cannot ignore these heroes – our health care workers. The Committee on Health and Demography asks for your support. Let us pass without further ado Senate Bill No. 1874.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

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

TERMINATION OF THE PERIOD OF AMENDMENTS

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

APPROVAL OF SENATE BILL NO. 1874 ON SECOND READING

Submitted to a vote, there being no objection, Senate Bill No. 1874 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1874

Upon motion of Senator Pangilinan, there being no objection, the Body suspended consideration of Senate Bill No. 1874.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 6:32 p.m.

RESUMPTION OF SESSION

At 6:32 p.m., the session was resumed. *AS*

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SUGGESTION OF SENATOR GORDON

Senator Gordon suggested that during the period of amendments, an overhead projector be installed or that the senators be provided laptop computers to allow them to follow the amendments as they are introduced on the floor. He also suggested that a thermostat for the air-conditioning system be installed in each office and inside the session hall as he noted that the temperature can be unbearably cold especially at night.

Upon Senator Gordon's motion, the Chair gave the assurance that the suggestions would be acted upon, specifically to look into the feasibility of installing an overhead projector inside the session hall.

REMARKS OF SENATOR PIMENTEL

On another matter, Senator Pimentel disclosed that an announcement was made a few days ago of a plan to raise water rates in the city. He suggested that the Committee on Public Services look into the matter.

Senator Enrile, in his capacity as chair of the Committee on Public Services, promised to conduct an intensive inquiry into the activities of all public services like water, power, transportation and communications, and he invited the other senators to join the hearing. He agreed to the suggestion of Senator Pimentel that the matter be referred secondarily to the Committee on Government Corporations and Public Enterprises.

REFERRAL OF THE WATER RATES INCREASE ISSUE TO COMMITTEES

Upon motion of Senator Pangilinan, there being no objection, the Chair referred the water rates increase issue primarily to the Committee on Public Services and secondarily, to the Committee on Government Corporations and Public Enterprises.

MOTION OF SENATOR GORDON

At this juncture, Senator Gordon suggested that the Senate ask somebody to look into the lighting system in the session hall as he claimed that it is not conducive to the health of the eyes. He pointed out that the depth of field of many Members has been affected.

Upon motion of Senator Gordon, there being no objection, the Senate Secretary was instructed to look into the lighting system in the session hall.

COMMITTEE REPORT NO. 25 HOUSE BILL NO. 3156

(Continuation)

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration, on Second Reading, of House Bill No. 3156 (Committee Report No. 25), entitled

AN ACT CREATING THE CIVIL
AVIATION AUTHORITY OF THE
PHILIPPINES, AUTHORIZING THE
APPROPRIATION OF FUNDS
THEREFOR, AND FOR OTHER
PURPOSES.

Senator Pangilinan stated that the parliamentary status of the bill was the period of individual amendments.

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

LACSON AMENDMENT

On page 64, between lines 11 and 12, as proposed by Senator Lacson and accepted by the Sponsor, there being no objection, the Body approved the insertion of a new section to read as follows:

SECTION 93. *CONGRESSIONAL OVERSIGHT COMMITTEE.* – A CONGRESSIONAL OVERSIGHT COMMITTEE, HEREIN AFTER REFERRED TO AS THE "COMMITTEE," IS HEREBY CONSTITUTED IN ACCORDANCE WITH THE PROVISION OF THIS CODE. THE COMMITTEE SHALL BE COMPOSED OF THE CHAIRMEN OF THE COMMITTEES ON PUBLIC SERVICES OF BOTH THE SENATE AND THE HOUSE OF REPRESENTATIVES AND FOUR (4) ADDITIONAL MEMBERS FROM EACH HOUSE TO BE DESIGNATED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE SENATE PRESIDENT, RESPECTIVELY.

THE COMMITTEE SHALL, AMONG OTHERS, IN AID OF LEGISLATION:

- 1) MONITOR AND ENSURE THE PROPER IMPLEMENTATION OF THIS ACT;

- 2) REVIEW THE COLLECTION PERFORMANCE OF THE AUTHORITY; AND
- 3) REVIEW THE PROPER IMPLEMENTATION OF THE PROGRAMS OF THE AUTHORITY.

