

8 DEC 17 P5:21

SENATE

COMMITTEE REPORT NO. 238 RECEIVED BY 

Submitted by the Committee on Justice and Human Rights on DEC 17 2008
Re: Senate Bill No. 2976

Recommending its approval in substitution of Senate Bill No. 1204.

Sponsors: Senator Escudero.

MR. PRESIDENT:

The Committees on Justice and Human Rights to which was referred Senate Bill No. 1204, introduced by Sen. Defensor Santiago, entitled:

**"AN ACT
AMENDING PRESIDENTIAL DECREE NO. 1818, SECTION 1 ON
JURISDICTION"**

has considered the same and has the honor to report it back to the Senate with the recommendation that the attached bill, Senate Bill No. 2976, prepared by the Committee, entitled:

**"AN ACT
AMENDING SECTION 1 OF PRESIDENTIAL DECREE NO. 1818"**

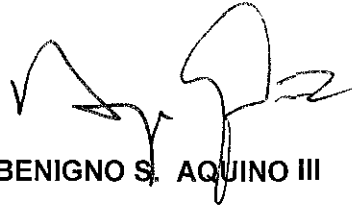
be approved in substitution of Senate Bill No. 1204 with Senators Defensor Santiago and Escudero as authors thereof.

Respectfully Submitted:



FRANCIS "CHIZ" G. ESCUDERO
Chairman, Committee on Justice and Human Rights

Vice-Chairman:



BENIGNO S. AQUINO III

*my indelible
at heart.*

Members:

**ALAN PETER "COMPAÑERO"
S. CAYETANO**

Prof. Cayetano my intellect
"COMPAÑERA" PIA S. CAYETANO

GREGORIO B. HONASAN II


RAMON BONG REVILLA, JR.


RODOLFO G. BIAZON

*Proceeding with
reservation and
interpellation*
JUAN PONCE ENRILE

M.A. MADRIGAL

Ex-Officio Members:

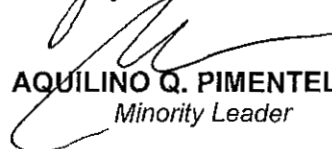


JINGGOY EJERCITO ESTRADA
President Pro-Tempore



JUAN MIGUEL F. ZUBIRI
Majority Leader

May amend:



AQUILINO Q. PIMENTEL JR.
Minority Leader

Hon. JUAN PONCE ENRILE

Senate President
Senate of the Philippines
Pasay City

FOURTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
Second Regular Session

OFFICE SECRETARY

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S. No. 2976

(In substitution of SB No. 1204)

Prepared by the Committee on Justice and Human Rights with Senators Defensor Santiago and Escudero as authors thereof

AN ACT
AMENDING SECTION 1 OF PRESIDENTIAL DECREE NO. 1818

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

1 SECTION 1. Section 1 of Presidential Decree No. 1818 is hereby amended to
2 read as follows:

3 "Section I. No court of the Philippines shall have jurisdiction to
4 issue any restraining order, preliminary injunction or preliminary
5 mandatory injunction in any case, dispute, or controversy involving
6 an infrastructure project, or a mining, fishery, forest or other natural
7 resource development project of the government, or any public utility
8 operated by the government, including among others public utilities
9 for the transport of the goods or commodities, stevedoring and
10 arrastre contracts, to prohibit any person or persons, entity or
11 governmental official from proceeding with, or continuing the

1 execution or implementation of any such project, or the operation of
2 such public utility, or pursuing any lawful activity necessary for such
3 execution, implementation or operation EXCEPT WHEN THE
4 MATTER IS OF EXTREME URGENCY INVOLVING NATIONAL
5 INTEREST, SUCH THAT UNLESS A TEMPORARY RESTRAINING
6 ORDER, PRELIMINARY INJUNCTION, OR PRELIMINARY
7 MANDATORY INJUNCTION IS ISSUED, GRAVE INJUSTICE AND
8 IRREPARABLE INJURY SHALL ARISE. IN WHICH CASE,
9 NEVERTHELESS, THE APPLICANT SHALL EXECUTE A BOND IN
10 FAVOR OF THE GOVERNMENT, IN THE AMOUNT TO BE FIXED
11 BY THE COURT IN ITS ORDER GRANTING THE INJUNCTION, TO
12 THE EFFECT THAT SUCH BOND SHALL ACCRUE IN FAVOR OF
13 THE GOVERNMENT IF THE COURT SHOULD FINALLY DECIDE
14 THAT THE APPLICANT WAS NOT ENTITLED THERETO.”

15 SEC. 2. *Repealing Clause.* - Any law, presidential decree or issuance, executive
16 order, letter of instruction, administrative order, rule or regulation contrary to or
17 inconsistent with the provisions of this Act is hereby repealed, modified or amended
18 accordingly.

19 SEC. 3. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
20 publication in the Official Gazette or at least two (2) newspapers of general
21 circulation.

22 Approved,