



# Congressional Record

PLENARY PROCEEDINGS OF THE 17<sup>th</sup> CONGRESS, FIRST REGULAR SESSION

## House of Representatives

Vol. 2

Tuesday, October 18, 2016

No. 38

### CALL TO ORDER

*At 4:00 p.m., Deputy Speaker Ferdinand L. Hernandez called the session to order.*

THE DEPUTY SPEAKER (Rep. Hernandez). The session is now called to order.

### NATIONAL ANTHEM

THE DEPUTY SPEAKER (Rep. Hernandez). Everybody is requested to rise for the singing of the National Anthem.

*Everybody rose to sing the Philippine National Anthem.*

### PRAYER

THE DEPUTY SPEAKER (Rep. Hernandez). Please remain standing for a one minute silent prayer.

*Everybody remained standing for the silent prayer.*

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Good afternoon, Mr. Speaker. Mr. Speaker, I move that we defer the roll call.

THE DEPUTY SPEAKER (Rep. Hernandez). There is a motion. Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, I move that we proceed to the Reference of Business.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Secretary General will please read the Reference of Business.

### REFERENCE OF BUSINESS

*The Secretary General read the following House Bills and Resolutions on First Reading, Message from the President, Communications and Committee Reports, and the Deputy Speaker made the corresponding references:*

### BILLS ON FIRST READING

House Bill No. 4016, entitled:

“AN ACT REQUIRING TELECOMMUNICATIONS COMPANIES TO PROVIDE LOCAL EMERGENCY HOTLINE NUMBERS TO ALL LOCAL GOVERNMENT UNITS”

By Representative Fernando

TO THE COMMITTEE ON INFORMATION AND COMMUNICATIONS TECHNOLOGY

House Bill No. 4017, entitled:

“AN ACT EMPOWERING THE CITY OR MUNICIPAL COUNCIL TO DECLARE CERTAIN AREAS IN THEIR LOCALITY AS DRUG RISK AREAS AND REGULATING ENTRY THERETO”

By Representative Fernando

TO THE COMMITTEE ON DANGEROUS DRUGS

House Bill No. 4018, entitled:

“AN ACT PROVIDING FREE INSURANCE PREMIUM FOR FARMERS UNDER THE PHILIPPINE CROP INSURANCE CORPORATION, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8178, AS AMENDED, ENTITLED ‘AN ACT REPLACING QUANTITATIVE IMPORT RESTRICTIONS ON AGRICULTURAL PRODUCTS, EXCEPT RICE, WITH TARIFFS, CREATING THE AGRICULTURAL COMPETITIVENESS ENHANCEMENT FUND, AND FOR OTHER PURPOSES’ ”

By Representative Unabia

TO THE COMMITTEE ON AGRICULTURE AND FOOD

House Bill No. 4019, entitled:

“AN ACT CONVERTING THE PANLAYAAN TECHNICAL VOCATIONAL SCHOOL IN BARANGAY PANLAYAAN, SORSOGON CITY INTO PANLAYAAN NATIONAL VOCATIONAL SCHOOL IN SORSOGON CITY AND APPROPRIATING FUNDS THEREFOR”

By Representative Escudero  
TO THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

House Bill No. 4020, entitled:

“AN ACT STRENGTHENING THE RIGHT OF THE PEOPLE TO INFORMATION HELD BY THE GOVERNMENT”

By Representative Suansing (E.)  
TO THE COMMITTEE ON PUBLIC INFORMATION

House Bill No. 4021, entitled:

“AN ACT MANDATING THAT BEFORE NATIONAL HEALTH INSURANCE PAYMENTS BE RELEASED, ALL HEALTH MAINTENANCE ORGANIZATION (HMO) BENEFITS OF THE SAME PHILIPPINE HEALTH INSURANCE CORPORATION (PHILHEALTH) MEMBER BE EXHAUSTED FIRST, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7875, AS AMENDED BY REPUBLIC ACT NO. 9241 AND REPUBLIC ACT NO. 10606, OTHERWISE KNOWN AS THE ‘NATIONAL HEALTH INSURANCE ACT OF 2013’”

By Representative Suansing (E.)  
TO THE COMMITTEE ON HEALTH

House Bill No. 4022, entitled:

“AN ACT AMENDING SECTION 4 (C) OF REPUBLIC ACT NO. 9994, OTHERWISE KNOWN AS THE EXPANDED SENIOR CITIZENS’ ACT OF 2010”

By Representative Suansing (E.)  
TO THE COMMITTEE ON POPULATION AND FAMILY RELATIONS

House Bill No. 4023, entitled:

“AN ACT INSTITUTING BUDGET REFORM THAT WILL ENSURE THE EQUITABLE DISTRIBUTION OF FUNDS FOR BOTH THE NATIONAL AND LOCAL GOVERNMENT UNITS FOR THE PURPOSE OF PROMOTING VILLAGE EMPOWERMENT, ENABLING THEM TO BE AN EFFECTIVE INSTRUMENT IN ATTAINING INCLUSIVE GROWTH, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES”

By Representative Mercado

TO THE COMMITTEE ON APPROPRIATIONS

House Bill No. 4024, entitled:

“AN ACT MANDATING SPECIALIZATION/ EXPERTISE DEVELOPMENT OF TEACHERS ALONG SUBJECTS TAUGHT”

By Representative Belaro  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4025, entitled:

“AN ACT ENHANCING THE DOCTORS TO THE BARRIOS PROGRAM”

By Representative Belaro  
TO THE COMMITTEE ON HEALTH

House Bill No. 4026, entitled:

“AN ACT MAKING AGRICULTURE AND RELATED COURSES MORE ATTRACTIVE TO ABATE THREATS TO PHILIPPINE AGRICULTURAL SECTOR AND FOOD SECURITY”

By Representative Belaro  
TO THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

House Bill No. 4027, entitled:

“AN ACT CREATING AND DESIGNATING EDUCATION ATTACHES IN PHILIPPINE CONSULATES WORLDWIDE”

By Representative Belaro  
TO THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION AND THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4028, entitled:

“AN ACT MANDATING THE REGULATION OF HOME STUDY PROGRAMS”

By Representative Belaro  
TO THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION AND THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4029, entitled:

“AN ACT ALLOWING KASAMBAHAYS TO ENJOY DISTANCE LEARNING AND HOME-BASED STUDY PROGRAM”