IN FURTHERANCE OF THE HEREIN ABOVECITED OBJECTIVES, THE COMMITTEE IS EMPOWERED TO REQUIRE OF THE AUTHORITY SUBMISSION OF ALL PERTINENT INFORMATION INCLUDING BUT NOT LIMITED TO ITS COLLECTION PERFORMANCE DATA AND ITS ANNUAL AUDITED FINANCIAL STATEMENT CERTIFIED TO BY THE COMMISSION ON AUDIT.

As a consequence, the following sections were renumbered accordingly.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 6:42 p.m.

RESUMPTION OF SESSION

At 6:42 p.m., the session was resumed.

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

There being no further individual amendment, upon motion of Senator Pangilinan, there being no objection, the Body closed the period of individual amendments.

APPROVAL OF HOUSE BILL NO. 3156 ON SECOND READING

Submitted to a vote, there being no objection, House Bill No. 3156 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF HOUSE BILL NO. 3156

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

SECOND ADDITIONAL REFERENCE OF BUSINESS

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

BILLS ON FIRST READING

Senate Bill No. 1979, entitled

AN ACT DECLARING JULY 18TH AS A SPECIAL NONWORKING HOLIDAY IN THE PROVINCE OF SOUTH COTABATO IN COMMEMORATION OF ITS FOUNDATION ANNIVERSARY AND THE CULMINATION OF THE T'NALAK FESTIVAL

Introduced by Senator Juan Miguel F. Zubiri

To the Committee on Rules

Senate Bill No. 1980, entitled

AN ACT ESTABLISHING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT BRANCH IN THE PROVINCE OF SOUTH COTABATO, AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, AS AMENDED, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1981 AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Juan Miguel F. Zubiri

To the Committees on Justice and Human Rights; and Finance

Senate Bill No. 1981, entitled

AN ACT CREATING THREE ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE ELEVENTH JUDICIAL REGION TO BE STATIONED AT KORONADAL CITY AND AT THE MUNICIPALITY OF SURALLAH, ALL IN THE PROVINCE OF SOUTH COTABATO, AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, *115*

116

AS AMENDED, OTHERWISE KNOWN
AS THE JUDICIARY REORGANIZ-
ATION ACT OF 1980 AND APPRO-
PRIATING FUNDS THEREFOR

Introduced by Senator Juan Miguel F. Zubiri

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

Senate Bill No. 1982, entitled

AN ACT ESTABLISHING THE SPECIAL
ECONOMIC ZONE AND FREEPORT
IN THE PROVINCE OF ILOCOS SUR,
CREATING FOR THIS PURPOSE
THE ILOCOS SUR SPECIAL
ECONOMIC ZONE AND FREEPORT
AUTHORITY, APPROPRIATING
FUNDS THEREFOR AND FOR
OTHER PURPOSES

Introduced by Senator Juan Miguel F. Zubiri

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

Senate Bill No. 1983, entitled

AN ACT AMENDING REPUBLIC ACT
NO. 7875, OTHERWISE KNOWN AS
AN ACT INSTITUTING A NATIONAL
HEALTH INSURANCE PROGRAM
FOR ALL FILIPINOS AND ESTAB-
LISHING THE PHILIPPINE HEALTH
INSURANCE CORPORATION FOR
THE PURPOSE, TO EXTEND
FINANCIAL ASSISTANCE TO
HEALTH CARE PROVIDERS,
PROMOTE THE ADVANCEMENT
OF MEDICAL PERSONNEL AND
FOR OTHER PURPOSES

Introduced by Senator Juan Miguel F. Zubiri

**To the Committee on Health and
Demography**

Senate Bill No. 1984, entitled

AN ACT ESTABLISHING A NATIONAL
HIGH SCHOOL IN BARANGAY

SOLO IN THE MUNICIPALITY
OF MABINI, PROVINCE OF
BATANGAS TO BE KNOWN AS
THE MABINI NATIONAL HIGH
SCHOOL, AND APPROPRIATING
FUNDS THEREFOR

Introduced by Senator Juan Miguel F. Zubiri

To the Committee on Rules

Senate Bill No. 1985, entitled

AN ACT ESTABLISHING THE
TUBBATAHA REEFS NATURAL
PARK IN THE PROVINCE OF
PALAWAN UNDER THE NIPAS
ACT (RA 7586) AND THE SEP LAW
(RA 7611), PROVIDING FOR ITS
MANAGEMENT AND FOR OTHER
PURPOSES

Introduced by Senator Compañera Pia S.
Cayetano

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

COMMITTEE REPORT

Committee Report No. 29, submitted jointly by the
Committees on Environment and Natural
Resources; and Finance, on Senate Bill No. 1714,
introduced by Senator Compañera Pia S.
Cayetano, entitled

AN ACT ESTABLISHING THE LA
MESA WATERSHED IN THE
CITIES OF QUEZON AND
CALOOCAN AND IN THE
MUNICIPALITY OF RODRIGUEZ,
PROVINCE OF RIZAL AS A
WATERSHED RESERVATION AND
FOR OTHER PURPOSES,

recommending its approval without amendment,
taking into consideration Proposed Senate
Resolution Nos. 35 and 41.

