



**LEGISLATIVE RESEARCH SERVICE**  
**KEY POINTS OF PLENARY PROCEEDINGS**  
*Second Regular Session, 19<sup>th</sup> Congress*

**Session No. 34**  
**Monday, 4 December 2023**

**1. Senate Bill No. 2501 under Committee Report No. 173**

An Act Providing a New Separation, Retirement and Pension System for the Military and the Uniformed Personnel, and Appropriating Funds Therefor

Sponsor : Sen. Jinggoy Ejercito Estrada

**Sponsorship Speech of Senator Estrada**

Senator Estrada underscored that the bill balances the interests of the country's economic managers concerning tight fiscal limitations, honors the constitutional mandate of the military, and recognizes the peculiar nature of the work of uniformed personnel.

According to the Sponsor, any reforms to the prevailing pension scheme will only be limited to new entrants. Hence, whatever is being enjoyed by the current pensioners and whatever is expected by those currently in active service will still be enjoyed and received by them.

The new entrants will be covered by a more sustainable pension regime that is assured of adequate funds for the retirement of MUPs, not dependent on the government's limited capacity to set aside funds therefor, and is self-sufficient for the welfare and varied needs of the retired MUOs in the future.

The Sponsor stated that under the bill, retirement pay will be pegged to a maximum of 90% of the base pay and longevity pay for all MUP from the current 75% and 85%. Furthermore, he said, that there will be no automatic indexation, but there can be annual adjustments in pensions depending on the fiscal and economic conditions of the country.

To ensure that the new system will not fail like what happened to the Retirement and Separation Benefits System (RSBS), the following are provided in the bill:

- 1) New entrants will now have contributions equivalent to 7% of military personnel's base pay and longevity pay, while 9% from the uniformed services. The contribution from the national government is 14% and 12%, respectively.
- 2) Unlike in the RSBS, where contributions may be refunded, including the interest, the bill does not allow such a refund. Instead, separation pay will be provided to those leaving the service.

- 3) An oversight committee, which will include the GSIS and the MUP agencies, will manage the trust fund.

**Manifestation of Senator Villanueva that the cosponsorship speeches of Senators Gatchalian, Revilla, and Legarda be inserted into the *Record***

## **2. Privilege Speech of Senator Dela Rosa**

Senator Dela Rosa strongly condemned the bombing in Marawi City last Sunday, when an improvised explosive device exploded at the Dimaporo Gymnasium of the Mindanao State University during the celebration of a mass to welcome the First Sunday of Advent, killing four people and injuring 45 others. He then offered his heartfelt condolences to the families of the victims and strongly condemned what he described as a meaningless, barbaric, and cruel act of terrorism, an unforgivable act of violence, taking the lives of innocent lives without remorse and in the insidious guise of a noble cause.

The Senator lamented that this recent terroristic and evil act had disturbed the long-standing peace shared by both Muslims and Christians alike at the university, destroying the gains of the government in addressing terrorism, especially through the passage of the Anti-Terrorism Act, which the Supreme Court already upheld despite efforts of some to have it invalidated.

In the face of this evil called terrorism, Senator Dela Rosa urged the Armed Forces of the Philippines and the Philippine National Police to keep doing what they do best – protect the people – and ensure that such acts of terror would be stopped. He also urged the local government units, as partners of the military and law enforcement agencies, to keep an extra watchful eye over their respective jurisdictions and constituents.

In closing, Senator Dela Rosa urged the nation to pray, not to lose faith because terrorists succeed only when the citizenry allows themselves to be paralyzed by terror. He said that unity in this time of sorrow would send a clear signal to the perpetrators that they have failed. Let the victims of this horrific incident, he said, become the symbol of solidarity and commitment of the government to shed light on the cause of this tragedy and hold accountable those who perpetrated this terrorist act.

### **Manifestation of Senator Villanueva**

Senator Villanueva associated himself with the privilege speech of Senator Dela Rosa as he extended his sincerest condolences and prayers to the families who lost their loved ones in this incident. He strongly condemned and denounced this heinous, senseless, and cowardly act of violence against innocent individuals who were gathered to celebrate their faith in the most solemn way inside a state university that aims to divide the nation and assault the people's shared values of harmony, peace, and coexistence.