By Representative Belaro  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE AND THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

House Bill No. 4030, entitled:

“AN ACT LIBERALIZING THE USE OF LESSON PLANS IN ALL SCHOOLS”

By Representative Belaro  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4031, entitled:

“AN ACT MANDATING COLLEGE PROFESSORS TO COMPLETE A MASTER’S DEGREE WITHIN THEIR AREA OF EXPERTISE”

By Representative Belaro  
TO THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

House Bill No. 4032, entitled:

“AN ACT STRENGTHENING THE MARITIME EDUCATION IN THE PHILIPPINES”

By Representative Belaro  
TO THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

House Bill No. 4033, entitled:

“AN ACT MANDATING THE REGULATION AND STANDARDIZATION OF ONLINE EDUCATION AND E-LEARNING CLASSES”

By Representative Belaro  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE AND THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

House Bill No. 4034, entitled:

“AN ACT ESTABLISHING SCHOOLS FOR DEAF AND BLIND”

By Representative Belaro  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE AND THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

House Bill No. 4035, entitled:

“AN ACT ESTABLISHING SISTER SCHOOL LINKAGES WITH ACADEMIC INSTITUTIONS AROUND THE WORLD”

By Representative Belaro  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE AND THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

House Bill No. 4036, entitled:

“AN ACT STANDARDIZING THE TENURE OF COLLEGE PROFESSORS”

By Representative Belaro  
TO THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

House Bill No. 4037, entitled:

“AN ACT REQUIRING TELEPHONE COMPANIES TO GIVE FREE P100 CELLULAR PHONE LOAD TO PUBLIC ELEMENTARY AND HIGH SCHOOL TEACHERS IN THE COUNTRY”

By Representative Belaro  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4038, entitled:

“AN ACT ESTABLISHING A STANDARD NUTRITION-BASED MENU FOR ALL PUBLIC ELEMENTARY AND HIGH SCHOOL CANTEENS IN THE COUNTRY AND APPROPRIATING FUNDS THEREOF”

By Representative Belaro  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4039, entitled:

“AN ACT BANNING/REGULATING THE SALE OF SODA DRINKS IN ALL CANTEENS IN PUBLIC ELEMENTARY AND HIGH SCHOOLS IN THE COUNTRY AND APPROPRIATING FUNDS THEREOF”

By Representative Belaro  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4040, entitled:

“AN ACT EXTENDING PUBLIC TRANSPORT FARE DISCOUNTS TO PUBLIC ELEMENTARY AND HIGH SCHOOL TEACHERS ON OFFICIAL TRIP”

By Representative Belaro  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4041, entitled:

“AN ACT ESTABLISHING A FREE VITAMIN C PROGRAM FOR PUBLIC ELEMENTARY AND HIGH SCHOOL TEACHERS IN THE COUNTRY AND APPROPRIATING FUNDS THEREOF”

By Representative Belaro  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4042, entitled:

“AN ACT ESTABLISHING A NO-HOMEWORK POLICY FOR ALL ELEMENTARY AND HIGH SCHOOLS IN THE COUNTRY”

By Representative Belaro  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4043, entitled:

“AN ACT PROVIDING FREE UMBRELLAS, RAINCOATS AND RAINBOOTS TO PUBLIC ELEMENTARY AND HIGH SCHOOL TEACHERS IN THE COUNTRY AND APPROPRIATING FUNDS THEREOF”

By Representative Belaro  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4044, entitled:

“AN ACT ESTABLISHING A STANDARD ACADEMIC CALENDAR FOR ALL LEVELS IN ALL SCHOOLS IN THE COUNTRY AND APPROPRIATING FUNDS THEREOF”

By Representative Belaro  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE AND THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

House Bill No. 4045, entitled:

“AN ACT ESTABLISHING REGULAR FINANCIAL PLANNING EDUCATION SEMINARS FOR PUBLIC ELEMENTARY AND HIGH SCHOOL TEACHERS IN THE COUNTRY”

By Representative Belaro  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4046, entitled:

“AN ACT ESTABLISHING A PROGRAM EXTENDING RICE COUPONS TO PUBLIC ELEMENTARY AND HIGH SCHOOL TEACHERS IN THE COUNTRY”

By Representative Belaro  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4047, entitled:

“AN ACT ESTABLISHING A FREE ANNUAL HEALTH CHECK-UP PROGRAM FOR PUBLIC ELEMENTARY AND HIGH SCHOOL TEACHERS IN THE COUNTRY AND APPROPRIATING FUNDS THEREOF”

By Representative Belaro  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4048, entitled:

“AN ACT ESTABLISHING A FREE FLU VACCINATION PROGRAM FOR PUBLIC ELEMENTARY AND HIGH SCHOOL TEACHERS IN THE COUNTRY AND APPROPRIATING FUNDS THEREOF”

By Representative Belaro

TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 4049, entitled:

“AN ACT MANDATING A TWO-THOUSAND PESO (P2,000.00) ACROSS-THE-BOARD INCREASE IN THE MONTHLY PENSION OF SSS MEMBER-PENSIONERS AND RATIONALIZING THE POWERS, DUTIES AND ACCOUNTABILITIES OF THE SOCIAL SECURITY COMMISSION (SSC), FURTHER AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 1161, AS AMENDED BY REPUBLIC ACT NO. 8282, OTHERWISE KNOWN AS THE SOCIAL SECURITY ACT OF 1997”

By Representative Panganiban  
TO THE COMMITTEE ON GOVERNMENT ENTERPRISES AND PRIVATIZATION

House Bill No. 4050, entitled:

“AN ACT AMENDING REPUBLIC ACT 8353, ALSO KNOWN AS THE ANTI-RAPE LAW OF 1997”

By Representative Aglipay-Villar  
TO THE COMMITTEE ON REVISION OF LAWS

House Bill No. 4051, entitled:

“AN ACT ESTABLISHING AN EXTENSION OFFICE OF THE REGIONAL LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD IN PUERTO PRINCESA CITY, PROVINCE OF PALAWAN AND APPROPRIATING FUNDS THEREFOR”

By Representative Acosta  
TO THE COMMITTEE ON TRANSPORTATION

House Bill No. 4052, entitled:

“YOUTH EMPOWERMENT ACT OF 2016”

