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NINETEENTH CONGRESS
FIRST REGULAR SESSION

PREPARED BY THE
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SENATE OF THE PHILIPPINES

SESSION NO. 61
Tuesday, March 14, 2023

CALL TO ORDER

At 3:12 p.m., the Senate President, Hon. Juan Miguel “Migz” F. Zubiri, called the session to order.

PRAYER

Sen. Joel Villanueva led the prayer, to wit:

Dakilang Diyos, Ama naming sumasalangit, kami po ay nagpapakumbaba at lumalapit sa Iyong trono ng biyaya; inaamin na kung wala po Kayo sa amin, wala po kaming magagawa. Ngayong araw pong ito, naninikluhod ang aming mga puso at humihingi ng tawad sa ano mang kasalanan sa isip, sa salita, o sa gawa.

Patawarin Ninyo po kami; linisin Ninyo po kami ng Inyong Banal na Dugo na nabuhos sa krus ng Kalbaryo; at damitan Ninyo po kami ng damit ng katwiran, upang kami ay makalapit sa Inyong trono ng biyaya.

Panginoong Hesus, Ikaw po ang mag-gabay sa bawat isa sa amin; magbigay ng katalinuhan at kalakasan upang magampanan namin ang aming mga tungkulin bilang mga alagad Mo, at bilang mga lingkod-bayan ng aming minamahal na Pilipinas.

Panginoon, Ikaw ang sumama sa amin ngayong araw na ito at pagpalain Mo ang bawat Pilipino, hindi lamang sa Luzon, Visayas, at Mindanao, kung hindi sa apat na sulok ng daigdig.

Maingat po naming ibinabalik sa Iyo ang lahat ng kapurihan, kaluwalhatian, at karangalan sa tanging Pangalan po ng aming Panginoong Hesus.

Amen.



ROLL CALL

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

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

With 20 senators present, the Chair declared the presence of a quorum.

Senators Cayetano (A) and Escudero arrived after the roll call.

Senator Cayetano (P) was in Manama, Bahrain for the 146th Inter-Parliamentary Union Assembly (March 13 and 14, 2023) as the Head of Delegation for the Philippines, as indicated in the March 13, 2023 letter of the senator's chief legislative officer.

Senator Binay was absent.

APPROVAL OF THE JOURNAL

Upon motion of Senator Villanueva, there being no objection, the Body dispensed with the reading of the *Journal* of Session No. 60 (March 13, 2023) and considered it approved.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

Senator Villanueva acknowledged the presence in the gallery of the following guests:

- Gov. Humerlito "Bonz" Dolor of Oriental Mindoro, his wife, and company;
- Mayor Julier "Ayoy" Resuello of San Carlos City, Pangasinan;
- Mayor Alfredo Matugas Coro of Del Carmen, Surigao del Norte;
- Capt. Michael Aquino;
- Brigadier Staff Pilot Khalifa Butti Thani Al Shamsi and delegates from the National Defense College of United Arab Emirates;
- Col. Cesar Fernandez, Philippine Defense Attaché to the United Arab Emirates; and
- Dr. Alan A. Lachica, Vice President for Academic Affairs and Dean of the National Defense College of the Philippines (NDCP).

Senate President Zubiri welcomed the guests to the Senate.

SUSPENSION OF SESSION

Upon motion of Senator Villanueva, the session was suspended.

It was 3:16 p.m.



RESUMPTION OF SESSION

At 3:26 p.m., the session was resumed.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

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

- Eagle Governor Jovinal Asis, the National Alalayang Agila Chairman, NCR XLIV Governor, and other Fraternal Order of Eagles members;
- Mayor Jennifer "*Ina Alegre*" Cruz of Pola, Oriental Mindoro; and
- Mayor Elegio "*Elgin*" Malaluan of Bongabong, Oriental Mindoro.

Senate President Zubiri welcomed the guests to the Senate.

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. 1988, entitled

AN ACT TO DESIGNATE THE SEVENTH (7TH) DAY OF APRIL OF EVERY YEAR AS BARANGAY HEALTH AND NUTRITION WORKERS DAY, MANDATING CONCERNED AGENCIES TO CONDUCT EVENTS DURING ITS OBSERVANCE, TO APPROPRIATE FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Lapid

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

Senate Bill No. 1989, entitled

AN ACT PROVIDING FOR A NATIONAL POLICY AND REGULATORY FRAMEWORK FOR THE PHILIPPINE TELEMEDICINE INDUSTRY, PROMOTING THE DELIVERY OF HEALTH SERVICES USING INFORMATION AND COMMUNICATIONS TECHNOLOGIES, AND FOR OTHER PURPOSES

Introduced by Senator Lapid

To the Committees on Health and Demography; and Civil Service, Government Reorganization and Professional Regulation

Senate Bill No. 1990, entitled

AN ACT REQUIRING ALL NATIONAL, REGIONAL, AND PROVINCIAL GOVERNMENT TERTIARY HOSPITALS TO ESTABLISH, OPERATE AND MAINTAIN A DIALYSIS WARD OR UNIT IN THEIR RESPECTIVE HOSPITAL TO PROVIDE FREE DIALYSIS TREATMENT TO INDIGENT PATIENTS



Introduced by Senator Lapid

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

Senate Bill No. 1991, entitled

AN ACT PROVIDING FOR THE NATIONAL FRAMEWORK FOR THE DEVELOPMENT AND REGULATION OF THE PHILIPPINE MIDSTREAM NATURAL GAS INDUSTRY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Villanueva

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

Senate Bill No. 1992, entitled

AN ACT PROMOTING A LOW CARBON ECONOMY, ESTABLISHING FOR THIS PURPOSE AND EMISSION TRADING SYSTEM AND IMPLEMENTATION MECHANISM TO ACHIEVE NATIONAL CLIMATE TARGETS

Introduced by Senator Legarda

To the Committees on Environment, Natural Resources and Climate Change; Trade, Commerce and Entrepreneurship; and Finance

Senate Bill No. 1993, entitled

AN ACT ESTABLISHING A FRAMEWORK FOR BLUE ECONOMY, PROMOTING STEWARDSHIP AND SUSTAINABLE DEVELOPMENT OF COASTAL AND MARINE ECOSYSTEMS AND RESOURCES

Introduced by Senator Legarda

To the Committees on Economic Affairs; Environment, Natural Resources and Climate Change; and Finance

RESOLUTIONS

Proposed Senate Resolution No. 539, entitled

RESOLUTION URGING THE PHILIPPINE GOVERNMENT TO IMMEDIATELY FULFILL ITS TREATY OBLIGATIONS UNDER THE CEDAW AND PROVIDE JUST AND MEANINGFUL REPARATIONS TO THE "COMFORT WOMEN" AND THEIR FAMILIES

Introduced by Senator Hontiveros

To the Committees on Foreign Relations; and Women, Children, Family Relations and Gender Equality

Proposed Senate Resolution No. 540, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO

CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ENVIRONMENTAL, LIVELIHOOD, HEALTH, AND TOURISM IMPACTS OF THE OIL SPILL IN ORIENTAL MINDORO, WITH THE END IN VIEW OF ENCOURAGING OVERSIGHT FROM ALL GOVERNMENT AGENCIES

Introduced by Senator Legarda

To the Committee on Environment, Natural Resources and Climate Change

Proposed Senate Resolution No. 541, entitled

RESOLUTION CONGRATULATING AND COMMENDING JOHN MARK TOKONG FOR BEING CROWNED CHAMPION IN THE INTERNATIONAL QUALIFYING SERIES 3000 (QS3000) HELD IN JAPAN ON MARCH 2-5, 2023

Introduced by Senator Lapid

To the Committee on Rules

Proposed Senate Resolution No. 542, entitled

RESOLUTION CONGRATULATING AND COMMENDING THE PHILIPPINE WRESTLING TEAM FOR BAGGING ONE (1) GOLD, FIVE (5) SILVER, AND FIVE (5) BRONZE MEDALS IN THE 2022 SOUTHEAST ASIAN WRESTLING CHAMPIONSHIPS HELD AT THE PHUMIN PHNOM PENH UNIVERSITY, CAMBODIA ON DECEMBER 16-18, 2022

Introduced by Senator Lapid

To the Committee on Rules

Proposed Senate Resolution No. 543, entitled

RESOLUTION CONGRATULATING AND COMMENDING THE PHILIPPINE TEAM FOR EMERGING WITH FOUR (4) GOLD, ONE (1) SILVER, AND SIX (6) BRONZE MEDALS IN THE 2022 ASIAN KICKBOXING CHAMPIONSHIPS HELD AT THE BANGKOK YOUTH CENTER, THAILAND

Introduced by Senator Lapid


To the Committee on Rules

COMMITTEE REPORT NO. 6 ON SENATE BILL NO. 1359

(Continuation)

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1359 (Committee Report No. 6), entitled

AN ACT PROHIBITING THE IMPOSITION OF A NO PERMIT NO EXAM POLICY, OR ANY POLICY THAT PREVENTS STUDENTS ENROLLED IN PUBLIC OR PRIVATE EDUCATIONAL INSTITUTIONS FROM TAKING EXAMINATIONS OR ANY FORM OF EDUCATIONAL ASSESSMENT FOR REASONS OF OUTSTANDING FINANCIAL OR PROPERTY OBLIGATIONS, SUCH AS UNPAID TUITION AND OTHER SCHOOL FEES.



Senator Villanueva stated that the parliamentary status was the period of interpellations.

Thereupon, the Chair recognized Senator Escudero, sponsor of the measure, and Senator Pimentel for his interpellation.

SUSPENSION OF SESSION

Upon motion of Senator Villanueva, the session was suspended.

It was 3:31 p.m.

RESUMPTION OF SESSION

At 3:32 p.m., the session was resumed.

INTERPELLATION OF SENATOR PIMENTEL

Asked by Senator Pimentel if "No Permit, No Exam" is a new policy for educational institutions, Senator Escudero replied that it has been the same policy of the Commission on Higher Education (CHED), which was merely persuasive but would become mandatory once a law imposes penal sanctions for its violation.


As to how the CHED was able to maintain such a discretionary policy, Senator Escudero answered that the agency had failed to do so, which was why numerous students were not permitted to take examinations because they were unable to pay their tuition fees. He reiterated that the CHED merely tries to exercise its persuasive skills, but that doing so is not mandatory.

Senator Pimentel said that the bill was a very necessary and timely intervention because many parents can hardly afford to pay for their children's education. He then inquired as to whether the bill intends to prevent private and public schools from implementing a policy that would prohibit a student from taking any examination owing to non-payment of tuition and other school fees. Replying in the affirmative, Senator Escudero disclosed that during the committee hearing, they had asked the school representatives why they allowed delinquent payors to reenroll but prohibited them from taking exams when they failed to pay their school dues during the previous semester, which was akin to holding the students hostage for them to pay their school fees. He explained that the bill would not take away the school's power to prohibit delinquent payors from enrolling, but should not prohibit students from taking examinations if they fail to pay their tuition fees.

As to the coverage of the measure, Senator Escudero replied that it would be applicable at all levels, noting, though, that public schools up to the tertiary level do not charge tuition fees.

On whether the measure is limited only to tuition fees and would not cover other obligations such as payment for books or school equipment, Senator Escudero replied that it would also cover other dues not related to tuition fees, adding that the students' failure to pay the other fees could not be used to prohibit them from taking examinations.

Asked if Section 7 (*Penalties*) can be imposed on the educational institutions, Senator Escudero replied in the affirmative. He explained that in a situation where a teacher prevents a student from taking an examination owing to nonpayment of tuition fees, it would be the responsibility of the school to advise the teacher to abide by what is in the law. He believed that no teacher would want to prevent a student from taking the exam, as it is the institution, not the instructor, that is enforcing the "no payment, no exam" policy.



On whether the school would be compelled to pay a fine of at least P20,000 but no more P50,000 for each infraction that would result in subsidiary imprisonment, Senator Escudero clarified that subsidiary imprisonment only applies to crimes punishable by the Revised Penal Code. However, he expressed willingness to amend the provision if Senator Pimentel would suggest a more severe punishment.

Responding to further queries, Senator Escudero noted that, under the assumption that the fine should be paid only after conviction, the usual remedy would be for the sheriff to execute the judgment, with the institution's assets being sold at public auction to satisfy the fine, if it remains unpaid. He affirmed that the amount of the fine will be executed against the educational institution's properties in accordance with standard civil procedure.

To the suggestion to identify a specific official of the educational institution who would be liable for the penalty in order to give teeth to the mandatory nature of the law, Senator Escudero said that the committee had contemplated adopting the principle of command responsibility by imposing the penalty on the institution's president. However, they also considered the possibility in which the prohibition from taking exams was imposed without the president's knowledge. He said that he would be amenable if Senator Pimentel preferred to adopt the principle of command responsibility to such scenario and hold the president accountable and liable, as he should be aware of what is occurring in the institution. Senator Pimentel stated that he would introduce the amendment at the proper time.

Senator Escudero said that it is the job of the president of an educational institution to adhere to the principle of command responsibility. In the case of state universities and colleges (SUCs), he stated that the CHED chairman sits as the chairman of the board which is co-chaired by the president of the institution. He said that if they fail to act on complaints regarding the "no payment, no exam" policy, they will be included in the case because they are the SUC's policy-making body. Senator Pimentel concurred, saying that it is due to the fact that the president is responsible for implementing the policies and overseeing the activities of the educational institution. Senator Escudero expressed willingness to amend Section 7 of the measure at the proper time.

Adverting to Section 4 (*Prohibition Against "No Permit, No Exam" Policy*), Senator Pimentel observed that the promissory note requires an interest rate not exceeding 6% per annum, which could be waived or until the obligations are paid. He then asked if Senator Escudero would be amenable to prohibiting the imposition of interest, given that the students might not have enough funds to pay their dues. Senator Escudero pointed out that educational institutions are exempt from taxation, but he expressed his willingness to support an amendment on interest charges at the proper time. He concurred with Senator Pimentel that they may amend the provision regarding the waiving of the promissory note.

As regards Section 5 (*Authorized Interventions*), paragraph (d) of the bill, Senator Pimentel expressed concern about the collection of the interest indicated in the promissory note in the court action, which was also related with his earlier suggestion of prohibiting the imposition of interest. Senator Escudero said that the proposed deletion of such a provision in Section 4 would imply that the succeeding Section 5 would be removed as well.

Regarding paragraph (b) of Section 6 (*Prohibited Acts*), Senator Pimentel pointed out that the provision establishes a new general rule that no permit is required in taking an examination. Senator Escudero stated that if Senator Pimentel meant the requirements for securing a permit before taking an exam, the student's enrollment in the academic institution would qualify them to take the exam.

Asked if educational institutions currently require permit per exam, Senator Escudero replied that some institutions do so to avoid the persuasive circular of CHED against requiring the payment



of tuition fees prior to the taking of an examination. He said that some of them have been creative in circumventing the requirement and securing the privilege to take an exam on other conditions rather than the payment of school dues and tuition fees. Senator Pimentel stated that paragraph (b) of Section 6 (*Prohibited Acts*) will become a new norm in all educational institutions since it bans the schools from requiring a student to secure a permit before taking an exam. Senator Escudero stated that "no payment, no exam" is a policy recently implemented by some schools to ensure that enrollees pay their tuition fees. He then assured Senator Pimentel that they would amend the provision in Sections 4 and 5 of the bill. Senator Pimentel surmised that educational institutions would have to change their practices if the measure is passed into law.

Senator Escudero stated that the schools did not raise any objections for as long as they maintain their right to file cases in order to claim any outstanding balances, along with the prerogative to deny enrolment to delinquent payors.

On the observation that students accepted into academic institutions have reasonable expectations that they will graduate and not be penalized because of poverty or financial difficulties, Senator Escudero surmised that the parents' inability to pay the tuition fees was merely due to lack of resources, and not a lack of good faith.

Asked if there were any institutions that exhibited signs of going bankrupt or needing to suspend operations if the bill is passed into law, Senator Escudero replied in the negative. He stated that private school representatives present in the hearing expressed support for the measure's intentions. He said that the institutions primarily wanted to be allowed to exercise their right to collect unpaid tuition fees.

On whether the schools actually demanded that the outstanding fees be subjected to a 6% interest rate, he stated that the matter was not brought up during the hearing; rather, the schools agreed to the fee as provided for under the measure. Senator Pimentel then stated that he favored the scrapping of the interest rate provision.

Senator Escudero said that he would not object to such a proposal. He opined that the unjust enrichment argument would not apply in such circumstance because impoverished families who could not pay tuition fees would not be enriched by non-payment of interest.

At this point, Senator Pimentel stated that the measure deserved the Senate's support to assist students who do not have the financial means to pay tuition fees, even if it was only a temporary situation.

On whether the measure would eliminate the permit-system, which requires students to pay any outstanding obligations before they can take examinations, Senator Escudero responded in the affirmative.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

There being no further interpellation, upon motion of Senator Villanueva, there being no objection, the Body closed the period of interpellations and proceeded to the period of individual amendments, Senate Bill No. 1359 being a substitute bill.

ESCUDERO AMENDMENTS

As proposed by Senator Escudero, there being no objection, the Body approved the following amendments:

1. On page 2, line 14, replace the semicolon (;) with a period (.);



SUSPENSION OF SESSION

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

It was 3:55 p.m.

RESUMPTION OF SESSION

At 3:56 p.m., the session was resumed.

ESCUADERO AMENDMENTS

(Continuation)

2. On page 2, delete lines 15 to 18;
3. On the same page, line 12, replace "shall" with MAY;
4. On page 3, delete lines 3 to 6; and
5. On the same page, line 21, before the word "Educational," insert the phrase THE PRESIDENT OF THE.

SUSPENSION OF SESSION

Upon motion of Senator Villanueva, the session was suspended.

It was 3:58 p.m.

RESUMPTION OF SESSION

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

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

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

APPROVAL OF SENATE BILL NO. 1359 ON SECOND READING

Submitted to a vote, there being no objection, Senate Bill No. 1359 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1359

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

COMMITTEE REPORT NO. 18 ON HOUSE BILL NO. 4635

(Continuation)

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration, on Second Reading, of House Bill No. 4635 (Committee Report No. 18), entitled

AN ACT EXTENDING THE TERM OF OFFICE OF THE PRESIDENT OF THE
ADIONG MEMORIAL STATE COLLEGE FROM THREE (3) YEARS TO FOUR
(4) YEARS IN ACCORDANCE WITH REPUBLIC ACT NO. 8292, OTHERWISE

KNOWN AS THE HIGHER EDUCATION MODERNIZATION ACT OF 1997,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8651, AS AMENDED,
AND APPROPRIATING FUNDS THEREFOR.

Senator Villanueva stated that the parliamentary status was the period of interpellations.

Thereupon, the Chair recognized Senator Escudero, sponsor of the measure, and Senator Pimentel for his interpellation.

INTERPELLATION OF SENATOR PIMENTEL

At the outset, Senator Pimentel pointed out that RA 8292 was enacted into law in 1997, while RA 8651 was passed only in 1998. He then inquired why RA 8651 was not compliant with the earlier law. Senator Escudero explained that it was due to an oversight of the Committee on Education at the time, both in the Senate and the House of Representatives. He stated that he had inquired during the committee hearing if there was even a need to amend the law or if it was possible to simply comply with the previous law. He stated that the stakeholders agreed that the president's term needed to be clarified in order to avoid any misunderstanding, dispute, or uncertainty.

Asked if it was only Adiong Memorial State College that has a president with a three-year tenure, Senator Escudero replied in the affirmative. He stated that the only time a term could be extended is when a state college is converted into a university. He stated that, generally, presidents served four-year terms, with the exception of the University of the Philippines president, who has a six-year term.

To the observation that the measure requires the president to render full-time service, which was already provided for by RA 8292, Senator Escudero stated that the provision was copied from RA 8292 for clarity in order to avoid any confusion or misunderstanding.

On whether the proposed deletion of the phrase "selection process" would cause further confusion, Senator Escudero explained that under the measure, any process or guidelines that may be adopted for choosing the university president would have to be set by the Board, unlike in past years where the selection would be based on tradition. Furthermore, he stated that the creation, guidelines, and procedures of a search committee shall be established by the Board.


Asked if all of the concerns that had caused confusion and misunderstanding had been addressed by the measure, Senator Escudero replied in the affirmative, saying that he had already posed the question to the stakeholders during the hearing.

In closing, Senator Pimentel noted that the oversight of enacting a law that did not comply with the principles contained in a previous statute was an exception and rarely occurred. He believed that the measure cured the infirmities of the oversight.

Finally, he reminded legislators to be circumspect and mindful of existing laws and general rules in order to avoid crafting conflicting legislation which could adversely affect various sectors and institutions.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

There being no further interpellation, upon motion of Senator Villanueva, there being no objection, the Body closed the period of interpellations and proceeded to the period of committee amendments.



COMMITTEE AMENDMENTS

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

1. On page 1, lines 1 to 10, Section 1 is amended to read as follows:

SECTION 1. Section 9 of Republic Act No. 8651 is hereby amended to read as follows:

SEC. 9. The State College shall be headed by a president WHO SHALL RENDER FULL-TIME SERVICE. THE PRESIDENT SHALL be appointed by the Board, subject to ITS GUIDELINES, QUALIFICATIONS, AND STANDARDS AND UPON THE RECOMMENDATION OF ITS DULY CONSTITUTED SEARCH COMMITTEE, FOR a term of FOUR (4) years, ELIGIBLE for REAPPOINTMENT FOR another TERM; and

2. The title of the bill was reworded as follows:

AN ACT EXTENDING THE TERM OF OFFICE OF THE PRESIDENT OF THE ADIONG MEMORIAL STATE COLLEGE FROM THREE (3) YEARS TO FOUR (4) YEARS IN ACCORDANCE WITH REPUBLIC ACT NO. 8292, OTHERWISE KNOWN AS THE "HIGHER EDUCATION MODERNIZATION ACT OF 1997," FURTHER AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7935, AS AMENDED BY REPUBLIC ACT NO. 8651.

TERMINATION OF THE PERIOD OF COMMITTEE AMENDMENTS

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

APPROVAL OF HOUSE BILL NO. 4635 ON SECOND READING

Submitted to a vote, there being no objection, House Bill No. 4635 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF HOUSE BILL NO. 4635

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

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Villanueva acknowledged the presence in the gallery of Rep. Cheeno Miguel D. Almario of the 2nd District of Davao Oriental and Councilor Virgelle Gail Jao of Tubigon, Bohol.

Senate President Zubiri welcomed the guests to the Senate.

COMMITTEE REPORT NO. 26 ON SENATE BILL NO. 1864

(Continuation)

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1864 (Committee Report No. 26), entitled

AN ACT PROVIDING FOR A MORATORIUM ON THE PAYMENT OF STUDENT
LOANS DURING DISASTERS AND OTHER EMERGENCIES.

