



**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**  
**KAGAWARAN NG KAPALIGIRAN AT LIKAS YAMAN**



**MEMORANDUM**

**FOR** : **The Undersecretaries**  
Field Operations - Luzon, Visayas, and Environment  
Field Operations-Mindanao and Environment  
Policy, Planning, and International Affairs  
Legal and Administration

**The Directors**  
Legal Affairs Service  
Policy and Planning Service

**The Bureau Directors**  
Environmental Management Bureau  
Biodiversity Management Bureau  
Forest Management Bureau  
Land Management Bureau  
Ecosystem Research Development Bureau

**The Regional Executive Directors**  
Region IV-A, VII, XI, XII, CARAGA

**The Regional Directors**  
Environmental Management Bureau Regional Office  
Region IV-A, VII, XI, XII, CARAGA

**The OIC PENRO**  
Bohol, Region VII

**FROM** : **The Director**  
Legislative Liaison Office

**SUBJECT** : **ADDITIONAL ITEM IN THE AGENDA OF THE SENATE COMMITTEE ON ENVIRONMENT, NATURAL RESOURCES AND CLIMATE CHANGE PUBLIC HEARING ON EXPLOITATION ON CHOCOLATE HILLS NATURAL MONUMENT, UPPER MARIKINA RIVER BASIN PROTECTED LANDSCAPE, SIARGAO ISLAND PROTECTED LANDSCAPE AND SEASCAPE, AND MOUNT APO NATURAL PARK**

**DATE** : 25 March 2024

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In reference to the Memorandum dated 22 March 2024 entitled "INVITATION TO THE SENATE COMMITTEE ON ENVIRONMENT, NATURAL RESOURCES AND CLIMATE CHANGE PUBLIC HEARING ON EXPLOITATION ON CHOCOLATE HILLS NATURAL MONUMENT, UPPER MARIKINA RIVER BASIN PROTECTED LANDSCAPE, SIARGAO ISLAND PROTECTED LANDSCAPE AND SEASCAPE, AND MOUNT APO NATURAL

PARK" signed by the Undersecretary for Special Concerns and Legislative Affairs, this is to include another item in the agenda, as follows:

5) Privilege speech of Sen. Raffy Tulfo on the issues of illegal resort development and the environmental challenges besetting the Mt. Apo National Reserve, delivered in the plenary session last March 18, 2024.

Attached herewith is the revised agenda and a copy of the privilege speech of Sen. Raffy Tulfo for ready reference.

For information and guidance.

ROMIROSE B. PADIN



Republic of the Philippines  
**S E N A T E**

**COMMITTEE ON ENVIRONMENT, NATURAL RESOURCES  
AND CLIMATE CHANGE**  
joint with the  
Committee on Local Government

**PUBLIC HEARING**

April 3, 2024 (Wednesday)  
10:00 A.M., Sen. Pecson Room

**AGENDA**

- I. Call to Order
- II. Acknowledgment of Senators Present
- III. Acknowledgment of Guests/Resource Persons
- IV. Opening Statements of **SEN. CYNTHIA A. VILLAR**, Chairperson of the Committee on Environment, Natural Resources and Climate Change, and other Senator/s present
- V. Deliberations/Discussions on the following legislative measures:
  - 1) P.S. Res. No. 967 – Resolution Directing the Proper Senate Committees to Conduct an Inquiry, In Aid of Legislation, on the Reported Construction of Structures Within the Vicinity of the Chocolate Hills, with the End in View of Preserving Bohol's Protected Area and Major Tourist Attraction, *introduced by Sen. Maria Lourdes Nancy S. Binay*; and

- 2) P.S. Res. No. 970 – Resolution Directing the Appropriate Committee/s of the Senate, to Conduct an Inquiry into Reports on the Destruction of Chocolate Hills and Defacement by Tourist Resorts and Other Projects, *introduced by Sen. Joel Villanueva*; and
- 3) P.S. Res. No. 973 - Resolution Urging the Appropriate Senate Committee to Conduct an Inquiry in Aid of Legislation into the Construction of Resorts Within the Chocolate Hills Natural Monument (CHNM) With the End View of Reviewing Existing Policies, Procedures, and Standards to Ensure the Conservation and Protection of Our Protected Areas, *introduced by Sen. Loren Legarda*
- 4) P.S. Res. No. 976 - Resolution Directing the Appropriate Senate Committee to Conduct an Inquiry, In Aid of Legislation, on The Management Practices, the Presence of Tenurial Agreements, and the Protection Mechanisms or the Lack Thereof, Accorded to the Country's Protected Areas, In Light of Distressing Reports of Exploitation or Defacement of Certain Protected Areas, Such as the Upper Marikina River Basin Protected Landscape in Rizal, the Siargao Island Protected Landscape and Seascape in Surigao Del Norte, the Chocolate Hills Natural Monument in the Province of Bohol, the Mount Apo Natural Park in the Provinces of North Cotabato and Davao Del Sur, and Davao City Among Others, *introduced by Sen. Cynthia A. Villar*.
- 5) Privilege speech of Sen. Raffy Tulfo on the issues of illegal resort development and the environmental challenges besetting the Mt. Apo National Reserve, delivered in the plenary session last March 18, 2024.



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Department of Environment and Natural Resources  
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Addressee(s): Office of the Undersecretary for Policy, Planning and International Affairs (DENRCO - OUPPIA), LAS - Office of the Director (DENRCO - LAS OD), Office of the Undersecretary for Field Operations and Environment (OUFOE), Office of the Undersecretary for Field Operations-Mindanao (OUFOM), Office of the Undersecretary for Legal, Administration, Human Resources and Legislative Affairs (OULAHRLA), PPS - Office of the Director (DENRCO - PPS OD)

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**Republic of the Philippines**  
**SENATE**  
**Pasay City**

# JOURNAL

SESSION NO. 64  
MONDAY, 18 MARCH 2024

NINETEENTH CONGRESS  
SECOND REGULAR SESSION

PREPARED BY THE  
LEGISLATIVE JOURNAL SERVICE  
SENATE OF THE PHILIPPINES

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**SESSION NO. 64**  
Monday, March 18, 2024

**CALL TO ORDER**

At 3:15 p.m., the Senate President, Hon. Juan Miguel "Migz" F. Zubiri, called the session to order.

**PRAYER**

Sen. Mark A. Villar led the prayer, to wit:

Heavenly Father, we gather before You, seeking Your guidance and intercession as we open our session today, together with all of my colleagues here in this august Chamber, the entire Senate staff, our guests, and the Filipino people.

We wish for Your divine grace as we deliberate on measures and decisions that will aid our fellow Filipinos. We lift our hearts to You, united in the desire to faithfully accomplish our duties in accordance with Your will.

In the season of Lent, we are one in reflecting on Your sacrifice for all of us. We are humbly asking for Your forgiveness for our shortcomings and the lapses in our judgment.

Lord, we ask for Your amnesty for our moments of weaknesses and sins. We remain eternally in Your favor as we pay forward all the sacrifices that You have graciously made for us.

Almighty God, as we gather before You today, we also ask for Your divine intervention for our countrymen who are in despair and are in need of Your mercy and benevolence. We hope and pray that You provide peace and understanding for all strife and conflicts occurring in the country and around the world. We hope for Your guidance as we attempt to help them.

Our Heavenly Creator, we thank and praise You, humbly seeking You for a fruitful session today and the entire week. We offer this day to You, knowing that with Your presence and guidance, we can grasp a good understanding of the needs and demands of our nation and act on them dutifully.

This we raise in the praise and glory of Your Name in all of Your grace and honor.

In Jesus' Mighty Name, we pray.

Amen.

*JN*



**NATIONAL ANTHEM**

Everybody remained standing for the singing of the national anthem.

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

With 22 senators present, the Chair declared the presence of a quorum.

Senators Legarda and Lapid arrived after the roll call.

**ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS**

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

- Students and faculty of Manuel L. Quezon University;
- Students and faculty of Palawan State University;
- Mayor Leonard "Junjun" T. Escobillo and officials of Tampakan, South Cotabato;
- Mayor Michael R. Ramos and former Mayor Rodell R. Ramos of Batan, Aklan.

Senate President Zubiri welcomed the guests to the Senate.

**SUSPENSION OF SESSION**

Upon motion of Senator Villanueva, the session was suspended.

*It was 3:19 p.m.*

**RESUMPTION OF SESSION**

At 3:21 p.m., the session was resumed.

**APPROVAL OF SENATE BILL NO. 2572 ON THIRD READING**

Upon motion of Senator Villanueva, there being no objection, the Body considered, on Third Reading, Senate Bill No. 2572, copies of which were electronically distributed to the senators on March 15, 2024.

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

AN ACT ESTABLISHING THE BULACAN SPECIAL ECONOMIC ZONE AND FREEPORT IN THE PROVINCE OF BULACAN, CREATING FOR THE PURPOSE THE BULACAN SPECIAL ECONOMIC ZONE AND FREEPORT AUTHORITY, AND APPROPRIATING FUNDS THEREFORE.

Secretary Bantug called the roll for nominal voting.

### RESULT OF THE VOTING

The result of the voting was as follows:

#### *In favor*

Angara	Legarda
Binay	Marcos
Cayetano (A)	Padilla
Cayetano (P)	Pimentel
Dela Rosa	Poe
Ejercito	Revilla
Escudero	Tolentino
Estrada	Tulfo
Gatchalian	Villanueva
Go	Villar (M)
Hontiveros	Zubiri

#### *Against*

None

#### *Abstention*

None

With 22 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 2572 approved on Third Reading.

### MANIFESTATION OF SENATOR POE

In expressing her gratitude for the passage of the measure on Third Reading, Senator Poe delivered the following statement:

Allow me to say a few words of gratitude to everyone who helped pass this monumental measure.

First, our thanks to the authors: our Senate President Zubiri, Sen. Imee Marcos, who is actually the main author of this one, and Majority Leader Joel Villanueva, a real Bulakenyo who totally fought for what is best for his province; and the cosponsors: Senate President Pro Tempore Loren Legarda, Senators Ejercito, Dela Rosa, Go, and Pia Cayetano. They saw what the Bulacan Ecozone can bring to the Bulacan community and to the rest of the region.

I would also like to convey my gratitude to Senators Escudero, Gatchalian, and Cayetano (A). Special mention, of course, to Senator Escudero, who refined the bill, and also to Senator Cayetano (A), who really made sure that we read the bill not just once, twice, but three times and adhered to many constitutional provisions.

And to all other senators who manifested their support for this measure, thank you for seeing the BuZ's potential as a growth catalyst, not just the BuZ but the Bataan Economic Zone (BEZA), as a catalyst in the region. From the current state of these submerged wastelands, we believed they could be so much more.

Many thanks also, *salamat sa mga LGU na dumalo sa ating hearing at iyong iba na nagbigay ng position papers para ipaglaban kung ano ang makabubuti sa kanilang probinsya. At siyempre sa kanilang agencies rin na nag-submit ng kanilang position papers.*

To the Senate Secretariat at technical experts who worked overtime on this measure as well, including my staff who really spent so much time meeting with the different sectors for this, and for also drafting this bill, I am proud to say that through our collective brainstorming, we have crafted a vastly improved bill that adheres to the constitutional provisions on land conversion that balances economic growth with environmental protection, and that warrants greater LGU representation at its helm.

Just this morning, I witnessed the signing of the NAIA PPP project, and it brought about a lot of hope because I feel now the gateway of many visitors to our country will be much improved. The same way, I have high hopes with this ecozone, that it will spur investments, create more jobs, and will actually be a model not just here in the Philippines but all over Asia, that would hopefully increase our GDP.

So, with this measure, the Bulakenyos and the rest of the country can now expect a world-class economic zone that we can be proud of.

#### **EXPLANATIONS OF VOTE**

Following are the explanations of vote of the senators on Senate Bill No. 2572:

##### ***By Senator Pimentel***

Explaining his affirmative vote, Senator Pimentel underscored the importance of adhering to constitutional requirements, particularly concerning the economic viability test for Government-Owned and Controlled Corporations (GOCCs). He reminded the Body of his previous petition concerning the absence of an economic viability test for the Maharlika Investment Corporation, which is a GOCC.

The Minority Leader also cautioned against rushing the legislative process, citing a previous presidential veto of the same bill, and urged thorough compliance with the Constitution before finalizing the measure in the bicameral conference committee.

##### ***By Senator Estrada***

Senator Estrada stated that he voted in favor of the bill as it aligns with his campaign promise for job generation. He expressed optimism that the Bulacan Economic Zone would provide millions of job opportunities, echoing the sentiments previously articulated by Senator Poe during the debates.

##### ***By Senator Villanueva***

In explaining his affirmative vote, Senator Villanueva delivered the following statement:

As a true-blooded Bulaqueño, we wholeheartedly support the approval on Third Reading of Senate Bill No. 2572, or the Bulacan Special Economic Zone and Freeport Act. We thank and congratulate dearly our good and able sponsor, Sen. Grace Poe, for her diligence and hard work in pushing for this game-changing measure. We also thank, of course, our Senate President Juan Miguel "Migz" F. Zubiri, our colleagues for their expertise and valuable inputs, our Minority



Leader, and Senator Cayetano (A), for making this bill even more responsive to the needs of our constituents.

The creation of the Bulacan EcoZone, or BuZ, is groundbreaking as it could generate up to 1.2 million jobs for our people and bring in P37.84 billion to P130.9 billion of investments.

This Representation, especially our good sponsor, Sen. Grace Poe, also placed on record a number of times that concerned local government units were consulted and that they indeed support the creation of the Bulacan Zone. This is in addition to the expression of support already given by the Region III Regional Development Council.

With this particular measure that we just approved, the Province of Bulacan and concerned LGUs will be properly consulted, as emphasized by the sponsor during our deliberations. And that is why, again, we especially thank our colleague, Sen. Grace Poe, for agreeing with our proposal to increase the LGU representation in the Board of Directors of the Bulacan Special Economic Zone and Freeport Authority, or BEZA, and for accepting our amendments to promote the protection of environment and improved management of natural resources in the BuZ, as well as to ensure the transfer of technology and skills to Filipino workers through the implementation of an understudy and skills development program.

Furthermore, we thank our sponsor, Sen. Grace Poe, for agreeing with this Representation that there should be enough safeguards in the measure to guarantee that the creation and operations of the BuZ will be within the framework of our Constitution, the Local Government Code, and national development plans, policies, and goals.

*Sa atin pong cosponsorship speech para sa panukalang ito, atin pong ibinahagi ang ating paniniwala na marami pang maihahandog at napakalaki pa ang potensyal ng Lalawigan ng Bulacan upang higit pang makapag-ambag sa ating pambansang kaunlaran.* The passage of this measure is a step toward achieving this hope and vision.

Again, we vote "yes" to the creation of more economic investment "buzz" in the country—the Bulacan EcoZone "BuZ" Act.

#### **MANIFESTATION OF SENATOR VILLANUEVA**

Senator Villanueva manifested that Senator Cayetano (A) was voting "yes" with reservation and would submit his explanation of vote on Senate Bill No. 2572.

#### **APPROVAL OF HOUSE BILL NO. 8701 ON THIRD READING**

Upon motion of Senator Villanueva, there being no objection, the Body considered, on Third Reading, House Bill No. 8701, copies of which were electronically distributed to the senators on January 11, 2024.

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

**AN ACT ESTABLISHING A SENIOR HIGH SCHOOL IN PROGRESSIVE VILLAGE 3, BARANGAY BAYANAN, CITY OF BACOR, PROVINCE OF CAVITE, TO BE KNOWN AS THE PROGRESSIVE SENIOR HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR.**

Secretary Bantug called the roll for nominal voting.



**RESULT OF THE VOTING**

The result of the voting was as follows:

*In favor*

Angara	Padilla
Binay	Pimentel
Dela Rosa	Poe
Ejercito	Revilla
Estrada	Tolentino
Gatchalian	Tulfo
Go	Villanueva
Hontiveros	Villar (C)
Legarda	Villar (M)
Marcos	Zubiri

*Against*

None

*Abstention*

None

With 20 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 8701 approved on Third Reading.

**APPROVAL OF HOUSE BILL NO. 8702 ON THIRD READING**

Upon motion of Senator Villanueva, there being no objection, the Body considered, on Third Reading, House Bill No. 8702, copies of which were electronically distributed to the senators on January 11, 2024.

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

AN ACT ESTABLISHING AN ELEMENTARY SCHOOL IN PROGRESSIVE 15, BARANGAY MOLINO 2, CITY OF BACCOOR, PROVINCE OF CAVITE, TO BE KNOWN AS THE PROGRESSIVE ELEMENTARY SCHOOL, AND APPROPRIATING FUNDS THEREFOR.

Secretary Bantug called the roll for nominal voting.

**RESULT OF THE VOTING**

The result of the voting was as follows:

*In favor*

Angara	Padilla
Binay	Pimentel
Dela Rosa	Poe
Ejercito	Revilla
Estrada	Tolentino
Gatchalian	Tulfo
Go	Villanueva
Hontiveros	Villar (C)
Legarda	Villar (M)
Marcos	Zubiri

*Against*

None

*Abstention*

None

With 20 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 8702 approved on Third Reading.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Villanueva, the session was suspended.

*It was 3:37 p.m.*

#### **RESUMPTION OF SESSION**

At 4:57 p.m., the session was resumed.

#### **PROPOSED SENATE RESOLUTION NO. 933**

*(Continuation)*

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration, on Second Reading, of Proposed Senate Resolution No. 933, entitled

**RESOLUTION CONCURRING IN THE RATIFICATION OF THE 2005 CONVENTION  
ON THE PROTECTION AND PROMOTION OF THE DIVERSITY OF  
CULTURAL EXPRESSIONS.**

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

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

#### **INTERPELLATION OF SENATOR PIMENTEL**

Asked by Senator Pimentel about the primary objective of the 2005 Convention, Senator Marcos explained that it aims to safeguard cultural diversity and the cultural industries, particularly in countries with vanishing cultures and indigenous communities. Furthermore, she emphasized the provisions on International Fund for Cultural Diversity (IFCD), which prioritizes equitable distribution by providing preferential treatment to developing countries.

She explained that the direct beneficiaries would be able to access from \$10,000 to \$50,000 of the \$10 million IFCD, which would be raised by convention signatories through an individual annual donation of \$7,325. She stated that there were currently over a hundred state parties to the Convention.

On whether the Philippines would still be a beneficiary while also contributing to the ICFD, Senator Marcos replied in the affirmative, adding that it would afford the country international presence, wider market access, and a broader scope of cultural expression.

Addressing concerns about the delayed ratification, Senator Marcos acknowledged the prolonged process, noting its initial consideration in 2008 but only discussed in 2014 through an

interagency organized by the Department of Foreign Affairs (DFA). She attributed the 19-year delay to administrative transitions and the necessity for concurrence from multiple agencies.

Responding to additional queries, Senator Marcos stated that no serious objections had been raised against the Convention, particularly given its favorable aspects of preferential treatment, market access, and eligibility for the funding. However, she noted a concern regarding the need to clarify the Philippine government's position on culture and creative industries. Considering the country's existing 64 laws pertaining to cultural products and expression, she underscored the need for an overarching framework for such endeavors.

Senator Pimentel remarked that membership and accession to the Convention would benefit the nation. Senator Marcos expressed her agreement, stating that clarity of focus and purpose would be enhanced by adhering to the 2005 Convention as the guiding international standard.

Adverting to Article 28 (*Point of Contact*), Senator Pimentel inquired about the designated agency for the Convention. Senator Marcos replied that it would be the National Commission for Culture and the Arts (NCCA).

In response to further queries, Senator Marcos explained that a signatory's main obligation would be to enforce, implement, and finance cultural laws. She lamented that despite the abundance of cultural laws, challenges persist in their enforcement and implementation, particularly in the realm of copyright. However, she expressed optimism regarding the Convention, noting the potential for the incorporation of a stand-alone copyright for indigenous materials as facilitated by the agreement.

She also emphasized that as a consequence, cultural diversity should be encouraged, vanishing cultures protected, and the exploitation of cultural products prohibited.

Senator Pimentel suggested an annual review of the government budget to prioritize and allocate actual funding for programs, activities, and projects aimed at achieving established goals. She also stated that the NCCA had proposed funding for additional personnel to address challenges in enforcing laws among indigenous populations across the archipelago.

Asked which agencies should be involved in ensuring the protection and promotion of cultural expression, Senator Marcos identified several key organizations: the Department of Trade and Industry (DTI) for its budget allocated to the creative industries, the Cultural Center of the Philippines (CCP), the Design Center of the Philippines (DCP), the National Historical Commission of the Philippines (NHCP), the National Commission on Indigenous Peoples (NCIP), and Film Development Council of the Philippines (FDCP). She emphasized that various forms of cultural expression such as performing arts, publishing, visual arts, digital arts, and others would be eligible for coverage under the fund.

Senator Pimentel urged the fulfillment of commitments made and commended Senator Marcos for her proactive approach in identifying government agencies crucial for safeguarding and promoting the diversity of cultural expression.

#### **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.

#### **SUSPENSION OF CONSIDERATION OF PROPOSED SENATE RESOLUTION NO. 933**

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

**MANIFESTATION OF THE CHAIR**

Senate President Zubiri manifested that Proposed Senate Resolution No. 933 would be brought to a plenary vote the next day.

**SUSPENSION OF SESSION**

Upon motion of Senator Villanueva, the session was suspended.

*It was 5:12 p.m.*

**RESUMPTION OF SESSION**

At 5:15 p.m., the session was resumed.

**SPECIAL ORDER**

Upon motion of Senator Villanueva, there being no objection, the Body approved the transfer of Committee Report No. 193 on Senate Bill No. 2558 from the Calendar for Ordinary Business to the Calendar for Special Orders.

**COMMITTEE REPORT NO. 193 ON SENATE BILL NO. 2558**

Upon motion of Senator Villanueva, there being no objection, the Body considered, on Second Reading, Senate Bill No. 2558 (Committee Report No. 193), entitled

**AN ACT STRENGTHENING LIVESTOCK, POULTRY, AND DAIRY INDUSTRY DEVELOPMENT AND COMPETITIVENESS, RATIONALIZING THE ORGANIZATION AND FUNCTIONS OF RELEVANT GOVERNMENT AGENCIES, AND CREATING A COMPETITIVENESS ENHANCEMENT FUND THEREFOR.**

Pursuant to Section 67, Rule XXIII of the *Rules of the Senate*, with the permission of the Body, upon motion of Senator Villanueva, 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 Villar (C) for the sponsorship.

**SPONSORSHIP SPEECH OF SENATOR VILLAR (C)**

In sponsoring Senate Bill No. 2558 under Committee Report No. 193, Senator Villar (C) delivered the following speech:

As chairperson of the Committee on Agriculture, Food and Agrarian Reform, I stand before you today to sponsor a piece of legislation which I undoubtedly believe is crucial toward unlocking the immense potential of our livestock, poultry, and dairy industry and ensuring the sustainable growth and development of our agriculture sector.

I am pleased to sponsor Senate Bill No. 2558 under Committee Report No. 193, or "An Act Strengthening Livestock, Poultry and Dairy Industry Development and Competitiveness, Rationalizing the Organization and Functions of Relevant Government Agencies and Creating a Competitiveness Enhancement Fund Therefor." This is the product of the two public hearings, three technical working group meetings, and several consultative meetings, which our committee conducted together with the Committees on Finance, and Ways, and Means. It is a 32-page substitute bill for Senate Bill Nos. 119, 792, 972, and 999, respectively filed by this Representation, Senators Estrada, Lapid, and Angara.



In sponsoring this measure, we endeavor to advance the development and competitiveness of the livestock, poultry, and dairy industry. The industry plays a vital role in ensuring our food security and accounts for more than a quarter of the agricultural sector output in 2023. It stimulates economic growth especially in rural areas and provides livelihood opportunities to more than 2.8 million livestock and poultry farmers.

Despite its importance, the LPD industry faces several challenges that hinder it from realizing its full potential. We know too well of the effect of disease outbreaks such as the African swine fever which has been afflicting our hog industry and decimating our pork supply since 2019. This has resulted in a significant increase in the prices of pork products. In recent years, we also had to rely on imported poultry to address the shortfall in chicken production amid increasing demand. Filipinos actually spend more for meat compared to our neighbors as the average prices of chicken and pork are more than twice as high in the Philippines than in Thailand and Vietnam.

Pork and chicken are the integral components of the Filipino diet, helping ensure a balanced intake of nutrients. It is estimated that 52% of our protein consumption comes from pork and chicken and this is projected to grow even higher to 58% in 2030. Thus, high meat prices could lead to protein deficiency and contribute to malnutrition. It could even affect our learning outcomes. In fact, as per findings of the Organization for Economic Cooperation and Development's (OECD) Programme for International Student Assessment (PISA), students from countries with higher pork and chicken prices tend to have lower test scores.

The Philippines is likewise struggling with dairy production and is heavily dependent on imported milk. There are very few commercial farms in the country and dairy production is mostly by backyard operators. In 2022, the National Dairy Authority (NDA) domestic dairy production was merely 30,028 metric tons or less than 1% of the total milk supply in the country. According to a 2022 study of the Philippine Institute for Development Study (PIDS), our daily productivity falls below those of major dairy milk exporters in the region. The Philippines produces on average only 6.8 liters of milk per animal per day versus Vietnam's 24.2 liters per animal per day and Thailand's production of 13.6 liters per animal per day.

One of the major reasons that have led us to this situation is the highly fragmented government support structure overseeing the LPD industry. The various agencies and bodies tasked with looking after the concerns of the sector include the Bureau of Animal Industry (BAI), the DA's Livestock Program, the National Dairy Authority (NDA), the National Meat Inspection Service (NMIS), and the Philippine Carabao Center. This fragmentation has resulted in uncoordinated policies and efforts in developing the competitiveness of the LPD industry. A study by the Philippine Institute for Development Studies (PIDS) in 2022 has suggested that a single entity over the LPD sector, by consolidation of related units and agencies in the national government, can help focus efforts and attain a unified perspective on industry development.

Moreover, when compared to other agricultural commodities, the LPD sector historically receives lower development assistance from the government. Computations by the PIDS show that from 2009 to 2020, fiscal support for the LPD sector averaged only P1.18 billion per year, accounting for merely 1.6% of the total budget of the Department of Agriculture for the period. While this amount has risen in recent years, with the National Livestock Program receiving P3.4 billion in the 2024 NEP, this is still a relatively small amount when compared to the other commodity banner programs of the DA.

With our country's growing population and increasing demand for food, we cannot allow for this situation to continue. Through Senate Bill No. 2558, we will set a clear and strategic direction for the LPD industry, strengthen the organizational structure and institutional capacity of relevant agencies, and ensure that adequate resources are provided to support the growth and competitiveness of the industry.

First, this measure aims to put in place a Philippine LPD Value Chain Development Roadmap which shall serve as a guidepost in the priority setting for the development, modernization, protection, and promotion of the LPD industry.

A Steering Committee that will formulate the Roadmap shall be created, with the Secretary of the Department of Agriculture as the head, relevant government agencies and industry stakeholders are members, and a Project Management Office (PMO) as the secretariat and support

staff. The Roadmap shall be finalized within 120 days from the effectivity of this legislative measure and updated every five years thereafter.

Second, the Office of the Undersecretary for the National Livestock, Poultry, and Dairy (NLPD) Program will be created to establish policies for the development of the LPD industries.