Finally, the Senator called on the AFP, the PNP, and the other government agencies to try to find the perpetrators and deliver justice for all.

### **Manifestation of Senator Legarda**

Senator Legarda associated herself with the speech of Senator Dela Rosa, saying that she was deeply grieved over the loss of lives and the injuries caused by the explosion inside the MSU gymnasium while a mass was being celebrated.

As she strongly condemned this barbaric act of terrorism, the Senator took note of the President's order for the AFP and the PNP to closely collaborate with local law enforcement agencies in the conduct of a swift and thorough investigation of this incident. She also expressed her support for the actions taken by the Bangsamoro Government in providing immediate response and assistance to the victims.

Finally, Senator Legarda offered her deepest and heartfelt condolences to the families of the victims.

### **Manifestation of Senator Gatchalian**

Senator Gatchalian stated that as the Senate stands united in grief, outrage, and condemnation over the heinous and despicable bombing in Marawi, he believed that targeting a place of prayer within the confines of the university where worshippers, including students and members of the faculty, convened in the pursuit of spiritual solace, was an abomination. It was more than an attack not just on a place of worship but also at the core of the university itself, an institution dedicated to nurturing the very essence of humanity such as peace, tolerance, and profound respect for diverse beliefs among the learners.

He then called for a thorough investigation to swiftly ensure the perpetrators were brought to justice. He also urged everyone to stand together to protect state universities from all acts of violence and any threat that may undermine their academic freedom and integrity. He said that they should not let this tragedy define or break them; they should rise from the ashes and rebuild their lives.

To the Islamic State militants who claimed responsibility for this attack, Senator Gatchalian told them that their attack on the innocent holds no justification and finds no place in society. He assured them that they will face the consequences of their crimes against humanity as justice will always prevail.

### **Manifestation of Senator Revilla Jr.**

Senator Revilla extended his condolences to the families of the victims of the recent bombing in Marawi City, which, he said, was not only senseless but also utterly ruthless.

He stated that those who signed their name in this depravity should not be given the satisfaction of gaining infamy for their wickedness. He then called on law enforcement agencies to act swiftly, find the perpetrators, and hold them accountable for their dastardly acts.

### **Manifestation of Senator Padilla**

Senator Padilla stated that one cannot be called a true Muslim if he does not live up to the word “Assalamualaikum,” and he thanked his colleagues for clarifying that religion did not play a part in this tragic incident because what happened in Marawi was against the teachings of Islam.

He also urged the government to intensify its efforts in addressing not only external threats but internal threats as well. He again thanked his colleagues for clarifying that what happened in Marawi had nothing to do with Islam.

### **Manifestation of Senator Tulfo**

Senator Tulfo likewise strongly condemned the recent bombing in Marawi City—indeed a heinous act that has no place in a civilized society. He urged everyone not to allow this kind of perpetrator to sow terror and destroy the gains that they collaboratively worked on to bring peace to the region.

He assured the people of Marawi, especially the victims, that he would continue to work and support all efforts for Marawi to rise again. He said that he stands united with all efforts to thoroughly investigate the incident and bring the perpetrators to justice.

### **Manifestation of Senator Go**

Senator Go strongly condemned the cowardly attack during a mass inside the Mindanao State University in Marawi that killed several innocent individuals and injured many others. He offered his heartfelt condolences to the families of those killed and wounded.

He urged everyone to remain united and not allow this crime to trigger sectarian hatred and further animosity among the Filipino people, and that they must not let another terrorist act derail efforts of achieving long-term peace and development in Marawi City, where people of different faiths have historically coexisted in harmony and mutual respect.

### **Manifestation of Senator Hontiveros**

Senator Hontiveros stated that she was one with the nation in condoling with the families of all the victims of the terror bombing incident in Marawi City and in seeking justice for them from the Islamic State and those behind this incident. According to her, the bombing incident sought to sow divisiveness and loss of trust among the Filipino people.

Senator Hontiveros said that she stands united with the privilege speech of Senator Dela Rosa in condemning this terror attack and in supporting all efforts to find the truth and bring justice to the victims.

### **Manifestation of Senator Tolentino**

Senator Tolentino joined his colleagues in collectively condemning this reprehensible act of violence that took place inside the Mindanao State University. He said it was about time they strove for a Philippines where campuses would be sanctuaries of learning, not scenes of sorrow.