Senator Villanueva stated that parliamentary status was the period of interpellations.

Thereupon, the Chair recognized Senator Escudero, sponsor of the measure, and Senator Pimentel for the interpellation.

INTERPELLATION OF SENATOR PIMENTEL

Asked by Senator Pimentel on the intent of the measure, Senator Escudero stated that it seeks to suspend or declare a moratorium on student loan payments whenever there is a natural disaster, when an LGU is declared under a state of calamity by either the national government or by the local Sanggunian, by way of a resolution of the municipality, city, or province concerned. He explained that the measure pertains to student loans with either local or national government institutions, private institutions, as well as other financing schemes such as study now, pay later. He clarified that the bill applies to higher education institutions (HEIs) covered by both the CHED and TESDA, including local universities and colleges, and does not apply to primary and secondary public and private education institutions, as stated in Senator Lapid's bill.

Senator Pimentel, citing the United States as an example, stated that students in higher education take out loans in order to complete their studies. He then inquired as to the number of students in the Philippines with existing loans.

At this juncture, Senate President Zubiri relinquished the Chair to Senator Ejercito.

Senator Escudero lamented that the CHED did not have adequate data to cover the entire country. He assumed that it would have to go to every institution to find out. He added that the agency did not have a number of potential beneficiaries of the measure, as well as the amount involved since tuition fees tend to change. However, he believed that the amount could not be equal to the United States because it is not easily accessible, and not too many institutions, both public and private, offer loans to poor but deserving students in the Philippines.

Senator Pimentel expressed concern over the phrase found on page 4, lines 4 to 6 "prohibiting students from voluntarily waiving the benefit of the moratorium on student loan payments, or availing assistance or subsidies from the government as provided by law, rules and regulations." Senator Escudero remarked that, at the proper time, the committee would be amenable to the deletion of the provision. He noted that the provision's objective was to prevent any HEI from cajoling, convincing, or pressuring the student to agree to waiving his or her rights under the act.

Senator Pimentel stated that the provision does not have to be deleted, but rather amended to capture the original intent of the bill, adding that he was merely avoiding the use of a double negative in the provision. Senator Escudero suggested amending line 4, after the word "students," by replacing the phrase "prohibiting students from voluntarily waiving" with PROVIDED THAT STUDENTS CANNOT WAIVE.

Senator Pimentel emphasized the importance of the committee being amenable to the amendment, noting that it still retained the author's original intent.

At this point, he stated that he would end his interpellation since he believed that no one would object to the measure's intent, which was to declare a moratorium on student loan payments in HEIs during a state of calamity.



Lastly, he stated that on page 3, lines 21 and 22 of the bill, the moratorium should be on payment and not on enforcement. Senator Escudero expressed willingness to consider the proposed amendments at the proper time.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

There being no other interpellation, upon motion of Senator Villanueva, there being no objection, the Body closed the period of interpellations and proceeded to the period of individual amendments, Senate Bill No. 1864 being a substitute bill.

ESCUDERO AMENDMENT

As proposed by Senator Escudero, there being no objection, the Body approved the following amendments:

1. On page 3, line 22, after the word "the," delete the words "enforcement of"; and
2. On page 4, after the word "students," delete the phrase "prohibiting students from voluntarily waiving" and in lieu thereof, insert the phrase *PROVIDED, HOWEVER, THAT STUDENTS SHALL NOT BE ALLOWED TO WAIVE.*

PIMENTEL AMENDMENT

On page 4, line 5, as proposed by Senator Pimentel and accepted by the sponsor, there being no objection, the Body approved to replace the word "availing" with the words TO AVAIL.

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

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

COAUTHORS

Senator Villanueva manifested that he and Senate President Zubiri were coauthors of Senate Bill No. 1864.

APPROVAL OF SENATE BILL NO. 1864 ON SECOND READING

Submitted to a vote, there being no objection, Senate Bill No. 1864 was approved on Second Reading.


SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1864

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

SUSPENSION OF SESSION

Upon motion of Senator Villanueva, the session was suspended.

It was 4:26 p.m.



RESUMPTION OF SESSION

At 5:06 p.m., the session was resumed with Senate President Zubiri presiding.

ACKNOWLEDGMENT OF THE PRESENCE OF GUEST

Thereupon, the Chair acknowledged the presence of Department of Trade and Industry Secretary Alfredo Espinosa Pascual in the session hall.

COMMITTEE REPORT NO. 21 ON SENATE BILL NO. 1841

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1841 (Committee Report No. 21), entitled

AN ACT STRENGTHENING THE CONSERVATION AND PROTECTION OF
PHILIPPINE CULTURAL HERITAGE THROUGH CULTURAL MAPPING,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10066, OTHERWISE
KNOWN AS THE "NATIONAL CULTURAL HERITAGE ACT OF 2009."

Senator Villanueva stated that the parliamentary status was the period of amendments.

Thereupon, the Chair recognized Senator Legarda, sponsor of the measure.

AMENDMENT IN THE NATURE OF A SUBSTITUTE

In accordance with Rule XXIX, Section 82 of the *Rules of the Senate*, as proposed by Senator Legarda, there being no objection, the Body approved the deletion of the text of the bill after the enacting clause and, in lieu thereof, the substitution of the text contained in the copy submitted to the Secretariat and distributed to the senators.

WORKING DRAFT

Senator Villanueva stated that the copy of the bill (AMENDMENT IN THE NATURE OF A SUBSTITUTE) dated March 14, 2023 would serve as the working draft for the individual amendments. (*See Annex*)


INQUIRY BY SENATOR PIMENTEL

Senator Pimentel stated that Senate Bill No. 1841 under Committee Report No. 21 was already in substitution of the original bills (Senate Bill Nos. 117, 622, and 1094 and taking into consideration House Bill No. 5110). He asked whether the committee was substituting the bill.

In reply, Senate President Zubiri explained that there are two kinds of substitutions— the committee substitution which was based on the hearings on the five originally filed bills, and the plenary substitution which happened when Senator Legarda proposed and the Body approved the substitute text, which is allowed in Rule XXIX, Section 82, paragraph 2, of the *Rules of the Senate*. He added that the Body was already in the period of individual amendments because there were no committee amendments, Senate Bill No. 1841 being a substitute bill of the committee.

PIMENTEL AMENDMENT

On page 9, line 5, after the word "craftsmanship," as proposed by Senator Pimentel and



accepted by the sponsor, there being no objection, the Body approved the insertion of the phrase "AND (6) CUSTOMARY SYSTEMS FOR JUSTICE AND CHILD WELFARE."

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

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

APPROVAL OF SENATE BILL NO. 1841 ON SECOND READING

Submitted to a vote, there being no objection, Senate Bill No. 1841 was approved on Second Reading, subject to style.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1841

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

COMMITTEE REPORT NO. 14 ON SENATE BILL NO. 1594

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1594 (Committee Report No. 14), entitled

AN ACT INSTITUTIONALIZING THE ONE TOWN, ONE PRODUCT (OTOP) PHILIPPINES PROGRAM, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

Senator Villanueva stated that the parliamentary status was the period of amendments. He said that there were no committee amendments, the measure being a substitute bill, so the Body would proceed to the period of individual amendments.

Thereupon, the Chair recognized Senator Villar (M), sponsor of the measure.

VILLANUEVA AMENDMENTS

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

1. On page 2, line 21, replace the period (.) with a COLON (:) and add the following proviso: *PROVIDED, THAT SIMPLIFIED REQUIREMENTS AND PROCEDURES SHALL BE ADOPTED FOR BENEFICIARIES TO EASILY ACCESS THE COMPONENTS OF THE PROGRAM, IN ACCORDANCE WITH REPUBLIC ACT NO. 11032, OR THE "EASE OF DOING BUSINESS AND EFFICIENT GOVERNMENT SERVICE DELIVERY ACT OF 2018."*; and
2. On page 5, line 16, after the word "assist," insert the phrase "AND COORDINATE WITH" and on line 17, after the word "Act," insert the phrase TO ACHIEVE CONVERGENCE AND ENSURE EFFICIENT USE OF RESOURCES.

SUSPENSION OF SESSION

Upon motion of Senator Villanueva, the session was suspended.

It was 5:20 p.m.



RESUMPTION OF SESSION

At 5:35 p.m., the session was resumed.

PIMENTEL AMENDMENTS

As proposed by Senator Pimentel and accepted by the sponsor, there being no objection, the Body approved the following amendments:

1. On page 2, lines 8 to 15, delete the entire Section 4 and renumber the succeeding sections accordingly;
2. On the same page, line 27, change the title of Section 7 from "Coverage" to PRODUCTS AND SERVICES COVERED;
3. On page 3, line 9, delete the word "and" and the comma (,);
4. On the same page, line 12, after the word "cosmetics," replace the period (.) with a semicolon (;) and insert the word AND;
5. On the same page, line 13, add a new item (f) TRANSPORTATION SERVICES AND AGRI-TOURS.
6. On page 4, line 1, after the word "program," insert a comma (,) and the following proviso: *PROVIDED THAT THE BENEFICIARIES SHALL BE LIMITED TO MSMEs AS DEFINED UNDER REPUBLIC ACT NO. 6977, AS AMENDED BY REPUBLIC ACT NO. 9501.*

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

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

APPROVAL OF SENATE BILL NO. 1594 ON SECOND READING

Submitted to a vote, there being no objection, Senate Bill No. 1594 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1594

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

SPECIAL ORDER

Upon motion of Senator Villanueva, there being no objection, the Body approved the transfer of Committee Report No. 25 on Proposed Senate Resolution No. 350 from the Calendar for Ordinary Business to the Calendar for Special Orders.

COMMITTEE REPORT NO. 25 ON PROPOSED SENATE RESOLUTION NO. 350

Upon motion of Senator Villanueva, there being no objection, the Body considered Committee Report No. 25 on Proposed Senate Resolution No. 350, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE SOARING MARKET PRICES OF LOCAL ONIONS.

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

The Chair recognized Senator Villar (C) for the sponsorship speech.

SPONSORSHIP SPEECH OF SENATOR VILLAR (C)

Senator Villar (C), chairperson of the Committee on Agriculture, Food and Agrarian Reform, delivered the following speech:

It could be recalled that in October 2022, the market price of onions started to increase uncontrollably and later on skyrocketed to P750 per kilo during the Christmas season, making Philippine onions the world's most expensive. Sen. Imee R. Marcos timely filed Proposed Senate Resolution No. 350, and the Committee on Agriculture, Food and Agrarian Reform readily launched an inquiry, in aid of legislation, on the soaring market prices of local onions on January 16, 2023.

It was revealed during the hearing that the onions being sold in the market at P700 to P750 per kilo were bought from the farmers of Occidental Mindoro at a shocking price of P8 to P15 per kilo during the harvest season in April 2022.

While the farmers from Pangasinan and Nueva Ecija said that the farmgate price in their provinces in December 2022 was P200 to P250, the farmers of Occidental Mindoro said that the traders in Occidental Mindoro bought onions from farmers for only P8 to P15.

Ang masakit dito, ang binili sa kanila ng otso hanggang kinse pesos ay inimbak ng mga traders sa cold storage, at saka inilabas noong nagkaroon na ng shortage at mataas na ang presyo.

Kung maaalala ninyo, noong March to April 2022, harvest season, nabalitaan natin na nabubulok na lang sa kalsada ang mga sibuyas dahil sa sobrang baba ng presyo sa farmgate. Pagdating ng December, biglang ang presyo ay P750 na.

The farmers of San Jose, Occidental Mindoro have been cultivating 3,285 hectares of onion farms, with production cost at P200,000 to P300,000 per hectare, and minimum yield of 12 metric tons per hectare.

For the province of Occidental Mindoro, the area planted with onions can be extended up to 60,000 hectares, if the conditions are favorable to cultivation, and the volume of produce can supply the entire country's needs.

The profiteering and hoarding in the onion industry have run rampant. Nothing earned from their produce, the farmers bewail their twist of faith—they have now become consumers as well, buying their own produce at very exorbitant prices.

According to the DA-Price Monitoring Office, from July to August 2022, the price of local red onion jumped from P90 to P140; and by October, to P200. The price of onions in Metro Manila in December 2022 ranged from P600 to P700.

This should never happen again during the holiday season this year, and the coming years. This should never happen again.

According to recent news report, however, the *Samahang Industriya ng Agrikultura* (SINAG) said that as of second week of March 2023, the farmgate price of onion in Nueva Ecija ranged from P55 to P60 per kilo, while more or less P60 per kilo for white onion. But it is being sold in the market for P90 to P150, that is two to three times the farmgate price. If this situation continues, this will be the exact same scenario that occurred last year.

Due to price manipulation, farmers suffered economic loss. Now, farmers are afraid to produce because they might not be able to get back their investments. With all the issues on smuggling, hoarding, profiteering, and the cartel of agricultural products, it is baffling that no one is prosecuted.

Cold Storage

Meanwhile, the budget allocated for cold storage facilities in fiscal year 2023 is P240 million, and the cost of one cold storage facility is P40 million.

For this year, a total of six cold storage facilities will be built in Region I, Region II, Region III, and Region IV-B.

Traders and importers alike make use of the cold storage system to maintain their stranglehold over the onion farmers and the domestic market. Local and imported onions are kept in storage and are released and dumped into the domestic market during local harvest time to manipulate the price.

Importation

During the committee investigation, we gathered the data on the country's annual onion consumption which is 250,000 metric tons (MT) to 270,000 metric tons of red and yellow onions. The top three onion-producing regions are: Region I with 54,000 metric tons; Region III with 140,000 metric tons; and Region IV-B with 128,000 metric tons.

For 2022, the Philippine Statistics Authority stated that local production was 238,000 metric tons against total demand of 270,000 metric tons. And even with DA's importation of 29,000 metric tons, for a total supply of 268,000 metric tons, there was still a shortage of 2,140 metric tons, which could be addressed by the 2021 surplus of 53,000 metric tons because in 2020 the DA imported 87,000 metric tons; and in 2021, 101,000 metric tons when the shortage is around 25,000 metric tons.

On the other hand, the DA reported in its presentation that the total demand for onions was 317,000 metric tons, while supply was 313,000 metric tons, or a shortage of 3,000 metric tons for the same year. It can be noted that there are differences in the figures reported by the PSA and DA.

The investigation was presented with conflicting data. Nothing definitive and nothing authoritative, not even from the PSA. This is not only unique to the onion industry but characteristic of the agricultural sector, which has paved the way for the unbridled importation of agricultural products, creating havoc on the agricultural sector.

The absence of official data has allowed the free-wheeling extrapolation of figures, but not for the purpose of presenting the true picture of the agricultural sector but to justify the desired volume of importation and to intellectually provide basis for the overall discredited policy of liberalized importation of agricultural products.

The cartels use importation to lower the price of onion, especially during harvest season, thereby allowing traders to buy local onion at a lower price. The supply will be hoarded and stocked up in the cold storage, and in the meantime suspending their import activities so that the price would go up. A clear scenario of price manipulation.

My heart goes to the farmers who lost all their hard-earned money and their days of labor because of the army worms that infested their onion farms in Pangasinan.

Ngayon pa lamang sana sila makakabangon muli sa pagkalugi ngunit nagbabadya na naman ang pangamba dulot ng importation ng sibuyas ngayong anihan.

According to the news report on smuggling on December 23, 2022, the Bureau of Customs intercepted P17 million worth of smuggled white onions hidden in three containers declared as having clothing items at the Manila International Container Port. From December 27 to 29, 2022 during a series of law enforcement operations, the BOC seized over P139 million worth of undeclared agricultural products that arrived between November 27 and December 3 at the MICP.

In response to the issues that hounded the Department of Agriculture, the committee came up with recommendation in Committee Report No. 25, the most notable of which are:

RA 10845 or the Anti Agriculture Smuggling Act of 2016 should be amended to include profiteering, hoarding, and smuggling in its list of crimes involving economic sabotage. The amendment should be explicit and expressed and will leave no room for the implementors to interpret the intent in the spirit of the law otherwise through IRRs.

An Anti-Agricultural Smuggling Task Force should be created and established to serve and protect the entire agricultural sector, not only the Onion Industry.

This will ensure preferential attention to cases of economic sabotage so that profiteers, hoarders and smugglers will be brought to justice and speedy trial will be rendered accordingly.

As for importation, if the same is necessary, approval of importation permits must be logically scheduled so as not to impede and completely compete with local production and harvest. The import volume must be correctly established and such must be only for purposes of providing the needed supply in the market. *Ayaw na po nating makitang nagtatapon ng sibuyas ang mga farmers natin dahil sa sobrang baba ng presyo dulot ng maling timing ng importasyon.*

In response to the demand expressed during the hearing, I promptly submitted Senate Bill No. 1962 amending RA 10845 or the Anti-Agricultural Smuggling Act of 2016 and Senate Bill No. 1963 or the Anti-Agricultural Smuggling Courts Act of 2023, which are now pending in the Committee on Agriculture, Food and Agrarian Reform and the Committee on Justice, respectively.

It is high time that we had an Anti-Agricultural Smuggling Task Force and Anti-Agricultural Smuggling Court.

With these in place, we will have a watchdog in the agricultural sector to ensure that whoever manipulates the price of agricultural commodities to the detriment of the small farmers and consumers, will be brought to justice accordingly. Gone are the days when we are always at the mercy of these cartels.

SUSPENSION OF CONSIDERATION OF PROPOSED SENATE RESOLUTION NO. 350

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

SUSPENSION OF SESSION

Upon motion of Senator Villanueva, the session was suspended.

It was 5:54 p.m.

RESUMPTION OF SESSION

At 5:55 p.m., the session was resumed.

COMMITTEE REPORT NO. 20 ON SENATE BILL NO. 1806

(Continuation)

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1806 (Committee Report No. 20), entitled

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

Senator Villanueva stated that the parliamentary status was still the period of interpellations.

Thereupon, the Chair recognized Senator Gatchalian, sponsor of the measure, and Senator Pimentel for the continuation of his interpellation.

INTERPELLATION OF SENATOR PIMENTEL

Senator Pimentel noted that the creation of the Office of the National Taxpayer Advocate (ONTA), could help taxpayers not only with their tax problems but also assist them regarding tax questions.

Senator Gatchalian recalled that Senator Pimentel pointed out in his previous interpellation that the end goal of the measure was to improve tax compliance because many taxpayers who are not well versed in terms of filling out their tax returns would get assistance from the ONTA.

Senator Pimentel assumed that Filipinos are law-abiding and they would file their tax returns especially if they would be assisted. However, he noted that the ONTA would only have around 340 personnel who would extend help to taxpayers. In reply, Senator Gatchalian explained that the agency would start with a relatively small number of personnel based on the past number of cases filed and the letters of authority issued.

In this regard, Senator Pimentel cited paragraph (g) of Section 8 (*Powers, Functions, and Responsibilities of the Office of the National Taxpayer Advocate*) which read as follows: "(g) perform such other powers and functions as may be necessary to enhance the ONTA's performance of its powers, functions and responsibilities as enumerated in this Act." He suggested revisiting the proviso because as worded, ONTA would be allowed to give itself certain powers and functions.

Senator Gatchalian explained that the intent was to stay within the powers and functions that were given to ONTA and make sure that the additional powers would be in line with the direction and mandate of ONTA. He said that the committee included the proviso because it was common with other laws. However, he expressed openness to revisit the provision to ensure that ONTA would stay in line with its mandate.

Senator Pimentel opined that the provision was something exceptional because he had not encountered the word "enhance" in other measures as it was contained in subsection (g) of the bill. Senator Gatchalian agreed to review jurisprudence and other laws with related provisions.

Senator Pimentel cited another function of the ONTA on Section 5(e), which was to extend effective representation to a taxpayer experiencing financial difficulty. He believed that the concept of financial difficulty should be defined in the bill, to which Senator Gatchalian agreed. He explained that the reason the committee did not categorically define financial difficulty was to give the implementing agency the flexibility to come up with conditions that would determine that the taxpayer is encountering financial difficulty.

To Senator Pimentel's assertion that the goal of setting up the agency was to be of help to as many taxpayers as possible, Senator Gatchalian added that ONTA was intended to also help those who are in the micro, small, and medium enterprises; those companies that are encountering difficulty; and those companies that are on the brink of financial hardship.

Senator Pimentel observed that the bill repeated some subjective phrases, so at the proper time, he would propose certain parameters or indicators that would define such phrases.

Senator Gatchalian said that examples of "financial hardship" according to the US-National Taxpayers Advocate (NTA) include when (1) the taxpayer is experiencing financial hardship or is about to suffer financial hardship; (2) the taxpayer is facing an immediate threat of negative action; (3) the taxpayer would incur significant loss if relief is not granted; or (4) the taxpayer would suffer irreparable injury or long-term adverse impact if the relief sought is not granted. He added that

the taxpayer advocate under the "Taxpayer First Act," was created by a federal law while the taxpayer rights were created through administrative issuance.

Senator Pimentel averred that Congress should codify the taxpayer's rights since they already exist under the law, and that ONTA could just identify and organize the information, then publish the same. Senator Gatchalian noted that theoretically, some jurisdictions have issued administrative issuances to codify their Taxpayer Bill of Rights.

On Sections 9 and 10, Senator Pimentel noted that the head of the ONTA, or the chief taxpayer advocate, would have four deputy taxpayer advocates from NCR, Luzon, Visayas, and Mindanao, who would each have a term of seven years with one reappointment. He asked why the term of appointment of taxpayer advocates would be longer than the term of the President and the senators, and why they would not be given a tenure like that of the members of the Judiciary. Senator Gatchalian replied that the grant of longer term would allow them to be well-versed in tax matters considering the time and steep learning curve before becoming experts in different tax scenarios, tax laws and tax practices.

As to whether tax advocates in other jurisdictions have terms or tenure up to a certain age, Senator Gatchalian stated that tax advocates do not have a tenure in the US they work at the pleasure of the President until they retire; in fact, the first national taxpayer advocate, Nina E. Olson, retired at the age of 60.

Asked if it was the committee's decision to grant the term of tax advocates, Senator Gatchalian explained that the term would shield them from politics and allow them to make independent decisions. He further said that lodging the post under the Department of Justice would give them more independence outside the realm of tax collectors.

To the remark that members of the Judiciary should have been given a term instead of tenure to enhance their independence, Senator Gatchalian averred that normally, the Executive branch grants a fixed term to shield the agency from the politics of appointment when there is a change in administration. In the same manner, considering ONTA's goal to serve taxpayers, he said that the term was provided in order to ensure that they would not be influenced by abusive revenue authorities.