Third, to avoid a fragmented system, the proposed measure shall strengthen the existing government organizational structure serving the LPD industries:

1. The Bureau of Animal Industry (BAI) shall be the implementing arm of the National Development for the Livestock, Poultry, Dairy for its livestock and poultry development programs and projects. It shall be the overall coordinating government body in the event of any LPD pest or epidemic incident that could potentially reduce the LPD population or production at the municipal level;
2. The National Meat Inspection Service (NMIS) shall be converted into a line bureau of the DA and be renamed as the Bureau of Animal and Poultry Inspection and Regulation (BAPIR). It shall serve as the regulatory arm of the livestock, poultry, and dairy industry. So, one is for developmental, and the other is for regulatory. Right now, they are all regulatory;
3. The Animal Feeds, Veterinary Drugs and Biologics Council Service under the BAPIR shall become the sole regulatory agency over veterinary drugs and products and other related animal health products and devices. It shall be removed from the Food and Drug Administration;
4. The National Dairy Authority, or NDA, shall be the central policy determining, developmental, and regulatory body tasked to ensure the accelerated development of the dairy industry; and
5. The Philippine Carabao Center shall develop programs that address the needs of farmers, their cooperatives, and organization in the different aspects of the dairy production from carabao.

To enable timely and accurate responsive decision-making, there should be a livestock, poultry, and dairy management information system. It shall be the repository of all information that are relevant to LPD industries down in the municipal level.

And lastly, and most importantly, this proposed measure provides for the creation of a Livestock, Poultry, and Dairy Competitiveness Enhancement Fund, building on the model of the Rice Competitiveness Enhancement Fund established before, or the Rice Tariffication Law. Tariff collection from LPD imports will be earmarked to the LPD fund. It shall consist of an annual appropriation of P7.8 billion for the next six years. This amount will be utilized by relevant government agencies on top of their respective annual budgets.

The beneficiaries of the fund are small-hold raisers, cooperative associations, or organizations accredited by the Department of Agriculture. An LPD Registry System, the master list of eligible beneficiaries, will be established by the DA in consultation with farmer cooperatives and LGUs.

Each year, the LPD fund of P7.8 billion will be allocated to the following:

1. 29% for repopulation and herd build-up improvement;
2. 15% to BAI for animal health and welfare, and native animal development programs, disease control prevention, and response, including the protective surveillance, pest, and disease emergency response, and conduct of research and technology advancement programs;
3. 15% to the Philippine Center for Postharvest Development and Mechanization, or PhilMech, for building or improving shared service facilities such as slaughterhouses, poultry dressing plant, collection of dairy milk processing and storage for the distribution of equipment for developing pasture lands in strategic areas or provinces, and building of bio-secure facilities with appropriate equipment;
4. 15% for developing and augmenting food safety and animal support extension training;
5. 12% to be equally divided at 4% each among the BAI-Feeds Development Service, NDA, and PCC for the development and propagation of animal and poultry feeds, forage and fodder, particularly by providing seeds and planting materials, and ensuring easy and affordable access to small-hold farms;

6. 5% to the Land Bank of the Philippines and the Development Bank of the Philippines, to be managed equally and made available in the form of credit facility for the improvement of LPD;
7. 3% to the Office of the Undersecretary for the NLPD Program, to be divided at 2% for planning and updating the roadmap; and 1% for use in the establishment and operation of the Livestock, Poultry, and Dairy Management Information System (LPDMIS);
8. 3% to the DA-Agribusiness and Marketing Assistance Service for marketing and trade promotion activities to benefit livestock, poultry and dairy raisers;
9. 2% to be divided between the BAI-Livestock Research and Development Division for farm school-based and/or industry-driven research and 1% for PCC; and
10. Finally, 1% to the Cooperative Development Authority for the accreditation of small-hold livestock, poultry, and dairy raisers, into formal groups, cooperatives, or organizations.

To find out whether the Fund is reaching the intended beneficiaries and whether the LPD program is achieving its intended objectives, we are tasking the Congressional Oversight Committee on Agricultural and Fisheries Modernization (COCAFAM) to conduct a mandatory review, and our state think-tank, the PIDS, to do an impact evaluation of the program.

It is my hope that through these efforts, we would be able to provide adequate support to our raisers and farmers, boost our domestic production capabilities, and improve the competitiveness of our LPD industry. This would help ensure a steady supply of quality and affordable meat and milk products for everyone, everywhere, every day, and even during emergencies.

At this juncture, I would like to personally extend my sincerest thanks to Sen. Francis "Toi" N. Tolentino, Sen. Robinhood C. Padilla, and the Minority Leader, Sen. Aquilino "Koko" Pimentel III for attending the public hearings that we conducted last year.

I also express my deep gratitude to the members of the Committee on Agriculture, Food and Agrarian Reform and the Committees on Finance, and Ways and Means, respectively headed by Sen. Sonny Angara and Sen. Win Gatchalian, for their support to this bill.

This piece of legislation represents an opportunity for us to ensure that we can continue to feed our growing population at present and in the future. It is an intervention that could bolster the growth of our agriculture sector, generate employment, and improve the well-being particularly of those in rural communities.

Let us come together and pass this Livestock, Poultry, and Dairy Industry Development and Competitiveness Act.

Thank you very much to our Majority Leader, for helping us sponsor the bill.

### **MANIFESTATION OF SENATOR VILLANUEVA**

Senator Villanueva informed the Body that he takes pride in being a coauthor and cosponsor of the bill. He stated that the measure's objective is to propel the advancement and development of the agricultural industry, aiming to boost production in response to the nation's requirements. He added that the bill seeks to enhance income and uplift the livelihoods and welfare of those involved in the agricultural sector.

### **INSERTION OF COSPONSORSHIP SPEECHES**

Pursuant to the manifestation of Senator Villanueva, following are the cosponsorship speeches on Senate Bill No. 2558 which were inserted into the *Journal and Record of the Senate*:

*By Senator Villanueva*

This Representation is honored to cosponsor Senate Bill No. 2558, or the Livestock, Poultry, and Dairy Industry Development and Competitiveness Act. We would like to thank the chairperson of the Committee on Agriculture, Food, and Agrarian Reform, for her hard work on this important measure.

*z*

This bill, which this Representation also coauthored, is especially close to my heart given that, according to the Department of Agriculture during the budget hearing last year, Central Luzon is the largest producer of rice and livestock in the country. *Ang pagbibigay ng kaukulang pansin sa industriyang ito ay mabuting balita para sa mga Bulakenyo at mga kababayan natin sa mga karatig-probinsya.*

We closely monitored the hearing on this measure and one particular information struck me the most: For a period of six years, from 2015 to 2020, the livestock, poultry, and dairy sectors received an average annual budget of P3.2 billion or only 3.18% of the total budget of the DA. Compared to other commodities in the agriculture sector, this grouping has received very limited attention and assistance.

We also took note of the alarming report during the hearing that in 2021, our local dairy production only contributes to 1% of the local demand. We would like to emphasize that developing the dairy sector is investing in the future of our children. The Year One Report of ECDCOM II highlighted the significance of proper nutrition during the initial 1,000 days of life in ensuring optimal child development. The primary need of children during this stage of life is milk. Thus, it is also necessary to look at this low-dairy production issue from a child-development perspective. The critical link between nutrition and education is much too important to be ignored.

These are only a few of the many issues that beset the livestock, poultry, and dairy industry. This Representation also believes in instituting a catchup plan in order to maximize the industry's potential in generating employment and boosting production, thereby lessening our dependence on exports.

*Kaya hangad natin na sa pamamagitan po ng panukalang batas na ito, mapapayabong natin ang industriya at mapapaunlad ang kalidad at laki ng produksyon upang matugunan ang pangangailangan ng bansa. Layunin din po ng panukalang ito na maiangat ang kita at antas ng pamumuhay ng mga kababayan nating umaasa sa mga sektor na ito para sa kanilang kabuhayan.*

*Kaisa po ako ng ating sponsor sa pagnanais na agarang maipasa ang panukalang batas na ito.*

Thank you, Senator Villar. May God bless our country, especially our farmers.

**By Senator Revilla**

I rise today to co-sponsor Senate Bill No. 2558, or the "Livestock, Poultry, and Dairy Industry Development and Competitiveness Act" sponsored by the esteemed chairperson of the Committee on Agriculture, Food, and Agrarian Reform, Senator Cynthia Villar.

*Isa sa mga malalaking pangarap na gusto natin maabot mula noon hanggang ngayon ay ang pagiging self-sufficient ng ating agrikultura. Kasama tayo sa paniniwala na kapag self-sufficient tayo sa mga produktong agrikultura, hindi malabong maabot rin natin ang estado ng pagiging food secure.*

*Ngunit kung titingnan natin ang mga datos, malayo pa tayo sa ating pangarap. Malaking porsyento pa rin ng supply ng pagkain sa ating bansa ay imported. Hindi dahil preferred natin ang mga pagkaing dayuhan, lalo na ang karne, kundi dahil kulang ang ating lokal na produksyon na tunay ngang hindi sasapat sa konsumo ng ating bansa.*

That is the very reason why I support this crucial measure. This bill seeks to develop, protect, and promote our livestock, poultry, and dairy industries to increase our agricultural productivity. *Karamihan naman po siguro sa atin ay kumakain ng baboy, baka, manok, ilog, at iba pang mga produktong nakapaloob sa mga industriyang ito.* These are our staple sources of protein, the food we take to sustain our daily lives.

*Nagpapasalamat po ako dahil noong nakaraang linggo ay na-aprubahan na bilang batas ang Philippine Salt Industry Development Act. Sana naman po ay magtulong-tulong rin tayo para palakasin din ang livestock, poultry, at dairy industry.*

*Sikapin po natin na maging agriculturally self-sufficient ang ating bansa sa pamamagitan ng pagpapasa ng mga makabuluhang batas katulad nito.*

***By Senate President Zubiri***

As an agriculturist by education, it is my honor to co sponsor Senate Bill No. 2558, strengthening our livestock, poultry, and dairy industry development and competitiveness; rationalizing the organization and functions of relevant government agencies; and creating a competitiveness enhancement fund therefor.

For no matter how lively our livestock and poultry industries are today, they are still constantly besieged by a whole host of challenges, from the spread of diseases, to agricultural smuggling, to the rising costs of farm input.

These challenges bar us from achieving our goals of food safety, sustainability, and security, at times rendering us dependent on imports, even though, by all metrics, we have enough resources to be a competitive exporter in the Southeast Asian region.

And so we have decided to push for this bill, which will concretize our government's goals of strengthening our livestock, poultry, and dairy industries through the creation of a Value Chain Development Roadmap, to be headed by an Undersecretary for National Livestock, Poultry, and Dairy Program.

Given the wide scope of the livestock, poultry, and dairy industries, it is no longer feasible to simply leave it under the general ambit of the Department of Agriculture. We need to institute a more specialized system of governance over these industries, to really be able to oversee their growth and development.

This bill will also be instrumental in uplifting our small-holder farmers, by equipping them with proper government and infrastructure support to grow their livelihoods. I am proud to say that we in Bukidnon are the largest producers of poultry and swine in Mindanao, and I am confident that this bill will galvanize them to become even more productive and successful in the future.

Ultimately, it is our hope that with dedicated management and leadership, we will be able to push our country's livestock, poultry, and dairy industries to not only become productive enough to sustainably meet our own demands, but also productive enough to establish a competitive presence in the world market.

I enjoin my colleagues to support this measure with us, and help us ensure a food-secure future for every Filipino

***By Senator Legarda***

I rise today in full support of Senate Bill No. 2558 under Committee Report No. 193 or the Livestock, Poultry, and Dairy (LPD) Industry Development and Competitiveness Act.

The Philippines boasts abundant natural resources and a strong agricultural tradition. However, it is disheartening to observe that despite this, local agricultural production fails to adequately cater the food needs of the Filipino people.

The local dairy industry falls short, attending only to the 1% of its staggering 2.5 billion liter milk demand. Consequently, the nation heavily relies on imports, sourcing 99% of its dairy products from abroad.

The swine industry has been ravaged, and to date, has not fully recovered since the initial outbreak of African Swine Flu (ASF) in 2019. Unfortunately, new cases of this highly contagious disease continue to be reported this year.

Meanwhile, the country's chicken meat imports incurred a 3.8% growth in 2023, totaling 426,619 metric tons compared to 411,069 metric tons from the previous year.

These circumstances, among others, underscore that there remains a noticeable gap between domestic production and consumer demand. To mitigate this dependency and alleviate the prevailing trade deficit, the Philippines must bolster the competitiveness of the agriculture sector. There is an alarming need to propel the advancement of the livestock, poultry, and dairy (LPD) industries. This investment should be anchored on our long-term vision of achieving food security and self-sufficiency.

As a four-term Senator, I have legislated measures such as the Republic Act No. 10000 or the Agri-Agra Reform Credit Act, Republic Act No. 10068 or the Organic Agriculture Act and Republic Act No. 10618 or the Rural Farm Schools Act, among others, to fortify the foundation of the country's agriculture and to promote regenerative food systems. Efforts have been made to support the funding for agricultural programs, including the National Livestock Program, and for programs of institutions such as the Agricultural Credit Policy Council, the National Dairy Authority, and the Philippine Carabao Center, among others.

Up until now, there remains ample work yet to be done. The government must take a proactive approach, prioritizing not only regulations but also investing in the development of the livelihoods of our farmers, especially the small-holder ones. By fostering sustained growth in local food production, we can enhance productivity, ultimately improving the quality of life for all citizens.

We aspire for a nation where food security is guaranteed, where our farmers flourish and prosper. *Isang luntiang Pilipinas sa inyong lahat.*

### **COAUTHOR/COSPONSOR**

Upon his request, Senate President Zubiri was made a coauthor and cosponsor of Senate Bill No. 2558.

### **REMARK OF SENATE PRESIDENT ZUBIRI**

Senate President Zubiri stated that Bukidnon is one of the biggest producers of swine and poultry in Mindanao and that the stakeholders in his home province and the rest of Mindanao would be glad and supportive of the proposed measure.

### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 2558**

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

### **SPECIAL ORDER**

Upon motion of Senator Villanueva, there being no objection, the Body approved the transfer of Committee Report No. 211 on Senate Bill No. 2575 from the Calendar for Ordinary Business to the Calendar for Special Orders.

### **COMMITTEE REPORT NO. 211 ON SENATE BILL NO. 2575**

Upon motion of Senator Villanueva, there being no objection, the Body considered, on Second Reading, Senate Bill No. 2575 (Committee Report No. 211), entitled

**AN ACT ENSURING THE ALIGNMENT OF BASIC EDUCATION AND EARLY CHILDHOOD CARE AND DEVELOPMENT, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10410, OTHERWISE KNOWN AS THE "EARLY YEARS ACT (EYA) OF 2013," 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 Villanueva, only the title of the bill was read without prejudice to the insertion of its full text into the *Record of the Senate*.

Thereupon, the Chair recognized Senator Gatchalian for the sponsorship.

**SPONSORSHIP SPEECH OF SENATOR GATCHALIAN**

In presenting Senate Bill No. 2575 for plenary consideration of the Body, Senator Gatchalian delivered the following sponsorship speech:

I rise today to sponsor a proposed measure that not only seeks to unlock the boundless potential of our young children but also ignites the very essence of our country's future.

Young children below five years old are among the most vulnerable in our society. According to the Philippine Statistics Authority, the Philippines is projected to be the home of 11.1 million young children aged below five years old by July 2024. Yet, a stark reality casts a shadow over this future: only 5% of these young children were enrolled in child development centers (CDCs) during the School Year of 2022 to 2023. These figures underline the fact that our young ones are being left behind, with only a handful being serviced by CDCs. This is not the reflection of our efficient Early Childhood Care and Development System, especially with the limited fiscal space for ECCD.

As we nurture our young children, we are not only nurturing their individual growth but also the future of our nation. And within this journey lies the transformative power of early childhood education (ECEd). A number of studies proved that investment in quality ECEd sets a strong foundation for learning, leaving long-term positive impacts on children's education.

A longitudinal study conducted by UNICEF Philippines, published in 2021, revealed the positive impact of ECEd on mathematics, literacy, and socio-emotional skills for the first five school years after preschool. An assessment of the 2019 Trends in International Mathematics and Science Study further illustrates the profound effect of early childhood education and development on the performance of students later in life. Picture this: Grade 4 learners, who had the opportunity to frequently engage in early literacy and numeracy activities with their parents before even stepping foot into primary school, soared higher in mathematics and science compared to their peers who did not have the same privilege.

This evidence is further bolstered by the 2019 Southeast Asia Primary Learning Metrics survey, which reveals that Grade 5 learners who attended ECEd performed better in reading, writing, and mathematics assessments. It specifically highlights that one year of attendance in an ECEd program is correlated with an average increase of about six points in Grade 5 math test performance.

Another report by the UNICEF, entitled "A World Ready to Learn," released in 2019, underscored that young children who attended ECEd are "more likely to enter school on time, less likely to drop out or repeat grades, and more likely to complete primary and secondary school," emphasizing that such investment proves not only beneficial but also cost-effective by lessening the need for catch-up efforts.

Hence, the mandate of RA 10410, or the Early Years Act of 2013, to achieve universal coverage for ECCD is a tall order that this amendatory legislation has sustained and has now entrusted with both the ECCD Council and our local government units.

However, the potential of ECEd will remain untapped if it is not aligned with the K to 12 basic education curriculum. *Maihahambing natin ito sa paggawa ng 12 palapag na gusali na kung sa paglatag pa lang ng pundasyon ay palpak na, ano pa kayang tibay ang aasahan natin sa mga susunod na palapag nito?* As it stands, the responsibilities over ECEd and basic education are divided among different government agencies. ECEd falls under the jurisdiction of the Council while basic education is the responsibility of the Department of Education.

This division of responsibilities, while designed for clarity, creates hurdles in the seamless transition of our children from early childhood to formal schooling. The DepEd, despite chairing the Council, does not have jurisdiction over the implementation of ECEd. Child development teachers (CDTs) and child development workers (CDWs), who serve as the backbone of ECEd, are employed and supervised by local government units, usually under their city and municipal social welfare development centers. In simple terms, there is a gap that needs to be bridged.

This is where the amendatory bill, "Basic Education and Early Childhood Care and Development Act," steps in. It bridges this gap, ensuring and strengthening the learning continuum

between ECEd and basic education. It emphasizes that under the Early Years Act of 2013, ECCD has evolved from being a primarily social and welfare concern to a system that must be addressed holistically, with ECEd as a primary concern. Specifically, this proposed measure seeks to address the issues confronting the present ECCD system by introducing the following amendments to the Early Years Act of 2013:

First, this bill gives the Council additional functions, including ensuring the alignment between the basic education curriculum and ECCD curriculum. The Council, armed with this bill's additional mandate, spearheads the responsibility of promulgating national policies and implementing guidelines for ECCD programs. It is the architect of the ECCD blueprint.

The Council's responsibilities encompass a wide range of functions, which include the development of a national system for the recruitment of qualified CDTs, CDWs, and other service providers; issuance of minimum requirements for the establishment of ECCD programs and other innovations and alternative modalities; the conversion of existing public day care centers into CDCs; and administering the voluntary accreditation of public ECCD programs, among others.

But a blueprint alone cannot build a CDC. This is where our LGUs come in, the tireless builders who translate national policy into tangible programs on the ground. They are the ones who put the bricks and mortars—and most importantly, the heart—into early childhood care and development.

Through national policies promulgated by the Council, our LGUs bear the ultimate responsibility for achieving universal coverage for the national ECCD system. This means that even our most vulnerable and marginalized young children will be identified and supported. To achieve this goal, our LGUs are mandated to fulfill greater responsibilities. They must establish at least one CDC in every barangay, submit their respective roadmaps to the Council every three years, provide the facilities and resources for the implementation of ECC programs, create plantilla positions for CDTs and CDWs while also ensuring their professional development, supervise the service providers, monitor the implementation of ECCD programs, and administer the voluntary accreditation of private ECCD programs, among others.

Furthermore, this bill seeks to strengthen the composition of the Council. In this proposed amendment, the Secretary of the Department of the Interior and Local Government is designated as the *ex officio* vice chairperson, highlighting the DILG's crucial role in supervising the nation's local government units.

Additionally, the chairperson of the Commission on Higher Education is included as a member of the Council, recognizing the CHED's essential contribution to empowering CDTs and CDWs, thereby enhancing the overall quality of ECCD programs.

Beyond this amendment, this legislation introduces new provisions to bridge the gaps in the ECCD programs, including the disheartening reality of our ECCD service providers are grappling with. As per data from the DSWD as of January of 2023, among the 78,893 CDWs nationwide, it is estimated that a staggering 19% received a monthly honorarium of less than P1,000. *Sa madaling salita, halos isa sa bawat limang CDWs ang kumikita ng ganito kaliit na halaga. Sa patuloy na pagtaas ng presyo ng mga pangunahing bilihan, paano nila pagkakasyahin ang P1,000 sa loob ng isang buwan?*

Digging deeper into the figures, a mere 11% of them are permanent employees of LGUs. There is also a glaring lack of oversight over quality, hiring process, and performance of CDWs at the local level.

At its core, the bill mandates the employment of at least one CDT and one CWS in every CDC, acknowledging their indispensable role in the ECM, while every city and municipality shall create plantilla positions for CDTs and CDWs.

The local chief executive, in consultation with and as approved by the Civil Service Commission and Department of Budget and Management, will also set the guidelines for the salary grades, eligibility, qualifications, and duties and responsibilities of CDTs and CDWs. The minimum salary grades are set at Grade 11 for CDTs and Grade 8 for CDWs.

But this proposed measure goes beyond just ensuring that our CDTs and CDWs are adequately compensated. It paves the way for the professionalization of CDTs; the certification,



reskilling, and upskilling of incumbent CDWs; and the provision of scholarship opportunities for the continued education and growth of these service providers.

As a safeguard for quality, CDTs must hold a bachelor's degree and pass the Licensure Examination for Teachers (LET). CDWs, on the other hand, should have at least a senior high school diploma and pass a national competency assessment. Alternatively, CDWs can be high school graduates who have completed two years of tertiary education and earn a TESDA national certification for CDWs.

This bill also outlines the reskilling and upskilling of incumbent CDWs, offering them a pathway for professional growth through training programs and certification by the TESDA. It mandates the Council to develop scholarship program for continuing education of CDWs who seek to complete their bachelor's degrees and those who will be required to take the LET.

Further, this proposed measure requires every city and municipality to establish ECCD divisions. LGUs will be tasked with designing and implementing an organizational structure and staffing pattern that reflects the unique service requirements and financial capabilities of each locality.

Under the administrative supervision of the mayor, the ECCD division will oversee its day-to-day operations. This includes the critical role of supervising CDTs and CDWs, ensuring that they fulfill their duties and responsibilities effectively.

This bill likewise introduces a provision for the streamlining of ECCD services. One of the pivotal roles of the Council is to provide guidelines for this streamlining, taking into account critical factors such as the number of young children being serviced by each CDC, the physical accessibility of CDCs, and the availability of funds and resources of the LGUs, among others.

Streamlining measures may encompass innovative strategies such as clustering CDCs for multiple barangays, promoting both center-based and home-based programs and other alternative modalities as far as practicable. This is particularly crucial in areas where very few young children are serviced by CDCs and for LGUs with limited resources.

Finally, to further ensure that no young children will be left behind, this amendatory legislation seeks to address the issue of inequitable delivery of ECCD services due to the strengthened role of LGUs. The quality of ECCD services a young child receives relies heavily on financial resources, budget allocations, and political commitments of LGUs. *Sa madaling salita, nasa kamay ng mga lokal na pamahalaan ang paghahatid at pagsasakatuparan ng mga programang ECCD.*

In our pursuit of equitable and universal ECCD, particular ECEd, we must hold our LGUs to a higher standard of accountability. However, accountability should not stand alone. It should be coupled with support and capacity-building, especially for our poorest municipalities. The substitute bill's section on Appropriations addresses this very need. It provides that the annual General Appropriations Act shall include a specific allocation from the Local Government Support Fund. This allocation is intended to bolster the establishment of CDCs and hiring CDTs and CDWs in our fourth and fifth class municipalities.

By passing this proposed measure, we are not merely preparing our young children for their educational journey; we are also preparing them to succeed in the future as next leaders of our nation.

Before I end, allow me to thank the coauthors of this bill, Senate Majority Leader Joel Villanueva, Sen. Sonny Angara, Sen. Risa Hontiveros, and Sen. Ramon Bong Revilla Jr., for their contributions in drafting this significant legislation. As chairperson of the Senate Committee on Basic Education, I would also like to express my gratitude to the stakeholders from the public and private sectors for their active and spirited participation during the course of the public hearing and seven technical working group meetings.

Together, let us amplify the voices of our young children—the heartbeat of our nation. Let us build a future where they flourish, for in their laughter, curiosity, and energy lies the rhythm of hope.

**COSPONSORSHIP SPEECHES**

Upon motion of Senator Villanueva, there being no objection, the following cosponsorship speeches on Senate Bill No. 2575 were deemed read and inserted into the *Journal and Record of the Senate*:

***By Senator Villanueva***

*Una po sa lahat, nagpapasalamat po tayo sa chairperson ng ating Committee on Basic Education, Sen. Win Gatchalian, sa kanyang pangunguna upang mabigyang linaw at magbigay ng agarang tugon ang krisis sa edukasyon na kinakaharap ng ating bansa ngayon.*

Just over a decade ago, the Philippine government made a collective commitment to address the development needs of children aged zero to eight years old. This commitment resulted in the enactment of Republic Act No. 10410 or the Early Years Act of 2013—a critical step to investing in our children. We are reminded in the Bible many times how precious children are. Jesus even said, “whoever welcomes one of these little children in my name welcomes me.”

We recognize the tremendous impact of investing in children, not only in enhancing their education outcomes and employment prospects, but also in breaking the vicious cycle of poverty and enabling them to realize their full potential. To invest in our children is to invest in a brighter tomorrow for all of us.

It is critical to focus on early childhood care and development (ECCD), as from birth to age five, children’s brains are rapidly developing, forming connections at a rate unparalleled in later stages of life. It is during this period that fundamental building blocks for future learning, health, and behavior are established. By investing in ECCD, we lay the groundwork for a strong educational foundation and set the stage for future academic success, as quality ECCD interventions foster cognitive and social skills.

That is why it has been particularly concerning for this Representation to learn from the Second Congressional Commission on Education (EDCOM II) that we still face serious challenges that could undermine our efforts to safeguard our children’s futures. During the EDCOM consultations, we found that:

- First, early childhood education is not equally accessible throughout the country. Only 15,207 out of 42,027 barangays or 36% have a childhood development center (CDC)—*malayong-malayo pa sa requirement na bawat barangay ay dapat may child development center.*
- *Pangalawa, karamihan sa day care teachers at workers, kulang ang training sa early childhood education, at wala silang kasiguraduhan sa trabaho.* Eighty-nine percent of child development teachers and workers earn an average of a meager PhP5,000 per month, an amount which is less than the minimum wage.

Yet, in the face of adversity, we find opportunity.

Senate Bill No. 2575 aims to enhance early childhood education by partnering closely with local government units to empower provinces, cities, and municipalities to provide vital services to children. This measure also aims to professionalize child development practitioners, ensuring continuous training and creating permanent positions for them in each city and municipality.

Today, we are reminded of Filipino children whose futures, dreams, and aspirations are at stake. It is our duty as stewards of this great nation to guarantee every child the chance to thrive.

Thus, we urge our colleagues to collectively rally for the immediate passage of this bill.