By Representative Relampagos  
TO THE COMMITTEE ON YOUTH AND SPORTS DEVELOPMENT

House Bill No. 4053, entitled:

“AN ACT RENAMING PANGLAO ISLAND CIRCUMFERENTIAL ROAD TO PANGLAO ISLAND ANOS FONACIER CIRCUMFERENTIAL ROAD”

By Representatives Relampagos and Del Mar  
TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

House Bill No. 4054, entitled:

“AN ACT PROVIDING TAX INCENTIVES TO INDIVIDUALS AND CORPORATIONS GIVING DONATIONS, CONTRIBUTIONS, AND GRANTS TO FILIPINO ATHLETES WHO HAVE WON MEDALS IN THE SUMMER OLYMPIC GAMES, AND FOR OTHER PURPOSES”

By Representatives Alvarez (P.), Fariñas, Suarez, Cua, Lobregat, Estrella, Romero, Sambar, Pineda and Nograles (J.)

TO THE COMMITTEE ON YOUTH AND SPORTS DEVELOPMENT

House Bill No. 4055, entitled:

“AN ACT ESTABLISHING A NATIONAL SCIENCE HIGH SCHOOL IN THE CITY OF SAN JUAN TO BE KNOWN AS THE □SAN JUAN CITY NATIONAL SCIENCE HIGH SCHOOL□ AND APPROPRIATING FUNDS THEREFOR”

By Representative Cortuna

TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

#### RESOLUTIONS

House Resolution No. 461, entitled:

“A RESOLUTION CALLING FOR AN INQUIRY INTO THE VIABILITY OF PRE-NEED COMPANIES AND TO DETERMINE THE LIABILITY OF DIRECTORS AND OFFICERS OF PRE-NEED COMPANIES WHICH FAIL DUE TO MISMANAGEMENT”

By Representatives Batocabe, Garbin and Co  
TO THE COMMITTEE ON RULES

House Resolution No. 462, entitled:

“RESOLUTION DIRECTING THE COMMITTEE ON OVERSEAS WORKERS AFFAIRS TO CONDUCT AN INQUIRY, ON THE DEATH OF FILIPINA OVERSEAS WORKER IRMA JOTOJOT WITH A VIEW TO STRENGTHEN OUR LAWS FOR THE PROMOTION AND PROTECTION OF THE RIGHTS AND WELFARE OF OVERSEAS FILIPINO WORKERS (OFWs)”

By Representatives De Jesus, Brosas, Tinio, Castro (F.L.) and Elago

TO THE COMMITTEE ON RULES

House Resolution No. 463, entitled:

“A RESOLUTION URGING SECRETARY JUDY M. TAGUIWALO OF THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD) TO ADAPT THE LGU CORPORATE

FARMING PROGRAM OF SECRETARY EMMANUEL PIÑOL OF THE DEPARTMENT OF AGRICULTURE (DA)”

By Representative Lee

TO THE COMMITTEE ON RULES

House Resolution No. 464, entitled:

“RESOLUTION DIRECTING THE COMMITTEE ON POVERTY ALLEVIATION TO CONDUCT AN INQUIRY ON THE IMPLEMENTATION OF THE PANTAWID PAMILYANG PILIPINO PROGRAM (4Ps), AND TO SEEK MORE SUSTAINABLE PROGRAMS THAT RAISE THE STANDARD OF LIVING AND QUALITY OF LIFE OF POOR FAMILIES”

By Representatives De Jesus, Brosas, Tinio, Castro (F.L.) and Elago

TO THE COMMITTEE ON RULES

House Resolution No. 465, entitled:

“A RESOLUTION DIRECTING THE HOUSE COMMITTEE ON HEALTH, TO INQUIRE, IN AID OF LEGISLATION, ON THE STANDARDS AND PROCEDURES FOLLOWED BY THE DEPARTMENT OF HEALTH IN CATEGORIZING GOVERNMENT HOSPITALS”

By Representative Roman

TO THE COMMITTEE ON RULES

House Resolution No. 468, entitled:

“RESOLUTION REQUESTING DOMESTIC SHIPPING COMPANIES NATIONWIDE TO SET-UP AIRLINE-TYPE ONLINE ELECTRONIC BOOKING (E-BOOKING) SYSTEM TO SOLVE THE DISCOMFORT OF LINING AT TICKETING CENTERS AT THE PORT AREAS AND FOR THE MARITIME INDUSTRY AUTHORITY (MARINA) TO ENJOIN THEM TO DO SO”

By Representative Relampagos

TO THE COMMITTEE ON TRANSPORTATION

House Resolution No. 469, entitled:

“A RESOLUTION DIRECTING THE COMMITTEE ON DANGEROUS DRUGS TO IMMEDIATELY CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON THE PROLIFERATION AND USE OF PROHIBITED DRUGS BY THE INMATES IN JAILS MANAGED BY THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY (BJMP) IN VARIOUS PARTS OF THE COUNTRY”

By Representatives Abu and Paduano

TO THE COMMITTEE ON RULES

## ADDITIONAL COAUTHORS

Rep. Christopher “Toff” Vera Perez De Venecia for House Bills No. 3866 and 3885;

Rep. Amado T. Espino Jr. for House Bills No. 1043, 1052, 1053, 1071, 1072, 1083, 1089, 1199, 1223, 1227, 1228, 1230, 1232, 1337, 1338, 1386 and 1389;

Rep. Manuel Jose “Mannix” M. Dalipe for House Bills No. 43, 477 and 1348;

Rep. Marlyn L. Primicias-Agabas for House Bills No. 3498, 3707 and 4100;

Rep. Carmelo “Jon” B. Lazatin II for House Bills No. 516, 1554, 1555, 1853, 1858 2141, 3556, 3557 and 3632;

Rep. Celso L. Lobregat for House Bill No. 3656;

Rep. Jericho Jonas B. Nograles for House Bills No. 476, 477, 480, 796, 797, 798, 1038, 1039, 1870, 1871, 1872, 2263, 2264, 2287, 2396, 2514 and 2531;

Rep. Jose Antonio “Kuya Jonathan” R. Sy-Alvarado for House Bills No. 533, 534, 535, 1554, 1853, 1858, 2141, 2314, 2774, 2775, 2926, 3556, 3557, 3632, 3889 and 3894;