### **Manifestation of Senator Ejercito**

Senator Ejercito stated that earlier, he filed Proposed Senate Resolution No 875 condemning the recent bombing at MSU Marawi and likewise urging the military and other law enforcement agencies to undertake the necessary steps to bring the perpetrators to justice.

### **Manifestation of Senate President Zubiri**

Senate President Zubiri confessed that he was deeply heartbroken, especially because he felt all the efforts, sacrifices, and hard work that he, along with the other members of the Senate, had invested in the enactment of the Bangsamoro Organic Law which they believed was a political solution that would bring a just and lasting peace in the region, were being put to naught by this recent incident in Marawi.

He also mentioned the law that he principally authored, which created the National Commission of Muslim Filipinos with its head holding a Cabinet rank, in order to give the Muslim community a voice in the Cabinet, as well as the Eid al-Adha Law that urged the nation, the Muslims in particular, to observe this very holy day of the Muslim faith.

The Senate President believed that they have not been remiss of their duties, nor have they failed insofar as responding to the needs of their Muslim brethren. Thus, he appealed to the Bangsamoro Autonomous Government to hold the national government in hunting down those who perpetrated this tragic bombing in Marawi. He also urged the government to use everything at its disposal to ensure that those behind this incident are apprehended and brought to justice.

In conclusion, Senate President Zubiri ordered the Senate Secretary to invite the Department of National Defense, the Armed Forces of the Philippines. The Philippine National Police, National Security Agency, and the National Intelligence Coordinating Agency will brief the Senate in an executive session regarding the situation in Marawi.

### **Manifestation of Senator Cayetano (P)**

Senator Cayetano (P) joined her colleagues in expressing their deepest sympathies for the loss of lives, the injuries, and the trauma that the people of Marawi City, particularly those attending the mass in MSU, went through. She also joined the call for the authorities to take immediate action.

### **3. Senate Bill No. 2492 under Committee Report No. 172**

An Act Declaring the Maritime Zones Under the Jurisdiction of the Republic of the Philippines

Sponsor : Sen. Francis "Tol" N. Tolentino  
Cosponsors : Sen. Joel Villanueva  
Sen. Loren B. Legarda  
Sen. Juan Miguel "Migz" F. Zubiri  
Sen. Win Gatchalian  
Sen. Ramon Bong Revilla Jr.  
Sen. Ronald "Bato" Dela Rosa

#### **Interpellation of Senator Dela Rosa**

At the outset, Senator Dela Rosa asked why a maritime zones law was needed. In reply, Senator Tolentino stated that the Maritime Zones Law will:

1. Enable the establishment of the metes and bounds of the Philippine maritime jurisdictions under the UNCLOS and other relevant international laws and identify the geographic areas over which the Philippines can exercise its full sovereignty, exclusive sovereign rights, or specific jurisdictions;
2. Set clear parameters for administrative and enforcement agencies, specifically the National Mapping and Resource Information Authority (NAMRIA), Philippine Navy, Philippine Coast Guard, PNP Maritime Group, and the Bureau of Fisheries and Aquatic Resources to perform their functions in the field for securing the country's maritime domain and protecting the maritime resources for the exclusive benefit of Filipinos; and
3. Ensure that the Philippines asserts and exercises sovereign rights of the Philippines not only over its legal 200-nautical mile continental shelf but also lays the basis for the extended continental shelf beyond 200 nautical miles.

Regarding the effect of the Maritime Zones Law on the 2016 Arbitral Ruling, Senator Tolentino explained that the law would put into effect the 2016 Arbitral Award, which covers only the Philippines' maritime entitlements and not the territorial claims but leaves the parties the task of adjusting and implementing their laws and policies in ways consistent with the award. Thus, he said that we would have a law that would enable the country to include the establishment and delineation of our maritime zones.

As regards the implication of the Maritime Zones Law on the country's claim to Sabah, the Sponsor said that it would not have any effect in the same way that UNCLOS does not affect it. He further explained that UNCLOS does not settle territorial or sovereignty disputes between states.