Sponsor: Senator Compañera Pia S. Cayetano

To the Calendar for Ordinary Business *AS*

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THIRD ADDITIONAL REFERENCE OF BUSINESS

MESSAGE OF THE PRESIDENT OF THE PHILIPPINES

Letter of Her Excellency, President Gloria Macapagal Arroyo, dated 19 December 2007, certifying to the necessity of the immediate enactment of House Bill No. 3156, under Senate Committee Report No. 25, entitled

**AN ACT CREATING THE CIVIL
AVIATION AUTHORITY OF THE
PHILIPPINES, AUTHORIZING THE
APPROPRIATION OF FUNDS
THEREFOR, AND FOR OTHER
PURPOSES,**

to address the public emergency arising from the urgent need to ensure maximum security for passengers and cargo using airport facilities within Philippine jurisdiction and to update the laws governing the regulation of the civil aviation industry in the Philippines, in order to conform with international civil aviation standards and laws.

To the Committee on Rules

BILL ON FIRST READING

Senate Bill No. 1986, entitled

**AN ACT AMENDING SECTION 57 OF
REPUBLIC ACT NO. 8754,
ENTITLED AN ACT CONVERTING
THE MUNICIPALITY OF MALOLOS,
BULACAN PROVINCE INTO A
COMPONENT CITY TO BE KNOWN
AS THE CITY OF MALOLOS**

Introduced by Senator MAR Roxas

To the Committee on Rules

COMMITTEE REPORT

Committee Report No. 30, prepared and submitted jointly by the Committees on Urban Planning, Housing and Resettlement; and Local Government, on Senate Bill No. 1987, with Senators Biazon, Jinggoy Ejercito Estrada and Juan Miguel F. Zubiri as authors thereof, entitled

**AN ACT TO ESTABLISH A SOCIALIZED
AND LOW-COST HOUSING LOAN
RESTRUCTURING PROGRAM,
PROVIDING THE MECHANISMS
THEREFOR, AND FOR OTHER
PURPOSES,**

recommending its approval in substitution of Senate Bill Nos. 37, 422 and 1570.

Sponsors: Senators Juan Miguel F. Zubiri and Benigno S. Aquino III

To the Calendar for Ordinary Business

PRESIDENTIAL CERTIFICATION

Upon direction of the Chair, Secretary Reyes read the President's certification as to the necessity of the immediate enactment of House Bill No. 3156, to wit:

MALACAÑANG
Manila

December 19, 2007

HON. MANUEL B. VILLAR, JR.
Senate President
Philippine Senate
Pasay City

Dear Senate President Villar:

Pursuant to the provisions of Article VI, Section 26 (2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of House Bill No. 3156, under Senate Committee Report No. 25, entitled:

**AN ACT CREATING THE CIVIL
AVIATION AUTHORITY OF THE
PHILIPPINES, AUTHORIZING THE
APPROPRIATION OF FUNDS
THEREFOR, AND FOR OTHER
PURPOSES,**

to address the public emergency arising from the urgent need to ensure maximum security for passengers and cargo using airport facilities within Philippine jurisdiction and to update the laws governing the regulation of the civil aviation industry in the Philippines, in order to conform with international civil aviation standards and laws.

Best wishes.

Very truly yours,

(Sgd.) GLORIA M. ARROYO 



Cc: Hon. JOSE C. DE VENECIA JR.
Speaker
House of Representatives
Quezon City

APPROVAL OF HOUSE BILL NO. 3156 ON THIRD READING

In view of the presidential certification, upon motion of Senator Pangilinan, there being no objection, the Body considered, on Third Reading, House Bill No. 3156.