***Senator Legarda***

It is with great pleasure to co-sponsor Senate Bill No. 2575 under Committee Report No. 211, entitled “An Act Ensuring the Alignment of Basic Education and Early Childhood Care and Development, Amending Republic Act No. 10410, Otherwise Known as the Early Years Act (EYA) of 2013, and Appropriating Funds Therefor.”



The proposed measure recognizes the undeniable importance of early childhood education in shaping a child's future success. It is during these formative years that children absorb and develop fundamental skills and competencies that will serve them throughout their academic journey and beyond.

However, challenges such as inequitable access and varying service quality due to decentralization underscore the urgent need for reform of existing laws. By mandating local government units (LGUs) to take a more proactive role in providing facilities and resources for ECCD programs, including the establishment or conversion of daycare centers into child development centers (CDCs), and ensuring the presence of at least one national CDC in every city or municipality, the bill aims to expand access to quality early childhood education for all.

As a dedicated advocate of quality education, I pushed for the enactment of the Enhanced Basic Education Act of 2013 and the Universal Access to Quality Tertiary Education Act, among several others aimed at enhancing and ensuring accessible education for all Filipinos.

Equitable access to early childhood education not only fosters individual growth but also serves as a catalyst for economic development. By reducing disparities in achievement, especially among marginalized children, and imparting essential skills for employment, we contribute to building a more prosperous and inclusive society.

It is imperative that we prioritize the well-being and future success of our children, laying the foundation for a brighter tomorrow not only for our youth but also for our country.

#### **Senator Revilla**

I rise today to co-sponsor Senate Bill No. 2558 or the "Livestock, Poultry, and Dairy Industry Development and Competitiveness Act" sponsored by the esteemed chairperson of the Committee on Agriculture, Food, and Agrarian Reform, Senator Cynthia Villar.

*Isa sa mga malalaking pangarap na gusto natin maabot mula noon hanggang ngayon ay ang pagiging self-sufficient ng ating agrikultura. Kasama tayo sa paniniwala na kapag self-sufficient tayo sa mga produktong agrikultura, hindi malabong maabot rin natin ang estado ng pagiging food secure.*

*Ngunit, kung titingnan natin ang mga datos, malayo pa tayo sa ating pangarap. Malaking porsyento pa rin ng supply ng pagkain sa ating bansa ay imported. Hindi dahil preferred natin ang mga pagkaing dayuhan - lalo na ang karne - kundi dahil kulang ang ating lokal na produksyon na tunay ngang hindi sasapat sa konsumo ng ating bansa.*

That, is the very reason why I support this crucial measure. This bill seeks to develop, protect, and promote our livestock, poultry, and dairy industries to increase our agricultural productivity. Karamihan naman po siguro sa atin ay kumakain ng baboy, baka, manok, itlog, at iba pang mga produktong nakapaloob sa mga industriyang ito. These are our staple sources of protein – the food we take to sustain our daily lives.

*Nagpapasalamat po ako dahil noong nakaraang linggo ay na-aprubahan na bilang batas ang Philippine Salt Industry Development Act. Sana naman po ay magtulong-tulong rin tayo para palakasin din ang livestock, poultry, at dairy industry.*

*Sikapin po natin na maging agriculturally self-sufficient ang ating bansa sa pamamagitan ng pagpapasa ng mga makabubuluhang batas katulad nito.*

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 2575**

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 5:53 p.m.*

**RESUMPTION OF SESSION**

At 5:54 p.m., the session was resumed.

**BICAMERAL CONFERENCE COMMITTEE REPORT  
ON SENATE BILL NO. 2449 AND HOUSE BILL NO. 8327**

Upon motion of Senator Villanueva, there being no objection, the Body considered the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2449, entitled

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";

and House Bill No. 8327, entitled

AN ACT RESTRUCTURING THE PHILIPPINE NATIONAL POLICE, CREATING ADDITIONAL POLICE OFFICES, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE SECTIONS 25, 26, 29, 30, 31, 35, 35-A, 36, 67 AND 67-A 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."

The Chair recognized Senator Dela Rosa to sponsor the report.

**REPORT OF SENATOR DELA ROSA**

Senator Dela Rosa presented to the Body the Bicameral Conference Committee Report on Senate Bill No. 2449 and House Bill No. 8327, with the following statement:

I have the honor of submitting for ratification the Bicameral Conference Committee Report on the disagreeing provisions of Senate Bill No. 2449 and House Bill No. 8327 that seeks to provide organizational reforms to the Philippine National Police.

Instead of reading the entire Joint Explanatory Statement of the Bicameral Conference Committee, may I be allowed to present the highlights of the reconciled bill and the Joint Explanation be inserted and considered read into the records:

*First*, the conferees agreed to use the Senate version as the working draft.

*Second*, as part of the mandate of the Philippine National Police Academy, we included a provision wherein, as far as practicable, the PNPA shall recruit cadets representing all provinces in the country.

*Third*, to maximize the technical expertise of PNP officers who joined the service through lateral entry, said technical officers shall be authorized to be assigned to positions related to their technical expertise outside of the office or unit where they were accepted.

*Lastly*, coinciding with the National Women's Month celebration, we expressly provided in the bill that the National Administrative Support Unit - Women and Children Protection Group shall be headed by a female director with the rank of Police Brigadier General.

Despite the fact that I am a bit vocally challenged today, I will not pass up the opportunity to speak, if only to thank this august Body as well as our counterparts at the House of Representatives. Finally, it looks like the Philippine National Police can now say: "Time is on their side."

Today's ratification of the Bicameral Conference Committee Report on the PNP Organizational Reforms Act proves, if anything, that I am not alone. I am not alone in seeing the urgency of this measure, and acting on it. Together with the Senate conferees, Senators Bong Revilla, JV Ejercito, 'Tol' Tolentino, Alan Cayetano, Bong Go, and Senate Minority Leader Senator Koko Pimentel, we believe we have crafted a measure that more faithfully reflects the needs of the PNP. Not only that, it also equips our beloved agency with the legislative imprimatur that they require in order to be more effective and more efficient in carrying out their mandate to serve and protect.

I heard something on the grapevine: *May iilan daw na hindi na umasang gagalaw pa ang panukalang ito. Marahil akala nila mananatili na lamang na isang pangarap ang pagsasabatas ng mga kinakailangang reporma sa PNP.* A pipe dream, so to speak.

But today, we dream no longer. This Congress and its composition has made all the difference. I am proud to say that we have made all the difference. Today, we are even closer to turning this dream into a reality.

In a manner of speaking, now, it is all just a matter of time.

With that, I respectfully move that we approve the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2449 and House Bill No. 8327 as submitted.

#### **JOINT EXPLANATION OF THE CONFERENCE COMMITTEE**

Upon motion of Senator Villanueva, there being no objection, the Body approved the insertion of the Joint Explanation of the Conference Committee on the disagreeing provisions of Senate Bill No. 2449 and House Bill No. 8327 into the *Journal and Record of the Senate*. (See Annex A)

#### **APPROVAL OF THE CONFERENCE COMMITTEE REPORT**

Submitted to a vote, there being no objection, the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2449 and House Bill No. 8327 was ratified and approved by the Body.

#### **COMMITTEE REPORT NO. 204 ON SENATE BILL NO. 2560**

(Continuation)

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 2560 (Committee Report No. 204), entitled

**AN ACT PROHIBITING MONEY MULES AND OTHER FRAUDULENT ACTS INVOLVING BANK ACCOUNTS, E-WALLETS, AND OTHER FINANCIAL ACCOUNTS, AND PROVIDING PENALTIES THEREFOR.**

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

Thereupon, the Chair recognized Senator Villar (M), sponsor of the measure, and Senator Pimentel for the continuation of his interpellation.

#### **INTERPELLATION OF SENATOR PIMENTEL**

Senator Pimentel stated that according to the bill's *Declaration of Policy*, the measure would protect individuals from various cybercrime schemes by regulating the use of financial accounts and preventing their involvement in fraudulent activities. He enumerated several scams targeted

for mitigation, including online selling scams, investment scams, ATM fraud/phishing, call scams (or vishing), employment scams, loan scams, package scams, profile hijacking, accommodation scams, and love scams.

In reply to Senator Pimentel's inquiry, Senator Villar (M) defined "love scam" as a deceptive scheme wherein individuals are led to believe they are in a romantic relationship with someone they met online, but in reality, the supposed romantic partner is a cyber-criminal operating under a false identity, seeking to exploit the victim's trust and potentially extort money.

On whether all the scams addressed by the bill are exclusively perpetrated online, Senator Villar (M) clarified that the scams often involve the use of technology to some extent in order to carry out the fraudulent activities. However, he said that it is not imperative for all elements of the scam to occur online. He emphasized that the bill clearly defines the scams, allowing them to be recognized as predicate offenses, and delineates specific penalties for each crime.

Senator Pimentel asked whether the enumerated scams must entail financial harm to the victim rather than merely causing emotional distress. Senator Villar (M) explained that even the mere act of creating a fake account would constitute a crime under the bill, given the underlying criminal intent. However, he clarified that certain listed offenses, such as profile hijacking, which involves infiltrating a social media account, sending messages to relatives and friends, and soliciting money under false pretenses, do not require financial damage.

Senator Pimentel expressed concern that the scams have been ongoing for a long time and have already victimized many individuals. He inquired if there were remedies under existing laws, to which Senator Villar (M) responded that while there were remedies, there was a lack of sufficient enforcement power, making it challenging for the government and the Bangko Sentral ng Pilipinas to effectively address the crimes. He stressed the urgency of passing the bill, citing the alarming increase in such crimes. He opined that without adequate legal measures, addressing such issues would remain difficult.

Senator Villar (M) pointed out that one of the challenges faced by victims in prosecuting perpetrators is the absolute confidentiality surrounding financial accounts, coupled with certain conditions under the Anti-Money Laundering Act (AMLA) that limit access to information about these accounts. He posited that with the proposed bill, acts falling under financial scams are clearly defined, empowering the BSP to react promptly to these crimes by temporarily suspending an account while investigating criminal activities associated with the scam.

Senator Pimentel shared a real-life example of complaints wherein someone's Facebook account was used to send messages claiming they were stranded and in need of financial assistance. Senator Villar (M) stated that such scams, including those conducted via SMS (smishing), are covered in the bill under the offense of profile hijacking, which involves the unauthorized use of someone's profile or identity. He clarified that even if no one has fallen victim yet, the act of soliciting financial help through deceptive means would fall under the penal offenses outlined in the bill, resembling a social engineering scheme. He said that the BSP would be empowered to investigate such cases if reported to it and emphasized that financial institutions are required to establish guidelines for basic protection against financial scamming to mitigate liability.

On whether Facebook would be regulated by the BSP under the proposed bill, Senator Villar (M) replied that while Facebook itself might not be subject to regulation, it would come under scrutiny if fraudulent activities conducted through the platform resulted in financial transactions.

Senator Pimentel pointed out the difficulty in tracing the true owner of an account once fraudulent activity takes place. Nevertheless, Senator Villar (M) reaffirmed that under the proposed

law, the BSP would have the authority to investigate such instances if there exists a strong suspicion of financial crimes.

Asked whether the BSP would only intervene in cases involving financial damage, Senator Villar (M) clarified that filing a complaint would prompt the BSP's intervention. Furthermore, he stated that social engineering schemes, such as misrepresenting oneself to solicit financial information, are deemed criminal acts under the proposed measure.

As regards the necessity of the bill in light of existing criminalization of such fraudulent acts, Senator Villar (M) explained that the bill serves as a complement to the AMLA, and establishes penalties for particular instances of financial scamming, thereby categorizing them as predicate offenses punishable under AMLA. He emphasized that the measure would ensure a more focused approach to combating financial crimes.

Senator Villar (M) contented that the Anti-Financial Account Scamming Act (AFASA) would complement AMLA. He emphasized that AFASA would address financial scams not covered by the AMLA and ensure that offenses punishable under the AFASA are considered predicate offenses under AMLA. Stressing the importance of defining penalties for specific instances to ensure enforceability, he stated that the bill would grant additional powers to the Bangko Sentral ng Pilipinas (BSP) to address occurrences of financial scamming, particularly fictitious accounts and funds that pose challenges to investigations under AMLA.

Citing the three main functions of the BSP, which are to maintain price stability, protect the value of peso, and supervise banking institutions, Senator Pimentel inquired whether the bill would grant jurisdiction to the BSP over individual bank accounts and/or financial accounts. Senator Villar (M) responded that, given the BSP's responsibility for financial consumer protection and financial stability, it would issue guidelines on freezing accounts suspected of involvement in financial scams. He clarified that the decision to freeze or temporarily hold an account rests with the financial institution, based on a verified complaint filed by responsible institutions as defined under Section 3.

On the phrase "and such other institutions as may be determined by the BSP" in Section 3, Senator Pimentel cautioned that the wording could imply delegating to the BSP the power to determine "such other institutions." Senator Villar (M) said that Senator Pimentel could propose changes to the section.

When asked if GCash, owned by Globe Fintech Innovations Inc., is considered a responsible institution, Senator Villar (M) replied in the affirmative, stating that it operates under a license from the BSP. He further clarified that pawnshops, virtual assets service providers, and remittances are considered responsible institutions, except insurance companies which fall under the supervision of the Insurance Commission.

Regarding the provision allowing responsible institutions to temporarily hold a financial account based on various factors, including complaints from aggrieved parties or findings from the Fraud Management System (FMS), Senator Villar (M) stressed that the responsible institutions are mandated to maintain an FMS aligned with BSP guidelines. He stated that failure to comply could lead to administrative liability and require restitution to the victims.

In response to the observation regarding the ambiguity of the phrases "has no clear economic purpose" and "transaction appears to be unusual" under Section 7, Senator Villar (M) stated that they suggest funds originating from an illegal source. He then expressed his openness to refine the language and make the standards more specific to prevent responsible institutions from having too much discretion.

Regarding the persistence of fraud despite the responsible institutions' compliance with BSP standards, Senator Villar (M) asserted that creating a foolproof system to prevent fraud is unrealistic due to its complexity and varying classifications. However, he surmised that responsible institutions could still apprehend fraudsters by implementing safety measures acceptable to the BSP, such as the "multi-factor authentication system."

In response to Senator Pimentel's query whether AFASA would amend the AMLA considering their similarities, Senator Villar (M) pointed out their differences in the investigation and prosecution process. He noted that under the AMLA, prosecution for money laundering requires law enforcement agencies to first establish allegations of unlawful activity, which are then referred to the Anti-Money Laundering Council (AMLC) for evaluation, investigation, and potential case filing if there is probable cause. Conversely, under AFASA, he said that aggrieved parties would directly file complaints with law enforcement agencies, which may seek assistance from BSP to gather information since it is exempt from the Bank Secrecy Law, Data Privacy Act, and Foreign Currency Deposit Act. He emphasized that AFASA empowers law enforcement agencies to file appropriate cases before the courts.

Adverting to Europol's definition of "money muling" as a form of money laundering, Senator Pimentel pointed out how it complicates the conceptual framework of the bill, suggesting a potential overlap between the acts punishable under AMLA and AFASA. In response, Senator Villar (M) clarified that while money muling is often synonymous with money laundering, such correlation has not yet been established in the Philippines. He explained that through AFASA, the necessity to establish scams as forms of swindling under AMLA would be eliminated; instead, new scams facilitated by advanced technology like smishing, vishing, phishing, and quishing, along with money muling and social engineering schemes, would now be defined as predicate crimes to AMLA.

Regarding whether the concept of predicate crime was introduced in AFASA, Senator Villar (M) referred to the second paragraph of Section 9, which states: "Prohibited Acts under Sections 4 and Section 5 of this Act shall be considered as 'Unlawful Activities' under Section 3(I) of Republic Act No. 9160, otherwise known as the 'Anti-Money Laundering Act of 2001,' as amended."

On whether a person can be punished both under AMLA and AFASA, Senator Villar (M) explained that the "unlawful acts" under the two measures are distinct and carry their own penalties. For example, he clarified that being a money mule is a separate crime from money laundering, although the former might eventually lead to the latter. He assured that an investigation would be conducted to determine which law had been violated.

Regarding the possibility that the same act could be an unlawful activity under AFASA and simultaneously constitute a crime of money laundering, Senator Villar (M) admitted that the act committed could trigger an investigation by AMLA, as the two measures are supportive of, rather than in conflict with, each other.

Asked how AFASA enhances AMLA, Senator Villar (M) explained that the former focuses more on consumer protection, while the latter targets financial scamming activities that could lead to money laundering. However, he admitted that they are not mutually exclusive, and there could be connections between the two.

Regarding how quishing, a new scamming method, is perpetrated, Senator Villar (M) explained that it is done by using QR codes to access the money of the victims. Senator Pimentel surmised that there was still no central body governing the issuance or release of QR codes. Senator Villar (M) affirmed that anyone can make his or her own QR code, which could be placed anywhere, such as on calling cards or restaurant menus. In quishing, he stressed that it is the misrepresentation that often allows one to access another's information or directly access the latter's account.



Senator Pimentel recalled their earlier discussion, where they established that hacking is completed when one successfully accessed another's profile. He then inquired whether hacking of profiles is covered under AFASA. Senator Villar (M) believed that hacking and other activities involving the invasion of systems fall under the Anti-Cybercrime Law.

However, Senator Pimentel believed that the commonality among scams is the interaction between the criminal-perpetrator and the victim, where the latter shares some information that the former uses to commit a crime. He noted that AFASA contemplates hacking, where responsible institutions serve as a bridge between the criminal-perpetrator and the victim.

In reply, Senator Villar (M) clarified that the point of contact is not always through a responsible institution, as initial contact between criminal-perpetrator and the victim can be online or via SMS, such as in smishing. Nevertheless, he stated that regardless of the method, an investigation into a scam may be conducted under AFASA if there is financial loss on the part of the victim.

Senator Pimentel averred that telco companies merely provide telco services, which happen to serve as a point of contact between criminal-perpetrator and their victim. He asked whether the responsible institutions like telco companies can argue that there is nothing wrong with their system. In response, Senator Villar (M) stated that it would be for the BSP to determine whether the responsible institution's system has anti-fraud systems in place. He explained that if the BSP finds that a responsible institution fails to comply with the given guidelines, the institution would be held liable and compelled to pay restitution to the victims for their losses. However, he assured that the measure would also hold accountable those who commit fraudulent acts.

As to how exactly AFASA would be of help, Senator Villar (M) explained that under the measure, the identity of the owner of the account where the money was electronically transferred would be easily identified, but in the case of personal or physical handover of money to the criminal, traditional detective work involving CCTV camera recordings would be used. He clarified that the measure simply grants additional powers to investigate specific financial crimes and their nuances. He reiterated that under AFASA, law enforcement agencies could coordinate with the BSP to find the holder of the account, which they could not do by themselves due to the Bank Secrecy Law. In fact, he said, it could not be done even with GCash under the Data Privacy Act.

On the laws that pose obstacles to solving the types of crimes described in the bill, Senator Villar (M) enumerated the following: the Bank Secrecy Act, the Data Privacy Act, the Foreign Currency Deposit Act, and the Revised Non-stock Savings and Loan Association Act.

Asked if BSP could examine the account name but not the account balance, Senator Villar (M) replied that under present laws, the BSP cannot do either. Senator Pimentel averred that with the very strict current state of laws, such online crimes would be difficult to solve.

On why the Revised Non-stock Savings and Loan Association Act was an obstacle to the solution of crimes under the measure, Senator Villar (M) replied that the account of the owner of a non-stock savings and loan association could also not be revealed in the same spirit as the Bank Secrecy Law. He underscored that under the bill, the BSP would have the power to examine the accounts involved.

Asked whether the four laws mentioned would be amended under the measure, Senator Villar (M) affirmed that it would indeed have such an effect. He believed that instead of amending the four laws individually, the bill would offer a simpler way of achieving the successful prosecution and preventing the different kinds of financial scamming.

Regarding the limits of the new power granted to the BSP, Senator Villar (M) pointed out that initially, the complaint must come from a responsible institution to be valid, and the account could only be suspended for 30 days.

Asked who would be responsible for examining a particular account, Senator Villar (M) replied that it would be the BSP, citing the following provision from the bill: "It shall be unlawful, however, for any official or employee, of a Responsible Institution or the BSP, to disclose any information concerning said other financial accounts to any person under such conditions other than in relation to the examination and investigation under this Section. It shall be unlawful for any person to use this Act for persecution or harassment or as an instrument to hamper competition in trade and commerce."

When further questioned if the BSP, through its official, would then possess the authority to examine the details of such a specific account, Senator Villar (M) replied in the affirmative.

Regarding what actions the BSP would take with the information, obtained from the mentioned account, Senator Villar (M) explained that the BSP would determine whether there was indeed involvement in a criminal act, and if it concluded a high probability of criminal activity, it would then proceed to share the information with the police.

Senator Pimentel then inquired if it would be the BSP's responsibility to file a criminal complaint against the perpetrator of a crime before the prosecutor's office. In response, Senator Villar (M) mentioned that the BSP may do so, as the measure did not contain any provisions prohibiting it. Additionally, he stated that the victim also has the option to file the case, and the BSP could assist in the investigation by sharing information with law enforcement agencies to facilitate the pursuit of the case.

As to where a victim may file their particular complaint, Senator Villar (M) stated that the victim could choose to file it with either the enforcement agencies or the responsible institution, emphasizing that neither option would be precluded.

Noting that the measure proposes granting new power to the BSP, Senator Pimentel sought clarification on when the BSP would be able to exercise said power. In response, Senator Villar (M) surmised that the timing was already defined in the bill. He added that he would be open to any ideas at the appropriate time to further harmonize or refine the provisions of the measure.

Senator Pimentel sought confirmation regarding the validity of the following observations concerning the new powers of the BSP via the proposed measure: 1) to examine the details of individual financial accounts; 2) to establish guidelines governing Fraud Management Systems (FMS) that responsible institutions must adhere to. Additionally, he pointed out that the guidelines would encompass rules pertaining to the temporary holding of accounts subject to complaints.

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

Replying to Senator Pimentel, Senator Villar (M) explained that according to the measure, the BSP would be empowered to compel responsible institutions within its jurisdiction to establish their respective FMS. Additionally, he noted that the BSP has the authority to suspend disputed accounts pending investigation. Furthermore, he mentioned that guidelines would be issued to clarify the aforementioned new powers of the BSP granted by the AFASA.

Expanding on concerns regarding fraud management, Senator Villar (M) remarked that although the BSP may have the authority to demand high standards in financial management from institutions under its jurisdiction, he surmised that given the rising number of financial scams, said authority might no longer suffice.

Regarding the temporary holding of the disputed accounts, he informed the Body that the proposed measure would ensure that responsible institutions would be held liable by the BSP for restitution purposes.

On the issue of diminishing balances in payment applications, akin to concerns about diminishing loads in telecommunication company applications, Senator Pimentel inquired whether the BSP was aware of such a problem. Senator Villar (M) responded that the BSP was indeed aware of the existence of such complaints.

When asked whether, under the current state of the law, the BSP was powerless to assist victims of diminished balance in payment applications, he considered the existing powers of the central monetary agency to be insufficient, albeit not entirely ineffective.

On whether the BSP is capable of assisting complainants with diminished balances in their payment applications, he mentioned that no case had been handled by the BSP, up to that point, concerning the aforesaid issue.

Senator Pimentel opined that although instances of diminishing balances in payment applications had occurred, such situations could not always be conclusively labeled as scams because of instances where account holders recalled making prior payments that resulted in the deductions in question. Moreover, Senator Villar (M) noted that in most cases, service providers themselves would engage with clients and resolve the issue internally, thus bypassing the involvement of the BSP. In line with this, he surmised that such client concerns might simply be categorized as "technical glitches." Senator Pimentel added that in some instances, the issue could be attributed to poor memory on the part of certain account holders.

Asked whether the proposed measure anticipates various potential online scams, Senator Villar (M) replied in the affirmative. He explained that due to the rapid evolution of online frauds, the bill aimed to keep pace by identifying potential scenarios and offering solutions to address said concerns.

Senator Pimentel inquired whether any other government agencies besides the BSP were being granted new powers under the measure. Senator Villar (M) responded that there were none.

At this point, Senator Pimentel informed the Body that the continuation of his interpellation the following day would focus on penalties.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Villar (M), the session was suspended.

*It was 7:07 p.m.*

#### **RESUMPTION OF SESSION**

At 7:08 p.m., the session was resumed.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 2560**

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

## PRIVILEGE SPEECH OF SENATOR HONTIVEROS

Availing herself of the privilege hour, Senator Hontiveros drew the attention of the Body to the contractual award made by the Commission on Elections (COMELEC) in relation to the 2025 national and local elections.

*Following is the full text of her privilege speech:*

I rise on a point of personal and collective privilege.

I rise to bring to your attention a disturbing contractual award entered into for the 2025 national and local elections.

Last February 22, 2024, the COMELEC announced that it awarded the contract for the lease, not the purchase, but the lease, of the automatic voting systems for the 2025 national and local elections.

With an P18.827 billion approved budget for the contract, *ang kontratang ito ang pinakamalaki sa kasaysayan ng mga halalan sa Pilipinas*. It dwarfs the aggregate total of P25 billion spent for poll automation from 2010 to 2022.

*Ang nakapagtataka*, the bidding for the richest single contract in Philippine election history was able to attract only a single bidder: a joint venture composed of South Korea's Miru Systems Co. Ltd., and Philippine companies: Integrated Computer Systems, St. Timothy Construction Corporation, and Centerpoint Solutions Technologies.

This company, Miru, is no stranger to controversy. Miru was previously involved in supplying automated election systems for, aside from its home country, the Kyrgyz Republic, the Democratic Republic of the Congo, and the Republic of Iraq.

In Congo, researchers reportedly found that the machines Miru tried to sell there were repackaged equipment originally intended for Argentina, where similar machines faced pushback. *Ang tawag nga sa Congo sa mga election machines doon ay "cheating machines."*

In Iraq, a 2018 Reuters report found that Miru's machines were "at the heart of fraud allegations that led to a manual recount in some areas after the May 12 election."

*Ayon sa mga mananaliksik*, 30% and 75% of the voting machines supplied by Miru, respectively, were affected by election day glitches and malfunctions, which led to failure of elections in those countries.

And while these doubts linger in our minds—doubts caused by electoral troubles in fragile states like the Democratic Republic of the Congo and Iraq—it seems that there is also a clear violation of law.

*Question: Prototype nga ba ang automated counter machines?*

During post-qualification—the phase of the competitive bidding process in which the winning bid is validated to ensure that it meets the requirements in the bid documents, COMELEC Commissioner Marlon Casquejo admitted that the ACM being presented was a prototype.

He said, "This machine is ours; it really belongs to the COMELEC. We made...our wish list. Miru just followed." So, if you noticed, this is a customized machine which has not yet been produced."

*At this juncture, an audio clip was played before the Body.*

So, I'll just apologize *na nawala iyong audio; pero iyan po ay audio clip ng interview on the line ng One News kay Atty. Rex Laudiangco.*

But Section 12 of Republic Act No. 8436, or The Automated Election Law, as amended, requires that the system procured must have been successfully used in a prior electoral exercise here or abroad.

*Kaya ang dami nang nagtatanong:* Does Section 12 of the Automated Election Law prohibit the use of such prototype ACMs in connection with the 2025 Elections? *Kung oo, bakit, pinayagan ang prototype ACMs ng Miru?*

Even a simple online search will reveal that there are at least 20 suppliers of automatic voting machines worldwide. Despite this, the COMELEC was able to attract only a single bid for the largest single contract in Philippine election history.