The Majority Leader interjected and inquired how the bill would help address the encroachment of foreign vessels in the country's territorial waters. In reply, the Sponsor said that the law would provide the statutory basis for the exercise of rights and jurisdiction in the exclusive economic zone (EEZ) and would clarify to the entire international community that the Julian Felipe Reef is part of the country's EEZ since the metes and bounds would be clarified.

#### **4. Senate Bill No. 2455 under Committee Report No. 153**

An Act Revitalizing and Strengthening the Self-Reliant Defense Posture Program and Promoting the Development of a National Defense Industry Pursuant Thereto and Providing Funds Therefor

Sponsor : Sen. Jinggoy Ejercito Estrada  
Cosponsors : Sen. Juan Miguel "Migz" F. Zubiri  
Sen. Joel Villanueva  
Sen. Ronald "Bato" Dela Rosa

#### **Interpellation of Senator Pimentel**

Senator Pimentel asked about the budget implications of the bill should it become law, particularly the expenses necessary to implement it. In reply, Senator Estrada gave the following figures:

- Creation of the Office of Undersecretary for Defense Technology Research and Industry Development, including personnel services -- P 60 million
- Equipment and other supplies – P10 million
- Building – P 200 million
- Creation of the Defense Research Innovation Center, an in-house office – P300 million (initial requirement)
- Support facilities for government arsenal, power, and water supply – P430 million (initial requirement)

Asked how the Self-Reliant Defense Posture (SRDP) program will support the AFP Modernization Program (AFPMP) which has a year-after-year allocation of P50 billion, Senator Estrada explained that the SRDP would be integrated through the transfer of technology, its contracts would support the AFPMP, and some of its projects may be required to be manufactured within the country under the Horizon 3 of the AFPMP through offset arrangement.

As regards foreign currency savings, should the AFP limit the imported components of the defense items that are going to be manufactured within the country, the Sponsor admitted that not all raw materials are available in the country, thus the need to encourage local suppliers to set up shop within the country.

Meanwhile, Senate President Zubiri added that the local shipping industry, which will not only be selling steel boats to the military but fishing boats as well, could already manufacture said boats in the country given that steel is available locally.

The Sponsor noted that the Senate President could be referring to the dual use of technology. Similarly, Senator Pimentel said that the DND researchers and scientists could find a way for their in-house research to be used for civilian or commercial purposes. However, he suggested that the language of the bill should be constructed in a way that the ultimate user of the defense items created under the SRDP should be the government, the defense establishment in particular.

As regards the information that the Government Arsenal is currently unable to provide greater than 10% to 20% of the AFP's annual ammunition needs because of a chronic lack of raw material, Senator Estrada confirmed, attributing it to the Procurement Law, which allows the lowest bidder to win, resulting in inferior quality, as well as the lack of raw materials and lack of funding for new machinery.

Senator Pimentel stated that the SRDP should offer incentives, for instance, exemption from VAT so that locators or investors are encouraged to invest in the country. The Sponsor replied that Senate President Zubiri would propose an amendment regarding precisely on VAT exemption.

Senator Pimentel predicted that with the SRDP, the number of arms manufacturers would increase, so he asked if there would not be a problem with the country's compliance with the Arms Trade Treaty. Senator Estrada stated that the Committee contextualized the SRDP within the framework of the Arms Trade Treaty. The Senate President added that a penalty should be imposed on manufacturers violating the law or the treaty.

## **5. Senate Bill No. 2432 under Committee Report No. 118**

An Act Defining the Crimes of Agricultural Economic Sabotage, Providing Penalties Therefor, Creating the Anti-Agricultural Economic Sabotage Council, Repealing Republic Act No. 10845 or the Anti-Agricultural Smuggling Act of 2016, and For Other Purposes

Sponsor : Sen. Cynthia A. Villar

### **Amendments of Senator Pimentel**

The Minority Leader proposed and the Body approved, among others, the following amendments:

- On page 2, after Section 3 subparagraph (b), insert a new paragraph as the second paragraph of subparagraph (b) to read as follows:

THE TERM "BROKER" SHALL EXCLUDE LAWYERS AND ACCOUNTANTS ACTING AS INDEPENDENT LEGAL PROFESSIONALS IN RELATION TO INFORMATION CONCERNING THEIR CLIENTS OR WHERE DISCLOSURE OF INFORMATION WOULD COMPROMISE CLIENT CONFIDENCES OR THE ATTORNEY-CLIENT RELATIONSHIP: PROVIDED, THAT THESE LAWYERS AND ACCOUNTANTS ARE AUTHORIZED TO PRACTICE IN THE PHILIPPINES AND SHALL CONTINUE TO BE SUBJECT



TO THE PROVISIONS OF THEIR RESPECTIVE CODES OF CONDUCT AND/OR PROFESSIONAL RESPONSIBILITY OR ANY OF ITS AMENDMENTS.