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

AN ACT CREATING THE CIVIL
AVIATION AUTHORITY OF THE
PHILIPPINES, AUTHORIZING THE
APPROPRIATION OF FUNDS
THEREFOR, AND FOR OTHER
PURPOSES.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

| | |
|--------------|------------|
| Angara | Legarda |
| Aquino | Madrigal |
| Cayetano (A) | Pangilinan |
| Cayetano (P) | Pimentel |
| Enrile | Villar |
| Gordon | Zubiri |
| Lacson | |

Against

None

Abstention

None

With 13 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 3156 approved on Third Reading.

SENATE CONFEREES

Upon nomination by Senator Pangilinan, there being no objection, Senate President Villar designated

the following as members of the Senate panel in the Bicameral Conference Committee on the disagreeing votes on House Bill No. 3156: Senators Enrile, Arroyo, Angara and Gordon, on the part of the Majority; and Senators Lacson and Aquino, on the part of the Minority.

OBSERVATION OF SENATOR LACSON

Senator Lacson observed that the issuance of presidential certification of urgent measures was being abused, as he questioned how the Credit Information System and Civil Aviation Authority measures, which have just been approved on Third Reading, would meet the necessity of a public calamity or emergency.

The Chair stated that Senator Lacson's observation would be brought up in the LEDAC meeting.

SENATE CONFEREES

Upon nomination by Senator Pangilinan, there being no objection, Senate President Villar designated the following as members of the Senate panel in the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 1964 and House Bill No. 2845: Senators Pangilinan, Cayetano (A), Angara, Arroyo, Enrile and Zubiri, on the part of the Majority; and Senators Legarda, Lacson and Madrigal, on the part of the Minority.

Likewise, upon nomination by Senator Pangilinan, there being no objection, Senate President Villar designated the following as members of the Senate panel in the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 1646 and its House counterpart bill: Senators Zubiri, Gordon and Angara, on the part of Majority; and Senators Legarda and Roxas, on the part of the Minority.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 6:53 p.m.

RESUMPTION OF SESSION

At 6:54 p.m., the session was resumed. *AS*

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PROPOSED SENATE RESOLUTION NO. 253

Upon motion of Senator Pangilinan, there being no objection, the Body considered Proposed Senate Resolution No. 253, entitled

RESOLUTION COMMENDING AND CONGRATULATING THE BRILLIANT STUDENTS OF GRACE CHRISTIAN HIGH SCHOOL, ALYSSA SHEENA TAN, BRYAN LAO, AND MARK IAN TAN, FOR HONOURING THE PHILIPPINES WITH A GOLD IN THE 2007 WORLD ROBOTICS OLYMPIAD HELD IN TAIWAN ON NOVEMBER 17, 2007, A BEAMING SYMBOL OF FILIPINO STUDENTS' COMPETITIVE TECHNOLOGICAL ADVANTAGE AND ADVANCED SCIENCE KNOWLEDGE.

With the permission of the Body, only the title of the resolution was read without prejudice to the insertion of its full text into the Record of the Senate.

ADOPTION OF PROPOSED SENATE RESOLUTION NO. 253

Upon motion of Senator Pangilinan, there being no objection, Proposed Senate Resolution No. 253 was adopted by the Body.

PROPOSED SENATE RESOLUTION NO. 260

Upon motion of Senator Pangilinan, there being no objection, the Body considered Proposed Senate Resolution No. 260, entitled

RESOLUTION CONGRATULATING THE WOMEN AND MEN COMPRISING THE TEAM PHILIPPINES FOR WINNING FORTY-ONE (41) GOLD, NINETY-ONE (91) SILVER AND NINETY-SIX (96) BRONZE MEDALS LED BY THE MOST VALUABLE PLAYER OF THE GAMES, SWIMMER MIGUEL MOLINA, IN THE RECENTLY CONCLUDED 24TH EDITION OF THE SOUTHEAST ASIAN GAMES HELD IN NAKHON RATCHASIMA, THAILAND, AND PROVING THAT MORE THAN MEDALLIONS, OUR ATHLETES ARE THE EMBODIMENT OF FILIPINO COMPETITIVENESS AND HIGH SPORTSMANSHIPS.

With the permission of the Body, only the title of the resolution was read without prejudice to the insertion of its full text into the Record of the Senate.

MOTION TO ADOPT PROPOSED SENATE RESOLUTION NO. 260

Senator Pangilinan then moved for the adoption of Proposed Senate Resolution No. 260.