Rep. Cecilia Leonila V. Chavez for House Bills No. 2505, 2906 and 3509;

Rep. Angelina “Helen” D.L. Tan, M.D. for House Bill No. 2314;

Reps. Maria Carmen S. Zamora, Manuel T. Sagarbarria and Josephine Ramirez-Sato for House Bill No. 1858;

Rep. Micaela S. Violago for House Bill No. 3454;

Rep. Manuel Monsour T. Del Rosario III for House Bills No. 3952 and 3988;

Rep. Gus S. Tambunting for House Bills No. 477, 1871, 2396 and 4005;

Rep. Alfred D. Vargas for House Bills No. 2798 and 3419;

Rep. Jose Christopher Y. Belmonte for House Bill No. 717;

Reps. Napoleon S. Dy, Dale “Along” R. Malapitan, Edcel C. Lagman and Yedda Marie K. Romualdez for House Bill No. 516;

Rep. Leopoldo N. Bataoil for House Bills No. 516 and 1859;

Reps. Michael L. Romero, Ph.D., Imelda R. Marcos and Arnel U. Ty for House Bills No. 1554, 1555, 1853, 2141, 3556, 3557 and 3632;

Rep. Randolph S. Ting for House Bills No. 1554, 1555, 1853, 2141, 3557 and 3632;

Rep. Rodolfo C. Fariñas for House Bill No. 2141;

Rep. Nancy A. Catamco for House Bill No. 3706; and

Rep. Strike B. Revilla for House Bills No. 487, 969 and 977.

## MESSAGE FROM THE PRESIDENT

MALACAÑAN PALACE

MANILA

11 October 2016

SPEAKER PANTALEON D. ALVAREZ

House Speaker

House of Representatives

Batasan Hills, Quezon City

Dear Speaker Alvarez:

Pursuant to the provisions of Article VI, Section 26 (2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of House Bill No. 3408, entitled:

“AN ACT APPROPRIATING FUNDS FOR THE OPERATION OF THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES FROM JANUARY ONE TO DECEMBER THIRTY-ONE, TWO THOUSAND AND SEVENTEEN, AND FOR OTHER PURPOSES”

in order to address the need to maintain continuous government operations following the end of the current fiscal year (FY), to expedite the funding of various programs, projects and activities for FY 2017, and to ensure budgetary preparedness that will enable the government to effectively perform its Constitutional mandate.

Best regards.

Very truly yours,

(SGD.) RODRIGO ROA DUTERTE

Copy Furnished:

Hon. Aquilino “Koko” Pimentel III

Senate President

The Philippine Senate

Pasay City

Sec. Adelino B. Sitoy

Head

Presidential Legislative Liaison Office

2/F New Executive Bldg.

Malacañang, Manila

TO THE COMMITTEE ON RULES

COMMUNICATIONS

Letter dated October 3, 2016 of Roland A. Rey, Regional Director, Commission on Audit, Regional Office No. V, transmitting copies of the 2015 Annual Audit Reports (AARs) on the following water districts in Region V:

1. Camarines Norte Water District, Daet, Camarines Norte;
2. Daraga Water District, Daraga, Albay;
3. Metropolitan Naga Water District, J. Miranda Avenue, Naga City; and
4. Sipocot Water District, Sipocot, Camarines Sur.

TO THE COMMITTEE ON APPROPRIATIONS

Letter dated October 3, 2016 of Jose A. Fabia, Commissioner, Officer-in-Charge, Commission on Audit, transmitting copies of the 2015 Annual Audit Reports (AARs) and Management Letters (MLs) on the following government agencies:

A. Annual Audit Reports:

1. Anti-Money Laundering Council;
2. Bureau of Local Government Finance;
3. Bureau of the Treasury-National Government;
4. Bureau of the Treasury-Proper;
5. Central Board of Assessment Appeals;
6. Commission on Appointments;
7. Cooperative Development Authority;
8. Department of Budget and Management;
9. National Economic and Development Authority;
10. Philippine Statistics Authority;
11. Procurement Service; and
12. Senate of the Philippines.

B. Management Letters:

1. Bureau of Customs; and
2. Bureau of Internal Revenue.

TO THE COMMITTEE ON APPROPRIATIONS

#### COMMITTEE REPORTS

Report by the Committee on Basic Education and Culture (Committee Report No. 12), re H.B. No. 416, entitled:

“AN ACT ALLOWING HOME ECONOMICS GRADUATES TO TEACH HOME ECONOMICS SUBJECTS AND HOME ECONOMICS-RELATED TECHNICAL-VOCATIONAL SUBJECTS IN ALL PUBLIC AND PRIVATE ELEMENTARY AND SECONDARY EDUCATIONAL INSTITUTIONS, RESPECTIVELY, CONSISTENT WITH SECTION 8 OF REPUBLIC ACT NO. 10533 OR THE ENHANCED BASIC EDUCATION ACT OF 2013”

recommending its approval without amendment

Sponsor: Representative Escudero

TO THE COMMITTEE ON RULES

Report by the Committee on Women and Gender

Equality (Committee Report No. 13), re H.B. No. 4113, entitled:

“AN ACT INCREASING THE MATERNITY LEAVE PERIOD TO ONE HUNDRED (100) DAYS FOR FEMALE WORKERS IN THE GOVERNMENT SERVICE AND IN THE PRIVATE SECTOR, AND GRANTING AN OPTION TO EXTEND FOR AN ADDITIONAL THIRTY (30) DAYS WITHOUT PAY”

recommending its approval in substitution of House Bills Numbered 152, 472, 483, 509, 580, 1046, 1382, 1644, 1912, 2838, 3224, 3445, 3513, 3645 and 3650

Sponsors: Representatives Aglipay-Villar, Castro (F.L.), Cayetano, De Jesus, Villarica and Violago  
TO THE COMMITTEE ON RULES

Report by the Committee on Justice (Committee Report No. 14), re H.R. No. 105, entitled:

“RESOLUTION CALLING FOR AN INVESTIGATION, IN AID OF LEGISLATION, ON THE PROLIFERATION OF DRUG SYNDICATES AT THE NATIONAL BILIBID PRISON”

informing the House of its findings and recommendations

Sponsors: Representatives Umali, Alvarez (P.), Fariñas, Abu, Duavit, Acop, Nograles (K.), Suarez, Treñas, Tolentino, Leachon and Martinez  
TO THE COMMITTEE ON RULES

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

#### SUSPENSION OF SESSION

REP. DEFENSOR. Mr. Speaker, I move for a suspension of the session.