- On page 3, line 6, after the word “Act”, delete the phrase “or existing laws or regulations”.

- On page 5, line 9, after subparagraph (2), appearing on lines 8 to 9, insert a paragraph to read as follows:

THE SALE OF TOBACCO PRODUCTS THIRTY PERCENT (30%) BELOW THE DPI SHALL RAISE THE PRESUMPTION THAT ACTS OF SMUGGLING HAVE BEEN COMMITTED.

- On page 5, line 20, after the word “fish”, insert a comma (,) as well as the word SALT.

- On page 6, line 6, before the word “All”, insert the phrase UPON EFFECTIVITY OF THIS ACT, comma (,).

- On page 6, line 8, after the word “business”, delete the phrase “upon effectivity of this Act”, and replace it with the phrase: AND SAFELY STORE THEM FOR FIVE (5) YEARS FROM THE DATES OF TRANSACTIONS, period (.).

- On page 8, line 4, which concerns subparagraph (g) of the third paragraph of Section 7, before the word “Transporting”, insert the word KNOWINGLY.

- On page 8, lines 15 to 16, delete the phrase “and relevant laws, such as, but not limited to”, and replace that phrase with the word PARTICULARLY.

- On page 8, line 16, after the word “documents”, insert the following phrase: AND PROOF OF PAYMENT OF DUTIES AND TAXES.

- On page 8, delete lines 28 to 29.

- On page 11, line 17, after the word “justification”, insert the phrase FOR THE UNREASONABLE PRICE INCREASE, SUCH AS, COST OF ACQUISITION AND SALES RECEIPTS,.

- On page 8, line 21, after the word “hours,”, delete the following phrase: “the product shall remain in constructive custody and shall be the subject of a criminal action to be filed”, and replace this with the following:

THE ENFORCEMENT GROUP SHALL IMMEDIATELY APPLY FOR A SEIZURE ORDER AND FILE THE RELEVANT CASE OR CRIMINAL ACTION IN COURT. PENDING THE ISSUANCE OR DENIAL OF THE SEIZURE ORDER, THE SUBJECT GOODS SHALL REMAIN IN CONSTRUCTIVE CUSTODY.

- On page 10, line 26, after the word “hours,”, delete the same phraseology: “the products shall remain in constructive custody and shall be the subject of a criminal action to be filed”, and replace this with the following:

THE ENFORCEMENT GROUP SHALL IMMEDIATELY APPLY FOR A SEIZURE ORDER AND FILE THE RELEVANT CASE OR CRIMINAL ACTION IN COURT. PENDING THE ISSUANCE OR DENIAL OF THE SEIZURE ORDER, THE SUBJECT GOODS SHALL REMAIN IN CONSTRUCTIVE CUSTODY.

- On page 11, line 21, after the word “increase” and comma (,), delete the phrase, “the products shall remain in constructive custody and shall be the subject of a criminal action to be filed”, and replace this with the following:

THE ENFORCEMENT GROUP SHALL IMMEDIATELY APPLY FOR A SEIZURE ORDER AND FILE THE RELEVANT CASE OR CRIMINAL ACTION IN COURT. PENDING THE ISSUANCE OR DENIAL OF THE SEIZURE ORDER, THE SUBJECT GOODS SHALL REMAIN IN CONSTRUCTIVE CUSTODY.

- On page 12, line 17, after the word “products,” insert the phrase SUCH AS COST OF ACQUISITION AND SALES RECEIPTS, OR DOCUMENTARY PROOF THAT STOCKS ARE WITHIN NORMAL INVENTORY LEVEL OR FINAL CONTRACTS OF SALE COVERING EXISTING STOCKS, WHICHEVER IS APPLICABLE UNDER THE CIRCUMSTANCES.