As to why the chief taxpayer advocate was given the power to recommend deputy taxpayer advocates, Senator Gatchalian explained that the Committee on Ways and Means believed that ONTA should also have a voice on who would be appointed in order to make sure that the chief taxpayer advocate and the deputy taxpayer advocates would have a harmonious working relationship.

Senator Pimentel believed that there was no need for sensitivity against possible conflicts since ONTA would be non-political, and that it would be safer if there would be checks and balances if the deputy taxpayer advocates would not be recommendees of the chief taxpayer advocate. However, Senator Gatchalian opined that appointees of the Office of the President, for instance, usually have conflicts with the appointing authority, thereby having a non-conducive work environment. He further recalled that when he was still working with the private sector, he noticed that the CEO appoints everyone, who thereafter toes the line. Nonetheless, he asserted that the appointed deputy taxpayer advocates would be answerable to the chief taxpayer advocate, being the only accountable person in the agency.

On the contrary, Senator Pimentel pointed out that if an undeserving chief taxpayer advocate would recommend his cohorts to fulfill a hidden agenda, the purpose for creating the ONTA would be defeated. Noting the pros and cons of the concept, Senator Gatchalian asserted that the head

of agency, being the appointing authority, strengthens accountability rather than assigning another person to appoint the deputies. He said that notwithstanding checks and balances, there would likely be conflict between the deputies and the head of office.

Asked whether no one would be appointed as deputy tax advocate unless recommended by the chief taxpayer advocate, Senator Gatchalian replied in the affirmative. He clarified, however, that the head of the ONTA would only be given a voice on who would be appointed but at the end of the day, it would still be the President who would appoint the deputies. He noted that by practice, Malacañang solicits names of qualified candidates although it would also be possible for a stalemate to happen if there would be no meeting of the minds between the President and the chief tax advocate.

Senator Pimentel expressed the fear that if the tax advocates would be given a term of seven years plus one reappointment, taxpayers might suffer under the regime of a clique for 14 years. Senator Gatchalian assured that safeguards would be included in the bill to prevent monopoly of power within the ONTA.

Noting ONTA's attachment to the Department of Justice, Senator Pimentel asked the meaning of "policy and program coordination." Senator Gatchalian explained that ONTA's coordination would be in line with the Bureau of Internal Revenue's Run After Tax Evaders (RATE) Program, while the tax evasion cases would be filed by the DOJ.

Asked why ONTA would be attached to DOJ and not to the DOF, Senator Gatchalian replied that it was to give ONTA a real sense of independence. But Senator Pimentel argued that ONTA could also be an independent and autonomous office under DOF.

Senator Gatchalian explained that lodging ONTA under DOF would have its advantages and disadvantages. To cite an example, he said is that DOF would have full authority in terms of tax collection and taxpayers' issues, being the supervising agency of BIR and BOC. It being the case, he continued that DOF will have a mandate to ensure that the two very important collecting agencies, BIR and BOC, will embed the Taxpayers' Bill of Rights in their regulations and embody its philosophy in their operation.

On the other hand, Senator Gatchalian believed that one of its disadvantages would be the perception of the taxpayers that ONTA will not perform its mandate or might not support the office's initiative but follow DOF's tax policies. Senator Pimentel contended that ONTA should be an independent and autonomous office wherever it is lodged.

Asked if the secretary of the department to which ONTA would be lodged would be prohibited from interfering, dictating, controlling, reversing, or imposing on the judgment of the chief of tax advocate, Senator Gatchalian reiterated that ONTA would be independent similar to the Public Attorney's Office. He then read Section 14 of RA 9406 or the PAO Law, to wit: "The PAO shall be an independent and autonomous office, but attached to the Department of Justice." But he reiterated that ONTA would be more independent if it would be put outside the jurisdiction of the DOF. He added that in fact, during the meetings of the technical working groups, DOJ was very active and expressed willingness to include the ONTA under it.

Asked about the feedback of DOF, BIR, BOC, and the Bureau of Local Government Finance (BLGF), Senator Gatchalian replied that the DOF had actually already given an initial copy of its position paper which was later withdrawn. He said that he expected the DOF to include in its position paper its comment as to where ONTA should be lodged, whether under DOF or DOJ, as well as the positions of the BOC and BIR on the matter. Nonetheless, he believed that DOF was in support of the concept of having a Taxpayers' Bill of Rights.

Further, Senator Gatchalian informed the Body that practicing accountants through their organizations like the Tax Management Association of the Philippines, the Management Association of the Philippines, the Philippine Institute of Certified Public Accountants, and the Chamber of Commerce and Industry, were also participative during the public hearings.

Relative thereto, Senator Pimentel asked whether said organizations expressed apprehension on the measure, recalling that it was mentioned during the previous discussions that the measure would relieve taxpayers from the need to retain accountants. Senator Gatchalian replied that said organizations were actually in support of the concept of having a legislated Taxpayers' Bill of Rights. However, he revealed that private stakeholders also had a lot of complaints stemming from abuses and violations, but it was explained to them that the measure would be limited to the rights and obligations of taxpayers and the creation of the ONTA, while the IRR would be left to the agencies concerned.

As regards the role of ONTA, Senator Pimentel noted that the assistance it would provide as an office would include free and effective representation to taxpayers as found in Section 5(e) of the measure. He then asked if said assistance would only be limited to legal assistance, saying that ONTA might also be needing accountants in its effort to assist the public and even those needing representation. Senator Gatchalian affirmed that the office would still need accountants and financial analysts, even customs brokers, who would help in determining the real situation.


As to the qualifications for the chief taxpayer advocate and the deputy taxpayer advocates, Senator Pimentel asked if they must be members of the Philippine Bar. Senator Gatchalian averred that the head of ONTA should be a lawyer, given his functions enumerated in the bill. Moreover, advertent to page 8, lines 11 and 12 on the geographical distribution of the deputies, he said that the committee deemed that lawyers would be more appropriate for the job as they would be handling jurisdictions and representing taxpayers. Such requirement, he assured, was just a policy decision and not because cases were before the tax courts.

At this juncture, Senator Hontiveros mentioned the right to fair and just tax system which, according to the previous discussions, was included in the US declaration of taxpayers' bill of rights but not accommodated in the measure. Relative thereto, she hoped that Congress would legislate towards a more progressive taxation system. She then expressed the possibility of including such legislative initiatives in the advocacy of the chief tax advocate or his deputies, as well as the possibility of asking the input of non-lawyers towards having a more progression taxation system.

With the measure, Senator Gatchalian said that he envisioned ONTA to be defending and educating taxpayers, as well as performing the checks and balances over tax collecting agencies with the taxpayers' bill of rights as its guiding document.

Asked if a retired chief taxpayer advocate could be the BIR chief or the DOF secretary, Senator Gatchalian replied in the affirmative. However, he said that a former BIR chief cannot be a taxpayer advocate two years prior to such appointment. He surmised that coming from BIR to ONTA would not be a good transition but coming from ONTA to BIR would be acceptable.

On another matter, Senator Pimentel expressed concern over some qualifiers used in the measure such as the phrases "unless prejudicial to the government" under the right to information; "unless otherwise prohibited by law" under the right to challenge the position of and be heard by revenue authorities; and "except in cases allowed by law" under the right against baseless assessment.



Furthermore, Senator Pimentel stated that paragraphs (h) and (i) of Section 5 contain qualifiers that may limit the grant or recognition of the right of tax payers, namely:

- h) Right to be given an opportunity for amicable settlement, unless prohibited by applicable laws, rules, and regulations; and (i) the right to avail of installment payments to the extent permitted by law.

Senator Villanueva then asked Senator Gatchalian if he was open to revisiting how the grant of rights was worded, pointing out that, just as the Bill of Rights is seen by others as the bible of Filipino rights, the Bill of Taxpayers' Rights should inspire some confidence from Filipino taxpayers who read the bill of their rights free of loopholes and sudden inapplicability.

Senator Gatchalian responded by saying that the issue raised by Senator Pimentel led to one of the most difficult tasks his committee had to deal with in terms of balancing the government's power to collect taxes and pursue erring individuals with taxpayers' rights. He then explained that, while his committee was aware that the government had or might abuse such power, some taxpayers did not pay the correct taxes or had themselves been guilty of tax evasion. He stated that the technical working group (TWG) endeavored to include some narrow conditions in five of the thirteen rights, applicable only in certain instances and scenarios.

Senator Pimentel then cited page 4, line 1, paragraph (c) of the proposed measure, to wit:

- c) *Right to challenge the position of and be heard by revenue authorities.* – The taxpayer shall have the right to challenge and raise objections against the findings, assessments, rulings, or decisions of the revenue authorities, unless otherwise prohibited by law.


He contended that if he were the taxpayer who read all the way to the end of the paragraph, how it was ended would have a nullifying effect and would not inspire confidence or elation. He then stated that by granting said right in paragraph (c), any existing laws that prohibited the same would be deemed repealed.

Senator Gatchalian explained that the specific condition in paragraph (c) was derived from Section 222 of the National Internal Revenue Code (NIRC). He also stated, citing the NIRC, that once a fraud assessment becomes final and executory, it cannot be challenged. In this regard, he stated that by removing the colatilla or condition, a taxpayer may continue to challenge an assessment that has been rendered final and executory; thus, the inclusion of the proviso.

Senator Gatchalian informed the Body at this point that few laws limiting the right to challenge had been found, and the committee had endeavored to place said provision to put a safeguard on taxpayers constantly challenging final and executory decisions.

Senator Pimentel believed that a better approach would be for the taxpayer to seize the right to challenge the fraud assessment and then be informed by the tax authorities of a section of the law, such as Section 222 of the NIRC, that would make the decision final.

Senator Gatchalian believed that the proviso's intent was to inform taxpayers of an existing law that prevents challenges to assessments after they become final and executory. He added that the result in the situation described by Senator Villanueva was essentially the same. Senator Gatchalian stated that challenges to the assessment of the said tax would require taxpayers to file their cases with the Local Board of Assessment, as mentioned in Section 229 of the Local Government Code, which would then refer the complaints to the Central Board of Assessment for final decision. He then stated that the reason for creating the condition was to avoid having a perpetual challenge. On that note, he stated that he was open to revisiting the rights in their current form.



Senator Pimentel emphasized that his aim was to further refine the wording of the taxpayer's rights so that, along with the ONTA, they could elicit a level of excitement among taxpayers that was not necessarily dampened by a limited grant of rights resulting from laws that could not be challenged. Furthermore, he stated that his goal was to inspire confidence in taxpayers, that knowing all of the rights afforded by the measure, the ONTA would serve to guide them as to the extent to which those rights would be exercised. However, Senator Villanueva surmised that more time was needed to go over each and every right in order to refine their expression.

Senator Gatchalian believed that the mere act of discussing the issue will help to strike a balance between upholding the power of the government legal authority to collect taxes, thereby sustaining government operations, and sending the right signal to taxpayers that the government is equally protective of their rights, governed by certain conditions. He then reiterated his commitment to improving taxpayers' fundamental rights in this regard.

Adverting to page 3, lines 24 to 26 of the bill, Senator Pimentel believed that, while the taxpayer's right to be informed of government actions is recognized, the existence of the qualifier "unless prejudicial to the government" may be frequently invoked by the government. Senator Gatchalian stated that the issue was limited to asset seizure and restraint. He also informed the Body that, during the TWG meeting, the Bureau of Internal Revenue (BIR) cited cases in which delinquent taxpayers or tax evaders moved their assets, such as cash, hid them, or put their assets under a different name in order to evade the BIR from collecting tax deficiencies. He stated that to address the concern, the BIR asked the committee to devise a mechanism that would balance the taxpayer's right to information with the government's power to seize assets in cases of deficiencies through the BIR.

Asked if there was a risk of the BIR overusing the excuse to avoid the need to notify the taxpayer of any impending action, Senator Gatchalian responded by stating that the assessment of deficiencies is a process. He outlined the steps involved, which include, among other things: 1) the taxpayer receiving a letter of authority (LOA) indicating potential deficiencies in tax returns, with a corresponding 120-day period; 2) the issuance of a Preliminary Assessment Notice (PAN); and 3) the Final Assessment Notice (FAN). In this regard, he stated that if the government was unable to collect taxes despite the lengthy process, it would be forced to seize the property. He also stated that a lengthy legal process was involved.

Senator Pimentel then sought clarification on step one of the BIR process, specifically whether the LOA provided to the taxpayer was primarily for the benefit of the BIR in order to facilitate the audit. Senator Gatchalian explained that the LOA would benefit both parties because it would be the period during which the taxpayer would also submit the required documents.

Asked if the copy of the LOA provided to the taxpayer already served the purpose of informing the individual concerned of the impending institution of a summary collection action, Senator Gatchalian responded that receipt of the LOA would not directly lead to said summary action. He stated, however, that noncompliance on the part of the taxpayer, combined with findings of deficiency, would eventually lead to its collection as the government's last resort. At this point, Senator Pimentel reiterated his earlier concern about the phrase "unless prejudicial to the government," surmising that the taxpayer's right to be informed would be denied because it would be prejudicial to the government.

Senator Gatchalian responded by stating that the qualifier was only limited to a specific action, which was seizure of assets being the government's last resort. He added that the rationale for including the condition was to provide a safeguard in cases where erring taxpayers would transfer their assets to a different name or move them around. He also stated that the qualifier would strengthen the government's ability to collect taxes and seize assets from noncompliant taxpayers.

Furthermore, he stated that erring taxpayers have a right to due process, but that in the end, they would have to settle their tax deficiencies. Senator Pimentel stated that the paragraph in question would have to be included in the items to be revisited. Senator Gatchalian agreed, adding that because some of the conditions might send the wrong message to the taxpayers, he was open to refining some of the rights where they appeared.

At this juncture, Senator Hontiveros opined that it was important for the measure to go through the period of interpellations since all taxpayers, even erring ones, do have rights. She surmised that while the big tax evaders are probably more knowledgeable about taxation matters and are more capable of defending their rights, the bill is more important for medium and small taxpayers, who need such an articulation of their rights.

She then thanked Senator Gatchalian for finding the language that would equally reflect the rights of the taxpayers and the non-surrender of the rights of the State. She likened the measure to a "mini Bill of Rights" in the Constitution, which balances the overpowering of the State and the rights of individual citizen or the taxpayer.

Senator Gatchalian said that crafting the measure was a balancing act, and that it took them months to study each and every law and revenue regulation. He said that the bill does not intend to diminish government's power to collect taxes; rather it merely establishes a mechanism doing so, recognizing that abuses may occur in the process.

Senator Pimentel expressed support for the measure, adding that he would soon submit his proposed amendments on the fundamental rights of taxpayers. He suggested that Senator Gatchalian begin studying *The Right to Finality*, and *The Right to a Fair and Just Tax System*, which are found in the U.S. Taxpayer Bill of Rights and should be adopted in the Philippines.

Adverting to paragraph (k) of Section 5 (*Taxpayer's Basic Rights*), Senator Pimentel inquired if the taxpayer has the right to collect actual costs and actual damages arising from judicial actions and from whom they should be collected. Senator Gatchalian responded that essentially the government should pay. For example, he stated that if a taxpayer pursues a case against an abusive tax collector to the Court of Tax Appeals and the government loses, the government would be responsible for paying the damages. He explained that such penalties would serve as a deterrent against abuse by compelling the collector to conduct accurate audits because he would be answerable for the associated costs.

On whether the abuses of the erring personnel become part of the record upon which the agency assesses the damages plus attorney's fees, Senator Gatchalian replied in the affirmative.

At this juncture, Senator Gatchalian flashed onscreen the tax cases which were filed with the CTA.

Senator Gatchalian then provided the following data:

- During the last five years, 906 cases were filed with the CTA, of which P16 billion was refunded to the government, while P7 billion was ruled in favor of the taxpayers;
- In assessment cases, the government lost P72 billion as a result of incorrect assessment and computations; and
- In seizure cases, the government lost P1.7 billion.

He stated that that the government has a poor track record of winning in assessment and forfeiture cases, which constitute the bulk of cases filed with the CTA.

On the comment of Senator Pimentel regarding erring personnel, Senator Gatchalian stated that if a collector made an incorrect assessment and the government lost, there would be very severe consequences.

On whether the P72 billion lost by the government in assessment cases would be the same amount that the collector is accountable for based on his incorrect assessment, Senator Gatchalian replied in the affirmative. He disclosed that one of the resource persons even suggested including the filing fees in the charges, as they are one of the biggest costs for a taxpayer who brings the case to the CTA. He stated that while neither the government nor the erring official incur expenses, the taxpayers are required to pay the filing fees. He agreed with the proposal to include filing fees in the taxpayers' actual costs.

Responding to further query, Senator Gatchalian stated that the committee decided to integrate the Taxpayer's Bill of Rights into the curriculum of higher education because everyone would become a taxpayer and, as such, would need to know their basic rights when paying taxes.

On whether Section 15 would be the legal basis for including the taxpayer's right in the curriculum for higher education and would no longer need the concurrence or support of CHED, Senator Gatchalian replied that the CHED submitted a position paper indicating its support for the provision. He affirmed that it is included in the general subjects.

Senator Pimentel then stated that during the period of amendments on the measure, he would only one or two preliminary questions regarding the proposal as he was not able to ask all of his questions as he would need to look at the bill's final form.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

There being no other interpellation, upon motion of Senator Ejercito, there being no objection, the Body closed the period of interpellations on the bill.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1806

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

SPECIAL ORDER

Upon motion of Senator Ejercito, there being no objection, the Body approved the transfer of Committee Report No. 40 on Senate Bill No. 1964 from the Calendar for Ordinary Business to the Calendar for Special Orders.

COMMITTEE REPORT NO. 40 ON SENATE BILL NO. 1964

Upon motion of Senator Ejercito, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1964 (Committee Report No. 40), entitled

AN ACT INSTITUTIONALIZING THE GRANT OF A TEACHING SUPPLIES ALLOWANCE FOR THE PUBLIC SCHOOL TEACHERS AND APPROPRIATING FUNDS THEREFOR.

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



The Chair recognized Senator Revilla for the sponsorship.

SPONSORSHIP SPEECH OF SENATOR REVILLA

In presenting Senate Bill No. 1964 for plenary consideration of the Body, Senator Revilla delivered the following speech:

Mga kabalikat dito sa Senado, mga kasamahan sa pagsulong ng karapatan at kapakanan ng ating mga guro mula noon at hanggang ngayon, isang magandang gabi po sa ating lahat.

I rise today to sponsor the Kabalik sa Pagtuturo Act, institutionalizing the teaching supplies allowance for our teachers. At the outset, our records will bear that this measure has been approved by the Senate on Third Reading in the Seventeenth and Eighteenth Congresses. There were no abstentions and no negative votes. Yes, we have twice unanimously approved this legislation and, hopefully, third time's the charm. *Sana.*

Ngayong Nineteenth Congress, ako po ay nagpapasalamat dahil lahat po tayo sa Senado ay muling sumusuporta upang sa wakas ay maisabatas na ito. I wish to express my heartfelt thanks as all senators signed the committee report. *Sinasalamin nito ang nagkakaisa nating adhikain para ipadama ang labis nating pagpapahalaga para sa ating mga guro.*

It is mandated by no less than the Constitution that the education sector shall have the highest allocation in our budget. *Subalit malakas pa rin ang panawagan ng ating mga guro para sa suporta ng Estado. Daing nila, hindi sapat ang natatanggap nilang tulong lalo na at napakalaki at napakabigat ng mga tungkuling kanilang ginagampanan.*

This is the very reason why we are here today, to lend our voices to our dear Filipino teachers. *Tumitindig tayo ngayong hapon upang bigyang silip ng Bulwagang ito ang pakikibaka ng ating mga guro at ang hamong kinakaharap nila—ang ating mga guro na handang tawirin ang rumaragasang tubig upang ihatid ang kaalaman sa mga kabataan sa mga nayon, at hindi natitinag sa layo ng lalakbayin sa hangad na walang kabataan na magiging salat sa kaalaman.* With them around, no child will be left behind.

I thus enjoin our colleagues to support Senate Bill No. 1964 under Committee Report No. 40, submitted jointly by the Committees on Civil Service, Government Reorganization and Professional Regulation; Basic Education; Ways and Means; and Finance. Let us approve this measure that is long overdue. This Act, "Institutionalizing the Grant of a Teaching Supplies Allowance for Public School Teachers and Appropriating Funds Therefor," is a substitute bill for the measures filed by our colleagues: Senate Bill No. 22, introduced by this Representation; Senate Bill No. 94, introduced by Senator Angara; Senate Bill No. 677, introduced by Senator Estrada; Senate Bill No. 1045, introduced by Senator Villanueva; Senate Bill No. 1729, filed by Sen. Mark Villar; and Senate Bill No. 1831, introduced by Senator Dela Rosa. Senators Padilla, Go, Poe, and Tolentino have also coauthored this measure.

Nakaukit na sa kasaysayan ang papel na ginagampanan ng ating mga guro sa buhay at kinabukasan ng mga kabataan. But this indelible mark of their role in society is in clear contrast with the susceptibility of the benefits they received to be changed or, worse, to be revoked. *Kabalintunaan nang maituturing ang banta na kung hindi maisasabatas ay madaling mabubura at mababawi ang chalk allowance na itinuturing nilang armas sa kanilang propesyon.* That is why we are now seeking to institutionalize it.

Sa mga naganap na pagdinig at talakayan, nabigyang linaw din ang mithiin ng ating mga guro na maitaas pa ang natatanggap nilang allowance bunsod ng mga nagtataasang presyo ng bilihin.

And having understood their plight, this measure now seeks to gradually increase the cash allowance given to teachers from its current amount of P5,000 to P10,000 in three years. In making it more dynamic, the bill also proposes to adjust the amount thereafter to account for inflation and the changes in the prices of teaching supplies and materials.

I first sponsored this bill in 2019, already recognizing the hardships and sacrifices of our teachers. *Dumating ang 2020 at dinanas natin ang isa sa mga pinakamadilim na yugto ng ating*



kasaysayan. Hindi kaila sa atin ang pahirap ng pandemya. Isinara ang ating mga paaralan, kinailangang maging online. Hindi naging madali ang nakalipas na dalawang taon para sa atin at higit lalo para sa kanila.

Hindi lingid sa atin ang tindi ng mga sakripisyo ng ating mga guro lalong-lalo na noong lockdown. Batid natin na bilang frontliners sa larangan ng edukasyon, ibinuwis nila ang kanilang buhay para maitawid ang pangangailangan ng ating mga mag-aaral.

And now, we are back to face-to-face classes again, but we are not out of the woods yet. We are still experiencing the effects of the pandemic. In a statement released by UNICEF last year, they called attention to the learning losses among our students, and the Department of Education (DepEd) has reiterated their commitment to address this.