THE DEPUTY SPEAKER (Rep. Hernandez). The session is suspended.

*It was 4:11 p.m.*

#### RESUMPTION OF SESSION

*At 4:17 p.m., the session was resumed.*

THE DEPUTY SPEAKER (Rep. Hernandez). The session is resumed.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, I move that we take up the Unfinished Business.

THE DEPUTY SPEAKER (Rep. Hernandez).

There is a motion. Is there any objection? (*Silence*)  
The Chair hears none; the motion is approved.

#### CONSIDERATION OF H.B. NO. 2916

*Continuation*

#### PERIOD OF SPONSORSHIP AND DEBATE

REP. DEFENSOR. Mr. Speaker, I move that we resume the consideration of House Bill No. 2916, as contained in Committee Report No. 9, and direct the Secretary General to read only the title of the measure.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Secretary General is directed to read the title of the Bill.

THE SECRETARY GENERAL. House Bill No. 2916, entitled: AN ACT INCREASING THE PENALTIES FOR THE CRIME OF SLANDER BY DEED AND INCLUDING THE INTENTIONAL FILING OF A FALSE COMPLAINT IN COURT OR WITH ANY GOVERNMENT AGENCY EXERCISING QUASI-JUDICIAL OR ADMINISTRATIVE POWERS AS ONE OF ITS FORMS, AMENDING FOR THE PURPOSE ARTICLE 359 OF ACT NO. 3815, OTHERWISE KNOWN AS THE "REVISED PENAL CODE."

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, the parliamentary status is that we are in the period of sponsorship and debate. I move, therefore, that we open the period of sponsorship and debate.

THE DEPUTY SPEAKER (Rep. Hernandez). There is a motion. Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Dep. Majority Leader is recognized.

REP. DAZA. Mr. Speaker.

REP. DEFENSOR. Mr. Speaker, may we know the pleasure of the Gentleman?

REP. DAZA. With the indulgence of the Dep. Majority Leader, may I move for a suspension of the session for two minutes?

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Yes, Mr. Speaker, we would like to accommodate the Gentleman.

#### SUSPENSION OF SESSION

THE DEPUTY SPEAKER (Rep. Hernandez). The session is suspended.

*It was 4:19 p.m.*

#### RESUMPTION OF SESSION

*At 4:20 p.m., the session was resumed.*

THE DEPUTY SPEAKER (Rep. Hernandez). The session is resumed.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, before we proceed, first, may I move that we recognize to continue with the sponsorship of this Bill, the Hon. Marlyn L. Primicias-Agabas.

THE DEPUTY SPEAKER (Rep. Hernandez). The honorable Rep. Marlyn L. Primicias-Agabas is recognized.

REP. DEFENSOR. First to interpellate, Mr. Speaker, is the distinguished Gentleman from the First District of Albay. I move that we recognize the Hon. Edcel C. Lagman.

THE DEPUTY SPEAKER (Rep. Hernandez). So, the distinguished Gentleman and Representative of the First District of Albay, the Honorable Lagman, is hereby recognized.

REP. LAGMAN. Thank you, Mr. Speaker. Will the distinguished Sponsor yield to a series of questions?

REP. PRIMICIAS-AGABAS. Gladly, Mr. Speaker.

REP. LAGMAN. Mr. Speaker, may we know from the distinguished Sponsor what is slander by deed and how it is committed.

REP. PRIMICIAS-AGABAS. Under Article 359, Your Honor, Mr. Speaker, as proposed in the House Bill, the penalty of *prision mayor* in its medium period to its maximum period or a fine of P100,000, or both, shall be imposed upon any person who shall perform any act not included and punished in this title, which shall cast dishonor, discredit or contempt upon another person.



REP. LAGMAN. That is virtually a verbatim restatement of the pertinent provision of the Revised Penal Code.

REP. PRIMICIAS-AGABAS. More so, Mr. Speaker, in the case of *Noel Villanueva vs People of the Philippines*, slander by deed is defined as “a crime against honor, which is committed by performing any act, which casts dishonor, discredit, or contempt upon another person. The elements are (1) that the offender performs any act not included in any other crime against honor, (2) that such act is performed in the presence of other person or persons, and (3) that such act casts dishonor, discredit or contempt upon the offended party.”

REP. LAGMAN. Thank you, distinguished Sponsor. Mr. Speaker, distinguished Sponsor, may we know the classic examples of the offense slander by deed.

REP. PRIMICIAS-AGABAS. Your Honor, in the case of Teodoro, the offense which is considered slander by deed, was done in the heat of anger when he pointed a finger and then, at the same time, slapped the face of the person.

REP. LAGMAN. Well, that is correct, Mr. Speaker, distinguished Sponsor. The most common examples are slapping someone or spitting on his/her face in front of the public or a crowd, thus, casting dishonor, discredit and contempt upon the person of the aggrieved party. Is that a correct example, distinguished Sponsor?

REP. PRIMICIAS-AGABAS. Yes, Your Honor, Mr. Speaker.

REP. LAGMAN. Okay. Having that in mind, may I know, Mr. Speaker, distinguished Sponsor, does the proposed crime of filing a false complaint... no, I withdraw that. Why should the filing of a false complaint be categorized as slander by deed?

REP. PRIMICIAS-AGABAS. Your Honor, Mr. Speaker, it is the belief that what is being punished here, Mr. Speaker, is the intentional filing of a false complaint. When you intentionally file a false complaint, there is really malice on the part of the person filing that complaint, and there is an intention to cast dishonor and discredit upon such a person.

REP. LAGMAN. Yes, that is a given, that is the definition of the proposed crime. My question is, question is, why should the filing of a false complaint be categorized as slander by deed?

REP. PRIMICIAS-AGABAS. Mr. Speaker,

Your Honor, it is a crime, it is intended to dishonor a certain person. It is said that a person's name, honor or reputation is sacred to him as his own life, so, it is the belief that there is really a need to file a case—to penalize a person who files a case intentionally in court or in any quasi-judicial body or administrative body for such a purpose, Mr. Speaker, Your Honor.