OBJECTION OF SENATOR GORDON

Senator Gordon objected to the adoption of Proposed Senate Resolution No. 260 as he noted that the boxing team peremptorily withdrew, walked out, and did not even raise a glove. He clarified that he would like to support the rest of the team but he could not respect people who walked out of an international competition just because they did not like the referees. He asserted that those people should have been prepared to follow the rules and that walking out was certainly embarrassing for the whole nation. He said that he would not mind if the Philippine team did not win any medal for as long as it showed that it could take on the best of the best. He stressed the need to teach the Filipino children about self-worth, otherwise, they would not be able to earn the respect of other people.

Senator Gordon requested the Chair to refer the matter to the proper committee for investigation, as he pointed out that even Mr. Butch Ramirez, head of the Philippine Sports Commission (PSC), complained about it.

PANGILINAN AMENDMENT

At this juncture, Senator Pangilinan manifested that as requested by Senator Pimentel, the Committee can amend the resolution in such a way that only those who participated and won would be recognized and honored.

There being no objection, the proposed amendment was approved, subject to style, by the Body.

ADOPTION OF PROPOSED SENATE RESOLUTION NO. 260

Upon motion of Senator Pangilinan, there being no objection, the Body adopted Proposed Senate Resolution No. 260. *He*

REFERRAL OF SENATOR GORDON'S REQUEST

Upon motion of Senator Pangilinan, there being no objection, the Chair referred Senator Gordon's request for an investigation to the Committee on Games, Amusement and Sports.

RECONSIDERATION OF THE ADOPTION OF PROPOSED SENATE RESOLUTION NO. 253

Upon motion of Senator Pangilinan, there being no objection, the Body reconsidered the adoption of Proposed Senate Resolution No. 253.

Thereafter, the Chair recognized Senator Madrigal for her amendments.

MADRIGAL AMENDMENTS

As proposed by Senator Madrigal and accepted by the Sponsor, there being no objection, the Body approved, subject to style, the following amendments:

1. Amend the title and text of the resolution to express that the brilliant students of Grace Christian High School won the gold and have given honor to the country;
2. As an omnibus amendment, spell out the acronym "S&T" to mean SCIENCE AND TECHNOLOGY;
3. On the third line of the second "Whereas" clause, replace the words "with a plum gold finish" with BY WINNING A GOLD MEDAL;
4. On the last sentence of the last "Whereas" clause, delete the word "will"; and
5. On the second to the last sentence of the resolution, replace the phrase "beaming symbol" with more appropriate words.

ADOPTION OF PROPOSED SENATE RESOLUTION NO. 253 AS AMENDED

Upon motion of Senator Pangilinan, there being no objection, Proposed Senate Resolution No. 253, as amended, was adopted by the Body.

PROPOSED SENATE RESOLUTION NO. 259

Upon motion of Senator Pangilinan, there being no objection, the Body considered Proposed Senate Resolution No. 259, entitled

RESOLUTION COMMENDING THE PHILIPPINE NATIONAL RED CROSS ON THE OCCASION OF ITS 60TH ANNIVERSARY CELEBRATION THIS 2007 AND FOR ITS INVALUABLE CONTRIBUTION TO THE FILIPINO PEOPLE, ESPECIALLY ON HUMANITARIAN SERVICES.

With the permission of the Body, only the title of the resolution was read without prejudice to the insertion of its full text into the Record of the Senate.

ADOPTION OF PROPOSED SENATE RESOLUTION NO. 259

Upon motion of Senator Pangilinan, there being no objection, Proposed Senate Resolution No. 259 was adopted by the Body.

MANIFESTATION OF SENATOR PANGILINAN

Senator Pangilinan manifested the following changes in House Concurrent Resolution No. 11 amending the Legislative Calendar:

Adjournment

– December 22, 2007 to January 27, 2008; and

Resumption

– January 28, 2008 to March 28, 2008.

RECONSIDERATION OF THE APPROVAL OF THE JOURNAL OF SESSION NO. 44

Upon motion of Senator Pangilinan, there being no objection, the Body reconsidered the approval of the Journal of Session No. 44.

APPROVAL OF THE JOURNAL AS CORRECTED

Upon motion of Senator Pangilinan, there being no objection, the Body dispensed with the reading of the Journal of Session No. 44 and considered it approved, subject to his correction on page 975 to delete the last paragraph on the left column up to the first paragraph on the right column of his sponsorship speech on the UP Charter Bill.

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MANIFESTATION OF SENATOR ZUBIRI

Senator Zubiri expressed his gratitude to the Members for adopting Proposed Senate Resolution No. 259 commending the Philippine National Red Cross (PNRC) on its 60th anniversary. He said that the resolution is for the men and women volunteers and staff who are the backbone of the PNRC.