- On page 13, line 8, delete the phrase “penalized under Section 14 (D) of this Act” and replace it with the following: WILL CAUSE THE REVOCATION OF THE GRANT. THE GOVERNMENT SHALL THEN IMMEDIATELY REPOSSESS THE STORAGE FACILITY AND THE ERRING COOPERATIVES AND ASSOCIATIONS SHALL BE PERPETUALLY DISQUALIFIED FROM BEING GRANTED STORAGE FACILITIES BY THE GOVERNMENT.

- On page 13, lines 14 to 15, after the first “or” on line 14, delete the following: “are not prescribed by any law or rules, for the performance of any duty” and replace it with the following: UNJUSTIFIABLY EXTENDING THE CONSTRUCTIVE CUSTODY OF THE GOODS.

- On page 14, delete lines 22 to 26.

- On page 16, delete lines 12 to 13, which reads as follows: “All offenses punishable by life imprisonment under this Act shall not be bailable when evidence of guilt is strong.”

- On page 23, line 28, after the word “prescribe”, delete the phrase “based on the year of their respective imposed maximum penalty” and replace it with IN ACCORDANCE WITH ACT NO. 3326.

## **6. Senate Bill No. 2449 under Committee Report No. 137**

An Act Providing for Organizational Reforms in the Philippine National Police, Amending for the Purpose Republic Act No. 6975, Otherwise Known as

the "Department of the Interior and Local Government Act of 1990", as Amended, and Republic Act No. 8551, Otherwise Known as "Philippine National Police Reform and Reorganization Act of 1998"

Sponsor : Sen. Ronald "Bato" Dela Rosa  
Cosponsors : Sen. Ramon Bong Revilla Jr.  
Sen. Joseph Victor "JV" G. Ejercito

### **Interpellation of Senator Hontiveros**

Senator Hontiveros believed that the proposed measure should include an honest assessment of whether the present laws are sufficient to address the problem of police officers who harm or commit wrongdoing.

Adverting to Section 11, which seeks to amend Section 35 of the DILG Act of 1990 (RA 6975), Senator Hontiveros asked the Sponsor to explain what kind of coordination the Integrity Monitoring and Enforcement Group (IMEG) has with the PNP Internal Affairs Service (IAS). Senator Dela Rosa explained that as presently practiced, the IMEG, which is specifically trained for counterintelligence and interdictions, is responsible for the arrest of erring PNP personnel. While it is with the PNP-IAS that the corresponding administrative case is filed, and it is likewise authorized to file criminal cases if the evidence so warrants. He agreed to favorably consider any amendment that would institutionalize and, in the process, improve the coordination between the IMEG and IAS.

Senator Hontiveros noted that under Section 14, which seeks to amend Section 41 (b) of the DILG Act, the Chief PNP is authorized to immediately order the preventive confinement of any PNP personnel under investigation for or charged with a grave administrative offense or crime. She then recalled the case of Staff Sgt. Gerry Maliban, who, despite the issuance of a dismissal order for grave misconduct, remained in the service and was, in fact, involved in the killing of Jemboy Baltazar. She then asked if this provision was sufficient to prevent a similar case from happening again.

In reply, the Sponsor believed that the proposed amendment is a significant improvement compared to the present setup. He said that the bill could adopt the Philippine Coast Guard (PCG) model, which has a military style of disciplinary mechanism, noting that the PCG, like the PNP, is civilian in nature. The Sponsor also agreed with Senator Hontiveros to consider the idea of providing the PNP-IAS with expanded adjudicatory powers and fiscal autonomy and independence, provided it will not supersede the powers of the Chief PNP.

Senator Hontiveros pointed out that the National Advisory Group for Police Transformation and Development (NAGPTD) recommended empowering the PNP-IAS by giving it fiscal autonomy and independence. She also cited the other recommendations of the NAGPTD, to wit: a) strengthen the National Training Institute and the PNP Academy through adequate financial and logistical support; and b) upgrade the leadership of the Center for Police Strategy Management (CPSM) to directorial staff. She signified that she would present those recommendations in the form of amendments.

**The Session was adjourned at 7:56 p.m.**