REP. LAGMAN. Well, I think it is far from the classic example of the crime slander by deed. Let me proceed. Does the proposed crime of filing a false complaint cover a criminal action?

REP. PRIMICIAS-AGABAS. Criminal, yes, Mr. Speaker, Your Honor.

REP. LAGMAN. How about civil, is it also covered?

REP. PRIMICIAS-AGABAS. It is deemed, if there is no reservation to file another case in court for the civil, then it is deemed filed with the criminal case, Mr. Speaker, Your Honor.

REP. LAGMAN. In the proposed criminalization of the filing of a false complaint, is it necessary that the alleged false complaint be first dismissed or the offended party be acquitted in the criminal prosecution?

REP. PRIMICIAS-AGABAS. No, Mr. Speaker, Your Honor.

REP. LAGMAN. If it is not, then, how do you establish the falsity of the complaint?

REP. PRIMICIAS-AGABAS. We submit it to the sound decision or the appreciation of the court, Mr. Speaker, Your Honor.

REP. LAGMAN. Okay. If the prior dismissal of the false complaint is not necessary, what will happen if the alleged false complaint prospers in court or is given due course?

REP. PRIMICIAS-AGABAS. Mr. Speaker, Your Honor, during the discussion at the Committee level, it appeared that if we are going to follow the old rule now that we are going to wait for the conviction before we can file a case, this will not be different from the scenario that we have now. So, during the discussion, what we had in mind is that, whether or not the original complaint, the false complaint, will proceed—the complaint filed is dismissed or not, whether there is conviction or none, still it will proceed, subject to the appreciation of the court, Mr. Speaker, Your Honor. That is what we had in mind, Mr. Speaker, Your Honor.

REP. LAGMAN. It appears, Mr. Speaker, distinguished Sponsor, I regret to say, illogical, because if the supposed alleged complaint prospers in court or in the proper tribunal and the complainant is upheld, then there is no false complaint. Any proceeding alleging that there is a false complaint would be rendered nugatory. Is that not correct, Mr. Speaker, Your Honor?

REP. PRIMICIAS-AGABAS. I agree with you, Mr. Speaker, Your Honor. Nevertheless, what I am trying to emphasize here, what we had in mind, is not to wait for the conviction in that one case so that you can make the intentional filing of a complaint. Otherwise, it will not be different from the filing of a malicious prosecution wherein, you have to wait for the conviction in one case before you can file that one.

REP. LAGMAN. Well, if the distinguished Sponsor, Mr. Speaker, would agree that there has to be a prior dismissal of the false complaint, then I think the proposed Bill should be amended accordingly.

REP. PRIMICIAS-AGABAS. We are amenable to that, Mr. Speaker, Your Honor.

REP. LAGMAN. Okay. Mr. Speaker, distinguished Sponsor, is it necessary that the false complaint be verified or filed under oath?

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker, Your Honor.

REP. LAGMAN. Okay. Considering that, according to the distinguished Sponsor, they are amenable to the amendment that the false complaint be first dismissed prior to the filing of the action under this proposed Bill and that the false complaint must be under oath—let me know now, what is the difference between malicious prosecution which covers both criminal and civil actions from the proposed criminalization of false complaint? Practically, the elements would be the same. Is that correct, Mr. Speaker, Your Honor?

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker, Your Honor.

REP. LAGMAN. If the elements are the same, why do we have to legislate something which is already covered by existing law? The statutory bases for a civil action for damages for malicious prosecution are found in the provisions of a new Civil Code on Human Relations and on Damages, particularly Articles 19, 20, 21, 26, 29, 32, 33, 35, 2217 and 2219. So, there are existing provisions of the law which would cover the proposed criminalization of a false complaint.

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker, Your Honor. Mr. Speaker, I have discussed this with the principal author of this House Bill No. 2916. According to her, as per discussed in the Committee level, Mr. Speaker, this is intended—what we had in mind in filing this is that in malicious prosecution, we still wait for the dismissal of the case, but in this one, Mr. Speaker, Your Honor, as I said a while ago, there is no more need to wait for that. Nevertheless, we are amenable to the proposal, what you are trying to propose, considering that it is really very laudable and tenable at this time.

REP. LAGMAN. Yes. Mr. Speaker, if the distinguished Sponsor is amendable to an amendment which calls for a prior dismissal of the false complaint before filing an action under this proposed crime, then there is no more difference between malicious prosecution and the false testimony which is proposed to be a crime under this Bill.

REP. PRIMICIAS-AGABAS. Very clear, Mr. Speaker, Your Honor. We get your point, Mr. Speaker, Your Honor.

REP. LAGMAN. Okay. May we know from the distinguished Sponsor the elements of malicious prosecution. Well, anyway Mr. Speaker, Your Honor, the Supreme Court has drawn four elements that must be shown to concur to recover damages for malicious prosecution, namely: (a) the prosecution did occur and the defendant himself was the prosecutor or that he instigated its commencement; (b) the criminal action finally ended with an acquittal; (c) that in bringing the action the prosecutor acted without probable cause; and (d) that the prosecution was impelled by legal malice and improper or sinister motive.

Taking the elements of malicious prosecution, Mr. Speaker, Your Honor, then there is actually no more distinction between the proposed criminalization of filing a false complaint and malicious prosecution. Would the distinguished Sponsor agree?

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker, Your Honor, I agree.

REP. LAGMAN. Mr. Speaker, distinguished Sponsor, is the proposed criminalization of false complaint under slander by deed not covered by the crime of perjury?

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker, Your Honor.

REP. LAGMAN. Is it covered?

REP. PRIMICIAS-AGABAS. No, Mr. Speaker, Your Honor.

REP. LAGMAN. Not covered. May we know the elements of perjury. May we know, Your Honor, Mr. Speaker, what are the elements of the crime of perjury?

REP. PRIMICIAS-AGABAS. Your Honor, Mr. Speaker, I do not have these now but we are trying to check these out.