*Dako naman tayo sa isyu ng kanilang local partners.*

Just what is a construction company doing, leasing voting machines to the Filipino people? A construction company that appears to share principal office address of another company—St. Gerrard Construction General Contractor and Development Corporation—blacklisted by the Department of Public Works and Highways.

The two companies also share a common incorporator, a certain Pacifico F. Discaya II. Was St. Timothy incorporated to circumvent the blacklisting of St. Gerard?

There are also reports saying Timothy wrote the COMELEC revoking the authority of a certain Mr. Jinbok Ching to represent the company in the contract signing for the procurement project. St. Timothy said that given the magnitude of the potential liability, it was not fully informed of the scope of its responsibilities under the contract.

*Totoo ba ito?* If even a blacklisted company smells something fishy, maybe that should be considered a double red flag?

*Next question:* Was there competitive bidding?

Republic Act No. 9184, otherwise known as the Government Procurement Reform Act, requires that all public procurement be done, with certain exceptions, through competitive bidding.

In a paper, entitled “Intensifying Competition in Public Procurement,” by Tátrai, Vörösmarty, and Juhász, published in August of last year, it was found that encouraging intense competition in public procurement is of fundamental importance, for the presence of a sufficient number of competitors and their active commitment to bidding is a key element of efficient public spendings.

In this controversy, it was confirmed that while five companies, including Dominion Voting Systems, Indra Philippines Inc., AMA Group Holdings Corporation, and Smartmatic, purchased bidding documents, all but Miru declined to submit bids.

*Napakalaking kontrata, wala ni isang ibang bidder?* Yes, Smartmatic was disqualified because of its own money-laundering controversies, but there were others. *Bakit biglang naglaho na lamang?*

The Organization for Economic Cooperation and Development (OECD), in its “Guidelines for Fighting Bid Rigging In Public Procurement,” defines “bid suppression” as an agreement among competitors in which one or more companies agree to refrain from bidding or to withdraw a previously submitted bid so that the designated winner’s bid will be accepted.

In essence, bid suppression means that bidders, other than the designated winner, do not submit bids or are prevented from doing so. Some quarters are asking, “Is this what happened here?” “Is this real competition?” Or “Is the real competition in the back rooms of the halls of power?” I hope not.

This makes me wonder how many other substantial contracts have been awarded to the loan entity who bothered to submit a bid. Thus, I agree with Senator Angara—it appears it might be time to re-examine the legal framework we have set in place for public procurement to prevent the system from being gamed, rigged, and manipulated for private gain. Let us bring back real competition in public bidding.

*At ang aking huling tanong:* “What will happen to the P402 million we spent to procure automated election software, including the source code to enable a proper source code review thereof? Gone with the wind?”

These questions are very important, *hindi lamang po dahil* public procurement requires the highest duty of care and responsibility from our public servants, but also since electoral machines are involved, they strike at the very heart of our democracy.

Always, but most especially in these turbulent and divisive political times, the people’s right to suffrage must be protected from fraud or the perception of fraud and kept sacrosanct.

**REFERRAL OF SPEECH TO COMMITTEE**

Upon motion of Senator Villanueva, there being no objection, the Chair referred the privilege speech of Senator Hontiveros to the Committee on Electoral Reforms and People's Participation.

**CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 2492  
AND HOUSE BILL NO. 7819**

Upon motion of Senator Villanueva, there being no objection, the Body considered the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2492 and House Bill No. 7819, both entitled

**AN ACT DECLARING THE MARITIME ZONES UNDER THE JURISDICTION  
OF THE REPUBLIC OF THE PHILIPPINES.**

Thereupon, the Chair recognized Senator Tolentino to sponsor the report.

**REPORT OF SENATOR TOLENTINO**

In sponsoring the Bicameral Conference Committee Report on the disagreeing provisions of Senate Bill No. 2492 and House Bill No. 7819, Senator Tolentino delivered the following speech:

As the chairperson of the Special Committee on Maritime and Admiralty Zones, I have the honor to report to this Chamber the outcome of the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 2492 and House Bill No. 7819 after having met and fully discussed the subject matter:

1. The conferees agreed to use the Senate version as the working draft;
2. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, and 20 of the Senate version were adopted;
3. Section 14 of the Senate version and Section 12 of the House version were consolidated to become Section 14 of the reconciled bill, to read as follows:

*"SEC. 14. Due Regard and Mutual Respect. - The Philippines shall give due regard to the rights and duties of foreign states, and foreign states shall act with due regard to the rights and duties of the Philippines, relative to the maritime zones as provided under this Act, UNCLOS, and international law.*

The Philippines shall recognize the rights and privileges of foreign vessels and aircraft in its maritime zones under conditions of reciprocity and mutual respect, and reserves the right to take necessary legal and diplomatic actions against States whose vessels and aircrafts do not abide by, or act inconsistently with, the UNCLOS and international law."

4. For the title of the reconciled bill, the title of the Senate version was adopted to read as follows:

**AN ACT DECLARING THE MARITIME ZONES UNDER THE JURISDICTION OF THE  
REPUBLIC OF THE PHILIPPINES**

In case of conflict between the statements and amendments stated in this Joint Explanation and that of the provisions of the reconciled bill in the accompanying Conference Committee Report, the provisions of the latter shall prevail.

The Philippine Maritime Zones law stands as a testament to our nation's adherence to the principles of international law, particularly the International Law of the Sea. By delineating our maritime zones in accordance with UNCLOS guidelines, we assert our sovereign rights over our maritime domain while upholding our obligations as a responsible member of the international community.

This law represents more than just a legal framework; it is a symbol of our resolve to protect our marine environment and secures the livelihood of our coastal communities. It empowers our government to effectively manage and regulate activities within our maritime zones, ensuring sustainable development and environmental conservation for future generations.

Incorporating the principles and findings of the 2016 Arbitral Ruling into the Philippine Maritime Zones Law ensures our legislation aligns with the highest standards of international law. By basing our maritime zones on UNCLOS provisions and the arbitral ruling, we assert our rightful claims and protect our maritime domain from any encroachments and violations.

*Nagpapasalamat po ako sa lahat ng ating kasamahan dito sa Senado. Kasama po sina Sens. Ramon Bong Revilla Jr., Jinggoy Ejercito Estrada, Risa Hontiveros, Loren Legarda, Joel Villanueva, Win Gatchalian, Ronald "Bato" Dela Rosa, Raffy T. Tulfo, Grace Poe, and Joseph Victor "JV" G. Ejercito, and our Senate President; special mention likewise to our dear Minority Leader, Sen. Aquilino "Koko" Pimentel III, for his inputs and intensive interpellation that assisted us in crafting the best version of this measure.*

*Kasama na rin po sa ating pagpapasalamat ang mga naging resource persons galing sa University of the Philippines, Maritime Affairs and Law of the Sea, Department of Foreign Affairs, NAMRIA, Department of National Defense, at maging ang ating mga foreign resource persons.*

As we move forward with the implementation of the Philippine Maritime Zones Law, let us remain steadfast in our commitment to upholding the rule of law, defending our sovereignty, and protecting the rights and interests of all Filipinos.

I respectfully move that we adopt and ratify the Bicameral Conference Committee Report on the Disagreeing Provisions of Senate Bill No. 2492 and House Bill No. 7819.

God bless the Philippines.

#### **JOINT EXPLANATION OF THE CONFERENCE COMMITTEE**

Upon motion of Senator Villanueva, there being no objection, the Joint Explanation of the Conference Committee on the disagreeing provisions of Senate Bill No. 2492 and House Bill No. 7819 was deemed read and inserted into the *Journal and Record of the Senate*. (See Annex B)

#### **APPROVAL OF THE CONFERENCE COMMITTEE REPORT**

Submitted to a vote, there being no objection, the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2492 and House Bill No. 7819 was approved by the Body.

#### **PRIVILEGE SPEECH OF SENATOR TULFO**

Availing himself of the privilege hour, Senator Tulfo delivered the following speech on the issues of illegal resort development and the environmental challenges besetting the Mt. Apo National Reserve:

When it comes to the environment and our natural resources, we have to remember that we cannot turn back time. *Kapag nangyari na, nangyari na. Ang hirap bawiin ang mga nasisira sa ating kalikasan.*

Where am I coming from?

Last week, we were all shocked to see photos and videos of a resort in the middle of the Chocolate Hills Nature Park in Bohol. Captain's Peak Resort had multiple pools, villas, and slides embedded on the hill. If you have been to Bohol and have seen the untouched beauty of the Chocolate Hills, *magagalit po talaga kayo.*

I took up this concern in my radio program last Thursday. After the show was aired and streamed online, *ang dami po akong nakuhang sumbong ng iba pang tourist sites at protected*

area na hindi nababantayan nang maayos. Pero, naalarma po ako na may isang mountaineering group na tinawag ang atensyon ko sa nangyayari sa Mount Apo ng Davao.

From the tiny hills in Bohol, nais ko pong dumako sa Mount Apo ng Davao. Ayon sa kanila, marami ring resort ang naglipana sa Mount Apo National Reserve sa Digos side. Ito raw po ang Twin Mountain View Resort, MonteFrio Resort, at Villa Recurso. Labas na sa buffer zone ang mga ito kung pagbabasehan po ay ang nakita namin sa Google Earth and comparing it with the map of Mount Apo.

I am concerned about this because just last year, President Ferdinand "Bongbong" Romualdez Marcos Jr. ordered the preservation of Mount Apo as it vies for its inclusion in the United Nations Educational, Scientific and Cultural Organization (UNESCO), the list of World Heritage sites. The statement of President BBM was sometime in October 2023. At dahil dito, parang nasilaban ang mga upuan ng mga taga Protected Area Management Board (PAMB) ng Mount Apo.

By November 2023, agad silang nagpatawag ng meeting upang aksiyunan daw ang mga illegal structure without permits in the multiple use zones of Mount Apo and look into the decline in the forest cover.

Ang tanong ko po, paano nakalusot itong illegal structures na tinawag nila? Imbes na magpatupad ng mga positibong aksiyon para protektahan ang Mount Apo, sila po ay nag-implement na lamang ng band-aid solutions sa mga nakalusot na violators. Noong tinawagan po namin itong chairperson ng PAMB na si Atty. Mercedes Dumagan sa Mount Apo, ang sabi niya, may action plan na raw po silang phaseout in two years. Ito po ang action plan nila: "Phase out in two years." Ibig sabihin, bibigyan ng two years na palugit itong illegal structures and occupants in strictly protected zone. Bakit hindi kaagad-agad? Bakit mag-aantay pa tayo ng two years at alam naman natin na iyon ay ilegal na mga structure at iyon ay mayroon ng order ang Presidente?

Noong 2018 ay nagkaroon ng survey ang Protected Area Superintendent ng illegal establishments at plantations sa Mt. Apo. Pero, limang taon na ang nakalilipas, hindi pa rin naiaalis nang lubusan ang mga structure at bibigyan pa sila ng two-year phasing out period.

In 2020, the Mindanao Development Authority flagged illegal mining operations and illegal cutting of hardwood trees inside the Mt. Apo protected area. It was confirmed at that time that local officials, protected by some army soldiers, were behind the mining and clearing operations of forest areas. Ginagawa nila ito upang maglagay ng banana plantation.

Marami pang problema ang bumabagabag sa Mt. Apo. Katulad na lamang ng land conversion for settlements, water pollution, introduction of foreign exotic species, presence of large communities, increasing population, destructive and inappropriate livelihood, and poverty in the area.

Ano ba talaga ang silbi ng PAMB? Bakit parang display lang sila sa protected areas natin? Katunayan, last year ay tinawag ko rin ang atensyon ng PAMB dahil sa nangyari sa Masungi Georeserve na matatagpuan sa Upper Marikina River Basin and Protected Landscape, which is a wildlife sanctuary. Mayroon po kasing structure na naitayo roon dahil sa planong windmill farms. Wala pang permit pero may mga istraktura na roon sa lugar. At hindi rin nasunod ang pagkakaroon ng Certification Precondition mula sa National Commission on Indigenous Peoples. Hanggang ngayon, ang PAMB ay nakanganga at tila hindi alam ang gagawin.

Samantala, sa San Marcelino, San Narciso, at San Felipe, Zambales ay may nagaganap na sea bed quarrying and onshore black sand mining na pinayagan ng DENR. Ang dalampasigan na ito sa Zambales ay pinagkukuhanan ng hanapbuhay ng maraming mga bangus o milkfish fry farmers. Sila po ay kumikita ng P5,000 hanggang P13,000 per day. Pero ngayon, nanganganib ito dahil sa quarrying at black sand mining.

Tourist destination din ito para sa mga surfing community. Pero, nababale-wala po ito. Ang mga environmental compliance certificate o ECC ay nai-issue online. Online po ang pag-i-issue na ngayon. Mabilisan na, without the conduct of site visits or verification of data on the ground or to fact check with local stake holders.

The problem is turuan ang kalakaran pagdating sa ating pangangalaga ng kalikasan. Naging past time na po ng DENR ang magtuturo. Nakakapikon kasi we enacted several laws,



mandating several agencies, including our LGUs, to ensure that our protected areas are preserved. *Pero imbes na madami ang nagbabantay, lahat ay nagtuturuan lang kung sino ba talaga ang may kasalanan. Tila baga nagiging bantay-salakay sila.*

*Ang LGU ay itinuturo ang DENR na nag-issue ng ECC, ang DENR naman ay itinuturo ang LGU na nag-issue ng business permit. Ang PAMB, samantala ay itinuturo ang Indigenous Peoples dahil sila raw ang namamahala sa ancestral lands. Ang IPs ay itinuturo naman ang PAMB na hindi naman daw sila kino-konsulta. Ano ba talaga, kuya? Sino ba talaga sa inyo?*

*In the end, sino ang gumagawa ng trabaho ng gobyerno? Ang taongbayan. Mukhang tila ang netizens ang mas masipag magbantay.*

*Itong mga non-government organizations or NGO na very passionate with our environment ang isa po sa mga nagbabantay. It is very embarrassing that those who we authorize to protect our environment are the number one violators dahil sa kanilang kapabayaang or sadyang pagpikit sa mga bagay-bagay na nangyayari sa kanilang ahensiya. Nagtatanga-tangahan po sila or tanga sila sa ngalan ng salapi.*

The Expanded National Integrated Protected Area Systems or ENIPAS Act of 2018 provides for special prosecutors and retained councils for violation of the ENIPAS Law. *Ang tanong ko, may mga nakasuhan na ba sa mga violation ng ENIPAS Act? Mayroon na bang napanagot itong mga pabayang government officials? Mukhang wala pa rin po. Mukhang inutil po itong batas na ito. I am sorry, pero iyan po ang nakikita ko, unless they can prove that they are not, and show ng mga ebidensiya na they are acting against—they are doing actions against all these violators especially itong special prosecutors and retained councils for violations of ENIPAS Act.*

I commend my colleague, Sen. Maria Lourdes Nancy S. Binay, for immediately filing a resolution calling for a legislative inquiry on the matter concerning Chocolate Hills. I hope that we could also look into other nature reserves and parks that are also being overlooked by the DENR, *lalo na po itong Mt. Apo. Tama na po ang turu-turuan. Dapat po akuan ng obligasyon, kasi sino po ba ang makikinabang kundi tayong lahat din naman? Ang ating mga anak, apo, at susunod na henerasyon.*

## MANIFESTATION OF THE CHAIR

Drawing from his own observations during previous trips to Sierra Madre, the Chair, Senator Ejercito, suggested that the concerned agencies also look into the current state of the Upper Marikina River Basin Protected Landscape (UMRBPL) in the Province of Rizal.

## REFERRAL OF SPEECH TO COMMITTEE

Upon motion of Senator Villanueva, there being no objection, the Chair referred the privilege speech of Senator Tulfo to the Committee on Environment, Natural Resources, and Climate Change and the Committee on Local Government.

## COMMITTEE REPORT NO. 171 ON SENATE BILL NO. 2491

*(Continuation)*

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 2491 (Committee Report No. 171), entitled

### AN ACT ESTABLISHING A NATIONAL APPRENTICESHIP PROGRAM.

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

Thereupon, the Chair recognized Senator Estrada, sponsor of the measure, and Senator Hontiveros for her interpellation.

## INTERPELLATION OF SENATOR HONTIVEROS

Senator Hontiveros asked whether there are provisions in the bill that could be strengthened to maximize its impact and ensure the safeguarding of apprentices' rights.

Adverting to the EDCOM II Year One Report, she noted the underutilization of enterprise-based training programs in TESDA, particularly apprenticeship programs, which are among the least popular programs in Technical-Vocational Education and Training (TVET), despite their promising role in training apprentices to meet the demands of relevant industries. She then questioned the apparent lack of interest in the apprenticeship program track.

In response, Senator Estrada identified several major challenges that need to be addressed under the proposed measure:

1. *Insufficient human resources and organization support.* He explained that the management of apprenticeship in the country faces challenges due to inadequate human resources and support for overseeing apprenticeship programs in the country, citing limited capacity within TESDA's partnerships and linkages offices. He emphasized that the shortage impedes the promotion of apprenticeship programs and undermines efforts to strengthen collaboration with enterprises.
2. *Unimplemented incentives.* Senator Estrada pointed out another issue concerning the availment of enterprise incentives, highlighting challenges in their operationalization by the BIR. He cited instances where enterprises were unable to benefit from tax deductions due to administrative hurdles, further exacerbated by limited incentive availability from technical-vocational institutions following the passage of the CREATE Law.
3. *Inappropriate designation of all TESDA training regulations as apprenticeable occupations.* Senator Estrada pointed out the current practice where apprenticeable occupations are linked to TESDA's approved training regulations. He pointed out issues such as the prolonged approval process, which typically takes about six months to two years, as well as outdated regulations among its 322 training regulations and insufficient training periods for certain occupations.

Senator Hontiveros expressed relief that lack of awareness of the apprenticeship track was not impeding the implementation of the apprenticeship program. She then informed Senator Estrada of her intention to propose an amendment on the matter at the proper time.

Regarding the number of companies registered under TESDA's current apprenticeship program, Senator Estrada provided the following data: 404 in 2018; 315 in 2019; 101 in 2020; 57 in 2021; 65 in 2022; and 51 in 2023.

He attributed the relatively low numbers to the enactment of the CREATE Law. Senator Hontiveros expressed concern over two unintended consequences of the CREATE Law: the decline in the number of individuals opting for apprenticeship programs, and the low registration of companies for apprenticeship programs under TESDA.

Noting that 11.7% of the youth were categorized as "Not In Employment, Education, Or Training" (NEET) as of October 2023, Senator Hontiveros requested data on companies registered with TESDA that are willing to hire apprentices below 18 years old, above 15 years old, and non-high school graduates. Senator Estrada replied that the information was not available as TESDA could not disaggregate data on minors below 15 and those 18 years and above.

Underscoring the need for disaggregated data, Senator Hontiveros raised concerns about the continuity of enforcing child labor protection laws if minors aged 15 to 19 are allowed to participate

in the apprenticeship programs. Senator Estrada gave assurance that the Labor Code would be upheld.

In this regard, Senator Hontiveros urged TESDA to provide data on potential apprentices aged 15 to 17 years old to facilitate the crafting of appropriate amendments to the measure. She emphasized the mutual benefits of apprenticeship for both apprentices and companies and commended the bill's provisions for safeguarding and upholding the rights of trainees. Senator Estrada assured that the agency would collate the data.

Upon further query, Senator Estrada expressed openness to accepting amendments aimed at strengthening apprentices' benefits, such as protected leaves and provisions for food and travel allowances.

Regarding the fees at TESDA for enterprises offering apprenticeship programs, Senator Estrada referred to TESDA Circular No. 120, series of 2020, stating that TESDA does not charge apprenticeship fees but only collects a one-time P2,000 registration fee from the enterprise for every apprenticeable occupation registered with the agency. He explained that the collection is remitted to the National Treasury and is subject to the one-fund policy.

As for the registration fee, Senator Estrada stated that it would be shouldered by the apprenticeship company.

Relative thereto, Senator Hontiveros mentioned that her office had received complaints from some apprentices who were not given training allowances and even had to pay for the program training fees. She pointed out that under the bill, some of the apprenticeship models that companies can adopt include a partnership with the training institution or industry training center. She asked who would cover the training costs, and if Senator Estrada would welcome amendments to ensure that the apprentice would not be obligated to pay them.

Senator Estrada agreed to accept Senator Hontiveros' amendment at the appropriate time. In turn, Senator Hontiveros expressed appreciation for the sponsor's willingness to consider any future amendments that would protect apprentices from bearing the burden of payment.

Asked if both private and public companies were eligible to participate in the National Apprenticeship Program (NAP), Senator Estrada replied in the affirmative.

On Section 22 (*Settlement of Differences and Investigation of Complaints*), which provides that the Bipartite Enterprise Apprenticeship Committee (BEAC) shall have the responsibility to settle differences concerning the apprenticeship agreement, and where Section 4 (e) states that the BEAC would be established by the company, Senator Hontiveros expressed concern about the potential vulnerability of apprentices due to the fact that the BEAC would be established by the companies themselves.

Senator Estrada acknowledged that the situation could lead to conflicts of interest and indicated his willingness to accept any amendments proposed by Senator Hontiveros on the matter.

Senator Hontiveros expressed her intention to continue her interpellation the following day.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 2491**

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 7:58 p.m.*

**RESUMPTION OF SESSION**

At 8:06 p.m., the session was resumed.

**COMMITTEE REPORT NO. 214 ON SENATE BILL NO. 2593**

*(Continuation)*

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 2593 (Committee Report No. 214), entitled

**AN ACT REVISING REPUBLIC ACT NO. 9184 OTHERWISE KNOWN AS THE GOVERNMENT PROCUREMENT REFORM ACT AND FOR OTHER PURPOSES.**

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

Thereupon the Chair recognized Senator Angara, sponsor of the measure, and Senator Estrada for his interpellation.

**INTERPELLATION OF SENATOR ESTRADA**

Senator Estrada initially referred to Section 6 (*Standardization of Procurement Process and Forms*), which focuses on standardizing the procurement process and all forms to systematize the process, avoid confusion, and ensure clarity and transparency. He highlighted the bill's proposal for the Government Procurement Policy Board (GPPB) to develop Generic Procurement Manuals and Standard Bidding Forms, which would eventually become mandatory for all procuring entities.

Asked about the current status of agencies' procurement processes and forms, Senator Angara confirmed the presence of some standard forms but noted that the GPPB's intention to further standardize them for efficiency. He explained that agencies often struggle with the bidding process and would seek assistance from the Department of Budget and Management (DBM) and GPPB.

On Section 15 (*Engagement of a Procurement Agent*), Senator Estrada noted that the provision allows the head of the procuring entity to engage a procurement agent that would undertake the functions of the Bids and Awards Committee if it lacked the capability for a specific procurement. He then inquired about the identity and number of the current agents within the government. In response, Senator Angara identified three: the Procurement Service - Department of Budget and Management (PS-DBM), the Philippine International Trading Corporation (PITC), and the Department of Public Works and Highways (DPWH).

Senator Angara further explained that the measure aims to allow any entity to act as a procurement agent, assisting agencies facing challenges in procurement by engaging a procurement agent. He cited examples such as barangays unable to manage bids and municipalities handling bidding for their projects under programs such as the NTF-ELCAC. He then reiterated the aim to authorize agencies with the necessary experience, proficiency, and capability to act as procurement agents.

Asked about the possibility of increasing the number of procurement agents, Senator Angara affirmed the feasibility and provided examples from municipal, city, and provincial governments.

Senator Estrada then recalled the Senate Blue Ribbon Committee's hearings on overpriced laptops purchased by the DBM's Procurement Service for the Department of Education (DepEd) in 2021. He recalled concerns regarding the antedated Memorandum of Agreement (MOA) allowing PS-DBM to handle the procurement. He noted that the committee's recommendations included the abolition of PS-DBM and discouraging agencies from delegating procurement tasks.

Regarding measures to prevent such incidents, Senator Angara initially acknowledged the subpar performance of certain government bodies in previous deals, and emphasized the inclusion of safeguards in the bill for engaging procurement agents. He clarified that the agents can only be utilized when the procuring entity lacks the capability or proficiency, when the undertaking is project-based, and is limited only to competitive bidding, not through other modes of procurement. However, he stated that procuring entities lacking specific qualified personnel to constitute its own Bids and Awards Committee (BAC) can also include projects through other modes of procurement.

Senator Angara likewise highlighted that unlike transactions made through the PITC and PS-DBM, there is no actual transfer of funds except for fees payable to the procurement agent.

Additionally, he pointed out that any MOA between the procuring entity and the procurement agent must be in effect six months before the end of the validity of the appropriations authorizing such procurement.

Furthermore, Senator Angara explained that a procurement agent cannot grant contracts and would be strictly limited to the functions of the BAC, as only the head of the procuring entity can award contracts to winning bidders. Regarding the matter, he emphasized that a representative of the procuring entity must be present throughout the process to ensure accountability for the outcome of the procurement.

Senator Estrada informed the Body that he would propose amendments at the proper time, particularly regarding the last paragraph of Section 15, which reads, "Procuring entities with existing MOAs with a procurement agent which have not yet been implemented upon effectivity of this Act are encouraged to revisit the same and amend as may be necessary to conform with this provision."

Asked why the committee did not use stronger wording in the section, Senator Angara explained that the section was mindful of existing contracts or MOAs between procurement agents and procuring entities like the PS-DBM. He mentioned that Undersecretary Santiago would provide a listing of ongoing MOAs, and the committee would welcome any amendments to strengthen the language.

Senator Estrada expressed his views on Section 17 (*Warehousing and Inventory System*), acknowledging the wisdom behind it, as it would facilitate efficient planning for storage and tracking of procured goods using a cloud-based inventory system. However, he raised concerns about whether all procuring entities could afford to engage in a cloud-based inventory system due to fees involved, and questioned whether the DICT would oversee implementation and compliance.

In response, Senator Angara stated that it is feasible for entities to adopt and implement Section 17, as it would streamline the tracking of goods. Depending on the internet infrastructure,

he expressed confidence that despite initial challenges during the rollout, implementation is entirely achievable.

On whether the DICT would be responsible for implementation and compliance, Senator Angara replied in the affirmative, stating that it falls within the agency's mandate to provide such services. He added that the bill outlines coordination between the DBM, DICT, and DTI for various purposes to ensure coherence of information and to furnish potential bidders and purchasers with a comprehensive information system.

At this juncture, Senator Estrada read to the Body the comment of NEDA on Section 17, to wit:

"We deemed that the proposed provision is a post-procurement concern and may be beyond the ambit of Republic Act 9184. While we recognize the benefit of a uniform warehousing and inventory system and optimizing the use of public resources, we suggest conducting further research on the proposed provision since its implementation would require extensive expertise in logistics management, and the logistical challenge stems from the volume and nature of items procured by government agencies, which widely vary among agencies. Moreover, some items that need to be procured may require unique logistic handling requirements that are not within the scope of the proposed system. Different demand patterns, geographical nuances that increase complexity in material management and other variances, regarding the needs of agencies, may also pose issues and complications in establishing a uniform warehousing and inventory system. With this, the government may need to consider whether it has the capacity to implement the proposed system and overcome the challenges posed by the amendment considering the particularities of each material needs of each agency and the different sources of demand."

Senator Estrada said that at the proper time, he would propose amendments to the provision.