MANIFESTATION OF SENATOR GORDON

On behalf of the men and women of the PNRC, Senator Gordon also thanked the Senate for adopting Proposed Senate Resolution No. 259. He lauded Senator Zubiri who, as governor of the PNRC, has done humanitarian work. He said that in the last 60 years, the PNRC has been helping in every major disaster and has been supportive of the blood bank program.

Senator Gordon recalled that in recent tragedies like the Batasan bombing, the Cavite and Glorietta explosions, the PNRC figured prominently, not only in rescuing victims but also in searching for the missing and giving care and assistance to the affected families.

Noting that Senate President Villar was once governor of the PNRC, he invited the members to contribute to the PNRC monthly. In addition, he urged the Senate staff to each make a P500-contribution because they would be assured of P200,000 worth of insurance.

Lastly, Senator Gordon expressed his appreciation to those who supported the UP Charter Bill.

RECONSIDERATION OF THE APPROVAL OF THE JOURNAL OF SESSION NO. 45

Upon motion of Senator Pangilinan, there being no objection, the Body reconsidered the approval of the Journal of Session No. 45, in view of Senator Cayetano (A)'s desire to make a correction thereto when the session resumes in January 2008.

MANIFESTATION OF SENATOR PANGILINAN

Senator Pangilinan stated that the Search Committee created by the President to select the

chairman of the Commission on Elections (Comelec) had set a deadline on December 6, 2007, for the submission of nominations and it is two weeks past. He urged the Search Committee to be transparent and make public the names of the nominees, and since the position needs to be filled up by February 2008, he believed that there is ample time for it to also conduct interviews of the nominees to be covered by media. He opined that it is important for the Senate to monitor the selection process of the next Comelec chairman.

REFERRAL OF THE MANIFESTATION TO THE COMMITTEE

Upon motion of Senator Pangilinan, there being no objection, the Chair referred his manifestation to the Committee on Constitutional Amendments, Revision of Codes and Laws.

MANIFESTATION OF SENATOR GORDON

Apropos the manifestation of Senator Pangilinan, Senator Gordon stated that the ARMM elections are scheduled in August 2008. He bewailed that since its passage in 1997, the Automated Election Law, as amended in 2006, has not been implemented.

Senator Gordon recalled that during the budget hearing, the Comelec promised that the automation would be implemented in the ARMM elections but up to now, there is no indication whether the Comelec would implement the law. He underscored that the Comelec should be transparent about its plans to automate the election. He informed the Body that the Committee on Constitutional Amendments, Revision of Codes and Laws would call a meeting in the first week of January to look into the matter as there are deadlines to meet.

MESSAGE OF SENATE PRESIDENT VILLAR

Thereafter, the Senate President delivered his Christmas message as follows:

I must personally thank all of you for the accomplishments of this Senate during barely the first five months of the First Regular Session of this Fourteenth Congress.

I have a year-end report of the accomplishment which, with consent of the Body, I am requesting that it be inserted into the Senate's Record.

18

We also thank our senators' staff and the Senate Secretariat for their invaluable assistance and support and for their unquestionable competence and professionalism.

The Senate is also grateful to the independent and ever-vigilant Philippine media for being a very active partner of this Chamber in our determined effort at promoting transparency and effective governance and in keeping watch over our freedom and democracy.

Salamat din po sa sambayanang Pilipino sa kanilang pagtitiwala at inspirasyon.

Maligayang Pasko at Malayang Bagong Taon.

Following is the full text of Senate President Villar's year-end report:

THE WORKING SENATE

My distinguished colleagues in this Chamber, I am happy and proud to announce that the Senate has accomplished what it set out to do when it opened its session in July this year.

Maganda ang report card na maipakikita natin sa ating mga mamamayan ngayong pagtatapos ng taong 2007.

The Accomplishments of the Senate Speaking for Itself

The Senate has passed in record time on third reading important legislation that our people are advocating because of its expected positive effects to the citizens and to the society, in general. Among these legislation are the much awaited Cheaper Medicines bill, the Human Rights Compensation Act, the Judiciary Retirement Benefits bill that our nation's justices and judges were looking forward to, the *Batas Kasambahay* measure that millions of household helpers were clamoring, and the Breastfeeding Act that would address the concerns of our nursing mothers.