Ang ating mga guro ay masasabing overworked and underpaid. The current cash allowance is P5,000 for the whole year; divide that to 203 days, which is the total school days declared by DepEd for school year 2022 to 2023. Twenty-four pesos (P24) lamang po kada araw ang natatanggap nila. The current cash allowance also includes the P500 allocation for medical examination. Kung ibabawas natin diyan sa pambili ng mga materyales at kagamitan sa pagtuturo ay papatak iyan na P20 lamang sa bawat araw. Magkano ba ang isang box ng chalk? Ang isang box ng chalk ay P68. Ang bond paper ay P120 ang isang ream. Ang pinakamurang plan para sa Internet load?

Sa kasalukuyang P5,000 na Teaching Supplies Allowance (TSA) na nakapaloob ngayon sa General Appropriations Act (GAA), we allocated P4.8 billion. Kung gagawin natin itong P7,500 next year ay P2 billion lamang ang madadagdag; at kung magiging P10,000 naman ito sa 2025 ay P4.5 billion ang madadagdag.

This is less than one percent of the total budget of DepEd. In this era of the trillion-peso-budgets, *napakaliit lamang po nito para ipagkait natin.*

Kung ang national budget ay nobelang isusulat sa pisara, ang pondo para rito ay mistulang tuldok lamang, pero napakalaki nang benepisyo sa guro at pakinabang sa kabataan.

Teaching supplies are to teachers as ammunitions are to soldiers.

And the war against ignorance can only be won if we put in our teachers' hands the tools that will allow them to put ideas in their students' heads.

Tools made out of paper like cartolinas, posters, and the pens to write on them.

Tools that create pixels like images, moving pictures, audio visual presentations.

Tools that allow the mind to explore the wide world of knowledge online.

Ito ang kababanggit ko lamang na ammunition. We do not send soldiers to battle without a full load of ammunition and provisions.

The same is true for teachers today. They need "an Internet load" to fight the war versus illiteracy, "load" that will bring them and their students across the digital divide.

Hindi nila ito ikayayaman, but this will enrich the way they teach, and this will, in turn, benefit our children.

Ang karagdagang suporta na ito ay munting paraan ng ating pagkilala sa kanilang masigasig at taos-pusong pagseserbisyo sa bayan.

We must invest in our teachers. Investing in them is ultimately an investment in our children and in our future.

Kung ang ating mga estudyante ang magbebenepisyo sa karagdagang suporta na ito, ay hindi ito maituturing na simpleng gastos lamang. This is an investment, an investment in our children's future, an investment for our nation's future.

Teaching is the one profession that creates other professions. Let us remember our favorite teachers then and honor them with our "yes" for this measure.

Kung kaya hinihikayat ko kayo na maging kabalikat ng ating mga guro sa kanilang misyong hubugin ang ating susunod na henerasyon.

COSPONSOR

Upon his request, Senate President Zubiri was made cosponsor of Senate Bill No. 1964.

COSPONSORSHIP SPEECHES

Upon motion of Senator Ejercito, there being no objection, the Body approved the insertion of the following cosponsorship speeches of Senators Villanueva, Dela Rosa, Go, Padilla, Angara, Estrada and Legarda:

By Senator Villanueva

It is my honor and privilege to cosponsor Senate Bill No. 1964 under Committee Report No. 40, entitled "An Act Institutionalizing the Grant of a Teaching Supplies Allowance for Public School Teachers and Appropriating Funds Therefor."

Let us put it bluntly – *hindi po sapat ang sahod ng ating mga pampublikong guro sa dami ng gawain at laki ng responsibilidad na kanilang pinapasan*. The salary of an entry-level public school teacher in 2023 is only Php27,000.00. *Bukod po sa pang-araw-araw na gastusin, kadalasan ay abonado pa sila para sa kagamitan sa pagtuturo*.

Ang mga guro po natin ay madalas na hindi nagdadalawang isip na magsakripisyo, magampanan lamang ang tungkulin nilang makapagbigay ng edukasyon sa kanilang mga mag-aaral. Alam na alam ko po ito, bilang anak ng mga guro na sina Bro. Eddie at Sister Dory.

Sabi po ni Ms. Varela, isang guro sa Sauyo National High School sa Quezon City na nakapanayam natin:

"Senator, we do a million things. Ang aming bakasyon ay ginugulog sa paggawa ng lesson plans, research or attending seminars. We face 200 or more students a day. Our six hours in school is work intensive. Each hour of face to face encounter with our classes, more than one and a half hours would be spent in preparation. Our moral responsibility extend to the parents of our students since we often advise, correct or coax them towards their children's welfare. We mediate in family problems requiring the wisdom of Solomon. Problems we encounter in the public school system do make us incredulous. There are students who attend school through sheer force of will and miracles. A teachers role goes beyond imparting knowledge. A teacher can make or break a teenager's future and give hope at this crucial period. We go beyond the call of duty when we impart material, emotional or spiritual hope."

Indeed, teaching is a very noble profession. Thus, we should give honor where honor is due. This is why we fully support this measure, and filed Senate Bill No. 1045 or the Teaching Supplies Allowance for Public Basic Education Teachers Act, that will institutionalize and increase the current Teaching Supplies Allowance of public school teachers.

With this measure, we do not only ease the economic burden of 890,000 public school teachers; we also boost their morale and motivate them as they mold the future generation of Filipino leaders. Before we end, we want to commend our dear colleague, Sen. Ramon Bong Revilla Jr., for his hard work on this.

By Senator Dela Rosa

I rise to cosponsor Senate Bill No. 1964, which has, as its short title, "Kabalikat sa Pagtuturo Act." Before anything else, I wish to commend the hardworking gentleman from Cavite, Sen. Ramon "Bong" Revilla, Jr. As he leads us in the fight for the passage of this bill into law, *nais kong malaman ni Senator Revilla, na sa labanang ito, kakampi niya si Senator Bato*.

I know, that this bill is for our teachers. But for a few minutes, allow me to digress. During the budget hearing of the Department of National Defense, we learned that the daily allowance of our AFP used to be one hundred fifty pesos. *Itong P150 na subsistence allowance para sa*

ating mga sundalo ay kanila lamang ipinagkakasya, para sa agahan, tanghalian, at hapunan. Of course, as a former soldier and police officer myself, I know that this is not impossible. But if I were a lay person, I would not be able to imagine how a meager P150-peso allowance can account for an entire day. How such an amount can account for the survival of those responsible for securing the safety of our country in general, and our communities in particular. And yet, we have made it work, *Lagi namang napagkakasya.* Allow me to repeat that — we make it work; *laging napagkakasya.*

And this is how I can transition to this bill, “Kabalikat sa Pagtuturo Act.” *Sa tingin ko, matagal nang tinititiis ng ating mga guro ang pag-iisip na “kaya naman, napagkakasya naman.” Wala na palang chalk dito sa classroom ko, bibili na lang ako. Wala na palang pang-internet ang aking estudyante, bibigyan ko na lang. At iba pang mga pangangailangan na sa tingin natin ay “maliit na bagay,” ngunit para sa ating mga guro, mabigat na ang mga gastusing ito, kung huhugutin pa nila sa kanilang mga bulsa.*

At some point, the “*napagkakasya naman*” mentality prevents us from providing the best services, especially when the truth of the matter is, those responsible for educating our children and youth deserve nothing but the very best from us.

Kailangan ng ating mga guro ng kabalikat sa kanilang pagtuturo. Under this proposed measure, we shall be able to provide them with exactly that — we shall be giving P7,500 per teacher for School Year 2023-2024; and for school year 2024-2025, and thereafter, we shall be giving P10,000 pesos per teacher.

Hindi na natin maaaring pilitin ang ating mga gurong pagkasyahin ang kung ano man ang meron sa kanila. Let us allow our teachers to do what they do best, which is to teach, to ignite the fire of knowledge in our children, and to keep it burning. As for us, members of this Senate, we shall offer what we can to do the rest.

Author Joyce Meyer said: “Teachers can change lives with just the right mix of chalk and challenges.” Let us take care of the chalk, and their other needs, so that our beloved teachers can simply keep on changing lives.

By Senator Go

I would like to associate myself with this proposed measure as a cosponsor.

As our country continues to recover from the pandemic and shift to the new normal, it is important to ensure that our teachers have enough allowance to sustain their teaching supply needs. Schools are now open, and most are now back to face-to-face classes. *Ibig sabihin din po nito ay balik na rin ang matagal na pong problema ng ating mga guro, ang kawalan ng pambili ng chalk at iba pang teaching supplies.*

It is disheartening to see that many teachers in our country do not have access to the necessary supplies and materials needed to teach effectively due to insufficient allowance from the government. This also forced most of our teachers to dip into their own pockets just to ensure that their students have the resources they need to learn.

Our teachers are the backbone of our educational system. They work tirelessly to impart knowledge and skills to our children, preparing them for the future.

We aim to increase teaching supplies allowance from P5,000 to P7,500 for school year 2023 to 2024; and P10,000 for school year 2024 to 2025.

By increasing the teachers supplies allowance, we are hitting two birds with one stone — alleviating the financial burden on our teachers and improving the quality of education in our country by boosting the morale of our teachers.

I believe that education is the key to a better future. And providing support for our teachers is also an investment for the future of our youth. We cannot afford to let our teachers and students suffer due to a lack of resources.

We must recognize the importance of our teachers and provide them with the necessary resources to teach effectively.



Let us work together to ensure that our teachers have access to the supplies and materials they need to make a positive impact on our children's lives.

As one of the authors of this measure, I would like to endorse the passage of this bill that would benefit our hardworking teachers and our country's education sector as a whole.

By Senator Padilla

Nais ko pong iparating ang aking buong suporta sa ating iginagalang na Sen. Ramon Bong Revilla Jr. sa kanyang pagsusumikap na isulong ang "Kabalikat sa Pagtuturo Act."

Bilang kapwa may-akda ng Senate Bill No. 22 na nakapaloob sa ating tampok na Committee Report No. 40, karangalan ko pong maging isa sa mga kabalikat ng ating mga guro.

Maliit lamang po ang dagdag na allowance na ating hinihiling sa ilalim ng panukalang batas: P7,500 kada guro sa buong taon, o higit sa P35 lamang bawat araw ng eskwela. Nangangahulugan po ito na katiting na P1.50 kada estudyante ang ating inilalaan para sa guro na may average na 50 mag-aaral sa isang klase. Tama rin po na itaas ito sa P10,000 sa susunod na school year at suriin kada tatlong taon para masiguro natin na makasasabay sa pagtaas ng bilingin o inflation ang allowance ng ating mga guro. Maliit na ambag lamang po ito para sa itinuturing nating ikalawang magulang ng ating mga anak na kaagapay natin sa pag-iisip ng kanilang kapakanan mula sa kanilang paggising sa umaga hanggang sa kanilang pagtulog.

Ang ating pong tindig: Hindi dapat mag-abono ang ating mga guro. Hindi dapat manggaling sa sarili nilang bulsa at pinaghirapang ipon ang gugugulin para mairaos ang pagtuturo sa mga mag-aaral mula sa alternative learning systems at pampublikong paaralan.

Ayon nga po kay Gat Jose Rizal, "Sa Pamamagitan ng Edukasyon, Tumatanggap ng Liwanag ang Ating Inang Bayan." Magsilbi po sanang tanglaw ang ating panukala bilang gabay sa ating kaguruan sa kanilang dakilang tungkulin na imulat ang kamalayan ng ating mga kabataan para sa mas maliwanag na kinabukasan ng ating Inang Bayan.

By Senator Angara

Ako po ay tumatayo ngayon para suportahan at segundahan ang pag-sponsor ng ating idulong si Sen. Ramon "Bong" Revilla Jr. sa panukalang batas na "Kabalikat sa Pagtuturo Act" para gawing permanenteng polisiya ng gobyerno ang pagbibigay ng teaching supplies allowance na dating kilala bilang chalk allowance.

Matagal na po kaming nagtutulungan sa adbokasiyang ito. Maaalala na noong nakaraang 18th Congress, ginamit namin ang aming poder bilang Chairman ng Senate Committee on Finance para maglagay ng special provision na naglalaan ng pondo sa teaching supplies allowance ng ating mga guro, habang dinidebate at pinoproseso pa ng Kongreso ang panukala ni Senador Revilla. Pumasa man ang panukala dito sa Senado, hindi ito natapos sa Kamara. Kaya muli po namin isinusulong ito ngayong ika-19 na Kongreso.

It is the nation's duty to provide its public school teachers with what they need to practice their profession effectively, such as chalk, board erasers, papers, and other classroom supplies and materials.

Public school teachers do receive certain benefits and allowances to date. Under the 2023 General Appropriations Act, up to P4.814 billion has been allotted for the Cash Allowance for Teachers, or CAT, which was pegged at P5,000 via a special provision.

It is crucial that in the face of high inflation and the growing demands of the teaching profession (especially in light of the pandemic and the learning crisis), such benefits are assured. Teachers need all the support that they can get to keep up with the demands of the pandemic such as having an annual medical examination and the imperative for digitization and paperless communication, such as the cost of their internet subscription fees, their gadgets, and the different applications they might use to teach.

Kaya po sa pagkakataong ito, tayo ay tumatayo para sumuporta sa panukala ng ating kaibigang si Senator Revilla.



Suportado natin na gawing institutionalized ang programang ito. Sa katunayan po, mula pa noong 2021, consistent na tayo sa pagsusulong na mabigyan ng pondo ang programa. Sa ilalim nga ng 2021 GAA, mula sa allowance na P3,500 kada guro, ginawa naming itong P5,000, kung saan sakop po nito ang mahigit walong daang libong (800,000) mga pampublikong guro, permanente man sila o provisional o contractual.

Wala pong duda na isa ang mga teacher sa pinakamahahalagang miyembro ng ating lipunan. Sila ang tulay tungo sa karunungan, at tanglaw ng ating mga anak sa paaralan bilang pangalawang magulang.

Kaya't lahat ng maaari nating itulong sa kanilang sektor, sana'y maipaabot natin para na rin mas malinang pa nila ang kanilang sarili, at magampanan nang naaayon ang kanilang propesyon. Hindi biro ang kanilang sakripisyo sa buhay, maibahagi lamang ang kaalaman at karunungan sa kanyang mga mag-aaral.

Ayon nga sa pamosong pahayag ng kauna-unahang pangulo ng Turkey na si Mustafa Kemal Atatürk, "A good teacher is like a candle — it consumes itself to light the way for others." Sana ay suportahan po natin ang panukala ni Senator Revilla, para sa kapakanan ng ating mga minamahal na teachers.

By Senator Estrada

"A good teacher is like a candle – it consumes itself to light the way for others." This is how revolutionary statesman Mustafa Kemal Atatürk illustrated the dedication and sacrifices of our teachers to meaningfully contribute to the better future of humankind.

Indeed, teaching is more than a profession – it is a vocation, an advocacy, and a covenant. Because of these, we never cease to give tribute to our teachers, express to them our gratitude, and honor them for the selfless service and love they impart to the future leaders of this nation.

Subalit ang lahat ng pagpapasalamat at parangal na iginagawad natin sa ating mga guro ay mas mabibigyan ng kahulugan kung may konkreto at praktikal na suporta na ibinibigay sa kanila ang ating pamahalaan. Maraming aspeto ng edukasyon ang kailangan nating tugunan katulad ng sapat at makatwirang sweldo para sa ating mga guro, sapat na silid-aralan, at angkop at wastong mga babasahin para sa ating mga mag-aaral.

Kasama din dito ang pagsasabatas ng takdang halaga para sa "cash allowance to teachers" at ang pagtataas ng halaga nito na ibinibigay natin sa mga guro sa pampublikong paaralan. Ito ay upang maging sapat ang nasabing allowance para sa pangangailangan ng ating mga guro at ng kanilang mga mag-aaral.

With the permission of our good sponsor, Sen. Ramon "Bong" Revilla Jr., this Representation will be honored to be a cosponsor of Senate Bill No. 1964 under Committee Report No. 40, or the "*Kabalikat sa Pagtuturo Act.*" This will affirm my support to the advocacy of this measure, as I did when I filed Senate Bill No. 677, or the "Teaching Supplies Allowance Act of 2022."

Since its inception as the "Chalk Allowance," the "Cash Allowance to Teachers," as we call it now, is being provided under special provisions in the annual General Appropriations Act of the Department of Education. This measure, when passed into law, will provide the legal basis for the grant of the "Teaching Supplies Allowance" and, in effect, will institutionalize the same.

Nagsimula sa halagang P100 noong taong 1988, unti-unting tumaas ang allowance na ito hanggang sa naging P5,000 na ito sa kasalukuyan. Thank you to the advocates of education in this Chamber for ensuring that this is included in the annual budget.

I would like to emphasize that the P5,000 being received by a teacher is for the entire school year already. This allowance is given in cash to teachers which they can use to purchase the teaching supplies needed to aid him or her in imparting the lessons to his or her students. This traditionally includes chalk, paper, and other school supplies. With the recent developments in the modes of teaching, particularly the use of advanced Information and Communication



Technology (ICT) to conduct classes, the supplies include a USB, load for internet connection, printing, and other related expenses.

This brings us to the fact that the P5,000 will not be sufficient for the materials and services that the teachers need for their teaching supplies, thus the necessity to increase the allowance in the succeeding years until it reaches P10,000 per teacher for one school year.

Pieces of legislation of this nature was approved in the Seventeenth and Eighteenth Congresses. We hope that this august Body will support this measure anew, for the benefit of our teachers, of the minds that they mold, and the country that they build.

By Senator Legarda

It is an honor to cosponsor the bill institutionalizing the "Grant of a Teaching Supplies Allowance for Public School Teachers and Appropriating Funds Therefor".

I have long advocated for the greater welfare of our Filipino teachers because our teachers have equipped us with the knowledge and skills necessary for us to conquer the world's challenges. They also play the role of our second parents as they guide our morals and ideals. I believe we owe them our full support to advance their rights and enhance their footing in society because they are truly indispensable to progress and nation-building.

The bill seeks to institutionalize the grant of a teaching supplies allowance to teachers who are teaching in the public basic education sector. The urgency of this bill was brought upon by the incorporation of our teachers' annual medical allowance in the annual cash allowance to teachers, when such medical allowance was previously granted separately from the cash allowance. Thus, the incorporation naturally resulted in the implied deduction of the cash allowance.

The measure proposes the following teaching supplies allowance: The amount of Php 7,500 per teacher for school year 2023 - 2024 is allocated, the amount of P10,000 per teacher for school year 2024 - 2025 is allocated. The amounts thereafter shall be adjusted every three (3) years to its current value taking into account inflation. These amounts are exempted from income tax.

I hold this measure close to my heart because I have long lobbied for our public school teachers' allowance. When I was the Chairperson of the Senate Committee on Finance in 2015, I intervened to increase the chalk allowance from P1,000 to P1,500. In 2017, I raised it to P2,500 and I eventually raised it to P3,500 in 2018. In 2019, I allocated P800 million under the General Appropriations Act (GAA) for all public school teachers to receive their World Teacher's Day incentive.

I have also filed laws which advance the welfare of not only our public school teachers, but also of our education system as a whole such as the Universal Access to Quality Tertiary Education Act and the Enhanced Basic Education Act of 2013. I have also co-authored the proposed Magna Carta for Public School Teachers, which aims to provide security of tenure, adequate wages, and substantive rights related to gender equality, among others.

Our public school teachers use their cash allowance to purchase chalks, erasers, internet subscriptions, communications expenses and other classroom supplies. These are the minimum necessary expenses for the performance of their basic functions. They should not have to sacrifice and choose between purchasing their annual medical examinations or their teaching supplies.

We have to motivate our teachers to effectively carry out their duties and this can only be efficiently done if we provide them with adequate support. We owe it to them, and to the Filipino youth that will be honed by them.

Mabuhay ang ating mga guro at maraming salamat!

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1964

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



ADDITIONAL 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. 1994, entitled

AN ACT ESTABLISHING A 25-BED CAPACITY HOSPITAL IN BARANGAY CASIG-ANG MUNICIPALITY OF SANTO TOMAS, PROVINCE OF DAVAO DEL NORTE, TO BE KNOWN AS THE SANTO TOMAS MUNICIPAL HOSPITAL, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

To the Committee on Rules

Senate Bill No. 1995, entitled

AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY BUKAL IN THE MUNICIPALITY OF NABUNTURAN, PROVINCE OF DAVAO DE ORO

Introduced by Senator Marcos

To the Committees on Local Government; and Electoral Reforms and People's Participation

Senate Bill No. 1996, entitled

AN ACT DEFINING THE SCOPE AND EXTENT OF THE FISCAL AUTONOMY OF THE JUDICIAL BRANCH OF GOVERNMENT AND FOR OTHER PURPOSES

Introduced by Senator Zubiri

To the Committees on Justice and Human Rights; and Finance

Senate Bill No. 1997, entitled

AN ACT RESTRUCTURING THE PHILIPPINE NATIONAL POLICE, AMENDING FOR THE PURPOSE SECTIONS 25, 26, 29, 30, 31, 35, 36, AND 67 OF REPUBLIC ACT NO. 6975, OTHERWISE KNOWN AS THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT ACT OF 1990, AS AMENDED, AND SECTION 32 OF REPUBLIC ACT NO. 8551, OTHERWISE KNOWN AS THE PHILIPPINE NATIONAL POLICE REFORM AND REORGANIZATION ACT OF 1998, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Zubiri

To the Committees on Public Order and Dangerous Drugs; Local Government; and Finance

Senate Bill No. 1998, entitled

AN ACT PROVIDING PROTECTION AND INCENTIVES TO FREELANCE WORKERS

Introduced by Senator Lapid

To the Committees on Labor, Employment and Human Resources Development; and Ways and Means

Senate Bill No. 1999, entitled

AN ACT PRESCRIBING THE MANDATORY GUIDELINES ON THE ESTABLISHMENT AND OPERATION OF LOCAL UNIVERSITIES AND COLLEGES AND FOR OTHER PURPOSES

Introduced by Senator Lapid

To the Committees on Higher, Technical and Vocational Education; and Local Government

Senate Bill No. 2000, entitled

AN ACT STRENGTHENING THE LOCAL HEALTH BOARDS OF EVERY PROVINCE, CITY, OR MUNICIPALITY BY INCLUDING IN THE MEMBERSHIP THEREOF REPRESENTATIVE FROM THE BARANGAY HEALTH WORKERS FEDERATION, AMENDING FOR THE PURPOSE SECTION 102 OF REPUBLIC ACT NO. 7160, AS AMENDED, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991

Introduced by Senator Tulfo

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

Senate Bill No. 2002, entitled

AN ACT PROVIDING FOR A 150 PESOS DAILY ACROSS-THE-BOARD INCREASE IN THE SALARY RATES OF EMPLOYEES AND WORKERS IN THE PRIVATE SECTOR AND FOR OTHER PURPOSES

Introduced by Senator Zubiri


To the Committee on Labor, Employment and Human Resources Development

COMMITTEE REPORTS

Committee Report No. 43, prepared and submitted by the Committee on Foreign Relations on Senate Bill No. 2001, with Senators Revilla Jr. Estrada, and Marcos as authors thereof, entitled

AN ACT PROVIDING FOR A NEW PASSPORT LAW, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8239, OTHERWISE KNOWN AS THE "PHILIPPINE PASSPORT ACT OF 1996,"

recommending its approval in substitution of Senate Bill Nos. 691 and 1036, taking into consideration House Bill No. 6510.