Senator Angara stated that the committee is willing to accept any amendment to the section. He informed the Body that the amendment came from Senator Tolentino. He also pointed out that the phrasing of the section implicitly recognized it as an aspiration rather than an expectation grounded solely in current circumstances. He likened the aspiration to the process of purchasing on platforms like Lazada or Amazon, where packages can be tracked. He believed that embedding such aspirations in the law was harmless as long as the Body understood that it does not exist, especially considering the rapid evolution of technology in the field of logistics.

Furthermore, Senator Angara stated that the cloud-based storage would be subject to a fee, but surmised that it would be at the discretion of DICT to provide the cloud service. He supposed that it would not be unreasonable to anticipate that the storage could be for free or at least at a minimal cost.

On Section 18, Senator Angara likened both the government's virtual store and marketplace to online platforms like Lazada or Shopee. He recalled that during one of the LEDAC meetings, the President expressed his desire to offer options for each government agency based on their preferences, whether they prefer a simple, inexpensive pen or a slightly more expensive but better quality.

Regarding Section 31, Senator Estrada pointed out that repeat orders are limited to 25% of the original quantity and cannot exceed 50% of the original contract value threshold. Senator Angara affirmed that the limit was specified in RA 9184.

Asked whether it would not be advantageous for operations to allow for more items to be procured, Senator Angara opined that competitive bidding remained the optimal method of procurement. He emphasized that if the quantity exceeds 25%, it must undergo bidding. Senator Estrada stated that he would propose a higher threshold at the proper time.

Senator Estrada thanked Senator Angara for answering his questions and mentioned that he might continue his interpellations the following day. Senator Angara affirmed his readiness to respond to further questions.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 2593**

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

#### **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. 62 (March 12, 2024) and considered it approved.

#### **OVERSIGHT COMMITTEE MEMBERSHIP**

Upon motion of Senator Villanueva, there being no objection, the Chair designated the following Senators to the Congressional Oversight Committee on Agricultural and Fisheries Modernization Act: Senator Villar (C) as chairperson, and Senators Marcos, Dela Rosa, Tolentino, Ejercito, Villar (M), and Pimentel as members.

#### **ADJOURNMENT OF SESSION**

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

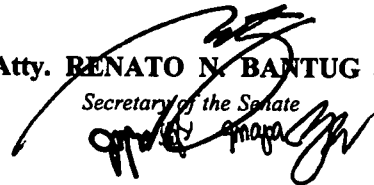
*It was 8:27 p.m.*

I hereby certify to the correctness of the foregoing.

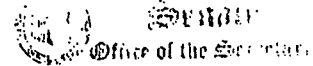
Approved on March 20, 2024

Atty. **RENATO N. BANTUG Jr.**

*Secretary of the Senate*



NINETEENTH CONGRESS OF THE REPUBLIC }  
OF THE PHILIPPINES }  
Second Regular Session }



24 MAR 18 P5:53

**JOINT EXPLANATION OF THE BICAMERAL CONFERENCE COMMITTEE  
ON THE DISAGREEING PROVISIONS DERIVED BY  
SENATE BILL NO. 2449 AND HOUSE BILL NO. 8327**

The Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 2449 and House Bill No. 8327 after having met and having fully discussed the said provisions, hereby report to their respective Houses the following, that:

1. The conferees agreed to use the Senate version as the working draft.
2. **Section 1.** Section 1 of the Senate version is adopted as Section 1.
3. **Section 2.** Section 2 of the Senate version as amended is adopted as Section 2.
4. **Section 3.** Section 3 of the Senate version is adopted as Section 3.
5. **Section 4.** Section 4 of the Senate version is adopted as Section 4.
6. **Section 5.** Section 5 of the Senate version as amended is adopted as Section 5.
7. **Section 6.** Section 6 of the Senate version is adopted as Section 6.
8. **Section 7.** Section 7 of the Senate version as amended is adopted as Section 7.
9. **Section 8.** Section 8 of the Senate version as amended is adopted as Section 8.
10. **Section 9.** Section 9 of the Senate version is adopted as Section 9.
11. **Section 10.** Section 10 of the Senate version is adopted as Section 10.
12. **Section 11.** Section 11 of the Senate version as amended is adopted as Section 11.
13. **Section 12.** Section 12 of the Senate version as amended is adopted as Section 12.
14. **Section 13.** Section 13 of the Senate version is adopted as Section 13.
15. **Section 14.** Section 14 of the Senate version as amended is adopted as



Section 14.

16. **Section 15.** Section 16 of the Senate version as renumbered and amended is adopted as Section 15.
17. **Section 16.** Section 17 of the Senate version as renumbered is adopted as Section 16.
18. **Section 17.** Section 18 of the Senate version as renumbered and amended is adopted as Section 17.
19. **Section 18.** Section 19 of the Senate version as renumbered and amended is adopted as Section 18.
20. **Section 19.** Section 20 of the Senate version as renumbered and amended is adopted as Section 19.
21. **Section 20.** Section 21 of the Senate version as renumbered is adopted as Section 20.
22. **Section 21.** Section 22 of the Senate version as amended and renumbered is adopted as Section 21.
23. **Section 22.** Section 23 of the Senate version as renumbered is adopted as Section 22.
24. **Section 23.** Section 24 of the Senate version as renumbered is adopted as Section 23.
25. **Section 24.** Section 25 of the Senate version as renumbered is adopted as Section 24.
26. **Title.** The title of the Senate version was adopted to read as follows:

**“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”**

32

In case of a conflict between the statements/amendments stated in this Joint Explanation and that of the provisions of the consolidated bill in the accompanying Conference Committee Report, the provisions of the latter shall prevail.



**DAN S. FERNANDEZ**  
*Chairman*  
*House of Representatives Panel*



**RONALD "BATO" M. DELA ROSA**  
*Chairman*  
*Senate Panel*



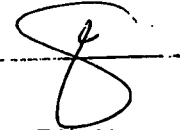
**NINETEENTH CONGRESS**

*Second Regular Session*

24 MAR 18 P5 53

**CONFERENCE COMMITTEE REPORT**

RECEIVED BY:



The Conference Committee on the disagreeing provisions of **Senate Bill No. 2449**,  
entitled:

**"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"**

and **House Bill No. 8327**, entitled:

**"AN ACT  
RESTRUCTURING THE PHILIPPINE NATIONAL POLICE,  
CREATING ADDITIONAL POLICE OFFICES, AND  
APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE  
PURPOSE SECTIONS 25, 26, 29, 30, 31, 35, 35-A, 36, 67 AND  
67-A 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"**

after having met and discussed the subject matter in full and free conference, has  
agreed and hereby recommend to their respective Houses that Senate Bill No. 2449,  
in consolidation with House Bill No. 8327, be approved in accordance with the  
attached copy of the bill as reconciled and approved by the conferees.

Approved,



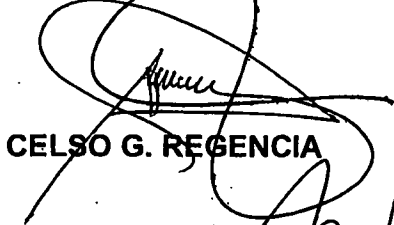
**CONFEREES ON THE PART OF THE  
HOUSE OF REPRESENTATIVES:**



**DAN S. FERNANDEZ**  
Chairman



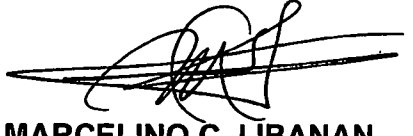
**ROMEO M. ACOPI**



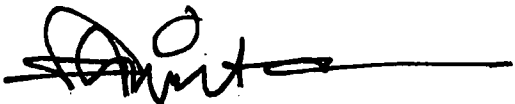
**CELSO G. REGENCIA**



**JORGE "PATROL" BUSTOS**



**MARCELINO C. LIBANAN**



**BONIFACIO L. BOSITA**

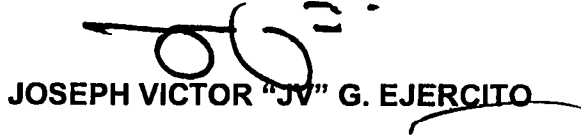
**CONFEREES ON THE PART OF THE  
SENATE:**



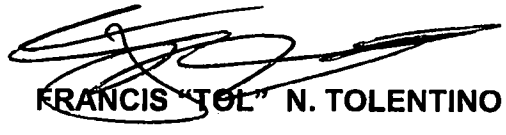
**RONALD M. "BATO" DELA ROSA**  
Chairman



**RAMON BONG REVILLA, JR.**



**JOSEPH VICTOR "JV" G. EJERCITO**

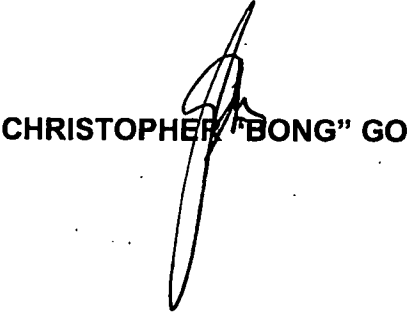


**FRANCIS "TOL" N. TOLENTINO**

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



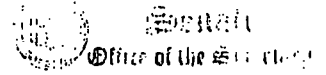
**AQUILINO "KOKO" PIMENTEL III**



**CHRISTOPHER "BONG" GO**



REPUBLIC OF THE PHILIPPINES  
CONGRESS OF THE PHILIPPINES



NINETEENTH CONGRESS  
Second Regular Session

24 MAR 18 P5:02

RECEIVED BY: \_\_\_\_\_

REPUBLIC ACT NO. \_\_\_\_\_

**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**

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

SECTION 1. This Act shall be known as the "PNP Organizational Reforms Act".

SEC. 2. Section 25 of Republic Act No. 6975, as amended, is hereby further amended to read as follows:

"SEC. 25. *Organization.* – The PNP shall be composed of a national office, AREA COMMANDS, regional offices, DISTRICT OFFICES, provincial offices, CITY OFFICES and city or municipal stations.

At the national level, the CHIEF OF THE PNP SHALL HAVE A COMMAND GROUP COMPOSED OF THE OFFICES OF THE CHIEF OF THE PNP, DEPUTY CHIEF OF THE PNP FOR ADMINISTRATION, THE DEPUTY CHIEF OF THE PNP FOR OPERATIONS, AND THE CHIEF OF THE DIRECTORIAL STAFF. THE NATIONAL OFFICE shall HAVE A directorial staff, NATIONAL ADMINISTRATIVE AND OPERATIONAL SUPPORT UNITS, and special POLICE OFFICES.

IN CLUSTERED POLICE REGIONAL OFFICES, THE PNP SHALL HAVE AREA POLICE COMMANDS, HEADED BY A COMMANDER.

At the regional level, the PNP shall have POLICE regional offices headed by Regional DirectorS.

AT THE METROPOLITAN LEVEL, THERE SHALL BE A DISTRICT OFFICE, HEADED BY A DISTRICT DIRECTOR.

At the provincial level, there shall be a POLICE PROVINCIAL office, headed by a Provincial Director.

AT THE HIGHLY URBANIZED AND INDEPENDENT COMPONENT CITY LEVEL, THERE SHALL BE A CITY POLICE OFFICE, HEADED BY A CITY DIRECTOR.

At the COMPONENT city or municipal level, there shall be a POLICE station, headed by a chief of police.

The Chief of the PNP shall, within sixty (60) days from the effectivity of this Act and in accordance with the broad guidelines set forth herein, recommend the organizational structure and staffing pattern INCLUDING PLANTILLA POSITIONS FOR THE NON-UNIFORMED PERSONNEL of the PNP to the Commission.

SEC. 3. A new Section 25-A is hereby inserted in R. A. No. 6975, as amended, to read as follows:

"SEC. 25-A. PNP DIRECTORIAL STAFF. - THE DIRECTORIAL STAFF SYSTEM SHALL BE IMPLEMENTED TO ENHANCE THE SPAN OF CONTROL BEING EXERCISED BY THE CHIEF OF THE PNP IN THE ADMINISTRATION, OPERATION, AND CONTROL OF THE PNP AND TO FURTHER STRENGTHEN THE EFFICIENT AND

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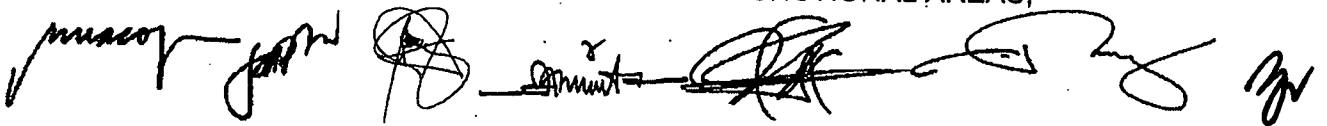
EFFECTIVE WORKING RELATIONSHIP OF ALL PNP OFFICES: THE FOLLOWING DIRECTORATES SHALL CONTINUE TO PERFORM THEIR SPECIFIC FUNCTIONS UNDER THE SUPERVISION AND AUTHORITY OF THE CHIEF OF THE DIRECTORIAL STAFF:

(A) THE DIRECTORATE FOR PERSONNEL AND RECORDS MANAGEMENT SHALL ASSIST AND ADVISE THE CHIEF OF THE PNP IN THE MANAGEMENT OF PNP UNIFORMED AND NON-UNIFORMED PERSONNEL, MANPOWER PROCUREMENT AND CONTROL, PERSONNEL RECORDS AND REPORTS, DISCIPLINE, MORALE AND WELFARE, LAW AND ORDER, PERSONNEL SERVICES AND PERSONNEL PROCEDURES, AND MISCELLANEOUS FUNCTIONS ASSIGNED BY THE CHIEF OF THE PNP;

(B) THE DIRECTORATE FOR INTELLIGENCE SHALL ASSIST AND ADVISE THE CHIEF OF THE PNP IN ATTAINING INTELLIGENCE OBJECTIVES THROUGH EFFECTIVE MANAGEMENT OF ALL INTELLIGENCE AND COUNTERINTELLIGENCE ACTIVITIES OF THE PNP;

(C) THE DIRECTORATE FOR OPERATIONS SHALL ASSIST AND ADVISE THE CHIEF OF THE PNP IN THE EXERCISE OF THE COMMAND, CONTROL, DIRECTION, COORDINATION, AND SUPERVISION OF ALL ACTIVITIES CONCERNING OPERATIONS, EMPLOYMENT, AND DEPLOYMENT OF THE PNP;

(D) THE DIRECTORATE FOR LOGISTICS SHALL ASSIST AND ADVISE THE CHIEF OF THE PNP IN THE ADMINISTRATION AND MANAGEMENT OF LOGISTICS AND ITS FUNCTIONAL AREAS;

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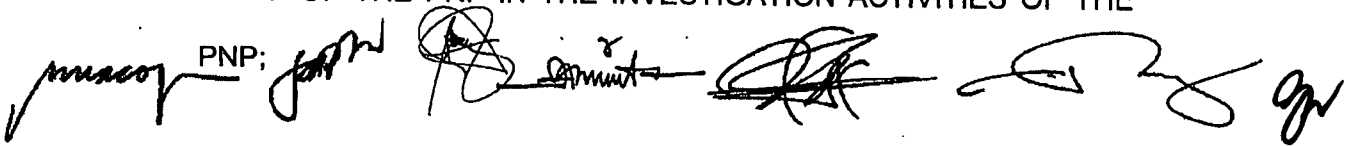
(E) THE DIRECTORATE FOR PLANS SHALL ASSIST AND ADVISE THE CHIEF OF THE PNP IN THE AREAS OF PLANS AND PROGRAMS THAT ARE BEYOND THE IMMEDIATE OPERATIONAL AND TACTICAL RANGE. THIS INCLUDES ORGANIZATIONAL AND FORCE DEVELOPMENT, SPECIAL STUDIES, RESEARCH AND PROJECT MANAGEMENT OF INTER-AGENCY AND INTERNATIONAL AFFAIRS, LEGISLATIVE AND OTHER REQUIREMENTS THAT ARE NEEDED FOR THE EFFECTIVE AND EFFICIENT ADMINISTRATION AND OPERATION OF THE PNP;

(F) THE DIRECTORATE FOR COMPTROLLERSHIP SHALL ASSIST AND ADVISE THE CHIEF OF THE PNP ON BUDGETING, ACCOUNTING, FINANCIAL MANAGEMENT, AND INTERNAL AUDITING MATTERS;

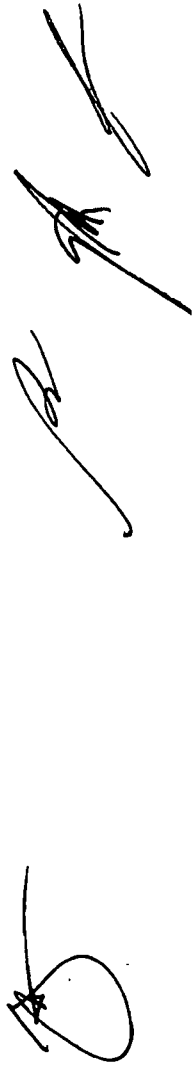
(G) THE DIRECTORATE FOR POLICE COMMUNITY RELATIONS SHALL ASSIST AND ADVISE THE CHIEF OF THE PNP IN PLANNING, DIRECTING, COORDINATING, AND SUPERVISING THE IMPLEMENTATION OF THE SUSTAINABLE PROGRAMS FOR INSTITUTIONAL IMAGE BUILDING; CITIZENS' PARTICIPATION IN THE MAINTENANCE OF PUBLIC ORDER INCLUDING PEACE POLICY FOR SOCIO-ECONOMIC DEVELOPMENT; VALUE ORIENTATION AND CONTINUING EDUCATION; GENDER AWARENESS AND DEVELOPMENT; AND AUXILIARY FORCE MULTIPLIER DEVELOPMENT;

(H) THE DIRECTORATE FOR INVESTIGATION AND DETECTIVE MANAGEMENT SHALL ASSIST AND ADVISE THE CHIEF OF THE PNP IN THE INVESTIGATION ACTIVITIES OF THE

PNP;



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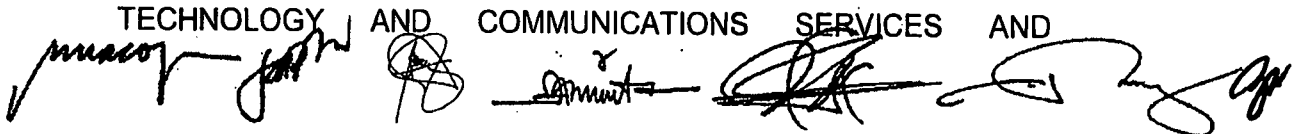
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(I) THE DIRECTORATE FOR TRAINING, EDUCATION, AND DOCTRINE DEVELOPMENT SHALL ASSIST AND ADVISE THE CHIEF OF THE PNP IN THE FORMULATION OF POLICIES AND IN THE PLANNING, COORDINATION, AND SUPERVISION OF ALL MATTERS PERTAINING TO TRAINING, EDUCATION AND DOCTRINE DEVELOPMENT;

(J) THE DIRECTORATE FOR RESEARCH AND DEVELOPMENT SHALL ASSIST AND ADVISE THE CHIEF OF THE PNP IN THE CONDUCT OF RESEARCH AND DEVELOPMENT; TEST AND EVALUATION OF CLOTHING, MATERIAL, VEHICLES, AND EQUIPMENT; ISSUANCE OF ACCREDITATION TO MANUFACTURERS AND SUPPLIERS OF PNP UNIFORMS AND ACCOUTERMENTS; FORMULATION AND IMPLEMENTATION OF PNP POLICIES ON THE WEARING OF PNP UNIFORMS; AND IN THE IMPLEMENTATION AND ADMINISTRATION OF THE PNP SELF-RELIANT DEVELOPMENT POSTURE PROGRAMS, WHICH ARE IMPORTANT TO PEACE AND ORDER AND PUBLIC SAFETY; AND

(K) THE DIRECTORATE FOR INFORMATION AND COMMUNICATIONS TECHNOLOGY MANAGEMENT SHALL ASSIST AND ADVISE THE CHIEF OF THE PNP IN THE FORMULATION OF POLICY AND MANAGING INFORMATION, ELECTRONICS AND COMMUNICATIONS TECHNOLOGY RESOURCES TO PROMOTE, DEVELOP AND REGULATE INTEGRATED STRATEGIC ICT SYSTEMS AND RELIABLE AND EFFICIENT COMMUNICATIONS INFRASTRUCTURE. IT SHALL PROVIDE AND MAINTAIN RELIABLE, SECURED, INTEGRATED, AND COST-EFFICIENT INFORMATION TECHNOLOGY AND COMMUNICATIONS SERVICES AND

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FACILITIES TO ALL PNP OFFICES AND UNITS. IT SHALL LIKEWISE BE RESPONSIBLE FOR THE DESIGN, IMPLEMENTATION AND MAINTENANCE OF THE DATABASE SYSTEM OF THE ORGANIZATION AND THE DEVELOPMENT OF THE ANTI-CYBERCRIME CAPABILITIES OF THE PNP TO ADDRESS THE GROWING INCIDENCE OF CYBERCRIME IN THE COUNTRY."

SEC. 4. A new Section 25-B is hereby inserted in R. A. No. 6975, as amended, to read as follows:

"SEC. 25-B. AREA POLICE COMMANDS (APC). - IN ORDER TO ENHANCE THE CONTROL OF THE CHIEF OF THE PNP, AREA POLICE COMMANDS SHALL BE ESTABLISHED IN CLUSTERED POLICE REGIONAL OFFICES. THE APC SHALL ORCHESTRATE, SUPERVISE, AND CONTROL THE CONDUCT OF INTER-REGIONAL OPERATIONS AGAINST INSURGENCY, TERRORISM, AND OTHER INTERNAL SECURITY THREATS. FURTHER, THE APC SHALL LIKEWISE CONDUCT SEARCH, RESCUE, AND RELIEF OPERATIONS IN TIMES OF CALAMITIES AND OTHER EMERGENCY SITUATIONS WITHIN THEIR RESPECTIVE AREAS OF JURISDICTION. FINALLY, THE APC SHALL SUPPORT THE POLICE REGIONAL OFFICES IN THE CONDUCT OF INTER-REGIONAL ANTI-CRIMINALITY OPERATIONS AND INVESTIGATION.

FOR THIS PURPOSE, THE APCs SHALL HAVE ADMINISTRATIVE AND OPERATIONAL CONTROL OVER THE EXISTING REGIONAL MOBILE FORCE BATTALIONS WITHIN THEIR RESPECTIVE AREAS OF RESPONSIBILITY SUBJECT TO THE

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EXERCISE OF THE POWER OF DELEGATION OF AUTHORITY OF THE CHIEF OF THE PNP.

INITIALLY, FIVE (5) APCs SHALL BE ACTIVATED NAMELY:

- (A) NORTHERN LUZON AREA POLICE COMMAND;
- (B) SOUTHERN LUZON AREA POLICE COMMAND;
- (C) VISAYAS AREA POLICE COMMAND;
- (D) EASTERN MINDANAO AREA POLICE COMMAND; AND
- (E) WESTERN MINDANAO AREA POLICE COMMAND."

SEC. 5. A new Section 25-C is hereby inserted in R. A. No. 6975, as amended, to read as follows:

"SEC. 25-C. SPECIAL POLICE OFFICES. - THE PNP SHALL BE SUPPORTED BY SPECIAL POLICE OFFICES WHICH SHALL CONTINUE TO PERFORM THEIR SPECIFIC FUNCTIONS AS FOLLOWS:

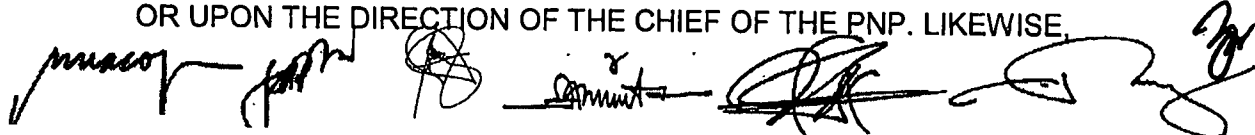
(A) PHILIPPINE NATIONAL POLICE ACADEMY. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE MAJOR GENERAL, THE PHILIPPINE NATIONAL POLICE ACADEMY SHALL SERVE AS THE PREMIER INSTITUTION FOR POLICE EDUCATION, AND THE PRIMARY SOURCE FOR COMMISSIONSHIP OF POLICE LIEUTENANTS. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR AND CHIEF OF STAFF, BOTH WITH THE RANK OF POLICE BRIGADIER GENERAL. THE DIRECTOR SHALL SUPERVISE THE ACADEMICS GROUP AND TACTICS GROUP WHICH SHALL BE HEADED BY A DEAN OF ACADEMICS AND COMMANDANT OF CADETS, RESPECTIVELY, BOTH WITH THE RANK OF POLICE BRIGADIER GENERAL

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THE ACADEMY, SHALL MAINTAIN AND ENHANCE ITS TRAINING AND ACADEMIC STANDARDS IN THE PERFORMANCE OF ITS FUNCTIONS OF INSTRUCTION, RESEARCH AND EXTENSION, PUBLIC SAFETY, SOCIAL DEFENSE, AND INTERNAL SECURITY. IT SHALL RECOMMEND ITS PLANS, POLICIES, PROGRAMS, CURRICULA, AND STANDARDS OF TEACHING AND TRAINING TO THE CHIEF OF THE PNP FOR APPROVAL OF THE COMMISSION. RELATIVE THERETO, IT SHALL ENJOY AUTONOMY AS AN IMPLEMENTING UNIT OF THE PNP. ITS APPROVED ANNUAL APPROPRIATION WILL BE DIRECTLY AND REGULARLY RELEASED TO BUILD INFRASTRUCTURE, ACQUIRE NECESSARY EQUIPMENT, PROVIDE FOR THE NECESSARY PERSONNEL COMPLEMENT, ESTABLISH ITS CORPS OF PROFESSORS AND INSTRUCTORS, AND RECOMMEND ITS ANNUAL BUDGET TO THE CHIEF OF THE PNP.

THERE SHALL BE A CORPS OF PROFESSORS AND INSTRUCTORS IN THE PNPA. THE PNP AND THE COMMISSION, IN CONSULTATION WITH THE CIVIL SERVICE COMMISSION AND OTHER RELEVANT AGENCIES SHALL CREATE, DEVELOP AND IMPLEMENT A SYSTEM OF FACULTY, PLACEMENT, PROMOTION AND DEVELOPMENT IN VIEW OF EDUCATING, TRAINING, AND PREPARING THE FUTURE POLICE COMMISSIONED OFFICERS WITH THE HIGHEST STANDARD OF PERSONAL INTEGRITY AND PROFESSIONAL COMPETENCE. UNIFORMED AND NON-UNIFORMED PERSONNEL MAY BE APPOINTED TO THE CORPS OF PROFESSORS AND INSTRUCTORS UPON THEIR APPLICATION OR UPON THE DIRECTION OF THE CHIEF OF THE PNP. LIKEWISE,

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CIVILIAN PROFESSORS MAY BE ADMITTED TO THE CORPS OF PROFESSORS AND INSTRUCTORS: *PROVIDED*, THAT THE SALARIES, GRANTS AND BENEFITS, HUMAN RESOURCE DEVELOPMENT PROGRAMS, OTHER INCENTIVES, AND TERMS AND CONDITIONS OF WORK OF THE CORPS OF PROFESSORS AND INSTRUCTORS SHALL BE PROVIDED FOR IN THE GUIDELINES PROMULGATED IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT.