REP. LAGMAN. Well, I have the elements of perjury, Your Honor, Mr. Speaker: one, the accused made a statement under oath or executed an affidavit upon a material matter. In the case of the proposed criminalization of false testimony, no less than the distinguished Sponsor said that there is a need that the false complaint be under oath. So, that is a parallel in the elements. Two, that the statement or affidavit was made before a competent officer authorized to receive and administer an oath, and I think that once the false complaint is subscribed and verified under oath, naturally, the subscribing officer is authorized to administer the oath. So, that is another commonality in the elements. Three, that in the statement or affidavit, the accused made a willful and deliberate assertion of a falsehood. That is the gravamen of the filing of a false complaint, that there is an assertion of falsehood. Again, there is a common element. Fourth, the sworn statement or affidavit containing the falsity is required by law. No less than the distinguished Sponsor said that the false complaint must be under oath. So, in all the four elements, there is a commonality of the culpable elements.

Would the distinguished Sponsor agree?

REP. PRIMICIAS-AGABAS. Yes, Your Honor, Mr. Speaker.

REP. LAGMAN. Is the criminalization, Mr. Speaker, of the filing of a false complaint not covered by the criminal provisions on false testimony?

REP. PRIMICIAS-AGABAS. No, Mr. Speaker.

REP. LAGMAN. Well, the elements of false testimony under Article 182 of the Revised Penal Code are the following: one, the testimony must be given in a civil case and according to the distinguished Sponsor, civil cases, as reserved, are covered; two, the testimony must relate to the issues presented in said case and the testimony must be false. In the particular criminalization of the filing of a false complaint, the gravamen of the offense is the falsehood of the complaint. Three, the testimony must be malicious and given with an intent to affect the issues presented in said case. In this proposed criminalization of the filing of a false complaint,

definitely, malice was intended by the person who filed the false complaint.

So, in all four, Mr. Speaker, distinguished Sponsor, the elements of false testimony in civil cases would be the same as the elements in filing a false complaint. Is that correct, Your Honor, Mr. Speaker?

REP. PRIMICIAS-AGABAS. Most likely, yes, Your Honor, Mr. Speaker.

REP. LAGMAN. Yes. Now, since the distinguished Sponsor has acknowledged that the proposed criminalization of the filing of a false complaint is similar or covered by malicious prosecution, perjury as well as false testimony, then, may we know, distinguished Sponsor, whether the Committee on Revision of Laws will still continue to have this Bill enacted into law as it covers offenses already existing under the Civil Code, the Penal Code and our jurisprudence.

REP. PRIMICIAS-AGABAS. Mr. Speaker, apparently, yes, it appears. But we still maintain, the Committee still maintains that there is a need to file the same, considering that the penalties now being imposed under this proposed House Bill, as compared to the other penalties being provided under malicious prosecution and perjury, this one tends to update the penalties being imposed. So, the one who is filing the case will now have an alternative under which provision or article in the Revised Penal Code he would like to file.

REP. LAGMAN. It is not, distinguished Sponsor, Mr. Speaker, a question of providing alternatives. It is a question of an exercise in futility in duplicating offenses which are already penalized under our existing laws and jurisprudence. I would surmise, Mr. Speaker, distinguished Sponsor, that the penalty for slander by deed was increased precisely to cover the filing of a false complaint as a new offense under slander by deed. Otherwise, there would have been no venture in increasing the penalty, is that correct?

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker, but this House Bill tends to propose the filing of a case to include not only courts, but it tends to include any government agency exercising quasi-judicial or administrative powers, Your Honor, Mr. Speaker.

REP. LAGMAN. Well, in that case, Mr. Speaker, distinguished Sponsor, is the distinguished Sponsor aware of Section 35 of RA 6770 or An Act Providing for the Functional and Structural Organization of the Office of the Ombudsman, and for Other Purposes?

REP. PRIMICIAS-AGABAS. In a way, Mr. Speaker, yes.

REP. LAGMAN. Let me read into the records Section 35 of Republic Act No. 6770. It says:

Malicious Prosecution. Any person who, actuated by malice or gross bad faith, files a completely unwarranted or false complaint against any government official or employee shall be subject to a penalty of one (1) month and one (1) day to six (6) months imprisonment and a fine not exceeding Five thousand pesos (P5,000.00).

So, there is already an existing statute which covers the intended coverage of the proposed measure and that is the Ombudsman Act. Again, I submit, Mr. Speaker, distinguished Sponsor, that this Bill duplicates what is already existing and penalized under several statutes. Would the distinguished Sponsor agree?

REP. PRIMICIAS-AGABAS. We tend to qualify, Mr. Speaker.

REP. LAGMAN. Okay. Well, I will not belabor this point anymore, Mr. Speaker. I think this Chamber should not enact laws which only duplicate the existing ones, and we should not venture into an exercise in futility. I submit, distinguished Sponsor, Mr. Speaker, and thank you for giving this Representation the opportunity to ventilate these positions.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, there being no other interpellators, I move that we close the period of debate.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, I move that we open the period of amendments and proceed to the individual amendments.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. DEFENSOR. There being no individual amendments, Mr. Speaker, I move that we close the period for individual amendments.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. LAGMAN. Mr. Speaker, I will not offer any amendment because in the first place, this proposed measure only duplicates offenses which are already penalized or sanctioned under existing laws like the Civil Code, the Penal Code and the Ombudsman Law.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. DEFENSOR. With that, Mr. Speaker, I move that we open the period for Committee amendments.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. DEFENSOR. There being no Committee amendments, Mr. Speaker, I move that we close the period of amendments.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, I therefore move that we approve on ...

REP. LAGMAN. Mr. Speaker, objection.

THE DEPUTY SPEAKER (Rep. Hernandez). What is the pleasure of the Gentleman?

REP. LAGMAN. I think that we should not approve this measure which is an exercise in futility—pardon my statement— or without giving the Members of this House a clear opportunity to weigh the pros and cons in having this Bill approved on Second Reading.

I therefore request that we suspend the consideration of this Bill.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, as a matter of course, we are tackling this Bill on Second Reading. With the indulgence of the Gentleman, if the Gentleman has an opposition to this Bill, he may vote against the Bill, but we have to proceed with the consideration of this Bill, Mr. Speaker.

With that, Mr. Speaker, ...

REP. MARCOLETA. Mr. Speaker.

REP. DEFENSOR. ... I move that we approve ...

REP. MARCOLETA. Mr. Speaker.

REP. DEFENSOR. ... House Bill No. 2916 ...

REP. MARCOLETA. Mr. Speaker.

REP. DEFENSOR. ... on Second Reading.

REP. MARCOLETA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. DEFENSOR. I would like to reiterate my motion, Mr. Speaker, that we approve House Bill No. 2916 on Second Reading.