Sponsor: Senator Marcos

To the Calendar for Ordinary Business

Committee Report No. 44, submitted jointly by the Committees on Basic Education; and Finance on House Bill No. 6660, introduced by Representative Yu (DG), *et al.*, entitled

AN ACT SEPARATING THE TUKURAN TECHNICAL-VOCATIONAL HIGH SCHOOL – BACLAY EXTENSION IN BARANGAY BACLAY, MUNICIPALITY OF TUKURAN, PROVINCE OF ZAMBOANGA DEL SUR FROM THE TUKURAN TECHNICAL-VOCATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS THE BACLAY NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Gatchalian

To the Calendar for Ordinary Business

Committee Report No. 45, submitted jointly by the Committees on Basic Education; and Finance, on House Bill No. 6661, introduced by Representative Yu (DG), *et al.*, entitled

AN ACT SEPARATING THE SAPA ANDING NATIONAL HIGH SCHOOL – RAMON MAGSAYSAY EXTENSION IN BARANGAY POBLACION, MUNICIPALITY OF RAMON MAGSAYSAY, PROVINCE OF ZAMBOANGA DEL SUR FROM THE SAPA ANDING AGRICULTURAL VOCATIONAL TECHNICAL SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS THE RAMON MAGSAYSAY NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Gatchalian

To the Calendar for Ordinary Business

Committee Report No. 46, submitted jointly by the Committees on Basic Education; and Finance, on House Bill No. 6668, introduced by Representative Bautista, *et al.*, entitled

AN ACT SEPARATING THE MARIANO PERALTA NATIONAL HIGH SCHOOL – DATU DANWATA EXTENSION IN BARANGAY DATU DANWATA, MUNICIPALITY OF MALITA, PROVINCE OF DAVAO OCCIDENTAL FROM THE MARIANO PERALTA NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS THE GASPAR DANWATA NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment

Sponsor: Senator Gatchalian

To the Calendar for Ordinary Business

Committee Report No. 47, submitted jointly by the Committees on Basic Education; and Finance, on House Bill No. 6699, introduced by Representative Dalog, *et al.*, entitled

AN ACT SEPARATING THE ADDANG ELEMENTARY SCHOOL – AMBATUTONG EXTENSION IN BARANGAY BUNOT, MUNICIPALITY OF PARACELIS, PROVINCE OF MOUNTAIN PROVINCE FROM THE ADDANG ELEMENTARY SCHOOL, CONVERTING IT INTO AN INDEPENDENT ELEMENTARY SCHOOL TO BE KNOWN AS THE AMBATUTONG ELEMENTARY SCHOOL, AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Gatchalian

To the Calendar for Ordinary Business

Committee Report No. 48, submitted jointly by the Committees on Basic Education; and Finance, on House Bill No. 6700, introduced by Representative Mercado-Revilla, *et al.*, entitled

AN ACT SEPARATING THE BACOR NATIONAL HIGH SCHOOL – TABING DAGAT ANNEX IN BARANGAY TABING DAGAT, BACOR CITY, PROVINCE OF CAVITE FROM THE BACOR NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS THE MARIANO GOMES NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment, taking into consideration Senate Bill No. 1496.

Sponsor: Senator Gatchalian

To the Calendar for Ordinary Business

Committee Report No. 49, submitted jointly by the Committees on Basic Education; and Finance, on House Bill No. 6663, introduced by Representative Bautista, *et al.*, entitled

AN ACT CONVERTING THE BUKID ELEMENTARY SCHOOL IN BARANGAY BUKID, MUNICIPALITY OF JOSE ABAD SANTOS, PROVINCE OF DAVAO OCCIDENTAL INTO AN INTEGRATED SCHOOL TO BE KNOWN AS THE BUKID INTEGRATED SCHOOL, AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Gatchalian

To the Calendar for Ordinary Business

Committee Report No. 50, submitted jointly by the Committees on Basic Education; and Finance, on House Bill No. 6664, introduced by Representative Bautista, *et al.*, entitled

AN ACT CONVERTING THE TRIBAL FILIPINO SCHOOL OF TAMBELANG, KNOWN AS THE TFS OF TAMBELANG ELEMENTARY SCHOOL, IN BARANGAY DATU DANWATA, MUNICIPALITY OF MALITA, PROVINCE OF DAVAO OCCIDENTAL INTO AN INTEGRATED SCHOOL TO BE KNOWN AS THE TFS OF TAMBELANG INTEGRATED SCHOOL, AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment

Sponsor: Senator Gatchalian

To the Calendar for Ordinary Business

Committee Report No. 51, submitted jointly by the Committees on Basic Education; and Finance, on House Bill No. 6665, introduced by Representative Bautista, *et al.*, entitled

AN ACT CONVERTING THE KIDAMAN ELEMENTARY SCHOOL IN BARANGAY KALBAY, MUNICIPALITY OF JOSE ABAD SANTOS, PROVINCE OF DAVAO OCCIDENTAL INTO AN INTEGRATED SCHOOL TO BE KNOWN AS THE KIDAMAN INTEGRATED SCHOOL, AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Gatchalian

To the Calendar for Ordinary Business

Committee Report No. 52, submitted jointly by the Committees on Basic Education; and Finance, on House Bill No. 6695, introduced by Representative Baronda, *et al.*, entitled

AN ACT CONVERTING THE HIBAO-AN ELEMENTARY SCHOOL IN BARANGAY HIBAO-AN SUR, MANDURRAO DISTRICT, ILOILO CITY INTO AN INTEGRATED SCHOOL TO BE KNOWN AS THE HIBAO-AN INTEGRATED SCHOOL, AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment, taking into consideration Senate Bill No. 481.

Sponsor: Senator Gatchalian

To the Calendar for Ordinary Business

Committee Report No. 53, submitted jointly by the Committees on Basic Education; and Finance, on House Bill No. 6696, introduced by Representative Baronda, *et al.*, entitled

AN ACT CONVERTING THE NABITASAN ELEMENTARY SCHOOL IN BARANGAY NABITASAN, LA PAZ DISTRICT, ILOILO CITY INTO AN INTEGRATED SCHOOL TO BE KNOWN AS THE NABITASAN INTEGRATED SCHOOL, AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Gatchalian

To the Calendar for Ordinary Business

Committee Report No. 54, submitted jointly by the Committees on Basic Education; and Finance, on House Bill No. 6669, introduced by Representative Fuentesbella, *et al.*, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY MABCA, MUNICIPALITY OF SAGNAY, PROVINCE OF CAMARINES SUR TO BE

KNOWN AS THE MABCA NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment, taking into consideration Senate Bill No. 480.

Sponsor: Senator Gatchalian

To the Calendar for Ordinary Business

Committee Report No. 55, submitted jointly by the Committees on Basic Education; and Finance, on House Bill No. 6697, introduced by Representative Bautista, *et al.*, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY BOLILA, MUNICIPALITY OF MALITA, PROVINCE OF DAVAO OCCIDENTAL TO BE KNOWN AS THE BOLILA NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Gatchalian

To the Calendar for Ordinary Business

SPECIAL ORDERS

Upon motion of Senator Ejercito, there being no objection, the Body approved the transfer of the following committee reports from the Calendar for Ordinary Business to the Calendar for Special Orders:

1. Committee Report No. 44 on House Bill No. 6660;
2. Committee Report No. 45 on House Bill No. 6661;
3. Committee Report No. 46 on House Bill No. 6668;
4. Committee Report No. 47 on House Bill No. 6699; and
5. Committee Report No. 84 on House Bill No. 6700.

EDUCATION BILLS

With the unanimous consent of the Body, upon motion of Senator Ejercito, the following bills were considered on Second Reading, one after the other:

1. House Bill No. 6660 (Committee Report No. 44), entitled

AN ACT SEPARATING THE TUKURAN TECHNICAL-VOCATIONAL HIGH SCHOOL — BACLAY EXTENSION IN BARANGAY BACLAY, MUNICIPALITY OF TUKURAN, PROVINCE OF ZAMBOANGA DEL SUR FROM THE TUKURAN TECHNICAL-VOCATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS THE BACLAY NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR;

2. House Bill No. 6661 (Committee Report No. 45), entitled

AN ACT SEPARATING THE SAPA ANDING NATIONAL HIGH SCHOOL — RAMON MAGSAYSAY EXTENSION IN BARANGAY POBLACION, MUNICIPALITY OF RAMON MAGSAYSAY, PROVINCE OF ZAMBOANGA DEL SUR FROM THE SAPA ANDING

AGRICULTURAL VOCATIONAL TECHNICAL SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS THE RAMON MAGSAYSAY NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR;

3. House Bill No. 6668 (Committee Report No. 46), entitled

AN ACT SEPARATING THE MARIANO PERALTA NATIONAL HIGH SCHOOL — DATU DANWATA EXTENSION IN BARANGAY DATU DANWATA, MUNICIPALITY OF MALITA, PROVINCE OF DAVAO OCCIDENTAL FROM THE MARIANO PERALTA NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS THE GASPAR DANWATA NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR;

4. House Bill No. 6699 (Committee Report No. 47), entitled

AN ACT SEPARATING THE ADDANG ELEMENTARY SCHOOL — AMBATUTONG EXTENSION IN BARANGAY BUNOT, MUNICIPALITY OF PARACELIS, PROVINCE OF MOUNTAIN PROVINCE FROM THE ADDANG ELEMENTARY SCHOOL, CONVERTING IT INTO AN INDEPENDENT ELEMENTARY SCHOOL TO BE KNOWN AS THE AMBATUTONG ELEMENTARY SCHOOL, AND APPROPRIATING FUNDS THEREFOR; and

5. House Bill No. 6700 (Committee Report No. 48), entitled

AN ACT SEPARATING THE BACOR NATIONAL HIGH SCHOOL — TABING DAGAT ANNEX IN BARANGAY TABING DAGAT, BACOR CITY, PROVINCE OF CAVITE FROM THE BACOR NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS THE MARIANO GOMES NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR.

Pursuant to Section 67, Rule XXIII of the *Rules of the Senate*, with the permission of the Body, upon motion of Senate President Zubiri, only the titles of the bills were read without prejudice to the insertion of their full texts into the *Record of the Senate*.

Thereupon, the Chair recognized Senator Gatchalian for the sponsorship.

OMNIBUS SPONSORSHIP SPEECH OF SENATOR GATCHALIAN

In sponsoring House Bill Nos. 6660, 6661, 6668, 6699, and 6700, taking into consideration Senate Bill No. 1496, Senator Gatchalian delivered the following speech:

Today, I am honored to sponsor five local bills that aim to separate extension or annex schools to become independent schools. These are House Bill Nos. 6660, 6661, 6668, 6699, and 6700, taking into consideration Senate Bill No. 1496.

The extension or annex schools that we seek to separate from their mother schools under these proposed measures are the following: Tukuran Technical-Vocational High School-Baclay Extension in the Municipality of Tukuran Zamboanga Del Sur; Sapa Anding National High School-Ramon Magsaysay Extension in the Municipality of Ramon Magsaysay, Zamboanga Del Sur; Mariano Peralta National High School-Datu Danwata Extension in the Municipality of Malita, Davao Occidental; Addang Elementary School; and, lastly, Bacor National High School-Tabing Dagat Annex in Bacor City, Cavite.

Once separated from their mother schools, the annex or extension schools will be known, respectively, as Baclay National High School, Ramon Magsaysay National High School, Gaspar Danwata National High School, Ambatutong Elementary School, and Mariano Gomez National High School.

Alam nating lahat na ang pagtamasa sa de-kalidad na edukasyon ay karapatan ng bawat mamayang Pilipino lalong-lalo na ang mga kabataan nating salat sa yaman. Pero kung ang



reyalidad na bumubungad sa ating mga kabataan ay kulang-kulang na pasilidad, hindi sapat na bilang ng mga kaguruan, dagdag pa rito ang kilo-kilometrong layo na dapat nilang tahakin upang makatuntong sa pinakamalapit na pampublikong paaralan. Paano na natin masasabi na de-kalidad talaga ang natatanggap nilang edukasyon?

Given this context, separating these extension or annex schools from their mother schools would greatly help to ensure that the growing needs of these schools would be met and that the highest standards of education would be provided to our students.

By enacting these measures, these extension or annex schools will be able to manage their own maintenance and other operating expenses and establish their own personal services itemization as well as plantilla personnel. Therefore, the management of the main school will be decentralized, congestion will be avoided, and self-sustainability in surrounding communities can be achieved.

The Department of Education has already certified that these proposed measures comply with DepEd Order No. 40, series of 2014, entitled "Establishment, Merging, Conversion and Naming/ Renaming of Public Schools and Separation of Public Schools Annexes in Basic Education."

In the interest of making education more accessible and responsive to our Filipino youth nationwide, I humbly seek the support of this esteemed Body for the immediate passage of these measures.

COSPONSORSHIP SPEECH OF SENATOR GO

Pursuant to the the manifestation of Senator Ejercito, following is the cosponsorship speech of Senator Go on House Bill Nos. 6660, 6661, 6668, 6699, and 6700, which was deemed read and inserted into the *Journal and Record of the Senate*:

I would like to cosponsor House Bills 6660, 6661, 6668, 6699 and 6700 which separate and establish independent local schools.

Suportado ko po ang mga panukalang batas na ito para mas mapalakas pa ang ating education sector. Much more is needed to be done to meet the demands of the increasing number of our school population. The proposed measures would allow prioritization in the allotment of funds for the schools to help ensure that students will be provided with quality education.

I am adamant that a day will come where our country can provide the poorest of the poor world class education facilities all around the Philippines.

COSPONSORSHIP SPEECH OF SENATOR REVILLA

Pursuant to the manifestation of Senator Ejercito, the following is the cosponsorship speech of Senator Revilla on House Bill No. 6700, which was deemed read and inserted into the *Journal and Record of the Senate*:

I laud our Education champion, the Senator from Valenzuela, Sen. Win Gatchalian, for his quick action on these measures that intend to make the delivery of basic education more efficient and responsive to the local contexts.

Ang aking pasasalamat kasama ang ating mga kababayan mula Bacoor sa hakbangin para maisakatuparan ang Mariano Gomes National High School sa aming bayan. Ang nasabing paaralan ay pagkilala kay Padre Mariano Gomes, isa sa tatlong Paring martir ng ating kasaysayan, ang GomBurZa, na kamakailan lamang ay ating ipinagdiwang ang ika-isang daan at limampung taon (150) ng kanilang kabayanihan. Higit isang siglong patunay na ang lahing Kabitenyo ay matatapang. Buhay na buhay ang kanilang ambag sa ating kalayaan hanggang ngayon.

Tayo ay patungo sa mas malayang kaisipan.

Ang edukasyon ay para sa lahat. At ang bawat bata ay may karapatan para rito.



**SUSPENSION OF CONSIDERATION OF HOUSE BILL
NOS. 6660, 6661, 6668, 6699, AND 6700**

Upon motion of Senator Ejercito, there being no objection, the Body suspended consideration of the bills.


SPECIAL ORDERS

Upon motion of Senator Ejercito, there being no objection, the Body approved the transfer of the following committee reports from the Calendar for Ordinary Business to the Calendar for Special Orders:

1. Committee Report No. 49 on House Bill No. 6663;
2. Committee Report No. 50 on House Bill No. 6664;
3. Committee Report No. 51 on House Bill No. 6665;
4. Committee Report No. 52 on House Bill No. 6695; and
5. Committee Report No. 53 on House Bill No. 6696.

ADDITIONAL EDUCATION BILLS

With the unanimous consent of the Body, upon motion of Senator Ejercito, the following bills were considered on Second Reading, one after the other:

1. House Bill No. 6663 (Committee Report No. 49), entitled
AN ACT CONVERTING THE BUKID ELEMENTARY SCHOOL IN BARANGAY BUKID, MUNICIPALITY OF JOSE ABAD SANTOS, PROVINCE OF DAVAO OCCIDENTAL INTO AN INTEGRATED SCHOOL TO BE KNOWN AS THE BUKID INTEGRATED SCHOOL, AND APPROPRIATING FUNDS THEREFOR;
 2. House Bill No. 6664 (Committee Report No. 50), entitled
AN ACT CONVERTING THE TRIBAL FILIPINO SCHOOL OF TAMBELANG, KNOWN AS THE TFS OF TAMBELANG ELEMENTARY SCHOOL, IN BARANGAY DATU DANWATA, MUNICIPALITY OF MALITA, PROVINCE OF DAVAO OCCIDENTAL INTO AN INTEGRATED SCHOOL TO BE KNOWN AS THE TFS OF TAMBELANG INTEGRATED SCHOOL, AND APPROPRIATING FUNDS THEREFOR;
 3. House Bill No. 6665 (Committee Report No. 51), entitled
AN ACT CONVERTING THE KIDAMAN ELEMENTARY SCHOOL IN BARANGAY KALBAY, MUNICIPALITY OF JOSE ABAD SANTOS, PROVINCE OF DAVAO OCCIDENTAL INTO AN INTEGRATED SCHOOL TO BE KNOWN AS THE KIDAMAN INTEGRATED SCHOOL, AND APPROPRIATING FUNDS THEREFOR;
 4. House Bill No. 6695 (Committee Report No. 52), entitled
AN ACT CONVERTING THE HIBAO-AN ELEMENTARY SCHOOL IN BARANGAY HIBAO-AN SUR, MANDURRIAO DISTRICT, ILOILO CITY INTO AN INTEGRATED SCHOOL TO BE KNOWN AS THE HIBAO-AN INTEGRATED SCHOOL, AND APPROPRIATING FUNDS THEREFOR; and
 5. House Bill No. 6696 (Committee Report No. 53), entitled
AN ACT CONVERTING THE NABITASAN ELEMENTARY SCHOOL IN BARANGAY NABITASAN, LA PAZ DISTRICT, ILOILO CITY INTO AN INTEGRATED SCHOOL, AND APPROPRIATING FUNDS THEREFOR.
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Pursuant to Section 67, Rule XXIII of the *Rules of the Senate*, with the permission of the Body, upon motion of Senator Ejercito, only the titles of the bills were read without prejudice to the insertion of their full texts into the *Record of the Senate*.

Thereupon, the Chair recognized Senator Gatchalian for the sponsorship.

OMNIBUS SPONSORSHIP SPEECH OF SENATOR GATCHALIAN

In sponsoring House Bill Nos. 6663, 6664, 6665, and 6695, taking into consideration Senate Bill No. 481 and House Bill No. 6696, Senator Gatchalian delivered the following speech:

I rise today to sponsor five bills that aim to convert existing elementary schools in Davao Occidental and Iloilo City into integrated schools.

In Davao Occidental, the three elementary schools that we seek to convert under these proposed measures are the following: Bukid Elementary School in the Municipality of Jose Abad Santos under House Bill No. 6663, Tribal Filipino School of Tambelang in the Municipality of Malita under House Bill No. 6664, and, lastly, Kidaman Elementary School in the Municipality of Jose Abad Santos under House Bill No. 6665.

Meanwhile the two elementary schools in Iloilo City that we seek to convert under these proposed measures are the following: Hibao-an Elementary School in Mandurriao District under House Bill No. 6695, taking into consideration Senate Bill No. 481, and Nabitasan Elementary School in La Paz District under House Bill No. 6696.

Once these proposed measures become laws, these elementary schools to be known, respectively, as Bukid Integrated School, Tribal Filipino School of Tambelang Integrated School, Kidaman Integrated School, Hibao-an Integrated School, and Nabitasan Integrated School.

Lahat tayo ay naging estudyante at lahat tayo ay napagdaanan kung gaano kahirap ang paggising nang napakaaga upang bumangon at makapaghanda para sa eskuwela. Pero sa realidad, ang paggising nang maaga ay wala pa sa kalingkingan ng mga suliraning kinakaharap ng mga kabataan natin mula sa mga nabanggit kong lokalidad. Ang ilan sa kanila ay anak ng mga kababayan nating magsasaka, mangingisda, at katutubo.

Upang makapasok sa pinakamalapit na pampublikong paaralan, ang iba ay kailangan pang maglakad ng ilang oras dahil walang masakyang pampublikong transportasyon, samantalang ang iba naman ay kailangan pang gumastos ng pamasaha dahil sa malayong distansiya mula sa kanilang tirahan. Sa madaling salita, hindi pa sumisikat ang araw, ang ilan sa kanila ay patungo na sa paaralan bitbit ang kanilang katatagan at pangarap na makapagtapos ng pag-aaral.

Considering the remote location of these communities where students need to travel several hours to reach the nearest secondary schools, there is no better option than to convert these elementary schools into fully integrated schools.

By passing these bills, we can ensure that our learners can finish both elementary and secondary education, thus, providing them and their families with better economic opportunities in the future.

The Department of Education has certified that these proposed measures complied with DepEd Order No. 40, Series of 2014, which is entitled "Establishment, Merging, Conversion, and Naming/Renaming of Public Schools, and Separation of Public School Annexes in Basic Education."

For these reasons and in consideration of the plight of our fellow *kababayans*, I humbly seek the support of this esteemed Body for the immediate passage of these measures. With no doubt, this will be a critical move to ensure that no learner will be left behind.



COSPONSORSHIP SPEECH OF SENATOR GO

Pursuant to the the manifestation of Senator Ejercito, following is the cosponsorship speech of Senator Go on House Bill Nos. 6663, 6664, 6665, 6695, and 6696 which was deemed read and inserted into the *Journal and Record of the Senate*:

I would like to co-sponsor House Bills 6663, 6664, 6665, 6695 and 6696 which convert elementary schools into integrated schools

Suportado ko po ang mga panukalang batas na ito para mas mapalakas pa ang ating education sector. Marami po tayong mga kababayan na hindi kayang tustusan ang kanilang pag-aaral kaya malaking tulong po pagkakaroon ng iisang elementary at high school para hindi na nila kinakailangan pang bumiyahe ng malayo o lumipat ng eskwelahan makapag-high school.

