


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

8 JUL 28 11:43

SENATE

RECEIVED BY: 

S. No. 2487

Introduced by Senator Juan MIGUEL F. ZUBIRI

EXPLANATORY NOTE

The aftermath of Typhoon Frank on June 22, 2008 had left not only substantial damages to the country but also great loss of lives of our people. What is more painful was that the great loss of lives was not directly caused by the typhoon but of human greed and negligence.

The sinking of MV Princes of the Stars which resulted to the death of an estimated 600 passengers and crew has caused more deaths than what was directly caused by Typhoon Frank which was placed at 557.

Many had put the blame on Sulpicio Lines, the operator of MV Princess of the Stars, for continuing the voyage of its ship even though a storm signal had already been raised in some parts of the country. Others blamed the Maritime Industry Authority (MARINA) and the Philippine Coast Guard for allowing the MV Princess of the Stars to sail despite stormy weather and for their lax inspection of the ship and implementation of their rules and regulations.

Meanwhile, the Sulpicio Lines had put the blame on the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA) for its erroneous and delayed weather bulletins. Sulpicio even filed a case against PAGASA before the court in relation to this. Sulpicio claims that PAGASA reported Typhoon Frank's direction was northwestward of the country and not westward. Assuming PAGASA's bulletin was correct, therefore MV Princess of the Stars, enroute to Cebu from Manila port, could not have crossed path with typhoon Frank. However, PAGASA claimed that Typhoon Frank had an erratic condition and changed its path from northwest to western direction.

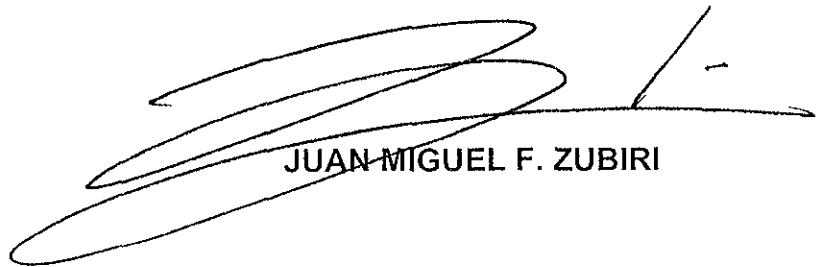
This situation is a classic case of finger-pointing of responsibility. Only time will tell who really was responsible, and after the determination of competent courts and authorities. In the meantime, Congress can pass remedial measures, such as mandating PAGASA to issue an hourly weather bulletin during stormy weather and impending weather disturbances. This is not to say that Sulpicio Lines was correct in accusing PAGASA of committing mistake and negligence.

The current practice of PAGASA in issuing weather bulletins in the interval of around five (5) to six (6) hours during stormy weather or once a typhoon signal is raised is no longer sufficient as proven in the case of Typhoon Frank. PAGASA should issue weather bulletins more frequently once a typhoon enters the Philippine Area of Responsibility and when there are impending weather

disturbances, such as but not limited to floods, tsunamis and tornadoes, and the broadcast media to report the same. This is to sufficiently warn and alert our people of the possible danger to their lives and properties in a timely manner.

This bill mandates PAGASA to issue an hourly weather bulletin during typhoons and other impending weather disturbances and the broadcast media to report the same.

Hence, approval of this bill is earnestly requested.

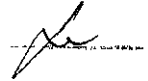


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AN ACT
MANDATING THE PHILIPPINE ATMOSPHERIC, GEOPHYSICAL AND
ASTRONOMICAL SERVICES ADMINISTRATION (PAGASA) TO ISSUE AN
HOURLY WEATHER BULLETIN DURING TYPHOONS AND OTHER WEATHER
DISTURBANCES AND THE BROADCAST MEDIA TO REPORT THE SAME,
AND FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Short Title. – This Act shall be known as “The Hourly Weather Bulletin Act of 2008.”

SECTION 2. Declaration of Policy. – It is declared the policy of the State to inform its citizens of the weather conditions during typhoons and other weather disturbances in a timely manner for the people to prepare for possible disasters and calamities, and free them from possible danger.

SECTION 3. Responsibility of the Philippine Atmospheric, Geophysical And Astronomical Services Administration (PAGASA). – PAGASA is hereby mandated to issue an hourly weather bulletin when a storm or typhoon enters the Philippine Area of Responsibility, particularly in the areas of the storm or typhoon’s path; and when there are impending weather disturbances, such as but not limited to floods, tsunamis and tornadoes.

PAGASA’s failure to carry out its responsibility under this Act shall subject its responsible official/s to administrative sanctions and penalties.

SECTION 4. Responsibility of the Broadcast Media. – All broadcast media holders of legislative franchises and Certificates of Public Convenience from the National Telecommunications Commission, both radio and television, are mandated to report the hourly weather bulletin of PAGASA in their radio and television programming. For this purpose, the franchises and Certificates of Public Convenience of all the broadcast media are hereby amended so as to include their responsibility under this Act.

Failure or refusal of a broadcast media to carry out its responsibility under this Act shall be considered as a violation of a condition of its legislative franchise

and Certificate of Public Convenience, and shall be punishable with a penalty to be imposed by the National Telecommunications Commission.

SECTION 6. *Repealing Clause.* – All laws, presidential decrees and issuances, executive orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 7. *Separability Clause.* – If, for any reason or reasons, any part or provision of this Act shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in two national newspapers of general circulation.

Approved,