THE STUDENT BODY OF THE PNPA SHALL BE KNOWN AS THE CADET CORPS OF THE PHILIPPINE NATIONAL POLICE (CCPNP). THE PNPA SHALL CONDUCT THE ADMISSION PROGRAM AND SELECTION OF CADETS: *PROVIDED*, THAT THE ADMISSION REQUIREMENTS AND QUALIFICATIONS FOR ADMISSION TO THE CADETSHIP PROGRAM AS WELL AS THE ANNUAL QUOTA THEREOF SHALL BE RECOMMENDED BY THE CHIEF OF THE PNP FOR APPROVAL OF THE COMMISSION: *PROVIDED, FURTHER*, THAT INSOFAR AS PRACTICABLE, THE PNP SHALL RECRUIT CADETS REPRESENTING ALL PROVINCES IN THE COUNTRY.

(B) CENTER FOR POLICE STRATEGY MANAGEMENT - HEADED BY A POLICE BRIGADIER GENERAL, THE CENTER SHALL SERVE AS THE CENTRAL FACILITY OF THE ORGANIZATION IN COORDINATING AND INTEGRATING ALL STRATEGY MANAGEMENT PROCESSES, SUSTAINING ITS STRATEGY EXECUTION AND MANAGEMENT, AND INSTILLING IN THE ORGANIZATION A CULTURE OF STRATEGIC FOCUS.

(C) HUMAN RIGHTS AFFAIRS OFFICE - HEADED BY A POLICE BRIGADIER GENERAL THE OFFICE SHALL SERVE AS A

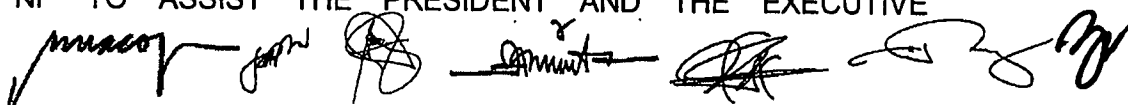
MANAGEMENT FACILITY THAT WILL OVERSEE THE IMPLEMENTATION OF PNP GUIDELINES AND POLICIES ON HUMAN RIGHTS LAWS.

(D) PEACE PROCESS AND DEVELOPMENT CENTER - HEADED BY A POLICE BRIGADIER GENERAL, THE CENTER SHALL BE THE OFFICE PRIMARILY RESPONSIBLE IN THE MONITORING OF THE DEVELOPMENT AND IMPLEMENTATION OF PEACE AGREEMENTS AND PERTINENT LAWS.

(E) COMMAND CENTER - HEADED BY A POLICE BRIGADIER GENERAL, THE CENTER SHALL BE THE MAIN MONITORING FACILITY OF THE PNP OF ALL EVENTS AFFECTING THE PEACE AND ORDER SITUATION NATIONWIDE. IT SHALL SERVE AS THE MAIN COORDINATING CENTER FOR ALL OPERATING AND SUPPORT UNITS IN PURSUANCE OF PNP LAW ENFORCEMENT, INTERNAL SECURITY, SPECIAL OPERATIONS, AND RECORDS/STATISTICS COMPILATION FUNCTIONS.

(F) PUBLIC INFORMATION OFFICE - HEADED BY A POLICE BRIGADIER GENERAL, THE OFFICE SHALL SUPERVISE, EVALUATE, AND MONITOR THE PROVISION OF RELEVANT INFORMATION ON ONGOING PNP PROGRAMS, PROJECTS AND ACTIVITIES TO ENHANCE THE UNDERSTANDING OF THE GENERAL PUBLIC AND ULTIMATELY GAIN COMMUNITY SUPPORT AND ACTIVE PARTICIPATION.

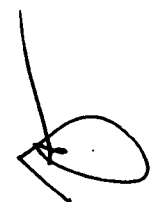
(G) LIAISON OFFICE FOR THE OFFICE OF THE PRESIDENT - HEADED BY A POLICE BRIGADIER GENERAL, THE OFFICE SHALL SERVE AS AN EXTENSION OF THE OFFICE OF THE CHIEF OF THE PNP TO ASSIST THE PRESIDENT AND THE EXECUTIVE



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SECRETARY ON THE DIFFERENT ASPECTS OF LAW ENFORCEMENT AND ACT AS THE MAIN FOCAL POINT OF COORDINATION BETWEEN THE PNP AND THE OFFICE OF THE PRESIDENT.

(H) LIAISON OFFICE FOR THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT (DILG) – HEADED BY A POLICE BRIGADIER GENERAL, THE OFFICE SHALL ASSIST THE SECRETARY IN HIS CAPACITY AS THE EX-OFFICIO CHAIRPERSON OF THE COMMISSION.

(I) LEGISLATIVE AFFAIRS CENTER – HEADED BY A POLICE BRIGADIER GENERAL, THE CENTER SHALL ACT AS THE PERMANENT PNP REPRESENTATIVE DURING CONGRESSIONAL HEARINGS AND DELIBERATIONS AS WELL AS UNDERTAKE NECESSARY ACTIONS TO PURSUE THE PASSAGE OF PNP PRIORITY BILLS AND RELATED BILLS IN THE CONGRESS OF THE PHILIPPINES.

(J) POLICE ATTACHÉ OFFICE – THE OFFICE, UNDER THE DIRECTORATE FOR INTELLIGENCE, SHALL BE COMPOSED OF POLICE ATTACHÉS WITH THE FOLLOWING FUNCTIONS:

(1) REPRESENT THE PNP AND THE DILG BEFORE POLICE AND LAW ENFORCEMENT AGENCIES IN FOREIGN JURISDICTIONS;

(2) NETWORK WITH POLICE COUNTERPARTS AND LAW ENFORCEMENT AGENCIES OF THE HOST GOVERNMENT;

(3) INTELLIGENCE EXCHANGE WITH LOCAL AND FOREIGN COUNTERPARTS TO COMBAT TERRORISM AND TRANSNATIONAL CRIMES;

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(4) SOCIAL INTERACTION WITH THE DIPLOMATIC COMMUNITY, AS WELL AS MEMBERS OF THE INTERNATIONAL ORGANIZATION;

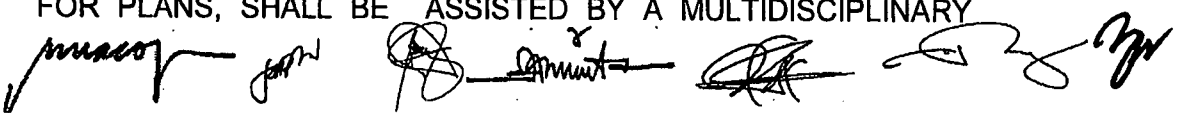
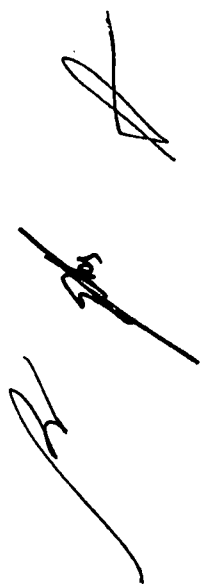
(5) INTELLIGENCE AND COUNTERINTELLIGENCE INITIATIVES;  
AND

(6) PROVIDE TECHNICAL ADVICE TO THE HEAD OF POST ON MATTERS PERTAINING TO LAW ENFORCEMENT AND SECURITY.

POLICE ATTACHÉS SHALL BE ASSIGNED TO THE UNITED STATES OF AMERICA, CHINA, FRANCE, INDONESIA, MALAYSIA, SAUDI ARABIA, PAKISTAN, THAILAND, AND IN SUCH FOREIGN JURISDICTIONS WITH WHICH THE PHILIPPINES IS IN COOPERATION WITH ON LAW ENFORCEMENT, EXCHANGE OF INFORMATION, AND ON PREVENTING AND COMBATING CRIMES: *PROVIDED*, THAT THESE COUNTRIES WILL BE SUBJECT TO PERIODIC REVIEWS EVERY THREE (3) YEARS UNLESS THERE WOULD BE A SUPERVENING EVENT THAT WOULD NECESSITATE AN EARLIER REVIEW.

POLICE ATTACHÉS OCCUPYING THE POSITION OF POLICE OFFICER AND DIPLOMAT SHALL HAVE THE RANK OF POLICE COLONEL: *PROVIDED*, THAT THE POLICE ATTACHÉ IN WASHINGTON, DISTRICT OF COLUMBIA, UNITED STATES OF AMERICA SHALL HAVE THE RANK OF POLICE BRIGADIER GENERAL: *PROVIDED, FURTHER*, THAT POLICE ATTACHÉS SHALL HAVE A MAXIMUM TERM OF THREE (3) YEARS PER POST.

(K) FUTURES THINKING OFFICE. -HEADED BY A POLICE BRIGADIER GENERAL, THE OFFICE, UNDER THE DIRECTORATE FOR PLANS, SHALL BE ASSISTED BY A MULTIDISCIPLINARY





TEAM WITH EXPERTISE IN AREAS SUCH AS FUTURES THINKING, CRIMINOLOGY, TECHNOLOGY, FORESIGHT METHODOLOGIES, AND STRATEGIC PLANNING.

THE FUTURES THINKING OFFICE SHALL STRATEGICALLY ANTICIPATE, PREPARE, AND TRAIN PNP PERSONNEL FOR EMERGING CHALLENGES, TECHNOLOGICAL ADVANCEMENTS, AND EVOLVING CRIMINAL PATTERNS, AND OTHER FUTURE SCENARIOS THAT WILL ENHANCE PUBLIC ORDER AND SAFETY, AND LAW ENFORCEMENT EFFECTIVENESS."

SEC. 6. Section 26 of R. A. No. 6975, as amended by R. A. No. 11200, is hereby further amended to read as follows:

"SEC. 26. Powers, Functions and Term of Office of the PNP Chief.

- THE COMMAND AND DIRECTION OF THE PNP SHALL BE VESTED IN THE CHIEF OF THE PNP WHO SHALL HAVE THE POWER TO DESIGNATE AND ASSIGN PNP OFFICERS TO KEY POSITIONS AS PROVIDED IN THIS ACT: PROVIDED, THAT THE MEMBERS OF THE COMMAND GROUP SHALL BE SELECTED FROM AMONG THE MOST SENIOR AND QUALIFIED OFFICERS IN THE SERVICE.

The Chief of the PNP shall have the power to direct and control tactical as well as strategic movements, deployment, placement, utilization of the PNP or any of its units and personnel, including its equipment, facilities and other resources. Such command and direction of the Chief of the PNP may be delegated to subordinate officials with respect to the units under their respective commands, in accordance with the rules and regulations prescribed by the Commission. The Chief

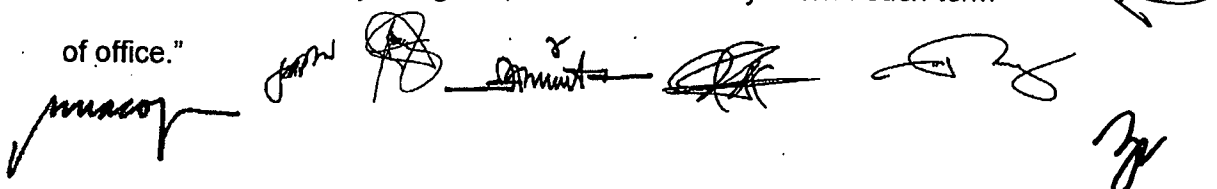
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of the PNP shall also have the power to issue detailed implementing policies and instructions regarding personnel, funds, properties, records, correspondence and such other matters as may be necessary to effectively carry out the functions, powers and duties of the Bureau.

TO ENHANCE POLICE OPERATIONAL EFFICIENCY AND EFFECTIVENESS, SUSTAIN THE ATTAINMENT OF INCREASED POLICE VISIBILITY, AND OPTIMIZED DELIVERY OF POLICE SERVICES, THE CHIEF OF THE PNP MAY CONSTITUTE, ABOLISH, MODIFY, OR MERGE PNP UNITS AND OFFICES OR OTHERWISE IMPLEMENT NECESSARY ADJUSTMENTS IN THE ORGANIZATIONAL STRUCTURE, STAFFING, FUNCTIONS, AND FUNCTIONAL RELATIONSHIPS INCLUDING THE CORRESPONDING CHANGES IN THE NUMBER AND DISTRIBUTION OF RANKS UPON APPROVAL OF THE COMMISSION: *PROVIDED*, THAT NO OFFICE HEADED BY A POLICE BRIGADIER GENERAL OR HIGHER SHALL BE CREATED UNLESS PROVIDED BY LAW.

The Chief of the PNP shall be appointed by the President from among the senior officers down to the rank of Police Brigadier General: *Provided*, That the Chief of the PNP shall serve a FIXED term of office OF TWO (2) years AND SHALL BE COMPULSORILY RETIRED AT THE MAXIMUM TENURE IN POSITION HEREIN PRESCRIBED OR IS OTHERWISE RELIEVED FROM OFFICE BY THE PRESIDENT: *PROVIDED, FURTHER*, That in times of war or other national emergency declared by Congress, the President may extend such term of office."



SEC. 7. Section 29 of R. A. No. 6975, as amended by R. A. No. 11200, is hereby further amended to read as follows:

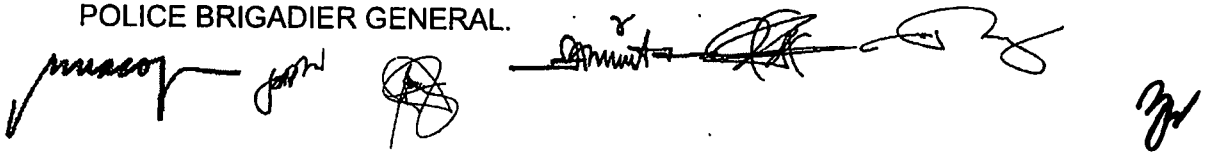
"SEC. 29. Key Positions. – The head of the PNP with the rank of Police General shall have the position title of Chief of the PNP AND SHALL BE ASSISTED BY A SENIOR EXECUTIVE ASSISTANT WITH THE RANK OF POLICE BRIGADIER GENERAL.

The second in command of the PNP with the rank of Police Lieutenant General shall HAVE the POSITION TITLE OF Deputy Chief of the PNP for Administration. The third in command with the rank also of Police Lieutenant General shall HAVE the POSITION TITLE OF Deputy Chief of the PNP for Operations.

At the national office, the head of the directorial staff with the rank of Police Lieutenant General shall HAVE THE POSITION TITLE OF Chief of the Directorial Staff of the PNP AND SHALL BE ASSISTED BY A SECRETARY TO THE DIRECTORIAL STAFF WITH THE RANK OF POLICE BRIGADIER GENERAL.

The heads of the various directorial staff shall have the rank of Police Major General with the position title of Director of the Directorial Staff of their respective functional divisions. THEY SHALL BE ASSISTED BY A DEPUTY DIRECTOR AND EXECUTIVE OFFICER, BOTH WITH THE RANK OF POLICE BRIGADIER GENERAL.

THE HEADS OF AREA POLICE COMMANDS WITH THE RANK OF POLICE LIEUTENANT GENERAL SHALL HAVE THE POSITION TITLE OF COMMANDER AND SHALL BE ASSISTED BY A DEPUTY COMMANDER AND CHIEF OF STAFF, BOTH WITH THE RANK OF POLICE BRIGADIER GENERAL.

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THE HEADS AND COMMAND GROUP OF NATIONAL ADMINISTRATIVE AND SUPPORT UNITS SHALL HAVE THE RANK AND POSITION TITLE AS PROVIDED IN THIS ACT.

THE HEADS OF SPECIAL POLICE OFFICES WITH THE RANK OF POLICE BRIGADIER GENERAL SHALL HAVE THE POSITION TITLE OF CHIEF OF THEIR RESPECTIVE OFFICE AND SHALL BE ASSISTED BY AN ASSISTANT CHIEF WITH THE RANK OF POLICE COLONEL.

The head of the NCRPO with the rank of Police LIEUTENANT General shall assume the position title of NCRPO REGIONAL Director AND SHALL BE ASSISTED BY A DEPUTY REGIONAL DIRECTOR FOR ADMINISTRATION, WITH THE RANK OF POLICE MAJOR GENERAL, THE DEPUTY REGIONAL DIRECTOR FOR OPERATIONS, AND CHIEF OF REGIONAL STAFF, BOTH WITH THE RANK OF POLICE BRIGADIER GENERAL.

The heads of OTHER POLICE regional offices with the rank of Police MAJOR General shall assume the position title of Regional Director AND SHALL BE ASSISTED BY A DEPUTY REGIONAL DIRECTOR FOR ADMINISTRATION WITH THE RANK OF POLICE BRIGADIER GENERAL, AND DEPUTY REGIONAL DIRECTOR FOR OPERATIONS AND CHIEF OF REGIONAL STAFF, BOTH WITH THE RANK OF POLICE COLONEL.

The heads of the POLICE districts ESTABLISHED IN THE NCR AND IN OTHER METROPOLITAN AREAS with the rank of Police Brigadier General shall have the position title of District Director AND SHALL BE ASSISTED BY A DEPUTY DISTRICT DIRECTOR FOR ADMINISTRATION, DEPUTY DISTRICT DIRECTOR FOR

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OPERATIONS, AND CHIEF OF STAFF, ALL WITH THE RANK OF POLICE COLONEL.

The heads of POLICE provincial offices with the rank of Police Colonel shall be known as Provincial Director.

THE HEADS OF CITY POLICE OFFICES WITH THE RANK OF POLICE COLONEL SHALL HAVE THE POSITION TITLE OF CITY DIRECTOR.

The heads of the POLICE STATIONS IN THE CITY LEVEL WITH THE RANK OF AT LEAST POLICE LIEUTENANT COLONEL or IN THE MUNICIPAL LEVEL with the rank of AT LEAST Police Major shall be known as Chief of Police."

SEC. 8. A new Section 30-A is hereby inserted in R. A. No. 6975, as amended, to read as follows:

"SEC. 30-A. PHILIPPINE NATIONAL POLICE ACADEMY CADETS. - ALL CADETS OF THE PHILIPPINE NATIONAL POLICE ACADEMY (PNPA) SHALL BE APPOINTED BY THE CHIEF OF THE PNP, OR UPON HIS AUTHORITY, BY THE PNPA DIRECTOR. THEY SHALL HOLD THE POSITION OF POLICE CADET, IN TEMPORARY STATUS, WHICH SHALL BE RENEWED EVERY YEAR UNTIL THEIR GRADUATION OR SEPARATION FROM THE ACADEMY FOR JUST CAUSE IN ACCORDANCE WITH EXISTING LAWS, RULES AND REGULATIONS, WHICHEVER COMES FIRST. POLICE CADETS SHALL HAVE A SALARY GRADE OF 21 WITH APPROPRIATE BENEFITS AND OTHER EMOLUMENTS."

SEC. 9. Section 31 of R. A. No. 6975, as amended by R. A. No. 11200, is hereby further amended to read as follows:

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"SEC. 31. *Appointment of PNP Officers and Members.* – The appointment of the officers and members of the PNP shall be effected in the following manner:

(a)Patrolman/Patrolwoman to Police Executive Master Sergeant. – Appointed by the PNP regional director for regional personnel, APC COMMANDER FOR APC PERSONNEL, NATIONAL SUPPORT UNIT DIRECTORS FOR NATIONAL SUPPORT UNIT PERSONNEL, or by the Chief of the PNP for the national headquarters personnel and attested by the Civil Service Commission;

(b)Police Lieutenant to Police Lieutenant Colonel. – Appointed by the Chief of the PNP, as recommended by their immediate superiors, and attested by the Civil Service Commission;

(c)Police Colonel to Police Lieutenant General. – Appointed by the President upon recommendation of the Chief of the PNP, with proper endorsement by the Commission; and

(d)Police General. – Appointed by the President TO THE POSITION OF CHIEF OF THE PNP."

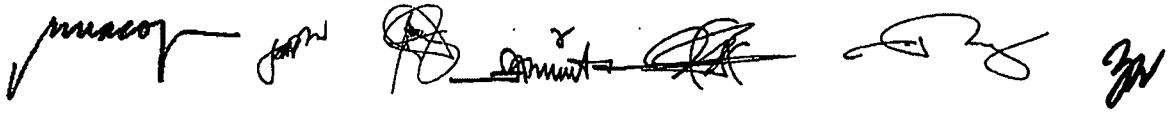
SEC. 10. Section 32 of R. A. No. 8551, is hereby amended to read as follows:

"SEC. 32. *Promotion by Virtue of Position.* – Any PNP personnel designated to any key position whose rank is lower than that which is required for such position shall, UPON RECOMMENDATION BY THE COMMISSION, be entitled to a rank adjustment corresponding to the position: *Provided,* That any personnel designated to the position who does not possess the established minimum qualifications therefor shall occupy the same temporarily for not more than six (6) months without reappointment or extension."

SEC. 11. Section 33 of R. A. No. 6975, as amended by R. A. No. 11200, is hereby further amended to read as follows:

"SEC. 33. *Lateral Entry of Officers into the PNP.* – In general, all original appointments of commissioned officers in the PNP shall commence with the rank of Police Lieutenant, to include all those with highly technical qualifications applying for the PNP technical services: *PROVIDED*, THAT DOCTORS OF MEDICINE, MEMBERS OF THE PHILIPPINE BAR, PRIESTS/PASTORS/IMAMS, AND LICENSED AIRCRAFT PILOTS SHALL BE APPOINTED TO THE RANK OF POLICE CAPTAIN IN THEIR PARTICULAR TECHNICAL SERVICE: *PROVIDED, FURTHER*, THAT THE POLICE COMMISSIONED OFFICERS WHO ARE RECRUITED VIA THE LATERAL ENTRY FOR TECHNICAL OFFICERS PROGRAM SHALL SERVE THE OFFICE/UNIT WHERE HE/SHE WAS ACCEPTED AND MUST ACQUIRE OR PURSUE TRAINING RELATED TO HIS/HER FIELD OF EXPERTISE IN PURSUIT OF EXCELLENCE: *PROVIDED, FINALLY*, THAT TECHNICAL OFFICERS SHALL BE AUTHORIZED TO BE ASSIGNED TO POSITIONS GERMANE TO THEIR TECHNICAL EXPERTISE IN THE ATTAINMENT OF THE PRIMARY LAW ENFORCEMENT FUNCTIONS OF THE PNP.

IN THE LATERAL ENTRY FOR LINE OFFICERS PROGRAM, LICENSED CRIMINOLOGISTS, OTHER PROFESSIONALS WHO HAVE LICENSES ISSUED BY THE PROFESSIONAL REGULATION COMMISSION OR THOSE WITH ELIGIBILITY ISSUED BY THE COMMISSION MAY BE APPOINTED TO THE RANK OF POLICE LIEUTENANT TO FILL UP VACANCIES IN THE PNP LINE UNITS:







PROVIDED, THAT LICENSED CRIMINOLOGISTS AND OTHER PRC LICENSED PROFESSIONALS, TO INCLUDE THOSE WITH ELIGIBILITY ISSUED BY THE COMMISSION WHO ARE APPLYING FOR LATERAL ENTRY LINE OFFICERSHIP, ARE ALREADY MEMBERS OF THE PNP WITH A RANK OF AT LEAST POLICE STAFF SERGEANT FOR UNIFORMED PERSONNEL OR AT LEAST SALARY GRADE 14 FOR NUP AND HAVE SERVED THE ORGANIZATION FOR AT LEAST FIVE (5) YEARS: PROVIDED, FURTHER, THAT THESE POLICE LIEUTENANTS IN THE LINE SERVICES SHALL SERVE AT LEAST FIVE (5) YEARS IN THE LINE OFFICES/UNITS THEY OPTED TO JOIN BEFORE THEY CAN SEEK REASSIGNMENT TO OTHER LINE OFFICES/UNITS.

GRADUATES OF THE PNPA SHALL BE AUTOMATICALLY APPOINTED TO THE INITIAL RANK OF POLICE LIEUTENANT."

SEC. 12. Section 35 of R. A. 6975, as amended, is hereby further amended to read as follows:

"SEC. 35. NATIONAL Support Units. --

THE NATIONAL ADMINISTRATIVE AND OPERATIONAL SUPPORT UNITS SHALL INITIALLY CONSIST OF THE FOLLOWING:

(A) NATIONAL ADMINISTRATIVE SUPPORT UNITS. --

(1) NATIONAL POLICE TRAINING INSTITUTE. -- HEADED BY A DIRECTOR WITH THE RANK OF POLICE MAJOR GENERAL, THE NATIONAL POLICE TRAINING INSTITUTE SHALL BE RESPONSIBLE FOR THE MANDATORY AND LEADERSHIP TRAININGS OF ALL POLICE NON-COMMISSIONED OFFICERS. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR WITH THE RANK OF

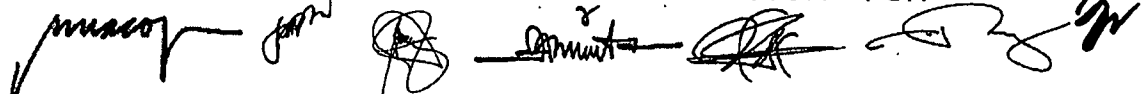


POLICE BRIGADIER GENERAL AND CHIEF OF STAFF WITH THE RANK OF POLICE COLONEL.

(2) LOGISTICS SUPPORT SERVICE. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE LOGISTICS SUPPORT SERVICE SHALL BE RESPONSIBLE FOR THE PROCUREMENT, DISTRIBUTIONS, AND MANAGEMENT OF ALL THE LOGISTICAL REQUIREMENTS OF THE PNP INCLUDING FIREARMS AND AMMUNITION. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR AND CHIEF OF STAFF, BOTH WITH THE RANK OF POLICE COLONEL.

(3) COMMUNICATIONS AND ELECTRONICS SERVICE. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE COMMUNICATIONS AND ELECTRONICS SERVICE SHALL BE RESPONSIBLE FOR ESTABLISHING AN EFFECTIVE POLICE COMMUNICATIONS NETWORK. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR AND CHIEF OF STAFF, BOTH WITH THE RANK OF POLICE COLONEL.

(4) INFORMATION AND TECHNOLOGY MANAGEMENT AND CYBERSECURITY SERVICE. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE INFORMATION AND TECHNOLOGY MANAGEMENT SERVICE SHALL BE RESPONSIBLE FOR THE DESIGN, IMPLEMENTATION, AND MAINTENANCE OF A DATABASE SYSTEM FOR THE PNP. IT SHALL ALSO BE RESPONSIBLE FOR THE ESTABLISHMENT, MAINTENANCE, AND UPGRADING OF INTERNAL CYBERSECURITY MEASURES OF THE PNP. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR FOR

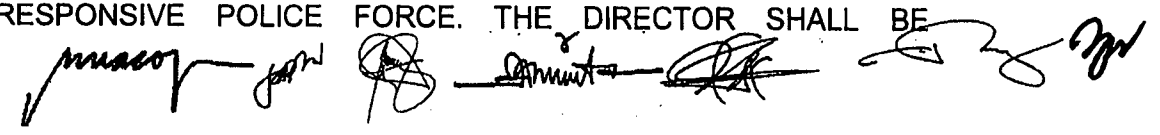
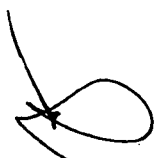
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ADMINISTRATION WITH THE RANK OF POLICE COLONEL, DEPUTY DIRECTOR FOR INFORMATION AND TECHNOLOGY MATTERS WHO IS A NON-UNIFORMED PERSONNEL WITH AT LEAST SALARY GRADE 25, AND CHIEF OF STAFF WITH THE RANK OF POLICE COLONEL.