These proposed measures will provide huge relief to our students and is a step to ensure that they would be able to remain in schools and pursue education.

**SUSPENSION OF CONSIDERATION OF HOUSE
BILL NOS. 6663, 6664, 6665, 6695, AND 6696**

Upon motion of Senator Ejercito, there being no objection, the Body suspended consideration of the bills.

SPECIAL ORDERS

Upon motion of Senator Ejercito, there being no objection, the Body approved the transfer of the following from the Calendar for Ordinary Business to the Calendar for Special Orders:

1. Committee Report No. 54 on House Bill No. 6669; and
2. Committee Report No. 55 on House Bill No. 6697

EDUCATION BILLS

With the unanimous consent of the Body, upon motion of Senator Ejercito, the following bills were considered on Second Reading, one after the other:

1. House Bill No. 6669 (Committee Report No. 54), entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY MABCA, MUNICIPALITY OF SAGNAY, PROVINCE OF CAMARINES SUR TO BE KNOWN AS THE MABCA NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR; and

2. House Bill No. 6697 (Committee Report No. 55), entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY BOLILA, MUNICIPALITY OF MALITA, PROVINCE OF DAVAO OCCIDENTAL TO BE KNOWN AS THE BOLILA NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR

Pursuant to Section 67, Rule XXIII of the *Rules of the Senate*, with the permission of the Body, upon motion of Senator Ejercito, only the titles of the bills were read without prejudice to the insertion of their full texts into the *Record of the Senate*.

Thereupon, the Chair recognized Senator Gatchalian for the sponsorship.



OMNIBUS SPONSORSHIP SPEECH OF SENATOR GATCHALIAN

In sponsoring House Bill No. 6669, taking into consideration Senate Bill No. 480 and House Bill No. 6697, Senator Gatchalian delivered the following speech:

Today, I am honored to sponsor two local bills transmitted by our colleagues from the House of Representatives, which aim to establish schools in areas with identified needs. These are House Bill No. 6669, taking into consideration Senate Bill No. 480 and House Bill No. 6697.

The schools we proposed to establish, through these measures, are in Barangay Mabca in the Municipality of Sagñay, Camarines Sur, and Barangay Bolila in the Municipality of Malita, Davao Occidental.

Once these measures are passed into law, the established schools will be known, respectively, as Mabca National High School and Bolila National High School.

The establishment of these schools would be a crucial step in securing a brighter future for the expanding populations of these communities given the significant number of young adolescents. Learners can continue their full basic education without incurring excessive costs or placing themselves in danger by traveling long distances each day to reach the nearest schools. The school communities will thus have the opportunity to foster self-sustainability.

We would also like to inform this honorable Body that the Department of Education has certified that these proposed measures comply with DepEd Order No. 40, Series of 2014, which is entitled "Establishment Merging Conversion and Naming, Renaming of Public Schools and Separation of Public Schools Annexes in Basic Education."

Ang pagtatag sa mga paaralang ito ay pagtatag din ng magandang kinabukasan ng bawat kabataan at kababayan natin mula sa Sagñay, Camarines Sur at Malita, Davao Occidental. Bilang mga mambabatas, nasa kamay natin mismo ang susi upang matugunan ang kanilang panawagan na maiangat ang kalidad ng edukasyon sa kanilang komunidad.

For these reasons, I humbly seek the support of this esteemed Body for the immediate passage of this measure.

COSPONSORSHIP SPEECH OF SENATOR GO

Pursuant to the the manifestation of Senator Ejercito, following is the cosponsorship speech of Senator Go on House Bill Nos. 6669, and 6697, which was deemed read and inserted into the *Journal and Record of the Senate*:

I would like to co-sponsor House Bills 6669 and 6697 which establish national high schools

Suportado ko po ang mga panukalang batas na ito para mas mapalakas pa ang ating education sector. The 1987 Constitution expressly guarantees Filipinos that the State shall give priority to education, make it accessible to all and uphold the right of Filipinos to quality education.

Through these proposed measures we will be able to help bridge the gap and address the accessibility of educational facilities and resources.

SUSPENSION OF CONSIDERATION OF HOUSE BILL NOS. 6669 AND 6697

Upon motion of Senator Ejercito, there being no objection, the Body suspended consideration of the bills.

CHANGE OF REFERRAL

Upon motion of Senator Ejercito, there being no objection, the Chair referred Senate Bill No. 437 (CCTV Act of 2022) to the Committee on Public Order and Dangerous Drugs as the primary committee, and to the Committee on Trade, Commerce, and Entrepreneurship as the secondary committee.



ADJOURNMENT OF SESSION

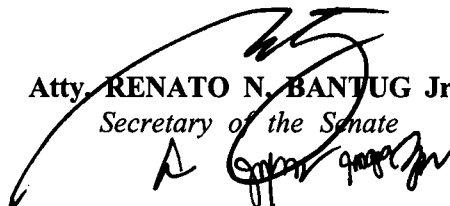
Upon motion of Senator Ejercito, there being no objection, the Chair adjourned the session until three o'clock in the afternoon of the following day.

It was 7:54 p.m.

I hereby certify to the correctness of the foregoing.

Approved on March 15, 2023

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

A large, stylized handwritten signature in black ink, likely belonging to Atty. Renato N. Bantug Jr., is written over the printed name and title. The signature is fluid and cursive, with a large loop at the end.

NINETEENTH CONGRESS OF THE)
 REPUBLIC OF THE PHILIPPINES)
First Regular Session)

**AMENDMENT IN THE
 NATURE OF A SUBSTITUTE**

SENATE

S. B. No. 1841

(In substitution of Senate Bill Nos. 117, 622, and 1094, taking into consideration House Bill No. 5110)

Prepared jointly by the Committees on Culture and the Arts; and Local Government, with Senators Binay, Legarda, Revilla Jr., and Ejercito as authors

AN ACT

STRENGTHENING THE CONSERVATION AND PROTECTION OF OUR NATIONAL CULTURAL HERITAGE, THROUGH AN ENHANCED CULTURAL POLICY AND CULTURAL MAPPING PROGRAM, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10066 OR THE "NATIONAL CULTURE HERITAGE ACT OF 2009"

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

1 SECTION 1. Republic Act No. 10066, otherwise known as the "National
 2 Cultural Heritage Act of 2009," is hereby amended to read as follows:

3 Sec. 1. *Short Title.* - xxx

4 ARTICLE I

5 POLICIES AND PRINCIPLES

6 Sec. 2. *Declaration of Principles and Policies.* - xxx

7 ARTICLE II

8 DEFINITION OF TERMS

1 Sec. 3. *Definition of Terms.* - For purposes of this Act, the following
2 terms shall be defined as follows:

3 (a) "Adaptive reuse" shall refer to the utilization of buildings, other
4 built ~~[-]~~ structures, and sites of value for purposes other than ~~[that]~~
5 **THOSE** for which they were **ORIGINALLY** intended ~~[originally]~~, in
6 order to conserve the site, their engineering integrity and authenticity
7 of design.

8 (b) "Anthropological ~~[area]~~ **SITE** " shall refer to any ~~[place]~~
9 **LOCATION** where studies of specific ethnolinguistic groups are
10 undertaken ~~[, the]~~ **AND WHOSE** properties ~~[of which are of value]~~
11 **CONTRIBUTE** to ~~[our]~~ **THE NATION'S** cultural heritage.

12 (c) "Antique" shall refer to a cultural property found locally which is **AT**
13 **LEAST** one hundred (100) years ~~[in age, more or less]~~ **OLD**, the
14 production of which has ceased.

15 (d) "Archaeological ~~[area]~~ **SITE** " shall refer to any ~~[place, whether~~
16 ~~above or underground, underwater or at sea level,]~~ **LOCATION**
17 containing fossils, artifacts, and other cultural, geological, botanical,
18 **AND** zoological materials ~~[which]~~ **THAT** depict and document
19 culturally relevant paleontological, prehistoric, ~~[and/or]~~ **OR** historic
20 events~~[-]~~, **WHETHER ABOVE OR BELOWGROUND,**
21 **UNDERWATER, OR AT SEA LEVEL, AS DECLARED BY LAW OR**
22 **THE PERTINENT CULTURAL AGENCY.**

23 (e) "Archives" shall refer to public and private records in any format
24 ~~[which]~~ **THAT** have been selected for permanent preservation because

1 of their evidential, historical, **AND** informational value; [~~otherwise~~]
2 **ALSO** known as archival materials collections or archival holdings; [~~the~~]
3 **A** place (building/room/storage area) where archival materials are kept
4 and preserved; [~~and~~] **OR** an organization or agency, **ALSO KNOWN**
5 **AS ARCHIVAL AGENCY**, or part thereof whose [~~main~~] **PRIMARY**
6 responsibility is to appraise, arrange, describe, conserve, promote, and
7 make archival materials available for reference and research [~~, also~~
8 ~~known as archival agency~~].

9 (f) **"ASEAN HERITAGE PARKS" SHALL REFER TO PROTECTED**
10 **AREAS RECOGNIZED BY ASEAN TO BE OF HIGH CONSERVATION**
11 **IMPORTANCE, PRESERVING IN TOTAL A COMPLETE SPECTRUM**
12 **OF REPRESENTATIVE ECOSYSTEMS OF THE ASEAN REGION.**
13 **THEY ARE ESTABLISHED TO GENERATE GREATER AWARENESS,**
14 **PRIDE, APPRECIATION, ENJOYMENT AND CONSERVATION OF**
15 **ASEAN'S RICH NATURAL HERITAGE, THROUGH A REGIONAL**
16 **NETWORK OF REPRESENTATIVE PROTECTED AREAS, AND TO**
17 **GENERATE GREATER COLLABORATION AMONG THE ASEAN**
18 **MEMBER STATES IN PRESERVING THEIR SHARED NATURAL**
19 **HERITAGE.**

20 [(f)] (g) "Built heritage" shall refer to architectural and engineering
21 structures such as, but not limited to, bridges, government buildings,
22 houses of ancestry, traditional dwellings, quartels, train stations,
23 lighthouses, small ports, educational, technological, and industrial

1 complexes, and their settings ~~[7]~~ and landscapes with notable historical
2 and cultural significance.

3 **(h) "CLASSIFIED HISTORIC STRUCTURES" SHALL REFER TO**
4 **SITES AND STRUCTURES NOT FALLING UNDER ANY OF THE**
5 **FIVE (5) CATEGORIES OF HISTORIC SITES AND STRUCTURES,**
6 **NAMELY: NATIONAL HISTORICAL SHRINES, NATIONAL**
7 **HISTORICAL MONUMENTS, NATIONAL HISTORICAL**
8 **LANDMARKS, HERITAGE HOUSES AND HISTORIC CENTERS/**
9 **HERITAGE ZONES BUT ARE RECORDED IN THE NATIONAL**
10 **HISTORICAL COMMISSION OF THE PHILIPPINES' (NHCP)**
11 **NATIONAL REGISTRY OF HISTORIC SITES AND STRUCTURES.**

12 ~~[(g)]~~ **(i)** "Collector" shall refer to any person who or institution that
13 acquires cultural property for purposes other than sale.

14 ~~[(h)]~~ **(j)** "Commission" shall refer to the National Commission for
15 Culture and the Arts (NCCA).

16 ~~[(i)]~~ **(k)** "Conservation" shall refer to all ~~[the]~~ processes and measures
17 ~~[of]~~ **FOR** maintaining the cultural significance of a cultural property,
18 including, but not limited to, preservation, restoration, reconstruction,
19 protection, adaptation, or any combination thereof.

20 **(l) "CONSERVATION MANAGEMENT PLAN (CMP)" SHALL**
21 **REFER TO THE MAIN GUIDING DOCUMENT FOR THE**
22 **CONSERVATION AND MANAGEMENT OF IMMOVABLE**
23 **CULTURAL PROPERTIES. IT STATES WHAT IS SIGNIFICANT**
24 **ABOUT A PLACE AND CONSEQUENTLY WHAT POLICIES AND**

ACTIONS ARE APPROPRIATE WHICH ENABLE THAT SIGNIFICANCE TO BE RETAINED IN ITS FUTURE USE AND DEVELOPMENT.

[(j)] (m) "Cultural agencies" shall refer to the following national government agencies ~~with their specific areas of responsibility~~: **THE COMMISSION; National Museum [(cultural property)] OF THE PHILIPPINES (NMP); [the] National Library [(books)] OF THE PHILIPPINES (NLP); [National Historical Institute (Philippine history)] NHCP; National Archives [(documents)] OF THE PHILIPPINES (NAP); Cultural Center of the Philippines (CCP) [(culture and the arts); and] Komisyon sa Wikang Filipino (KWF) [(language)]; AND FILM DEVELOPMENT COUNCIL OF THE PHILIPPINES (FDCP).**

[(k)] (n) "Cultural education" shall refer to the teaching and learning of cultural concepts and processes.

[(l)] (o) "Cultural heritage" shall refer to the totality of cultural property **THAT HAS BEEN** preserved and developed **[through] OVER** time and passed on to **[posterity] FUTURE GENERATIONS .**

[(m)] (p) "Cultural heritage worker" shall refer to an individual **[undertaking] ENGAGED IN** cultural heritage work.

[(n)] (q) "Cultural institution" shall refer to entities **PRIMARILY** engaged **[primarily]** in cultural work.

(r) "CULTURAL MAPPING" SHALL REFER TO THE IDENTIFICATION AND RECORDING OF CULTURAL RESOURCES

1 WHICH COMMUNITIES DEEM IMPORTANT AND/OR
2 SIGNIFICANT TO THEM. IT IS A SYSTEMATIC SET OF
3 ACTIVITIES AND METHODOLOGICAL PROCESSES FOR,
4 DISCOVERING, DOCUMENTING, ANALYZING, INTERPRETING,
5 PRESENTING, AND SHARING INFORMATION RELATED TO
6 PEOPLE, COMMUNITIES, SOCIETIES, PLACES, AND THEIR
7 MATERIAL PRODUCTS, PRACTICES, AND NARRATIVES.

8 ~~{(e)}~~ (s) "Cultural property" shall refer to all products of human
9 creativity by which a people and a nation reveal their identity, including
10 churches, mosques and other places of religious worship, schools and
11 natural history specimens and sites, whether ~~{public}~~ **OWNED**
12 **PUBLICLY** or privately ~~{-owned}~~, movable or immovable, ~~{and}~~ **OR**
13 tangible or intangible.

14 ~~{(p)}~~ (t) "Dealers" shall refer to natural or juridical persons who
15 acquire cultural property for the purpose of engaging in the acquisition
16 and disposition of the same.

17 (u) "GABALDON SCHOOL BUILDINGS" SHALL REFER TO
18 SCHOOL BUILDINGS DESIGNED BY AMERICAN ARCHITECT
19 WILLIAM PARSONS AND FUNDED THROUGH ACT NO. 1801
20 AUTHORED BY ASSEMBLYMAN ISAURO GABALDON.

21 (v) "GLOBAL GEOPARKS" SHALL REFER TO SINGLE,
22 UNIFIED GEOGRAPHICAL AREAS WHERE SITES AND
23 LANDSCAPES CONSIDERED BY UNESCO OF INTERNATIONAL
24 GEOLOGICAL SIGNIFICANCE, MANAGED WITH A HOLISTIC

**CONCEPT OF PROTECTION, EDUCATION, AND SUSTAINABLE
DEVELOPMENT.**

**(w) "HERITAGE HOUSES" SHALL REFER TO HOUSES OF
ANCESTRY OF NOTABLE HISTORICAL, CULTURAL, SOCIAL,
ARCHITECTURAL, AND ARTISTIC VALUE AND SIGNIFICANCE,
AS DECLARED BY THE NHCP.**

**(x) "HERITAGE TREES" SHALL REFER TO TREES THAT SHARE
COMMON AND EXTENSIVE HISTORIES WITH THE PEOPLE WITH
WHOM AND PLACES IN WHICH THEY ARE FOUND, AS
DETERMINED BY THE APPROPRIATE AGENCY OR AGENCIES.**

~~[(a)]~~ **(y) "Heritage zone" shall refer to historical, anthropological,
archaeological, AND artistic geographical areas and settings that are
culturally significant to the [country, as declared by the National
Museum and/or the National Historical Institute] NATION AND
DECLARED AS SUCH BY LAW OR THE PERTINENT CULTURAL
AGENCY OR AGENCIES.**

**(z) "HISTORIC CENTER" SHALL REFER TO (1) HISTORIC ZONE,
DISTRICT, CORE, PRECINCT, TOWN, LEGACY ZONE, HERITAGE
AREA, ZONE, OR TOWN; (2) A DESIGNATED AREA WITH
HISTORICAL AND OTHER SPECIAL SIGNIFICANCE,
CONSISTING OF BUILDINGS OR GROUP OF BUILDINGS, AND
THEIR ENVIRONS THAT COLLECTIVELY CONTRIBUTE TO THE
AREA'S IMPORTANCE AND CHARACTER; (3) A PLACE WHERE A
SIGNIFICANT EVENT IN HISTORY OCCURRED; OR (4) ANY**

1 TOWN, DISTRICT OR ANCIENT SETTLEMENT SITE WITH
2 SPECIAL HISTORIC AND/OR CULTURAL SIGNIFICANCE.
3 HISTORIC CENTERS ARE SOMETIMES CALLED LIVING
4 MUSEUMS, OUTDOOR MUSEUMS, OR MUSEUM PRESERVES.
5 WHETHER INHABITED OR UNINHABITED, HISTORIC CENTERS
6 ARE PRESERVATION AREAS.

7 ~~[(v)]~~ (aa) "HISTORIC SITE" SHALL REFER TO A PLACE
8 DECLARED BY THE NHCP TO HAVE IMPORTANT HISTORIC
9 SIGNIFICANCE.

10 ~~[(+)]~~ (bb) "History" shall refer to a written ~~[record]~~ ACCOUNT of
11 past events ~~[relating to]~~ IN Philippine history.

12 ~~[(v)]~~ (cc) ~~"[Historical street]~~ HISTORIC PLACE name" shall refer to
13 a ~~[street]~~ PLACE name ~~[which]~~ THAT has been in existence for at
14 least fifty (50) years and ~~[over time]~~ has ~~[been considered]~~ BECOME
15 historic OVER TIME.

16 ~~[(w)]~~ (dd) "Important cultural property" shall refer to a cultural
17 property ~~[having]~~ THAT HAS exceptional cultural, artistic, and
18 historical significance to the Philippines, ~~[as shall be determined by the~~
19 ~~National Museum and/or National Historical Institute]~~ AND HAS BEEN
20 OFFICIALLY DECLARED AS SUCH BY LAW OR THE PERTINENT
21 CULTURAL AGENCY.

22 ~~[(x)]~~ (ee) "Intangible cultural heritage" shall refer to the practices,
23 representations, expressions, knowledge, and skills, as well as the
24 instruments, objects and artifacts associated therewith, that

1 communities, groups, and individuals recognize as part of their cultural
2 heritage, such as: (1) oral traditions, languages, and expressions; (2)
3 performing arts; (3) social practices, rituals, and festive events; (4)
4 knowledge and practices concerning nature and the universe; and (5)
5 traditional craftsmanship.

6 ~~[(y)]~~ **(ff)** "Intangible cultural property" shall refer to ~~[the]~~ peoples'
7 learned processes, along with the knowledge, skills, and creativity that
8 inform and are developed by them, the products they create, and the
9 resources, spaces, and other aspects of social and natural context
10 **THAT ARE** necessary for their sustainability.

11 ~~[(z)]~~ **(gg)** "Library" shall refer to an institution where the collection of
12 books, manuscripts, computerized information, and other materials
13 ~~[are]~~ **IS** organized to provide physical, bibliographic, and/or
14 intellectual access to the public, with a librarian ~~[that]~~ **WHO** is trained
15 to provide services and programs related to the information needs of
16 its clientele.

17 **(hh) "MARKED STRUCTURE" SHALL REFER TO SITES WITH A**
18 **MARKER FROM A CULTURAL AGENCY.**

19 **(ii) "MEMORY OF THE WORLD (MOW) REGISTER" SHALL REFER**
20 **TO DOCUMENTARY HERITAGE INSCRIBED BY UNESCO**
21 **BECAUSE OF ITS INTERNATIONAL SIGNIFICANCE AND ITS**
22 **OUTSTANDING UNIVERSAL VALUE. THIS INCLUDES**
23 **DOCUMENTARY HERITAGE LISTED IN THE INTERNATIONAL**
24 **REGISTER, MOW COMMITTEE FOR ASIA AND THE PACIFIC**

1 REGIONAL REGISTER, AND NATIONAL REGISTER.
2 INSCRIPTION IN THESE REGISTERS PUBLICLY AFFIRMS THE
3 SIGNIFICANCE OF THE DOCUMENTARY HERITAGE, MAKES IT
4 BETTER KNOWN AND ALLOWS FOR GREATER ACCESS TO IT,
5 THEREBY FACILITATING RESEARCH, EDUCATION,
6 ENTERTAINMENT, AND PRESERVATION OVER TIME.

7 ~~[(aa)]~~ (jj) "Museum" shall refer to a permanent institution that
8 researches, acquires, ~~[eonserves]~~ **PRESERVES** , communicates, and
9 exhibits ~~[the]~~ material evidence of humans and their environment for
10 **EDUCATIONAL AND RECREATIONAL** purposes ~~[of education or~~
11 ~~leisure]~~.

12 ~~[(bb)]~~ (kk) "National cultural treasure" shall refer to a unique cultural
13 property found locally ~~[,]~~ possessing outstanding historical, cultural,
14 artistic, and/or scientific value, ~~[which]~~ is highly significant and
15 important to the country and nation, and **HAS BEEN** officially declared
16 as such by **LAW OR THE** pertinent cultural agency.

17 ~~[(s)]~~ (ll) "**NATIONAL** historical landmarks" shall refer to sites or
18 structures that are associated with events or achievements significant
19 to Philippine history, as declared **AS SUCH** by **LAW OR** the ~~[National~~
20 ~~Historical-Institute]~~ **NHCP**.

21 ~~[(t)]~~ (mm) "**NATIONAL** historical monuments" shall refer to
22 structures that honor illustrious persons or commemorate events of
23 historical value, as declared **AS SUCH** by **LAW OR** the ~~[National~~
24 ~~Historical-Institute]~~ **NHCP**.

1
2 ~~[(tt)]~~ (nn) "NATIONAL historical shrines" shall refer to ~~[historical]~~
3 **HISTORIC** sites or structures hallowed and revered for their history or
4 association, as declared **AS SUCH** by **LAW OR** the ~~[National Historical~~
5 ~~Institute]~~ **NHCP**.