To support the government's initiative to promote entrepreneurship, the institution has also passed on third reading a bill further strengthening the development and assistance to micro-, small- and medium-scale enterprises. I personally welcome the passage of this bill for I believe that one of the solutions to poverty is the empowerment of people—rich or poor—who are resourceful, hardworking and success-driven to become job providers themselves through their own businesses, however small,

by providing them the financing and technical assistance they need.

For those in need of an alternative financial instrument to augment their non-bank savings, or in need for another pension fund to save for their old age, we have as in the 13th Congress, passed the Personal Equity and Retirement Account (PERA) bill, which is a voluntary retirement account for the exclusive use and benefit of the contributor invested solely in PERA investment products in the Philippines.

To address the rampant snatching and theft of cell phones which at times led to the death of their owners, we have passed a bill providing for stiffer penalties for the crime of theft and robbery of portable telecommunication devices.

The legislation extending the lifespan of the Agricultural Competitiveness Enhancement Fund (ACEF) with all its positive amendments, including the provisions that would support scholarships in agriculture, fisheries, veterinary medicine and similar courses, as well as the direct assistance to farmers and fisherfolk, are all indications of responsive government.

The Senate also passed the new charter of the University of the Philippines, the Credit Information Act, the Civil Aviation Authority bill and the celebration of World Health Day on May 7 of every year.

The Upper Chamber ratified the Treaty between the Philippines and Spain on the treatment of sentenced persons.

All in all, the institution approved eighteen (18) bills of national importance, and adopted forty-five (45) resolutions before we take our break for the Christmas holidays.

Approval of the 2008 Budget

Capping what we have achieved for the last five months of work is the passage of the P1.227-trillion national budget for 2008. The Committee on Finance, under the able and excellent leadership of Sen. Juan Ponce Enrile, commenced public hearings on the budget as early as September. And for three weeks since November 26, the Senate conducted morning, afternoon and evening marathon sessions on the budget.

The enactment of the budget reflects the Senate's commitment to have fiscal guidelines in place for next year as we seek to provide our people a meaningful program that addresses their needs. Of significance, its early passage would forestall a reenactment of the 2007 budget which, in essence, gives a carte blanche

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authority for the Executive to spend government funds without congressional checks.

Let me just inform our people that pro-poor programs highlighted the government's proposed 2008 budget. They include the *Kilos Asenso* program worth P2.5 billion, the *Kalayaan sa Barangay* program worth P1 billion and the government's School Feeding Program dubbed *Malusog na Simula: Yaman ng Bansa* worth P3.272 billion.

To ensure that the benefits would indeed trickle down to the citizens in the grassroots, the Senate took a closer look at these programs and sought ways to improve its implementation. *Ang problema naman kasi sa mga anti-poverty programs, hindi maganda ang mga pamamaraan at pagpapatupad para mas maging makabuluhan para sa lahat. Minsan nga, parang ipamimigay na lang halos ang pondo sa mga ahensya at tanggapan na hindi naman sigurado kung talagang mapakikinabangan ng mga tunay na nangangailangan.*

Our hard work in ensuring the early passage of the budget also emphasized our concern for the strictest accountability of every peso of government resources. *Ito ang panahon ng tamang pagsusuma ng ating kakayahan at ng matipid at tamang paggamit ng pondo ng bayan.*

Under the appropriations measure, the education sector registered the highest growth in allocation at 12 percent. At least 14,941 new classrooms in far-flung areas are expected to be built from this allocation. Aware that science and technology, like education, is also the lynchpin of the country's economy, a P3.6-billion budget was allocated for the science and technology department. Government has also allotted 9.45 percent of the national budget for infrastructure spending, which shows that this big ticket program is one of the highest priorities of government. Indeed, increased investments in infrastructure have direct effects on the living standards of the people.

Multi-tasking Senate

Hand in hand with these important legislative outputs are the committee investigations we conducted in the past months. I view these investigations as part of the "informing" or "education" function of the Senate.

I am very sure that the hearings we have conducted and are conducting on the questionable ZTE-NBN deal, the controversial cash gifts for some government officials, and the questionable privatization of state assets, among

others, have made our people aware—and very well informed—of the issues confronting effective governance. Hearings are therefore conducted out of our zealous desire to fulfill our constitutional mandate to check reported excesses in government.