(5) FINANCE SERVICE. – HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE FINANCE SERVICE SHALL BE RESPONSIBLE FOR PROVIDING FINANCE SERVICES TO THE PNP. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR FOR ADMINISTRATION WITH THE RANK OF POLICE COLONEL, DEPUTY DIRECTOR FOR FINANCIAL MANAGEMENT WHO IS A NON-UNIFORMED PERSONNEL WITH AT LEAST SALARY GRADE 25, AND CHIEF OF STAFF WITH THE RANK OF POLICE COLONEL.

(6) HEALTH SERVICE. – HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE HEALTH SERVICE SHALL BE RESPONSIBLE FOR PROVIDING MEDICAL AND DENTAL SERVICES FOR THE PNP. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR AND CHIEF OF STAFF, BOTH WITH THE RANK OF POLICE COLONEL.

(7) TRAINING SERVICE. – HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE TRAINING SERVICE SHALL BE RESPONSIBLE FOR CONDUCTING TRAINING COURSES GEARED TOWARDS SKILLS ENHANCEMENT, INTELLECTUAL ADVANCEMENT, AND MORAL TRANSFORMATION OF PNP PERSONNEL VITAL TO THE PURSUIT OF A RESPECTABLE AND RESPONSIVE POLICE FORCE. THE DIRECTOR SHALL BE

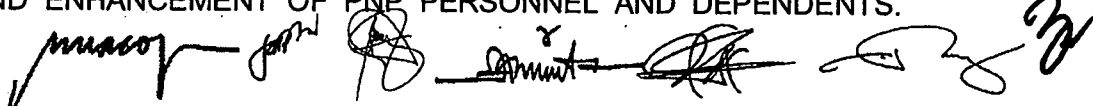


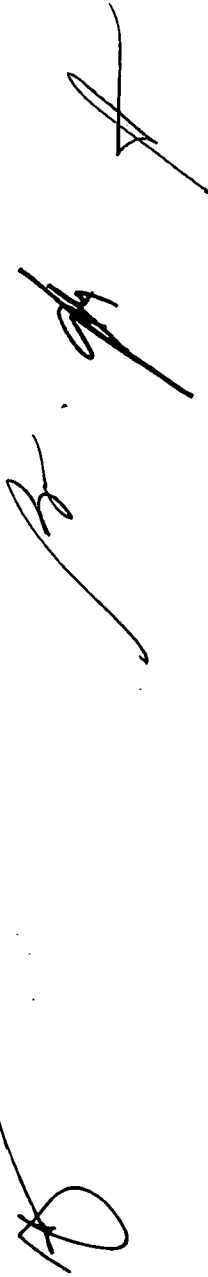
ASSISTED BY A DEPUTY DIRECTOR AND CHIEF OF STAFF, BOTH WITH THE RANK OF POLICE COLONEL.

(8) RETIREMENT AND BENEFITS ADMINISTRATION SERVICE. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE PNP RETIREMENT AND BENEFITS ADMINISTRATION SERVICE SHALL BE RESPONSIBLE FOR ADMINISTERING THE RETIREMENT, SEPARATION, AND DEATH BENEFITS OF PNP PERSONNEL AS WELL AS THE IMPLEMENTATION OF PLANS AND PROGRAMS TO UPLIFT THE MORALE AND WELFARE OF THE PNP RETIREES AND THEIR BENEFICIARIES. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR AND CHIEF OF STAFF, BOTH WITH THE RANK OF POLICE COLONEL.

(9) HEADQUARTERS SUPPORT SERVICE. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE HEADQUARTERS SUPPORT SERVICE SHALL BE RESPONSIBLE FOR PROVIDING GENERAL HOUSEKEEPING AND CAMP SECURITY SERVICES TO THE NATIONAL HEADQUARTERS OF THE PNP. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR FOR ADMINISTRATION, DEPUTY DIRECTOR FOR OPERATIONS, AND CHIEF OF STAFF, ALL WITH THE RANK OF POLICE COLONEL.

(10) CHAPLAIN SERVICE. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE CHAPLAIN SERVICE SHALL BE RESPONSIBLE FOR PROVIDING SPIRITUAL AND OTHER COUNSELING SERVICES FOR THE MORAL GROWTH AND ENHANCEMENT OF PNP PERSONNEL AND DEPENDENTS.

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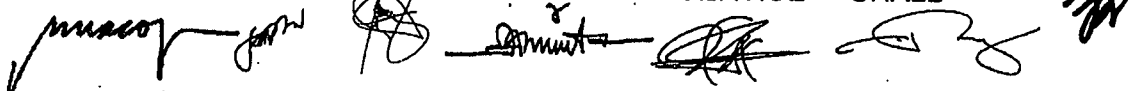
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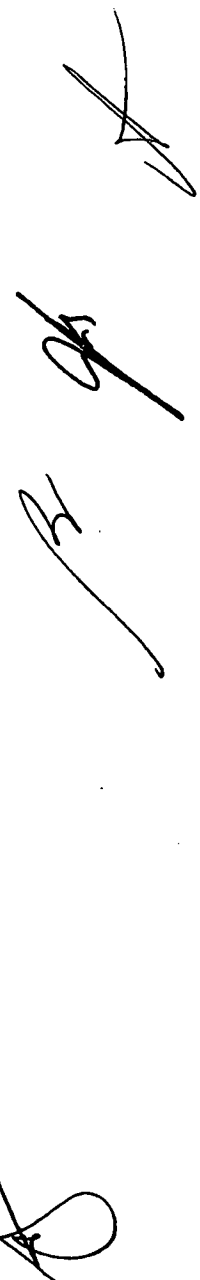
THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR AND CHIEF OF STAFF, BOTH WITH THE RANK OF POLICE COLONEL.

(11) ENGINEERING SERVICE. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE ENGINEERING SERVICE SHALL BE RESPONSIBLE FOR THE OVERALL PLANNING, IMPLEMENTATION, SUPERVISION, AND EVALUATION OF ALL PNP ENGINEERING PROGRAMS, SUCH AS CONSTRUCTION AND REPAIR PROJECTS, LAND UTILIZATION PROJECTS, HOUSING AND QUARTERING PROJECTS, AND OTHER RELATED ACTIVITIES. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR AND CHIEF OF STAFF, BOTH WITH THE RANK OF POLICE COLONEL.

(12) LEGAL SERVICE. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE LEGAL SERVICE SHALL SERVE AS THE LEGAL ARM OF THE PNP, ASSIST IN CRIMINAL INVESTIGATION AND PROSECUTION, ACT AS LEGAL COUNSEL OF THE CHIEF OF THE PNP, REPRESENT SUBORDINATE POLICE OFFICES AND HEADS THEREOF IN CIVIL, CRIMINAL AND ADMINISTRATIVE PROCEEDINGS ARISING FROM SERVICE-CONNECTED CASES, AND RENDER LEGAL OPINION ON POLICE OPERATIONS AND ADMINISTRATION. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR AND CHIEF OF STAFF, BOTH WITH THE RANK OF POLICE COLONEL.

(13) RECRUITMENT AND SELECTION SERVICE. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE RECRUITMENT AND SELECTION SERVICE SHALL

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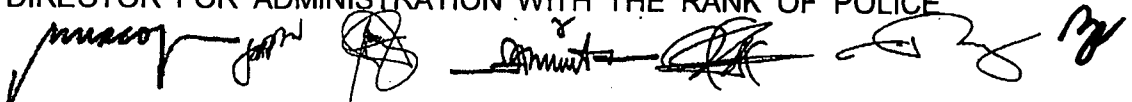
INSTITUTIONALIZE THE IMPLEMENTATION OF THE PNP RECRUITMENT AND SELECTION PROGRAM TO ENSURE THE ENTRY AND EQUAL REPRESENTATION OF QUALIFIED AND COMPETENT UNIFORMED PERSONNEL IN THE PNP, REGARDLESS OF SEX, ETHNIC ORIGIN, RELIGIOUS BELIEF, POLITICAL AFFILIATION, AND SOCIAL CLASS: PROVIDED, THAT ACTIVE RECRUITMENT ALL OVER THE COUNTRY SHALL BE CONDUCTED. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR AND CHIEF OF STAFF, BOTH WITH THE RANK OF POLICE COLONEL.

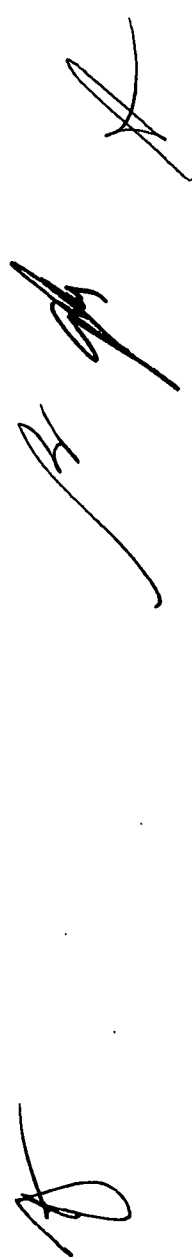
(B) NATIONAL OPERATIONAL SUPPORT UNITS. -

(1) CRIMINAL INVESTIGATION AND DETECTION GROUP. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE MAJOR GENERAL, THE CRIMINAL INVESTIGATION AND DETECTION GROUP SHALL UNDERTAKE THE MONITORING, INVESTIGATION AND PROSECUTION OF ALL CRIMES INVOLVING ECONOMIC SABOTAGE, AND OTHER CRIMES OF SUCH MAGNITUDE AND EXTENT AS TO INDICATE THEIR COMMISSION BY HIGHLY PLACED OR PROFESSIONAL CRIMINAL SYNDICATES AND ORGANIZATIONS.

THIS GROUP SHALL LIKEWISE INVESTIGATE ALL MAJOR CASES INVOLVING VIOLATIONS OF THE REVISED PENAL CODE AND OPERATE AGAINST ORGANIZED CRIME GROUPS, UNLESS THE PRESIDENT ASSIGNS THE CASE EXCLUSIVELY TO THE NATIONAL BUREAU OF INVESTIGATION (NBI).

THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR FOR ADMINISTRATION WITH THE RANK OF POLICE





BRIGADIER GENERAL, AND A DEPUTY DIRECTOR FOR OPERATIONS AND CHIEF OF STAFF, BOTH WITH THE RANK OF POLICE COLONEL.

(2) CIVIL SECURITY GROUP. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE MAJOR GENERAL, THE CIVIL SECURITY GROUP SHALL PROVIDE ADMINISTRATIVE SERVICES AND GENERAL SUPERVISION OVER ORGANIZATION, BUSINESS OPERATION AND ACTIVITIES OF ALL ORGANIZED PRIVATE DETECTIVES, WATCHMEN, SECURITY GUARD AGENCIES AND COMPANY GUARDBOUSES.

THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL AND CHIEF OF STAFF WITH THE RANK OF POLICE COLONEL.

THE GROUP SHALL SUPERVISE THE FIREARMS AND EXPLOSIVES OFFICE, WHICH IS HEADED BY A CHIEF WITH THE RANK OF POLICE BRIGADIER GENERAL WHO SHALL BE ASSISTED BY A DEPUTY CHIEF AND CHIEF OF STAFF, BOTH WITH THE RANK OF POLICE COLONEL.

THE GROUP SHALL LIKEWISE SUPERVISE THE SUPERVISORY OFFICE FOR SECURITY AND INVESTIGATION AGENCIES, WHICH IS HEADED BY A CHIEF WITH THE RANK OF POLICE BRIGADIER GENERAL WHO SHALL BE ASSISTED BY A DEPUTY CHIEF AND CHIEF OF STAFF, BOTH WITH THE RANK OF POLICE COLONEL.

(3) SPECIAL ACTION FORCE. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE MAJOR GENERAL, THE SPECIAL ACTION FORCE SHALL FUNCTION AS A MOBILE STRIKE FORCE OR

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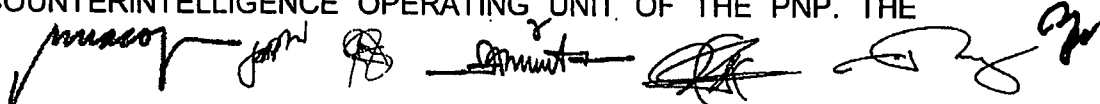
REACTION UNIT TO AUGMENT REGIONAL, PROVINCIAL, MUNICIPAL AND CITY POLICE FORCES IN CIVIL DISTURBANCE CONTROL, COUNTERINSURGENCY, HOSTAGE-TAKING RESCUE OPERATIONS, AND OTHER SPECIAL OPERATIONS.

THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL AND CHIEF OF STAFF WITH THE RANK OF POLICE COLONEL.

(4) ANTI-CYBERCRIME GROUP. – HEADED BY A DIRECTOR WITH THE RANK OF POLICE MAJOR GENERAL, THE ANTI-CYBERCRIME GROUP SHALL BE RESPONSIBLE FOR THE IMPLEMENTATION OF PERTINENT LAWS ON CYBERCRIMES AND ANTI-CYBERCRIME CAMPAIGNS OF THE PNP. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR FOR ADMINISTRATION WITH THE RANK OF POLICE BRIGADIER GENERAL, DEPUTY DIRECTOR FOR OPERATIONS, AND CHIEF OF STAFF, BOTH WITH THE RANK OF POLICE COLONEL.

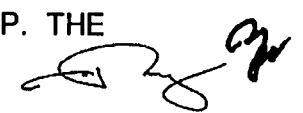
(5) MARITIME GROUP. – HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE MARITIME GROUP SHALL PERFORM ALL POLICE FUNCTIONS OVER PHILIPPINE TERRITORIAL WATERS AND RIVERS. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR FOR ADMINISTRATION, DEPUTY DIRECTOR FOR OPERATIONS, AND CHIEF OF STAFF, ALL WITH THE RANK OF POLICE COLONEL.

(6) INTELLIGENCE GROUP. – HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE INTELLIGENCE GROUP SHALL SERVE AS THE INTELLIGENCE AND COUNTERINTELLIGENCE OPERATING UNIT OF THE PNP. THE





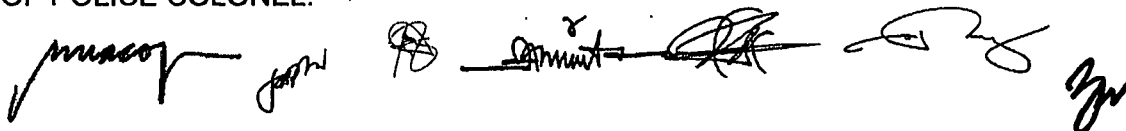


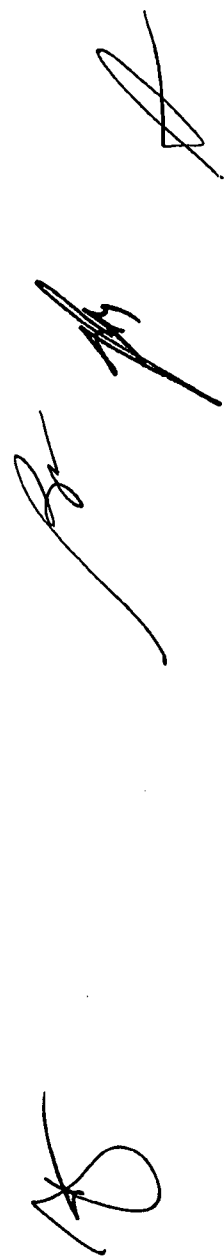


DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR FOR ADMINISTRATION, DEPUTY DIRECTOR FOR OPERATIONS, AND CHIEF OF STAFF, ALL WITH THE RANK OF POLICE COLONEL.

(7) AVIATION SECURITY GROUP. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE AVIATION SECURITY GROUP, IN COORDINATION WITH AIRPORT AUTHORITIES, SHALL SECURE ALL AIRPORTS IN THE COUNTRY AGAINST OFFENSIVE AND TERRORISTIC ACTS THAT THREATEN CIVIL AVIATION, EXERCISE OPERATIONAL CONTROL AND SUPERVISION OVER ALL AGENCIES INVOLVED IN AIRPORT SECURITY OPERATION, AND ENFORCE ALL LAWS AND REGULATIONS RELATIVE TO AIR TRAVEL PROTECTION AND SAFETY: *PROVIDED*, THAT THE AVIATION SECURITY GROUP SHALL HAVE CONCURRENT JURISDICTION AND AUTHORITY WITH ALL AIRPORT POLICE OR SECURITY GROUPS OVER AIRPORT PREMISES IN THE COUNTRY. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR FOR ADMINISTRATION DEPUTY DIRECTOR FOR OPERATIONS, AND CHIEF OF STAFF, ALL WITH THE RANK OF POLICE COLONEL.

(8) HIGHWAY PATROL GROUP. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE HIGHWAY PATROL GROUP SHALL ENFORCE TRAFFIC LAWS AND REGULATIONS. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR FOR ADMINISTRATION, DEPUTY DIRECTOR FOR OPERATIONS, AND CHIEF OF STAFF, ALL WITH THE RANK OF POLICE COLONEL.

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(9) FORENSIC GROUP. - THERE SHALL BE ESTABLISHED A FORENSIC GROUP TO BE HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, WHICH SHALL PROVIDE SCIENTIFIC AND TECHNICAL INVESTIGATIVE AID AND SUPPORT TO THE PNP AND OTHER GOVERNMENT INVESTIGATIVE AGENCIES.

IT SHALL ALSO PROVIDE FORENSIC EXAMINATION, EVALUATION, AND IDENTIFICATION OF PHYSICAL EVIDENCE INVOLVED IN CRIMES WITH PRIMARY EMPHASIS ON THEIR MEDICAL, CHEMICAL, BIOLOGICAL AND PHYSICAL NATURE.

THERE SHALL LIKEWISE BE ESTABLISHED REGIONAL, DISTRICT, PROVINCIAL, AND CITY FORENSIC UNITS AS MAY BE NECESSARY IN ALL REGIONS AND CITIES OF THE COUNTRY.

THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR FOR ADMINISTRATION, A DEPUTY DIRECTOR FOR OPERATIONS, BOTH WITH THE RANK OF POLICE COLONEL, A DEPUTY DIRECTOR FOR FORENSIC RESEARCH AND DEVELOPMENT WHO IS A NON-UNIFORMED PERSONNEL WITH AT LEAST SALARY GRADE 25, AND A CHIEF OF STAFF WITH THE RANK OF POLICE COLONEL: PROVIDED, THAT, NOTWITHSTANDING ANY LAW OR RULE TO THE CONTRARY, THERE SHALL BE A SUFFICIENT NUMBER OF PERSONNEL AT THE REGIONAL FORENSIC UNIT- NATIONAL CAPITAL REGION, ADJUSTED AS NEEDED TO THE DUTIES AND RESPONSIBILITIES OF THE UNIT AND TO THE DEMAND FOR FORENSIC SERVICES IN THE REGION AS DETERMINED BY THE CHIEF OF THE PNP.

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(10) DRUG ENFORCEMENT GROUP. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE DRUG ENFORCEMENT GROUP SHALL ENFORCE ALL LAWS RELATIVE TO THE PROTECTION OF THE CITIZENRY AGAINST DANGEROUS AND OTHER PROHIBITED DRUGS AND SUBSTANCES. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR FOR ADMINISTRATION, DEPUTY DIRECTOR FOR OPERATIONS, AND CHIEF OF STAFF, ALL WITH THE RANK OF POLICE COLONEL.

(11) POLICE SECURITY AND PROTECTION GROUP. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE POLICE SECURITY AND PROTECTION GROUP SHALL PROVIDE SECURITY FOR GOVERNMENT OFFICIALS, VISITING DIGNITARIES AND PRIVATE INDIVIDUALS AUTHORIZED TO BE GIVEN PROTECTION. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR AND CHIEF OF STAFF, BOTH WITH THE RANK OF POLICE COLONEL.

(12) POLICE COMMUNITY AFFAIRS AND DEVELOPMENT GROUP. - HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE POLICE COMMUNITY AFFAIRS AND DEVELOPMENT GROUP SHALL IMPLEMENT PLANS AND PROGRAMS THAT PROMOTE COMMUNITY AND CITIZENS' PARTICIPATION IN THE MAINTENANCE OF PEACE AND ORDER AND PUBLIC SAFETY. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR FOR ADMINISTRATION, DEPUTY DIRECTOR FOR OPERATIONS, AND CHIEF OF STAFF, ALL WITH THE RANK OF POLICE COLONEL.

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(13) ANTI-KIDNAPPING GROUP. – HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE ANTI-KIDNAPPING GROUP SHALL BE RESPONSIBLE IN ADDRESSING KIDNAPPING MENACE IN THE COUNTRY AND IN HANDLING HOSTAGE SITUATIONS. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR FOR ADMINISTRATION, DEPUTY DIRECTOR FOR OPERATIONS, AND CHIEF OF STAFF, ALL WITH THE RANK OF POLICE COLONEL.

(14) EXPLOSIVES AND ORDNANCE AND CANINE GROUP. – HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE EXPLOSIVES AND ORDNANCE/CANINE GROUP SHALL BE RESPONSIBLE FOR THE MANAGEMENT, DEPLOYMENT, UTILIZATION, AND DEVELOPMENT OF EOD AND CANINE UNITS OF THE PNP. THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR FOR ADMINISTRATION, DEPUTY DIRECTOR FOR OPERATIONS, AND CHIEF OF STAFF, ALL WITH THE RANK OF POLICE COLONEL.

(15) INTEGRITY MONITORING AND ENFORCEMENT GROUP. – HEADED BY A DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, THE INTEGRITY MONITORING AND ENFORCEMENT GROUP SHALL BE RESPONSIBLE FOR INFORMATION GATHERING AND CONDUCT OF OFFENSIVE OPERATIONS AGAINST ERRING PNP PERSONNEL.

SPECIFICALLY, THE GROUP SHALL CONDUCT INTELLIGENCE BUILD-UP AND LAW ENFORCEMENT OPERATIONS AGAINST PNP PERSONNEL REPORTED TO BE INVOLVED OR PROTECTING ILLEGAL ACTIVITIES SUCH AS, BUT NOT LIMITED TO, DRUG

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TRAFFICKING, HUMAN TRAFFICKING, FINANCIAL CRIMES, CYBERCRIME, MALVERSATION, PILFERAGE, GRAFT AND CORRUPT PRACTICES, AND SECURITY VIOLATIONS.

THE GROUP SHALL CLOSELY COORDINATE WITH THE PNP-INTERNAL AFFAIRS SERVICE TO ENSURE THAT THE PROPER ADMINISTRATIVE AND/OR CRIMINAL CHARGES ARE FILED AGAINST PNP PERSONNEL INVOLVED IN ILLICIT ACTS.

THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR FOR ADMINISTRATION, DEPUTY DIRECTOR FOR OPERATIONS, AND CHIEF OF STAFF, ALL WITH THE RANK OF POLICE COLONEL.

(16) WOMEN AND CHILDREN PROTECTION GROUP. – THE GROUP SHALL BE HEADED BY A FEMALE DIRECTOR WITH THE RANK OF POLICE BRIGADIER GENERAL, EXCEPT IN CASES WHERE THERE ARE NO QUALIFIED FEMALE OFFICERS. THE GROUP SHALL BE RESPONSIBLE FOR THE IMPLEMENTATION OF PERTINENT LAWS ON VIOLATIONS AGAINST WOMEN AND CHILDREN, AND TRAFFICKING IN PERSONS.

THE DIRECTOR SHALL BE ASSISTED BY A DEPUTY DIRECTOR FOR ADMINISTRATION, DEPUTY DIRECTOR FOR OPERATIONS, AND CHIEF OF STAFF, ALL WITH THE RANK OF POLICE COLONEL.”

SEC. 13. Section 36 of R. A. No. 6975, as amended by R. A. No. 8551 is hereby further amended to read as follows:

“SEC. 36. Status of Members of the Philippine National Police. –

The uniformed members of the PNP INCLUDING POLICE CADETS

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shall be considered employees of the National Government and shall draw their salaries therefrom. THEY SHALL HAVE SALARY GRADE LEVELS PROVIDED UNDER EXECUTIVE ORDER NO. 107 SERIES OF 1999: *Provided*, That PNP members may be paid financial incentive by the local government unit concerned subject to the availability of funds."

SEC. 14. Section 39 of R. A. No. 6975, as amended by R. A. 11200, is hereby further amended to read as follows:

"SEC. 39. *Compulsory Retirement.* – Compulsory retirement, for officer and non-officer, shall be upon the attainment of age FIFTY SEVEN (57): *PROVIDED*, THAT UNIFORMED PERSONNEL WHO HAVE LESS THAN ONE (1) YEAR IN THE SERVICE UPON THE EFFECTIVITY OF THIS ACT SHALL HAVE THE OPTION TO RETIRE AT THE AGE OF FIFTY-SIX (56), AND SHALL BE CONSIDERED COMPULSORILY RETIRED."

SEC. 15. Section 39 of Republic Act No. 8551 is hereby amended to read as follows:

"SEC. 39. *Creation, Powers, and Functions.* – An Internal Affairs Service (IAS) of the PNP is hereby created UNDER THE OFFICE OF THE CHIEF OF THE PNP which shall:

- a) Pro-actively conduct inspections and audits on PNP personnel and units;
- b) Investigate complaints and gather evidence in support of an open investigation;
- c) Conduct summary hearings on PNP members facing administrative charges;

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d) Submit a periodic report on the assessment, analysis, and evaluation of the character and behavior of PNP personnel and units to the Chief PNP and the Commission;

e) CLOSELY COORDINATE WITH THE INTEGRITY AND MONITORING ENFORCEMENT GROUP, FILE THE PROPER criminal cases against ERRING PNP members as the evidence warrants, and assist in the prosecution of the case; and

f) provide assistance to the Office of the Ombudsman in cases involving the personnel of the PNP.

The IAS shall also conduct, motu proprio, automatic investigations of the following cases:

a) incidents where a police personnel discharges a firearm;

b) incidents where death, serious physical injury, or any violation of human rights occurred DURING, IN CONNECTION WITH, OR AS A RESULT OF the conduct of a police operation;

c) incidents where evidence was compromised, tampered with, obliterated, or lost while in the custody of police personnel;

d) incidents where a suspect in the custody of the police DIES OR IS seriously injured;

e) incidents where the established rules of engagement have been violated; AND

f) INCIDENTS WHERE A POLICE PERSONNEL IS ALLEGEDLY INVOLVED IN CRIMES INCLUDING MURDER, KIDNAPPING AND SERIOUS ILLEGAL DETENTION, ROBBERY, ABUSE OR VIOLENCE AGAINST WOMEN OR CHILDREN, TRAFFICKING IN PERSONS, OR ANY OTHER CRIME INVOLVING MORAL TURPITUDE.

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Finally, the IAS shall provide documents or recommendations as regards to the promotion of the members of the PNP or the assignment of PNP personnel to any key position."

SEC. 16. Section 40 of Republic Act No. 8551 is hereby amended to read as follows:

"SEC. 40. *Organization.* - National, regional, METROPOLITAN DISTRICT, provincial AND HIGHLY URBANIZED OR INDEPENDENT COMPONENT CITY offices of the Internal Affairs shall be established. Internal Affairs Service shall be headed by an Inspector General who shall be assisted by a Deputy Inspector General WITH THE RANK OF POLICE MAJOR GENERAL. The REGIONAL INTERNAL AFFAIRS offices shall be headed by a REGIONAL Director WITH THE RANK OF POLICE BRIGADIER GENERAL, while the METROPOLITAN DISTRICT, provincial AND HIGHLY URBANIZED OR INDEPENDENT COMPONENT CITY offices shall be headed by PROVINCIAL DIRECTORS: OF THEIR RESPECTIVE OFFICES: *Provided*, That the head of the Internal Affairs Service shall be a civilian who shall meet the qualification requirements provided herein.