6 ~~[(ee)]~~ (oo) "Nationally significant" shall refer to historical, aesthetic,
7 scientific, technical, social, and/or spiritual values that unify the nation
8 by a deep sense of pride in their ~~[various]~~ **DIVERSE** yet common
9 identities, cultural heritage, and national patrimony.

10 (pp) "NATURAL HERITAGE" SHALL REFER TO FLORA AND
11 FAUNA, PHYSICAL, GEOLOGICAL, AND PHYSIOGRAPHICAL
12 FORMATIONS OF THE ENVIRONMENT, WHETHER
13 TERRESTRIAL, WETLAND, OR MARINE, AND THE ECOSYSTEM
14 WITH WHICH PARTICULAR COMMUNITIES HAVE HAD LONG-
15 TERM RELATIONSHIPS.

16 ~~[(dd)]~~ (qq) "Natural property of cultural significance" shall refer to
17 ~~[areas possessing outstanding ecosystem with flora and fauna of~~
18 ~~national scientific importance under]~~ **NATURAL HERITAGE WITH**
19 **SIGNIFICANCE FOR ITS TANGIBLE OR INTANGIBLE CULTURAL**
20 **HERITAGE, WHETHER OR NOT COVERED BY** the National
21 Integrated Protected Areas System **ACT OR BY OTHER**
22 **ENVIRONMENTAL LAWS**.

23 ~~[(ee)]~~ (rr) "NCCA Portal Cultural Databank" **SHALL** refer[s] to the
24 specific domain in the Commission's ~~[intranet for cultural information~~

1 ~~that is accessed only internally with control and confidentiality]~~
2 **ONLINE DATABASE WHERE DIGITIZED CULTURAL MAPS ARE**
3 **LODGED FOR PUBLIC INFORMATION, SCIENTIFIC RESEARCH,**
4 **AND ACADEMIC PURPOSES.** It includes the registry of national
5 cultural property.

6 ~~[(ff)]~~ **(ss)** "Prehistory" shall refer to the period of human history
7 ~~[before]~~ **PRECEDING** the introduction of the forms of writing.

8 **(tt) "RECONSTRUCTION" SHALL REFER TO RETURNING A**
9 **CULTURAL PROPERTY, OR A PORTION THEREOF, TO A KNOWN**
10 **EARLIER STATE BY ADDING NEW MATERIALS, FORMS,**
11 **METHODOLOGIES, AND TECHNOLOGY. THIS SHALL INCLUDE:**
12 **(1) RE-CREATION, OR THE *IN SITU* CREATION OF A**
13 **PRESUMED EARLIER STATE BASED ON SURVIVING EVIDENCE**
14 **FROM THE PLACE AND OTHER SITES, AND ON DEDUCTIONS**
15 **DERIVED FROM SUCH EVIDENCE USING NEW MATERIALS;**
16 **AND (2) REPLICATION, OR THE CONSTRUCTION OF A COPY.**

17 ~~[(gg)]~~ **(uu)** "Registry" shall refer to the Philippine Registry of Cultural
18 Property which is ~~[the registry of all cultural property of the country~~
19 ~~deemed of significant importance to our cultural heritage]~~ **A**
20 **REPOSITORY OF THE LISTINGS, DOCUMENTATIONS, AND**
21 **STATEMENTS OF SIGNIFICANCE OF ALL CULTURAL**
22 **PROPERTIES OF THE COUNTRY DEEMED LOCALLY AND**
23 **NATIONALLY SIGNIFICANT.**

1 ~~[(hh)]~~ (vv) "Restoration" shall refer to the ~~[action taken or the~~
2 ~~technical intervention to correct deterioration and alterations]~~ **REPAIR**
3 **OF A CULTURAL PROPERTY TO ITS ORIGINAL CONDITION**
4 **USING APPROPRIATE MATERIALS, METHODOLOGIES, FORMS,**
5 **AND TECHNOLOGY.**

6 ~~[(ii)]~~ (ww) "Tangible cultural property" shall refer to a cultural
7 property with historical, archival, anthropological, archaeological,
8 artistic, and architectural value, and with exceptional or traditional
9 production, whether of Philippine origin or not, including antiques and
10 natural history specimens with significant value.

11 (xx) **"UNESCO LISTS OF INTANGIBLE CULTURAL HERITAGE"**
12 **SHALL REFER TO THE (1) REPRESENTATIVE LIST OF THE**
13 **INTANGIBLE CULTURAL HERITAGE HUMANITY AND (2) LIST OF**
14 **INTANGIBLE CULTURAL HERITAGE IN NEED OF URGENT**
15 **SAFEGUARDING. INTANGIBLE HERITAGE ELEMENTS IN THE**
16 **LISTS INCLUDE REPRESENTATIONS, EXPRESSIONS,**
17 **KNOWLEDGE, SKILLS – AS WELL AS THE INSTRUMENTS,**
18 **OBJECTS, ARTIFACTS AND CULTURAL SPACES ASSOCIATED**
19 **THEREWITH – THAT UNESCO RECOGNIZES TO BE OF**
20 **INTERNATIONAL SIGNIFICANCE.**

21 (yy) **"WETLANDS OF INTERNATIONAL IMPORTANCE OR**
22 **RAMSAR SITES" SHALL REFER TO REPRESENTATIVE, RARE OR**
23 **UNIQUE WETLANDS, OR WETLANDS THAT ARE IMPORTANT**
24 **FOR CONSERVING BIOLOGICAL DIVERSITY THAT ARE**

1 **RECOGNIZED BY THE RAMSAR CONVENTION ON WETLANDS IN**
2 **ITS LIST OF WETLANDS OF INTERNATIONAL IMPORTANCE ON**
3 **ACCOUNT OF THEIR INTERNATIONAL SIGNIFICANCE IN**
4 **TERMS OF ECOLOGY, BOTANY, ZOOLOGY, LIMNOLOGY OR**
5 **HYDROLOGY.**

6 **(zz) "WORLD HERITAGE SITES (WHS)" SHALL REFER TO**
7 **CULTURAL AND NATURAL HERITAGE PROPERTIES**
8 **CONSIDERED TO BE OF OUTSTANDING UNIVERSAL VALUE TO**
9 **HUMANITY THAT ARE INSCRIBED IN THE UNESCO WORLD**
10 **HERITAGE LIST. STATE PARTIES RECOGNIZE THEIR DUTY OF**
11 **ENSURING THE IDENTIFICATION, PROTECTION,**
12 **CONSERVATION, PRESENTATION, AND TRANSMISSION OF**
13 **THESE PROPERTIES TO FUTURE GENERATIONS AND WILL DO**
14 **ALL IT CAN TO THIS END, TO THE UTMOST OF ITS OWN**
15 **FINANCIAL, ARTISTIC, SCIENTIFIC AND TECHNICAL**
16 **RESOURCES.**

17 **(aaa) "WORLD HERITAGE TENTATIVE LIST" SHALL REFER TO**
18 **THE INVENTORY OF PROPERTIES SUBMITTED TO UNESCO**
19 **WHICH EACH STATE PARTY INTENDS TO CONSIDER FOR**
20 **NOMINATION TO THE WORLD HERITAGE LIST.**

21 **(bbb) "WORLD NETWORK OF BIOSPHERE RESERVES" SHALL**
22 **REFER TO THE LIST OF TERRESTRIALS, MARINE, AND COASTAL**
23 **ECOSYSTEMS CONSIDERED BY UNESCO TO BE OF WORLD**
24 **SIGNIFICANCE. BIOSPHERE RESERVES ARE LEARNING PLACES**

**FOR SUSTAINABLE DEVELOPMENT AND SITES FOR TESTING
INTERDISCIPLINARY APPROACHES TO UNDERSTANDING AND
MANAGING CHANGES AND INTERACTIONS BETWEEN SOCIAL
AND ECOLOGICAL SYSTEMS, INCLUDING CONFLICT
PREVENTION AND MANAGEMENT OF BIODIVERSITY.**

ARTICLE III

CULTURAL PROPERTY

Sec. 4. *Categories.* The cultural property of the country shall be categorized as follows:

~~f(a) National cultural treasures;~~

~~(b) Important cultural property;~~

~~(c) World heritage sites;~~

~~(d) National historical shrine;~~

~~(e) National historical monument; and~~

~~(f) National historical landmark.~~

(A) GRADE I LEVEL: NATIONAL CULTURAL TREASURES; NATIONAL HISTORICAL SHRINES; NATIONAL HISTORICAL MONUMENTS; NATIONAL HISTORICAL LANDMARKS; AND WORLD HERITAGE SITES AND OTHER CULTURAL AND NATURAL HERITAGE PROPERTIES OR ELEMENTS INSCRIBED OR DESIGNATED BY INTERNATIONAL CONVENTIONS INCLUDING BUT NOT LIMITED TO UNESCO LISTS OF INTANGIBLE CULTURAL HERITAGE, MOW, WORLD NETWORK OF BIOSPHERE RESERVES, GLOBAL GEOPARKS, WETLANDS OF

1 **INTERNATIONAL IMPORTANCE; AND ASEAN HERITAGE**
2 **PARKS;**

3 **(B) GRADE II LEVEL: IMPORTANT CULTURAL PROPERTIES;**
4 **HERITAGE ZONES AND HISTORIC CENTERS; ARCHEOLOGICAL**
5 **SITES; HERITAGE HOUSES; HISTORIC SITES; CLASSIFIED**
6 **HISTORIC STRUCTURES; ALL GABALDON SCHOOL BUILDINGS;**
7 **OTHER MARKED STRUCTURES; AND HERITAGE TREES; AND**

8 **(C) GRADE III LEVEL: ALL OTHER CULTURAL PROPERTIES**
9 **REGISTERED IN THE PHILIPPINE REGISTRY OF CULTURAL**
10 **PROPERTY.**

11 *Sec. 5. Cultural Property Considered Important Cultural Property. - xxx*

12 *Sec. 6. World Heritage Sites. - xxx*

13 *Sec. 7. Privileges for Cultural Property. - All cultural properties declared*
14 *as ~~[national cultural treasures and national historical landmarks, sites~~*
15 *~~or monuments]~~ **GRADE I OR GRADE II LEVEL** shall be entitled to*
16 *the following privileges:*

17 (i) Priority government funding for protection, conservation, and
18 restoration;

19 (ii) Incentive for private support of conservation and restoration
20 through the Commission's Conservation Incentive Program for
21 ~~[national cultural treasures]~~ **GRADE I AND II LEVEL CULTURAL**
22 **PROPERTIES;**

23 (iii) An official heritage marker **TO BE** placed by the **PERTINENT**
24 cultural agency ~~[concerned]~~ indicating ~~[that the immovable cultural~~

1 ~~property has been identified as national cultural treasures and/or~~
2 ~~national historical landmarks, sites, or monuments; and~~ **THE**
3 **OFFICIAL DESIGNATION OF THE CULTURAL PROPERTY;**

4 (d) ~~[In]~~ **PRIORITY GOVERNMENT PROTECTION FOR ALL**
5 **GRADE I OR II LEVEL CULTURAL PROPERTIES IN** times of
6 armed conflict, natural disasters, and other exceptional events that
7 endanger the cultural heritage of the country ~~[, all national cultural~~
8 ~~treasures or national historical landmarks, sites or monuments shall be~~
9 ~~given priority protection by the government.];~~ **AND**

10 **(E)** ~~[All cultural properties declared as important cultural property may~~
11 ~~also receive government funding for its protection, conservation, and~~
12 ~~restoration. An official heritage marker shall likewise be placed on an~~
13 ~~immovable cultural property to identify the same as important cultural~~
14 ~~property]~~ **PRIORITY PROTECTION FROM MODIFICATION OR**
15 **DEMOLITION RESULTING FROM GOVERNMENT PROJECTS.**
16 **GOVERNMENT PROJECTS THAT MAY POTENTIALLY AFFECT**
17 **THE INTEGRITY OF ANY GRADE I OR GRADE II LEVEL**
18 **PROPERTY MUST, AT THEIR PLANNING STAGES, HAVE THE**
19 **COMMISSION'S POSITION PRIOR TO THEIR**
20 **IMPLEMENTATION.**

21 *Sec. 8. Procedure for Declaration, or Delisting of [National-Cultural*
22 *Treasures or Important Cultural Property]* **GRADE I AND GRADE II**
23 **LEVEL CULTURAL PROPERTIES.** – The procedure in declaring as

1 well as in delisting a national cultural property or an important cultural
2 property shall be as follows:

3 (a) A declaration or a delisting of a cultural property as a [~~national~~
4 ~~cultural treasure or an important~~] **GRADE I OR GRADE II LEVEL**
5 cultural property shall commence upon the filing of a petition by the
6 owner, stakeholder, or any interested person, with the Commission,
7 which shall refer the matter to the appropriate cultural agency;

8 (b) Upon verification of the suitability of the property as a [~~national~~
9 ~~cultural treasure or an important~~] **GRADE I OR GRADE II LEVEL**
10 cultural property, the cultural agency concerned shall send **A** notice of
11 hearing to the owner and stakeholders. Stakeholders, including, but
12 not limited to, local government units, local culture and arts council,
13 local tourism councils, nongovernment conservation organizations, and
14 schools, may be allowed to file their support or opposition to the
15 petition;

16 (c) The owner and/or other stakeholders shall file their position
17 paper within fifteen (15) days from receipt of the notice of hearing,
18 furnishing all the parties, including the appropriate cultural agency,
19 with such position paper. Extensions may be allowed, but in no case
20 shall it exceed more than thirty (30) days;

21 (d) The petitioner/stakeholder shall give their answer within fifteen
22 (15) days upon receipt of any position paper. Thereafter, no further
23 submissions shall be allowed; and

(e) The appropriate cultural agency shall have a maximum of ninety (90) days from the deadline of the submission of all the answers within which to submit its resolution and render its decision on the application.

Sec. 9. *Right of First Refusal on the Sale of National Cultural Treasures.* - xxx

Sec. 10. *Licensing of Dealers of Cultural Property.* - xxx

Sec. 11. *Dealings of Cultural Property.* - xxx

ARTICLE IV

HERITAGE ZONES

Sec. 12. *Designation of Heritage Zones.* - xxx

Sec. 13. *Maintenance of Heritage Zones.* - xxx

ARTICLE V

REGISTRATION AND ~~[CONSERVATION]~~ **PRESERVATION**

OF CULTURAL PROPERTY

Sec. 14. *Establishment **AND MAINTENANCE** of a Philippine Registry of Cultural Property.* - All cultural properties of the country deemed important to cultural heritage shall be registered in the Philippine Registry of Cultural Property. **INFORMATION REGARDING PRIVATE OWNERSHIP OF REGISTERED CULTURAL PROPERTIES SHALL REMAIN CONFIDENTIAL IN ACCORDANCE WITH THE DATA PRIVACY ACT OF 2012.**

The Commission, through the appropriate cultural agencies and local government units, shall establish and maintain this Registry.

1 ~~[within three (3) years from the effectivity of this Act.]~~ The guidelines
2 in the registration of cultural property are as follows:

3 (a) All cultural agencies concerned shall individually maintain an
4 inventory, evaluation, and documentation of all cultural properties
5 declared according to their category and shall submit the same to the
6 Commission. For cultural property declared as ~~[immovable cultural~~
7 ~~property]~~ **GRADE I OR GRADE II LEVEL** , the appropriate cultural
8 agency shall, after registration, give due notice to the concerned
9 Registry of Deeds for annotation on the land titles pertaining to the
10 same;

11 (b) Local government units, through their cultural offices, shall likewise
12 maintain an inventory of cultural property under ~~[its]~~ **THEIR**
13 jurisdiction and shall furnish the Commission a copy of the same;

14 (c) ~~[Both]~~ **THE** cultural agencies ~~[concerned]~~ and local government
15 units **CONCERNED** shall continuously coordinate in ~~[making entries~~
16 ~~and in]~~ monitoring ~~[the various cultural properties in]~~ **AND**
17 **UPDATING** their respective ~~[inventory]~~ **CULTURAL PROPERTY**
18 **INVENTORIES. THE COMMISSION SHALL PROVIDE LOCAL**
19 **GOVERNMENT UNITS WITH TECHNICAL ASSISTANCE FOR THE**
20 **INVENTORY AND UPDATING OF LOCALLY AND NATIONALLY**
21 **DECLARED CULTURAL PROPERTIES AND TANGIBLE AND**
22 **INTANGIBLE HERITAGE;**

23 (d) All government agencies and instrumentalities, government-owned
24 and/or -controlled corporations and their subsidiaries, including public

1 and private educational institutions, shall report their ownership and/or
2 possession of such items to the pertinent cultural agency and shall
3 register such properties [~~within three (3) years from the effectivity of~~
4 ~~this Act~~]; **AND**

5 (e) Private collectors and owners of cultural property shall register such
6 properties [~~within three (3) years from the effectivity of this Act~~]. The
7 private collectors and owners of cultural property shall not be divested
8 of their possession and ownership thereof even after registration of
9 said property as herein required.

10 Information on registered cultural properties owned by private
11 individuals shall remain confidential and may be given only upon prior
12 consent of the private owner. The Commission shall operate the
13 Registry in the NCCA portal cultural databank.

14 **THE INCLUSION IN THE REGISTRY OF CULTURAL**
15 **PROPERTIES BELONGING TO THE INDIGENOUS CULTURAL**
16 **COMMUNITIES OR INDIGENOUS PEOPLES (ICCs/IPs) SHALL**
17 **BE SUBJECT TO PRIOR CONSULTATION WITH THEM AND TO**
18 **THEIR FREE AND PRIOR INFORMED CONSENT AS PROVIDED**
19 **IN SECTION 16 OF THIS ACT."**

20 ***SEC. 15. CULTURAL MAPPING BY LOCAL GOVERNMENT UNITS.***

21 **- LOCAL GOVERNMENT UNITS ARE HEREBY MANDATED TO**
22 **CONDUCT A COMPREHENSIVE CULTURAL MAPPING OF THEIR**
23 **AREAS OF JURISDICTION. THEY SHALL MOBILIZE AND**
24 **ESTABLISH PARTNERSHIPS WITH CONCERNED GOVERNMENT**

1 **AGENCIES TO ENSURE THE PROMPT AND EFFECTIVE**
2 **IMPLEMENTATION OF THE PROVISION OF THIS ACT. THEY**
3 **MAY SEEK ASSISTANCE FROM NONGOVERNMENT**
4 **ORGANIZATIONS, CULTURAL ORGANIZATIONS, AND**
5 **ACADEMIC AND PRIVATE INSTITUTIONS IN UNDERTAKING**
6 **CULTURAL MAPPING ACTIVITIES: *PROVIDED*, THAT SAID**
7 **INSTITUTIONS ADHERE TO THE GUIDELINES SET FORTH BY**
8 **THE COMMISSION. ALL RELEVANT DATA MUST BE SUBMITTED**
9 **FOR REGISTRATION IN THE PHILIPPINE REGISTRY OF**
10 **CULTURAL PROPERTY. FOR PURPOSES OF RESEARCH,**
11 **REGULATION, PLANNING, AND POLICY-MAKING OF THE**
12 **COMMISSION, AMONG OTHERS.**

13 **THE RESULTS OF CULTURAL MAPPING PROJECTS SHALL**
14 **BE SUBMITTED TO THE COMMISSION AND COPIES TO THE**
15 **NAP AS WELL AS TO THE COMMUNITY'S LOCAL ARCHIVES FOR**
16 **ACCESS AND SAFEKEEPING.**

17 **LOCAL GOVERNMENT UNITS SHALL COORDINATE WITH**
18 **THE COMMISSION AND WITH CULTURAL ORGANIZATIONS**
19 **AND AGENCIES FOR THE CONDUCT OF CULTURAL MAPPING,**
20 **INCLUDING THE FOLLOWING:**

21 **A. COMMISSION ON HIGHER EDUCATION (CHED) FOR THE**
22 **INSTITUTION OF CULTURAL AWARENESS IN STATE**
23 **UNIVERSITIES AND COLLEGES AND THE STRENGTHENING OF**
24 **THEIR RESEARCH PROGRAMS AND CULTURE, HERITAGE, ARTS**

1 AND HISTORY THAT IMPACT ON THE COMMUNITY
2 DEVELOPMENT, AND ASSIST IN DEVELOPING THE CAPACITIES
3 OF SUCS TO PROVIDE ASSISTANCE TO THE CAPACITY
4 BUILDING NEEDS OF LOCAL GOVERNMENT UNITS AND
5 CONCERNED AGENCY AS PART OF THE EXTENSION PROGRAM;

6 B. DEPARTMENT OF AGRICULTURE (DA) FOR THE
7 DOCUMENTATION OF HERITAGE CROPS, PRODUCTS,
8 TECHNOLOGIES, AGRICULTURAL HERITAGE SYSTEMS, AND
9 FOOD SOURCES THAT SUSTAIN THE LOCAL INDIGENOUS
10 COMMUNITIES, AND INVENTORY OF NATURAL AND NON-
11 TRADITIONAL FIBERS AND THEIR PROCESSES AND
12 UTILIZATION;

13 C. DEPARTMENT OF EDUCATION (DEPED) FOR THE
14 INSTITUTION OF CULTURAL AWARENESS IN BASIC
15 EDUCATION; CAPACITY-BUILDING PROGRAM FOR TEACHERS
16 IN MAPPING THE HERITAGE RESOURCES OF LOCAL
17 COMMUNITIES AND CULTURAL PEDAGOGY; AND
18 LOCALIZATION AND CONTEXTUALIZATION OF EDUCATIONAL
19 MATERIAL AND CONTENT BASED ON A LOCALITY'S CULTURAL
20 PROFILE TO CULTIVATE AWARENESS AND PRIDE IN A
21 COMMUNITY'S CULTURAL IDENTITY;

22 D. DEPARTMENT OF ENVIRONMENT AND NATURAL
23 RESOURCES (DENR) FOR THE INVENTORY OF NATIONAL
24 PARKS AND AREAS THAT ARE HABITATS OF ENDEMIC SPECIES

1 **AND UNIQUE BIODIVERSITY; ENFORCEMENT FOR THE**
2 **PROTECTION AND CONSERVATION OF NATURAL HERITAGE**
3 **SITES; RESEARCH ON THE ECOSYSTEM SERVICES OF THE**
4 **ENVIRONMENT TO THE LIVES OF THE PEOPLE; AND**
5 **PROMOTION OF THE CONCEPT OF CULTURAL LANDSCAPE FOR**
6 **SUSTAINABLE DEVELOPMENT;**