The hearings on the Japan-Philippines Economic Partnership Agreement (JPEPA) conducted by the Committee on Foreign Relations, jointly with the Committee on Trade and Commerce, are discussions showing the Senate commitment to good policy deliberations. The hearings presented to us the negotiating capabilities of our executive officials vis-a-vis their Japanese counterparts in hammering out a very comprehensive bilateral trade agreement. As the hearings have shown, there are indications that the country is at the losing end of this trade pact if the Senate were to concur with its ratification in its present form. Hopefully, a supplemental agreement can be worked out and considered positively by both parties to the JPEPA.

Some may consider the investigations we have in the Senate as smack of wasteful resources and time. But I believe as I am certain that those hearings enshrine transparency like morning sunbeams lighting up dark corners that eventually results in accountability instead of a culture of impunity. The in-aid-of-legislation inquiries help initiate the process of reforms through legislation. For the record, the ZTE-NBN deal was cancelled; a top Comelec official resigned or was forced to resign because of that deal. As for the JPEPA treaty, the Senate would be justified if it withholds its concurrence to ratification unless very important amendments through a supplemental agreement are crafted and acted upon.

First Global Meet on HIV/AIDS

Last month, the Senate successfully organized and hosted the First Global Parliamentary Meeting on HIV/AIDS attended by more than 200 delegates from 55 Inter-Parliamentary Union (IPU) member-countries from Europe and Africa. Speakers from the United Nations and several global institutions and nongovernmental organizations participated in the three-day assembly.

The Philippine Senate has always been actively involved in the fight against HIV/AIDS. In 1988, it enacted Republic Act No. 8504 or the Philippine AIDS Prevention and Control Act.

The forum addressed an important health concern which has globally afflicted a significant number of people. And it is necessary for parliamentarians like us to do all that we can to prevent and control this menace.

We as a legislative body had our hands full of legislative, oversight and other non-legislative yet important work. We have shown the nation, however, that we are up to the task. We have become a multi-tasking body and we have done our work very well.

Most Trusted Institution

I am doubly proud that our people have graciously considered the Senate as the most trusted government agency in a survey taken last September. Fifty-six percent (56%) of those surveyed expressed satisfaction with the performance of the Senate, for a good net rating of +32. During the same month last year, we rated +20.

Recognition is, of course, due to all of you, my distinguished colleagues in the Senate, who have willingly set aside differences to pursue what matters most in our legislative agenda: our people's welfare.

I am proud to say that this Senate, through its legislative and oversight work, has provided the ordinary Filipino a real voice to, among others, boldly ask what their government is doing for them, to hold this present administration responsible and accountable and to measure whether or not this government lives up to its mandate to dispense social justice, respect human rights, reduce poverty, and contribute to the widening of the democratic space not only to a few but to all Filipinos.

Yet our task is never done. As long as there are poor farmers marching 1,700 kilometers from Mindanao to the seats of power in Manila to dramatize their just claims to ownership of their land, for as long as there are reported 3.8 million households experiencing hunger in the past three months, as long as there are children dying of poverty, malnutrition and lack of effective health services, and there are still Marilou Ranarios from the ranks of our maligned and abused overseas Filipino workers, the Senate should never rest on its laurels, deserved or not.

I look forward to another challenging year for this respected institution. I pray that we can do more for our people: help put more food on the table of those who are hungry, generate more income for the pockets of fathers and mothers

eking out a living for their families, provide more chances for schooling to those willing to study but could not bear the costs, afford more health services to the needy, and supply electric light and paved roads to the darkest and remotest barrios.

Above all, let us continue to be the people's voice through our legislative work. Let us be the symbol of their hope for a better Philippines. Let us always be the repository of their trust in democracy when other political institutions fail.

Let me now personally thank you, my distinguished colleagues, for committing your boundless talents and energies to outstanding legislative work. I also thank our own staff for their unstinting and diligent support. For the Senate Secretariat officials and employees, let me again express my gratitude for your usual cooperation and hard work. *Inyo na namang naipamalas ang inyong kinikilalang sipag at tiyaga.* May the Lord bless and keep you and your loved ones always.


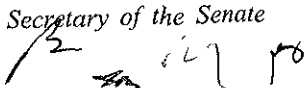
Maligayang Pasko sa inyong lahat at isang maunlad at mapayapang bagong taon para sa ating bayang Pilipinas!

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 Monday, January 28, 2008.

It was 7:20 p.m.

I hereby certify to the correctness of the foregoing.


EMMA LIRIO-REYES
Secretary of the Senate


Approved on January 28, 2008