The commission shall establish a rationalized staffing pattern in the Reorganization Plan as provided for in Section 13 hereof."

SEC. 17. Section 41 of Republic Act No. 8551 is hereby amended to read as follows:

"SEC. 41. *Appointments.* - The Inspector General shall be appointed by the President upon the recommendation of the CHIEF OF THE PNP and duly endorsed by the Commission AND SHALL BE COTERMINOUS WITH THE APPOINTING AUTHORITY WITHOUT

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REAPPOINTMENT OR EXTENSION UNLESS EARLIER REMOVED FROM OFFICE FOR JUST CAUSE.

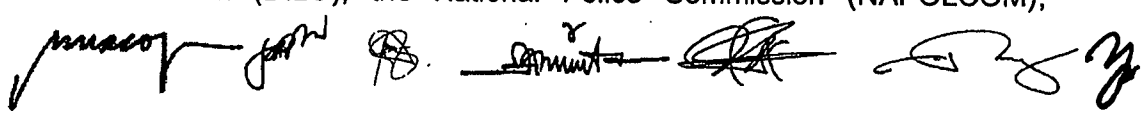
THE Appointments AND/OR DESIGNATION of personnel who shall occupy various positions shall be RECOMMENDED by the Inspector General FOR THE APPROVAL OF THE CHIEF OF THE PNP and shall be based on an established career pattern and criteria to be promulgated by the Commission."

SEC. 18. *Applicability.* – The provisions of this Act shall have retroactive effect on the rights and benefits granted by virtue of appointment, promotion, or retirement prior to its effectivity.

SEC. 19. *Congressional Oversight Committee.* – There is hereby created a Congressional Oversight Committee to monitor and oversee the implementation of the provisions of this Act. The committee shall be composed of five (5) members from the Senate Committee on Public Order and Dangerous Drugs and five (5) members from the House Committee on Public Order and Safety, with the respective Chairpersons as Joint Chairpersons. The four (4) other members from each Chamber shall be designated by the Senate President and the Speaker of the House of Representatives, respectively: *Provided,* That at least one (1) member from the Minority shall come from each chamber.

SEC. 20. *Appropriations.* – The initial amount necessary to implement the provisions of this Act shall be charged against the current appropriations of the Philippine National Police. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the succeeding General Appropriations Act.

SEC. 21. *Implementing Rules and Regulations.* – The Department of the Interior and Local Government (DILG), the National Police Commission (NAPOLCOM),







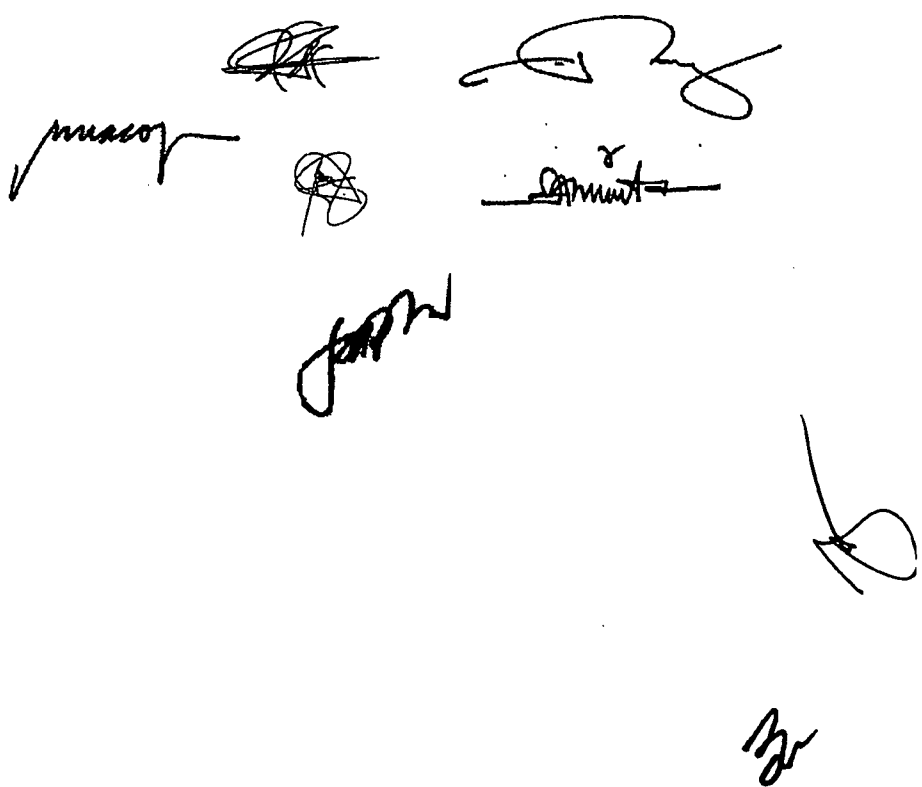
Department of Budget and Management (DBM), the PNP, and other concerned government agencies, shall, within ninety (90) days from the effectivity of this Act, promulgate the rules and regulations to effectively implement the provisions of this Act.

SEC. 22. *Separability Clause.* – If any portion of this Act is declared unconstitutional, the remainder of this Act or any provisions not affected thereby, shall remain in force and effect.

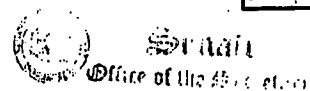
SEC. 23. *Repealing Clause.* – Sections 35-A and 67-A of R. A. No. 6975, as amended by R. A. No. 11279, are hereby repealed. All laws, executive orders, rules and regulations, inconsistent with the provisions of this Act are hereby modified, amended or repealed accordingly.

SEC. 24. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,



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

24 MAR 18 P6:43

**JOINT EXPLANATION OF THE BICAMERAL CONFERENCE COMMITTEE  
ON THE DISAGREEING PROVISIONS OF  
SENATE BILL NO. 2492 AND HOUSE BILL NO. 7819**

The Conference Committee on the disagreeing provisions of **Senate Bill No. 2492** and **House Bill No. 7819**, after having met and fully discussed the subject matter in a conference, hereby report to their respective Houses the following:

1. The conferees agreed to use the Senate version as the working draft;
2. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, and 20 of the Senate version were adopted;
3. Section 14 of the Senate version and Section 12 of the House version were consolidated to become Section 14 of the Reconciled Bill, to read as:

**"SEC. 14. Due Regard and Mutual Respect.** – The Philippines shall give due regard to the rights and duties of foreign states, and foreign states shall act with due regard to the rights and duties of the Philippines, relative to the maritime zones as provided under this Act, UNCLOS, and international law.

The Philippines shall recognize the rights and privileges of foreign vessels and aircraft in its maritime zones under conditions of reciprocity and mutual respect, and reserves the right to take necessary legal and diplomatic actions against States whose vessels and aircraft do not abide by, or act inconsistently with, the UNCLOS and international law."

1

A. P. ...

4. For the title of the Reconciled Bill, the title of the Senate version was adopted to read as:


**AN ACT**  
**DECLARING THE MARITIME ZONES UNDER THE JURISDICTION OF**  
**THE REPUBLIC OF THE PHILIPPINES**

In case of conflict between the statements/amendments stated in this Joint Explanation and that of the provisions of the reconciled bill in the accompanying Conference Committee Report, the provisions of the latter shall prevail.

Approved,

  
**HON. MARIA RACHEL J. ARENAS**  
*Chairperson*  
House of Representatives Panel

  
**HON. FRANCIS N. TOLENTINO**  
*Chairperson*  
Senate Panel

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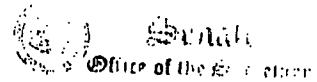


  
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Republic of the Philippines  
CONGRESS OF THE PHILIPPINES



NINETEENTH CONGRESS  
Second Regular Session

24 MAR 18 P 6:43

**CONFERENCE COMMITTEE REPORT**

RECEIVED BY: 

The Conference Committee on the disagreeing provisions of Senate Bill No. 2492, entitled:

**AN ACT  
DECLARING THE MARITIME ZONES UNDER THE JURISDICTION OF  
THE REPUBLIC OF THE PHILIPPINES**

and House Bill No. 7819, entitled:

**AN ACT  
DECLARING THE MARITIME ZONES UNDER THE JURISDICTION OF  
THE REPUBLIC OF THE PHILIPPINES**


after having met and discussed the subject matter in full and free conference, have agreed and do hereby recommend to their respective Houses that Senate Bill No. 2492, in consolidation with House Bill No. 7819, be approved in accordance with the attached copy of the bill as reconciled and approved by the conferees.

Approved,

**CONFEREES ON THE PART OF THE  
HOUSE OF REPRESENTATIVES**

  
**HON. MARIA RACHEL J. ARENAS**  
*Chairperson*

  
**HON. RAUL "BOBOY" C. TUPAS**

  
**HON. RUFUS B. RODRIGUEZ**

  
**HON. NEPTALI M. GONZALES II**

**CONFEREES ON THE PART OF THE  
SENATE**

  
**HON. FRANCIS N. TOLENTINO**  
*Chairperson*

  
**HON. RONALD "BATO" M. DELA  
ROSA**

  
**HON. RAMON BONG REVILLA, JR.**

  
**HON. WIN GATCHALIAN**



  
HON. EMIGDIO P. TANJUATCO III

  
HON. AQUILINO "KOKO" PIMENTEL  
III

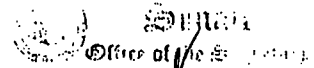
  
HON. FRANCISCO "KIKO" B. BENITEZ

  
HON. SERGIO C. DAGOOC

  
HON. RAMON RODRIGO L.  
GUTIERREZ



Republic of the Philippines  
CONGRESS OF THE PHILIPPINES  
NINETEENTH CONGRESS  
Second Regular Session



24 MAR 18 P 6 43

Republic Act No. \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_

**AN ACT  
DECLARING THE MARITIME ZONES UNDER THE JURISDICTION OF  
REPUBLIC OF THE PHILIPPINES**

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

1 **SECTION 1. Short Title-** This Act shall be known as the "Philippine Maritime Zones  
2 Act"

3 **SEC. 2. Maritime Zones.** – In accordance with the 1987 Constitution and  
4 international law, particularly, the 1982 United Nations Convention on the Law of the  
5 Sea (UNCLOS):

6 (a) The maritime zones of the Philippine archipelago comprise of internal  
7 waters, archipelagic waters, territorial sea, contiguous zone, Exclusive Economic Zone  
8 (EEZ), and continental shelf; and

9 (b) All other territories over which the Philippines has sovereignty or jurisdiction  
10 likewise have their respective maritime zones, as appropriate.

11 **SEC. 3. Baselines.** – The baselines of the Philippines pursuant to Republic Act No.  
12 9522, entitled "An Act to Amend Certain Provisions of Republic Act No. 3046, as  
13 Amended by Republic Act No. 5446, to Define the Archipelagic Baselines of the  
14 Philippines, and for Other Purposes", are the following:

15 (a) Archipelagic baselines for the Philippine archipelago, drawn in accordance  
16 with Article 47 of UNCLOS; and

17 (b) Normal or straight baselines, as appropriate, for all other territories over  
18 which the Philippines has sovereignty or jurisdiction, drawn in accordance with Articles  
19 5, 6, 7, 13 and 121 of UNCLOS.

20 **SEC. 4. Internal Waters.** – The internal waters of the Philippines shall refer to the  
21 following:

1 (a) Waters on the landward side of the archipelagic baselines not forming part  
2 of archipelagic waters under Section 5 of this Act and delineated in accordance with  
3 Article 50 of UNCLOS; and

4 (b) Waters on the landward side of the baselines of the territories outside of  
5 the archipelagic baselines, drawn in accordance with Article 8 of UNCLOS.

6 The Philippines exercises sovereignty over its internal waters and the airspace  
7 over it as well as its seabed and subsoil in accordance with UNCLOS and other existing  
8 laws and treaties.

9 **SEC. 5. Archipelagic Waters.** – The archipelagic waters of the Philippines refer to  
10 the waters on the landward side of the archipelagic baselines that do not constitute  
11 internal waters under Section 4 of this Act, and which are delineated from internal  
12 waters using closing lines under Article 50 of UNCLOS.

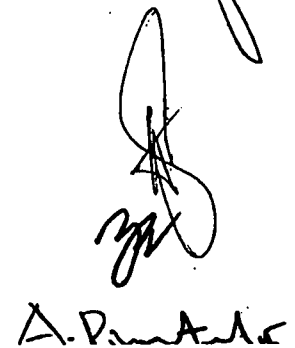
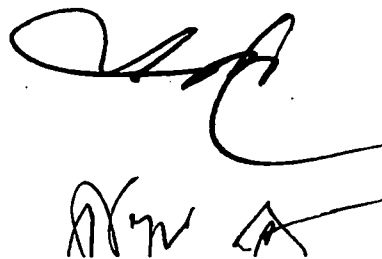
13 The Philippines exercises sovereignty and jurisdiction over its archipelagic  
14 waters and the airspace over it as well as its seabed and subsoil in accordance with  
15 UNCLOS and other existing laws and treaties, having due regard to the rights of other  
16 States, including the right of innocent passage as provided in Articles 17 to 26, and  
17 52, and the right of archipelagic sea lanes passage in designated sea lanes as provided  
18 in Articles 53 and 54, of UNCLOS.

19 **SEC. 6. Territorial Sea.** – The territorial sea of the Philippines refers to the adjacent  
20 belt of sea measured twelve (12) nautical miles from the baselines as provided in  
21 Section 3 of this Act, and as determined in accordance with the provisions of Part II  
22 "Territorial Sea and Contiguous Zone", Part IV "Archipelagic States", and Part VIII  
23 "Regime of Islands" of UNCLOS, as appropriate.

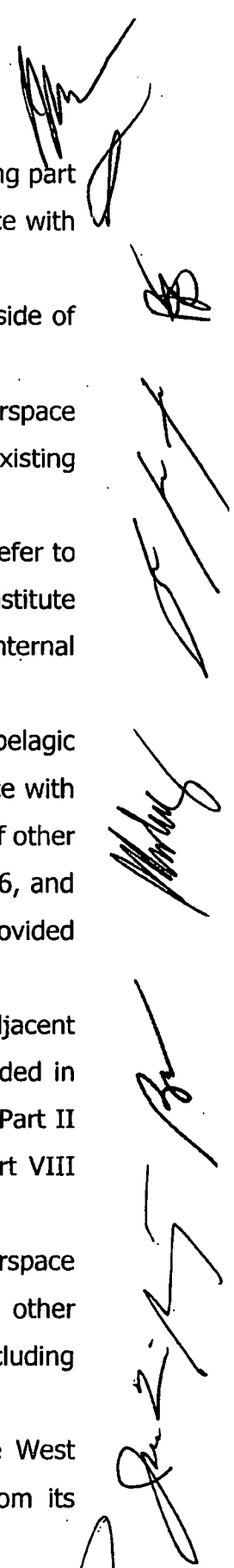
24 The Philippines exercises sovereignty over its territorial sea and the airspace  
25 above it as well as its seabed and subsoil in accordance with UNCLOS and other  
26 existing laws and treaties, having due regard to the rights of other States, including  
27 the right of innocent passage as provided in Part II, Section 3 of UNCLOS.

28 The high-tide features covered by the Kalayaan Island Group in the West  
29 Philippine Sea shall have a territorial sea of twelve (12) nautical miles from its  
30 baselines as determined above.

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A. P. Duterte



1 **Sec. 7. Contiguous Zone.** – The contiguous zone of the Philippines refers to the  
2 waters beyond and adjacent to its territorial sea and up to the extent of twenty-four  
3 (24) nautical miles from the baselines.

4 In accordance with the UNCLOS, the Philippines exercises control over this zone  
5 necessary to:

6 (a) Prevent infringement of its customs, fiscal, immigration, or sanitary laws  
7 and regulations within its territory or territorial sea;

8 (b) Punish infringement of the above laws and regulations committed within its  
9 territory or territorial sea; and

10 (c) Regulate the removal of archaeological and historic objects from the seabed.

11 **SEC. 8. Exclusive Economic Zone.** – The EEZ of the Philippines refers to the waters  
12 beyond and adjacent to its territorial sea and up to the extent of two hundred (200)  
13 nautical miles from the baselines, as established by Presidential Decree No. 1599,  
14 "Establishing an Exclusive Economic Zone and for Other Purposes", and to the extent  
15 consistent with the other provisions of this Act and with the provisions of UNCLOS. All  
16 other low-tide elevations within two hundred (200) nautical miles from the archipelagic  
17 baselines shall likewise form part of the Philippine EEZ.

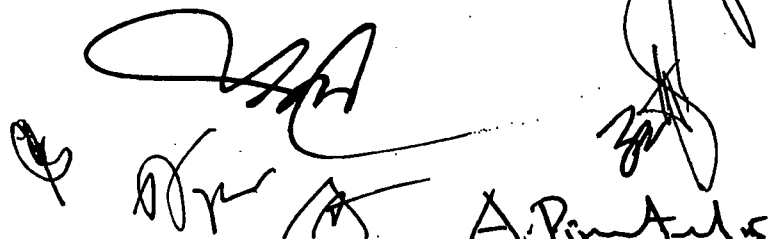
18 In accordance with UNCLOS, within the EEZ, the Philippines has:

19 (a) Sovereign rights for the purpose of exploring and exploiting, conserving and  
20 managing the natural resources, whether living or nonliving, of the waters superjacent  
21 to the seabed, and the seabed and its subsoil, and with regard to other activities for  
22 the economic exploitation and exploration of the zone, such as the production of  
23 energy from the sun, water, currents and winds: *Provided*, That in the exercise of  
24 these rights, the Philippines shall enforce its laws and regulations consistent with  
25 Article 73 of UNCLOS;

26 (b) Jurisdiction with regard to: (1) the establishment and use of artificial islands,  
27 installations and structures; (2) marine scientific research; (3) the protection and  
28 preservation of the marine environment; and

29 (c) Other rights and duties provided for in UNCLOS.

30 All artificial islands constructed within the Philippine EEZ shall belong to the  
31 Philippine government.



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1 **SEC. 9. Continental Shelf and Extended Continental Shelf.** – The continental  
2 shelf of the Philippines comprises the seabed and subsoil of the submarine areas that  
3 extend beyond its territorial sea throughout the natural prolongation of its land  
4 territory to the outer edge of the continental margin, or to a distance of two hundred  
5 (200) nautical miles from the baselines, where the outer edge of the continental  
6 margin does not extend up to that distance.

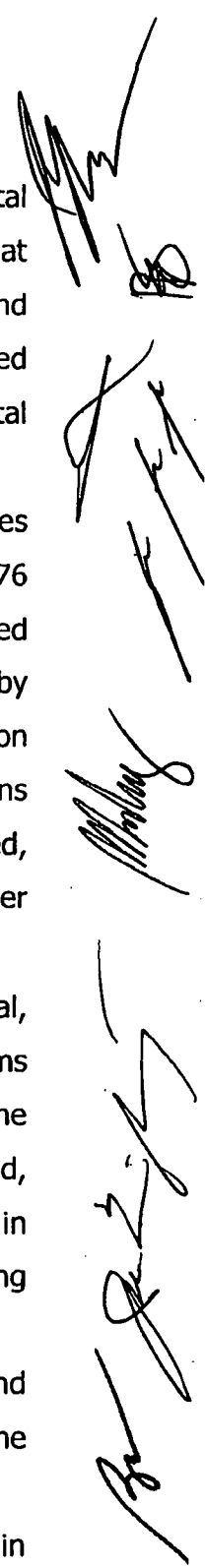
7 Where the continental shelf extends beyond two hundred (200) nautical miles  
8 from the baselines, the outer limits shall be delineated in accordance with Article 76  
9 of UNCLOS: Provided, That the limits of the continental shelf beyond two hundred  
10 (200) nautical miles in the Benham Rise Region, including the Philippine Rise, hereby  
11 renamed collectively as the *Talampas ng Pilipinas*, as submitted to the Commission on  
12 the Limits of the Continental Shelf (CLCS) and deposited to the United Nations  
13 Secretary General on July 02, 2012, are hereby incorporated into this Act: Provided,  
14 further, That this is without prejudice to the making of other submissions for other  
15 areas at a future time.

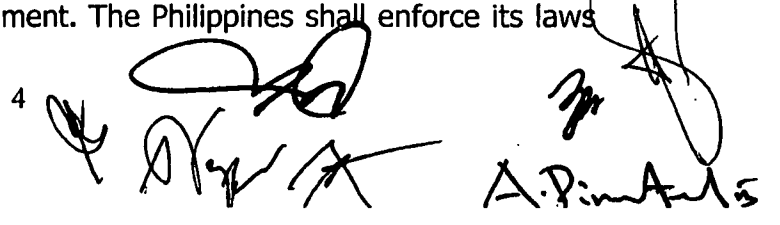
16 The Philippines exercises sovereign rights to explore and exploit the mineral,  
17 petroleum and nonliving resources of the seabed and subsoil and living organisms  
18 belonging to the sedentary species, as well as jurisdiction with regard to the  
19 establishment and use of artificial islands, installations and structures on the seabed,  
20 marine scientific research, drilling and tunneling, and other rights as provided for in  
21 accordance with UNCLOS, Philippine mining and petroleum laws, and other existing  
22 laws and treaties.

23 **SEC. 10. Areas Beyond National Jurisdiction.** – The Philippines has rights and  
24 privileges in the high seas and the international seabed area as provided for in the  
25 UNCLOS and other existing laws and treaties.

26 **SEC. 11. Marine Scientific Research.** – The Government shall adopt measures in  
27 accordance with Part XIII "Marine Scientific Research" of UNCLOS, and other existing  
28 laws and treaties, to ensure that marine scientific research, whether undertaken by  
29 local or foreign entities, in the maritime zones declared herein, shall redound to the  
30 benefit of the Filipino people.

31 **SEC. 12. Marine Environmental Protection.** – All States have the obligation to  
32 protect and preserve the marine environment. The Philippines shall enforce its laws



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1 and regulations on the protection and preservation of the marine environment of the  
2 maritime zones declared herein, taking into consideration the provisions of Part XII  
3 "Protection and Preservation of the Marine Environment" of UNCLOS.

4 **SEC. 13. Delimitations.** – Where the maritime zones defined in this Act overlap with  
5 the maritime zones of a neighboring State based on the UNCLOS, the common  
6 boundaries shall be determined by agreement with that State in accordance with the  
7 relevant principles of delimitation under international law: Provided, That where no  
8 agreement has been reached within a reasonable time, the Philippines may resort to  
9 the procedures provided under Part XV "Settlement of Disputes" of UNCLOS.

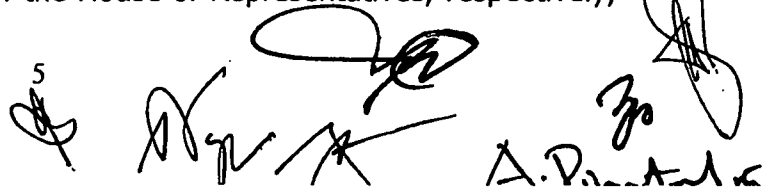
10 **SEC. 14. Due Regard and Mutual Respect.** – The Philippines shall give due regard  
11 to the rights and duties of foreign states, and foreign states shall act with due regard  
12 to the rights and duties of the Philippines, relative to the maritime zones as provided  
13 under this Act, UNCLOS, and international law.

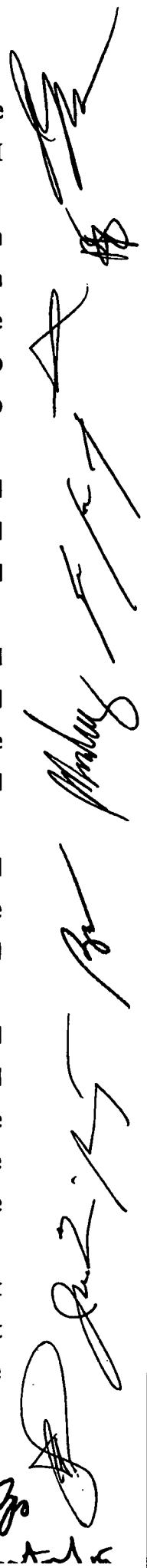
14 The Philippines shall recognize the rights and privileges of foreign vessels and  
15 aircraft in its maritime zones under conditions of reciprocity and mutual respect, and  
16 reserves the right to take necessary legal and diplomatic actions against States whose  
17 vessels and aircraft do not abide by, or act inconsistently with, the UNCLOS and  
18 international law.

19 **SEC. 15. Other Maritime Rights and Jurisdictions.** – The Philippines shall  
20 exercise all other maritime rights and jurisdictions in accordance with UNCLOS, the  
21 2016 South China Sea arbitral award, international law, and other pertinent laws and  
22 regulations of the Philippines.

23 **SEC. 16. Penal Sanctions.** – Any violation of the rights of the Philippines as provided  
24 under this Act shall be addressed and penalized through pertinent existing laws and  
25 regulations. In the absence thereof, any violation shall be subject to an administrative  
26 fine of not less than Six hundred thousand US dollars (US\$ 600,000.00) but not more  
27 than One million US dollars (US\$ 1,000,000.00), or the equivalent in Philippine  
28 currency.

29 **SEC. 17. Joint Congressional Oversight Committee.** – There shall be a Joint  
30 Congressional Oversight Committee on the Law of the Sea (JCOC-LOS). The President  
31 of the Senate and the Speaker of the House of Representatives shall each designate  
32 six (6) Senators and six (6) Members of the House of Representatives, respectively,

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1 as members of the JCOC-LOS: Provided, That the minority in the Senate and the  
2 House of Representatives shall each have at least one (1) seat in the JCOC-LOS.

3 The JCOC-LOS shall conduct a hearing at least once every quarter to review  
4 the implementation of this Act and to identify other necessary legislation.

5 **SEC. 18. Separability Clause.** – If any portion or provision of this Act is declared  
6 unconstitutional or invalid, the other portions or provisions hereof not affected thereby  
7 shall continue to be in full force and effect.

8 **SEC. 19. Repealing Clause.** – The second, third, and fourth whereas clauses and  
9 Section 2 of Republic Act No. 3046, entitled "An Act to Define the Baselines of the  
10 Territorial Sea of the Philippines", are hereby repealed.

- 11 The following laws or their specified provisions are hereby amended:
- 12 (a) Section 1 of Presidential Decree No. 1596 "Declaring Certain Area Part of
  - 13 the Philippine Territory and Providing for Their Government and Administration";
  - 14 (b) Presidential Decree No. 1599; and
  - 15 (c) Section 3(e) and 3(ai) of Republic Act No. 7942, also known as the
  - 16 "Philippine Mining Act of 1995".

17 All other laws, presidential decrees, executive orders, rules and regulations,  
18 proclamations, and other issuances inconsistent with or contrary to the provisions of  
19 this Act are deemed amended or repealed accordingly: Provided, That nothing in this  
20 Act shall be construed as repealing Section 2 of Republic Act No. 5446, as amended,  
21 and Section 2 of Republic Act No. 9522.

22 **SEC. 20. Effectivity.** – This Act shall take effect fifteen (15) days after its publication  
23 in the Official Gazette or in a newspaper of general circulation.

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