7 **E. DEPARTMENT OF FOREIGN AFFAIRS (DFA) FOR THE**
8 **ENHANCEMENT OF PHILIPPINE CULTURAL DIPLOMACY,**
9 **PARTICIPATION IN THE CONVENTIONS AND PROGRAMS OF**
10 **UNESCO AND OTHER INTERNATIONAL ORGANIZATIONS; AND**
11 **TAPPING POSSIBLE TECHNICAL ASSISTANCE FROM**
12 **BILATERAL AND MULTILATERAL PARTNERS;**

13 **F. DEPARTMENT OF INFORMATION AND COMMUNICATIONS**
14 **TECHNOLOGY (DICT) FOR THE DEVELOPMENT OF**
15 **INFORMATION AND COMMUNICATIONS TECHNOLOGY**
16 **SUITABLE FOR IMPROVING PUBLIC ACCESS, RESOURCE**
17 **SHARING, AND DISSEMINATION OF CULTURAL HERITAGE**
18 **INFORMATION;**

19 **G. DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT**
20 **(DILG) FOR THE PROMOTION AMONG LOCAL GOVERNMENTS**
21 **OF THE VALUE OF PRESERVING THE COUNTRY'S HERITAGE**
22 **SITES AND ZONES THROUGH THE PROVISION OF CAPACITY-**
23 **BUILDING PROGRAMS FOR LOCAL CHIEF EXECUTIVES AND**
24 **SANGGUNIAN MEMBERS ON CULTURE-BASED GOVERNANCE;**

1 **H. DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH)**
2 **FOR BUILDING AWARENESS ON CULTURAL HERITAGE**
3 **SENSITIVITY, AND INSTITUTION OF GUIDELINES FOR ITS**
4 **PROGRAMS AS THEY IMPACT HERITAGE ZONES AND SITES, IN**
5 **COORDINATION WITH THE COMMISSION;**

6 **I. DEPARTMENT OF SCIENCE AND TECHNOLOGY (DOST) FOR**
7 **APPLICATION OF RESEARCH IN CONSERVATION OF**
8 **MATERIALS AND STRUCTURES; INVENTORY ON NATURAL**
9 **RESOURCES OF DYES; TRADITIONAL TEXTILES AND APPAREL**
10 **MATERIALS, DESIGNS, TECHNIQUES, PROCESSES AND**
11 **MACHINES; AND THE CONDUCT OF PERTINENT RESEARCH ON**
12 **AND DEVELOPMENT OF INNOVATIONS FOR THE COUNTRY'S**
13 **TEXTILE INDUSTRY;**

14 **J. DEPARTMENT OF TOURISM (DOT) FOR THE FORMULATION**
15 **AND IMPLEMENTATION OF TOURISM DEVELOPMENT PLANS**
16 **AND CULTURE-BASED PROGRAMS FOR TOURISM SITES AND**
17 **NATIONAL AND WORLD HERITAGE DECLARED SITES, AND**
18 **CAPACITY-BUILDING PROGRAMS DESIGNED TO DEVELOP**
19 **CULTURAL SENSITIVITY AND COMPETENCE IN THE TOURISM**
20 **SECTOR;**

21 **K. DEPARTMENT OF TRADE AND INDUSTRY (DTI) FOR THE**
22 **INVENTORY AND DEVELOPMENT OF CULTURAL HERITAGE-**
23 **BASED PRODUCTS AND ENTREPRENEURSHIP PROGRAMS,**

1 **AND THE ADOPTION OF CULTURALLY-SENSITIVE TRADE**
2 **FAIRS AND PROMOTION PROGRAMS;**

3 **L. FDCP FOR THE PROTECTION, PRESERVATION, AND**
4 **DIGITALIZATION OF FILM NEGATIVES AND PRINTS,**
5 **AUDIOVISUAL CONTENT AND ELEMENTS AND NON-FILM**
6 **ARCHIVAL MATERIALS, INCLUDING STORY OUTLINES,**
7 **SCREENPLAYS, SETS, PHOTOS, POSTERS, AND DOCUMENTS**
8 **ON THE CREATION AND DISTRIBUTION OF CINEMATIC**
9 **WORKS;**

10 **M. NATIONAL COMMISSION ON INDIGENOUS PEOPLES (NCIP)**
11 **FOR THE PROVISION OF SUPPORT FOR IP-DRIVEN**
12 **DOCUMENTATION, INVENTORY, AND PUBLICATION OF ALL**
13 **INFORMATION ABOUT THE ORIGIN AND HISTORY OF**
14 **ICCs/IPs, SETTLEMENT PATTERNS AND ANCESTRAL**
15 **DOMAINS, POPULATION AND SOCIAL DIASPORA,**
16 **GOVERNANCE AND POLITICAL SYSTEMS INCLUDING**
17 **CUSTOMARY LAWS, INDIGENOUS POLITICAL STRUCTURES,**
18 **JUSTICE AND PEACE PACT SYSTEMS, CONFLICT RESOLUTION**
19 **AND DECISION-MAKING MECHANISMS, SOCIAL**
20 **ORGANIZATION AND KINSHIP, ECONOMY AND TECHNOLOGY,**
21 **SPIRITUAL BELIEFS AND RITUALS, LIFE CYCLE CUSTOMS AND**
22 **TRADITIONS, MATERIAL CULTURE, MEDICINAL KNOWLEDGE**
23 **AND SCIENCES, INDIGENOUS CLIMATE CHANGE MITIGATION**
24 **AND ADAPTATION, AND OTHER ATTRIBUTES OF THEIR**

1 ETHNICITY, LIFE SITUATIONS, AND WORLDVIEWS ON THE
2 INTERRELATIONSHIPS WITH THE CREATOR, LAND AND
3 ENVIRONMENT, AND OTHER PEOPLE, UTILIZATION OF
4 CULTURAL HERITAGE RESOURCES AND ACTIVITIES FOR THE
5 EMPOWERMENT OF ICCs/IPs; AND FOR THE INTEGRATION OF
6 INDIGENOUS KNOWLEDGE SYSTEMS, SKILLS AND PRACTICES
7 IN THE NATIONAL DEVELOPMENT AGENDA.

8 IN ALL CASES WHERE CULTURAL MAPPING ACTIVITY AFFECTS
9 ANCESTRAL DOMAIN, THE ICC/IP CONCERNED SHALL BE
10 CONSULTED IN ACCORDANCE WITH EXISTING LAWS, RULES
11 AND REGULATIONS AND SECTION 16 OF THIS ACT;

12 N. UNESCO NATIONAL COMMISSION OF THE PHILIPPINES
13 (UNACOM) FOR THE MONITORING OF PROPERTIES IN THE
14 WORLD HERITAGE LIST, WORLD HERITAGE TENTATIVE LIST,
15 LISTS OF INTANGIBLE CULTURAL HERITAGE, MOW, WORLD
16 NETWORK OF BIOSPHERE RESERVES, AND GLOBAL
17 GEOPARKS;

18 O. BANGSAMORO COMMISSION FOR THE PRESERVATION OF
19 CULTURAL HERITAGE - BANGSAMORO AUTONOMOUS REGION
20 IN MUSLIM MINDANAO (BCPCH-BARMM) FOR THE HISTORY,
21 CULTURE, ARTS TRADITIONS, AND THE RICH CULTURAL
22 HERITAGE OF THE BANGSAMORO PEOPLE AND THEIR
23 SULTANATES, SUCH AS THOSE OF SULU, MAGUINDANAO,
24 KABUNTALAN, BUAYAN, THE ROYAL HOUSE OF RANAO AND OF

1 THE IRANUM, AND THE NON-MORO INDIGENOUS PEOPLES OF
2 THE BANGSAMORO AUTONOMOUS REGION; AND

3 P. PHILIPPINE INSTITUTE OF TRADITIONAL AND
4 ALTERNATIVE HEALTH CARE (PITAHC) OF THE DEPARTMENT
5 OF HEALTH FOR THE RESEARCH, DOCUMENTATION, AND
6 INVENTORY OF PHILIPPINE TRADITIONAL MEDICINE AND
7 PRACTICES IN HEALTH; AND FOR THE RESEARCH ON AND
8 FURTHER DEVELOPMENT OF TRADITIONAL HERBAL MEDICINE
9 AND HERBAL PRODUCTS

10 SEC. 16. *CULTURAL MAPPING BY ICCs/IPs* - ICCs/IPs SHALL,
11 IN THE EXERCISE OF THEIR RIGHTS TO SELF-GOVERNANCE,
12 EMPOWERMENT, AND CULTURAL INTEGRITY, HAVE EVERY
13 RIGHT TO CONDUCT A COMPREHENSIVE CULTURAL MAPPING
14 OF THEIR TANGIBLE AND INTANGIBLE HERITAGE, WHETHER
15 OR NOT LOCATED WITHIN THEIR ANCESTRAL
16 LANDS/DOMAINS. THEY MAY SEEK ASSISTANCE FROM
17 NONGOVERNMENT ORGANIZATIONS, CULTURAL
18 ORGANIZATIONS, ACADEMIC AND PRIVATE INSTITUTIONS IN
19 THE UNDERTAKING OF CULTURAL MAPPING ACTIVITIES.
20 ICCs/IPs SHALL COORDINATE WITH THE AGENCIES LISTED
21 IN SECTION 15 OF THIS ACT IN RELATION TO THEIR
22 RESPECTIVE MANDATES. THE NCIP AND THE COMMISSION
23 SHALL PROVIDE NECESSARY REGULATIONS TO GOVERN
24 THESE ACTIVITIES, AND SHALL SUPPORT ICCs/IPs BY

1 PROVIDING NECESSARY RESOURCES. THE ICCs/IPs SHALL
2 ALSO HAVE EVERY RIGHT TO DETERMINE WHETHER THEIR
3 CULTURAL MAP SHALL BE ENTERED IN WHOLE OR IN PART
4 INTO THE PHILIPPINE REGISTRY OF CULTURAL PROPERTY.

5 **SEC. 17. CULTURAL MAPPING, RESEARCH, AND PLANNING**
6 ***DIVISION.*** - THERE SHALL BE CREATED A CULTURAL
7 MAPPING, RESEARCH, AND PLANNING DIVISION IN THE
8 COMMISSION WHICH SHALL BE HEADED BY A DIVISION
9 CHIEF. THE OFFICE SHALL BE THE REPOSITORY OF THE
10 CULTURAL MAPPING OUTPUTS AND OTHER CULTURAL AND
11 ARTS-RELATED RESEARCH AND SHALL FACILITATE THE
12 CONDUCT OF TECHNICAL ASSISTANCE AND CAPACITY-
13 BUILDING WORKSHOP AND COORDINATION WITH LOCAL
14 GOVERNMENT UNITS AND OTHER SECTORS AND
15 COMMUNITIES IN NEED OF SUCH.

16 Sec. [~~15~~] **18.** *Conservation of Cultural Property.* - xxx

17 Sec. [~~16~~] **19.** *Documentation and Preservation of Traditional and*
18 *Contemporary Arts.* - xxx

19 Sec. [~~17~~] **20.** *Systematic Research in Natural History.* - xxx

20 Sec. [~~18~~] **21 .** *Heritage Agreements.* - xxx

21 Sec. [~~19~~] **22.** *National Inventory of Intangible Cultural Heritage.* - xxx

22 Sec. [~~20~~] **23.** *Immovable National Cultural Treasures.* - xxx

23 Sec. [~~21~~] **24.** *Indigenous Properties.* - xxx

1 Sec. [27] **30.** *Visitorial Powers.* - xxx

2 Sec. [28] **31.** *Power to Deputize Other Government Agencies.* - xxx

3 Sec. [29] **32.** *Power to Recover Cultural Properties.* - xxx

4 Sec. [30] **33.** *Anthropological Research and Archaeological*
5 *Exploration/Excavation.* - xxx

6 ARTICLE VIII

7 ROLE OF CULTURAL AGENCIES

8 Sec. [31] **34.** *Responsibilities of Cultural Agencies for Designation of*
9 *Cultural Property.* - The cultural agencies, in [conformity]
10 **ACCORDANCE** with their respective charters and mandates, shall
11 define and delineate their respective areas of responsibility with respect
12 to cultural [property] **PROPERTIES, ESPECIALLY WITH RESPECT**
13 **TO [and]** assessment [of national cultural treasures and national
14 historical landmarks, sites or monuments. These areas shall be subject
15 to periodic re-assessment whenever necessary] **AND DECLARATION**
16 **UNLESS OTHERWISE PROVIDED BY LAW.**

17 For purposes of this Act, the following **CULTURAL AGENCIES**
18 shall be [the responsibilities of cultural agencies in] **RESPONSIBLE**
19 **FOR** the categorization of cultural property:

20 (a) **THE COMMISSION, AS A CULTURAL AGENCY, SHALL BE**
21 **RESPONSIBLE FOR ENSURING THE PROPER**
22 **IMPLEMENTATION OF ALL LAWS PROTECTING PHILIPPINE**
23 **CULTURAL HERITAGE;**

1 ~~[(a)]~~ (b) The ~~[Cultural Center of the Philippines]~~ **CCP** shall be
2 responsible for significant cultural property pertaining to the performing
3 arts;

4 ~~[(b)]~~ (c) The ~~[National Archives of the Philippines]~~ **NAP** shall be
5 responsible for significant archival materials;

6 ~~[(e)]~~ (d) The ~~[National Library]~~ **NLP** shall be responsible for rare and
7 significant contemporary Philippine books, **AND** manuscripts such as,
8 but not limited to, presidential papers, periodicals, newspapers, singly
9 or in **THE** collection, and libraries and electronic records;

10 ~~[(d)]~~ (e) The ~~[National Historical Institute]~~ **NHCP** shall be responsible
11 for significant movable and immovable cultural property that pertains
12 to Philippine history, heroes, and the conservation of historical
13 artifacts;

14 ~~[(e)]~~ (f) The ~~[National Museum]~~ **NMP** shall be responsible for
15 significant movable and immovable cultural and natural property
16 pertaining to collections of fine arts, archaeology, anthropology,
17 botany, geology, zoology and astronomy, including its conservation
18 ~~[aspect]~~ **COMPONENT**; ~~[and]~~

19 ~~[(f)]~~ (g) The ~~[Komisyon sa Wikang Filipino]~~ **KWF** shall be responsible
20 for the dissemination development, and ~~[the]~~ promotion of the Filipino
21 national language and the conservation of ethnic languages[-]; **AND**

22 **(h) THE FDCP SHALL BE RESPONSIBLE FOR SIGNIFICANT**
23 **PHILIPPINE AUDIO-VISUAL MATERIALS, ESPECIALLY THOSE**
24 **PERTAINING TO FILM AND THE BROADCAST ARTS.**

1 Sec. ~~[32]~~ **35. Institutional Linkages of the National Cultural Agencies.** -

2 The cultural agencies and other national government agencies, as
3 listed below, shall consult, coordinate, and work closely with the
4 Commission in the implementation of their respective
5 programs/projects in ~~[the context of]~~ **ACCORDANCE WITH** this Act.

6 Furthermore, the Commission may link up with other agencies and
7 institutions, as it may deem appropriate, as a ~~[way of dealing with]~~
8 **HOLISTIC APPROACH TO** conservation ~~[in a holistic manner]~~:

9 (a) The ~~[Department of Tourism]~~ **DOT** and its attached agencies,
10 which shall be responsible for cultural education among tourism
11 services ~~[,]~~ and protection of cultural properties ~~[supplemental]~~ **IN**
12 **ADDITION** to the jurisdiction of the cultural agencies as defined ~~[in]~~
13 **BY** this Act. The **FORMULATION AND** implementation ~~[and creation]~~
14 of a tourism master plan shall be consistent with **THE PROVISIONS**
15 **OF** this Act;

16 (b) The ~~[Intramuros Administration]~~ **IA**, which shall be responsible for
17 the restoration and administration of the development ~~[in]~~ **WITHIN**
18 Intramuros;

19 (c) The ~~[National Parks Development Committee]~~ **NPDC** as an
20 attached agency of the Department of Tourism, which shall be
21 responsible ~~[in]~~ **FOR** supervising the development (beautification,
22 preservation, and maintenance) of ~~[the Quezon Memorial, Fort~~
23 ~~Santiago, Luneta]~~ **RIZAL PARK**, Paco Park, ~~[Peek-ni Maria Makiling~~

1 ~~and other national parks and satellite projects]~~ **AND OTHER PARKS**
2 **THAT MAY BE ASSIGNED TO IT;**

3 (d) The ~~{Department of Education}~~ **DepEd**, which shall be responsible
4 ~~[in instituting the governance of basic education act]~~ **FOR**
5 **IMPLEMENTING THE BASIC EDUCATION ACT** and the
6 conservation and restoration of its built heritage, ~~[such as]~~
7 **INCLUDING** the significant Gabaldon school buildings as ~~[determined~~
8 ~~by the National Historical Institute]~~ **GOVERNED BY THE**
9 **PROVISIONS UNDER THE GABALDON SCHOOL BUILDING**
10 **CONSERVATION ACT;**

11 (e) The ~~{Department of Public Works and Highways}~~ **DPWH**, which
12 shall be responsible ~~[in]~~ **FOR** undertaking major infrastructure projects
13 specifically in the planning, design, construction, and maintenance of
14 national roads and bridges as they impact on heritage structures or
15 aspects of heritage conservation;

16 (f) The ~~{National Commission on Indigenous Peoples}~~ **NCIP**, ~~[in]~~ **ON**
17 behalf of the country's indigenous cultural communities, which shall
18 coordinate with the national agencies on matters pertaining to cultural
19 properties under its jurisdiction;

20 (g) The ~~{Department of Environment and Natural Resources}~~ **DENR**,
21 which shall be responsible for the establishment and management of
22 the National Integrated Protected Areas System and the conservation
23 of wildlife resources, including cave and cave resources, **THE**
24 **MONITORING OF GRADE I AND II LEVEL NATURAL HERITAGE,**

1 and which shall coordinate with the (1) ~~{National Commission on~~
2 ~~Indigenous Peoples,}~~ **NCIP FOR** the conservation of natural resources
3 that are cultural sanctuaries of indigenous peoples, **AND (2) THE**
4 **UNESCO NATIONAL COMMISSION OF THE PHILIPPINES FOR**
5 **NATURAL HERITAGE INCLUDED IN THE WORLD HERITAGE**
6 **LIST, WORLD HERITAGE TENTATIVE LIST, WORLD NETWORK**
7 **OF BIOSPHERE RESERVES, AND GLOBAL GEOPARKS;**

8 (h) The ~~{Department of the Interior and Local Government}~~ **DILG,**
9 which shall coordinate with the national cultural agencies on matters
10 pertaining to cultural properties under its jurisdiction [~~7~~] and ensure
11 **PROPER IMPLEMENTATION [that] OF** the provisions of this Act [~~is~~
12 ~~properly executed~~] by [~~the~~] local government units**S;**

13 (i) The ~~{Office on Muslim Affairs}~~ **NATIONAL COMMISSION ON**
14 **MUSLIM FILIPINOS (NCMF)** which shall coordinate with the
15 national cultural agencies on matters pertaining to cultural properties
16 under its jurisdiction;

17 (j) The ~~{UNESCO National Commission of the Philippines}~~ **UNACOM,**
18 which shall [~~be responsible for providing~~] **ACT AS** the liaison between
19 the cultural agencies of the Philippines (**FOR CULTURAL HERITAGE**)
20 **OR THE DENR (FOR NATURAL HERITAGE)** and the UNESCO [~~as~~
21 ~~well as~~] **AND** assist the national cultural agencies **AND THE DENR** in
22 implementing the agreements and conventions adopted by the
23 UNESCO [~~of~~] which the Philippines has ratified or is in the process of
24 [~~ratification~~] **RATIFYING;**

1 (k) The ~~【Housing and Land Use Regulatory Board】~~ **DEPARTMENT OF**
2 **HUMAN SETTLEMENTS AND URBAN DEVELOPMENT (DHSUD),**
3 which shall coordinate with the local government units and the
4 Commission on matters pertaining to the establishment and
5 maintenance of heritage zones;

6 (l) The **GOVERNMENT OF THE BANGSAMORO** Autonomous Region
7 in Muslim Mindanao ~~【and the Cordillera Administrative Region】~~, which
8 shall coordinate with the national cultural agencies on matters
9 pertaining to cultural properties under their ~~【respective】~~ jurisdictions;
10 ~~【and】~~

11 (m) The Office of the Special Envoy on Transnational Crimes, which
12 shall have the oversight and operational capacity to go after illicitly
13 trafficked and stolen cultural treasures; **AND**

14 **(N) THE DFA, WHICH SHALL BE RESPONSIBLE FOR THE**
15 **OPERATIONALIZATION OF SENTROS RIZAL OVERSEAS**
16 **BRANCHES AS PART OF THEIR CULTURAL DIPLOMACY**
17 **PROGRAM."**

18 Sec. 2. ***Appropriations.*** - The amount of Two Hundred Fifty Million pesos
19 (P250,000,000.00) necessary to carry out the provisions of this Act shall be
20 appropriated from the funds not otherwise appropriated and are available in the
21 National Treasury. Thereafter, such sums as may be necessary for the continued
22 implementation of this act shall be included in the Annual General Appropriations
23 Act.

1 Sec. 3. ***Joint Congressional Oversight Committee.*** – There is hereby
2 created a Joint Congressional Committee (JCOC) to oversee, monitor, and evaluate
3 the implementation of this act. The JCOC shall be composed of five (5) members
4 each from the Senate and the House of Representatives, with the Chairpersons of
5 the Senate Committee on Culture and the Arts and House Committee on Basic
6 Education and Culture serving as Co-Chairpersons. The Senate President and the
7 Speaker of the House of Representatives shall designate the other four (4) members
8 of the JCOC from among the members of the Senate Committee on Culture and the
9 Arts and House Committee on Basic Education, *respectively*, one (1) member of
10 which shall be from the minority.

11 Sec. 4. ***Implementing Rules and Regulations.*** – Within sixty (60) days
12 from the effectivity of this Act, the Commission shall, in coordination with concerned
13 agencies of the government, promulgate the necessary rules and regulations for the
14 proper implementation of this Act.

15 Sec. 5. ***Separability Clause.*** – Any portion or provision of this Act that may
16 be declared unconstitutional shall not have the effect of nullifying other portions or
17 provisions hereof as long as such remaining provisions can still subsist and be given
18 effect.

19 Sec. 6. ***Repealing Clause.*** – All other laws, presidential decrees, executive
20 orders, and rules and regulations inconsistent with the provisions of this Act are
21 hereby repealed or modified accordingly.

22 Sec. 7. ***Effectivity.*** - This Act shall take effect after fifteen (15) days
23 following the completion of its publication in the Official Gazette or in a newspaper
24 of general circulation.

Approved,

A handwritten signature in black ink, located in the bottom right corner of the page. The signature is stylized and appears to be a combination of initials and a surname.