REP. LAGMAN. Mr. Speaker, there is a Member in the House...

REP. MARCOLETA. Objection, Your Honor. I am raising a point, Mr. Speaker.

REP. DEFENSOR. There is a pending motion, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? ...

REP. MARCOLETA. Objection, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). ... The Chair hears none; the motion is approved.

REP. MARCOLETA. Mr. Speaker, I am objecting.

THE DEPUTY SPEAKER (Rep. Hernandez). What is the objection of the Gentleman from SAGIP Party-list, Representative Marcoleta?

REP. MARCOLETA. I am objecting, Mr. Speaker, Your Honor, not only because the ground is a duplication as already stated by the Hon. Edcel C. Lagman but more importantly, I think the measure violates Section 4 of the Constitution. May I read the particular portion. Section 4 says: "No law shall be passed abridging the freedom of speech, of expression, or of the press, or the right of the people peaceably to assemble and petition the government for redress of grievances."

Mr. Speaker, I think, by and large, the right of a citizen to file a case largely falls under this constitutional provision because it is still in the nature of a petition for redress of grievances. The Court is a branch of government, Mr. Speaker, and if we discourage people to file cases whether they be false or not, because we are

not yet in a position to determine whether it is false in the process, then we are putting a cap, we are violating this particular constitutional provision, Mr. Speaker. That is the basis of my objection.

Thank you very much.

REP. DEFENSOR. Mr. Speaker, we are in the process of dividing the House and if the Gentleman is opposed to the Bill, he may vote against the Bill. Therefore, I move that we proceed with the voting. I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). There is a motion to approve House Bill No. 2916. Is there any objection?

REP. MARCOLETA. Mr. Speaker, there is an objection. Are we not supposed to vote on the objection?

REP. DEFENSOR. Mr. Speaker, again, we are in the process of dividing the House. I move that we proceed with the voting, Mr. Speaker.

#### VIVA VOCE VOTING

THE DEPUTY SPEAKER (Rep. Hernandez). As many as are in favor of the approval of House Bill No. 2916, please say *aye*.

SEVERAL MEMBERS. *Aye*.

THE DEPUTY SPEAKER (Rep. Hernandez). As many as are against, House Bill 2916, please say *nay*.

FEW MEMBERS. *Nay*.

REP. LAGMAN. Mr. Speaker, may I move for a suspension.

#### APPROVAL OF H.B. NO. 2916 ON SECOND READING

THE DEPUTY SPEAKER (Rep. Hernandez). The *ayes* have it; the motion is approved.

House Bill No. 2916 is hereby approved on Second Reading.

REP. LAGMAN. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. LAGMAN. Mr. Speaker.

REP. DEFENSOR. Mr. Speaker, I move that ...

REP. LAGMAN. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. LAGMAN. Mr. Speaker.

REP. DEFENSOR. I move that we take up House Bill ...

REP. LAGMAN. Mr. Speaker, I am rising on a very important matter.

#### SUSPENSION OF SESSION

REP. DEFENSOR. Mr. Speaker, I move for a suspension of the session, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). The session is suspended.

*It was 4:51*

#### RESUMPTION OF SESSION

*At 4: 56 p.m., the session was resumed.*

THE DEPUTY SPEAKER (Rep. Hernandez). The session is resumed.

REP. DEFENSOR. Mr. Speaker, I move that we call the roll.

#### ROLL CALL

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Secretary General will please call the roll.

*The Secretary General called the roll, and the result is as follows, per Journal No. 38, dated October 18, 2016.*

PRESENT:

Abad	Aggabao
Abaya	Aglipay-Villar
Abayon	Akbar
Abellanosa	Alejano
Acharon	Almario
Acop	Almonte
Acosta	Alonte-Naguiat
Acosta-Alba	Alvarez (F.)
Adiong	Amatong
Advincula	Andaya
Agarao	Angara-Castillo

Antonino	De Jesus
Antonio	De Venecia
Aragones	De Vera
Arbison	Defensor
Arcillas	Del Mar
Arenas	Deloso-Montalla
Atienza	Dimaporo (A.)
Aumentado	Dimaporo (M.K)
Bag-ao	Durano
Bagatsing	Elago
Baguilat	Enverga
Banal	Eriguel
Barbers	Ermita-Buhain
Barzaga	Escudero
Bataoil	Espina
Batocabe	Estrella
Bautista-Bandigan	Eusebio
Belaro	Evardone
Belmonte (F.)	Fariñas
Belmonte (J.C.)	Ferrer (J.)
Bertiz	Flores
Billones	Fortun
Biron	Fortuno
Bolilia	Fuentebella
Bondoc	Garbin
Bordado	Garcia (G.)
Bravo (A.)	Garcia (J.E.)
Bravo (M.V.)	Garcia-Albano
Brosas	Garin (R.)
Bulut-Begtang	Garin (S.)
Cagas	Gasataya
Calderon	Geron
Calixto-Rubiano	Go (A.C.)
Caminero	Go (M.)
Campos	Gomez
Canama	Gonzaga
Cari	Gonzales (A.P.)
Casilao	Gonzales (A.D.)
Castelo	Gonzalez
Castro (F.L.)	Gullas
Castro (F.H.)	Hernandez
Catamco	Herrera-Dy
Cerilles	Hofer
Chavez	Jalosjos
Chipeco	Labadlabad
Co	Lacson
Cortes	Lagman
Cortuna	Lanete
Cosalan	Laogan
Crisologo	Lazatin
Cua	Lee
Cuaresma	Limkaichong
Cueva	Lobregat
Dalipe	Lopez (B.)
Dalog	Lopez (C.)
Daza	Lopez (M.L.)

Loyola	Roque (R.)
Macapagal-Arroyo	Sacdalán
Maceda	Sagarbarria
Madrona	Sahali
Malapitan	Salceda
Manalo	Salo
Mangaoang	Salon
Mangudadatu (S.)	Santos-Recto
Marcoleta	Savellano
Marcos	Sema
Mariño	Siao
Marquez	Silverio
Matugas	Singson
Mending	Suansing (E.)
Mercado	Suansing (H.)
Mirasol	Suarez
Montoro	Sy-Alvarado
Nava	Tambunting
Nieto	Tan (A.)
Noel	Tan (M.)
Nogralés (J.J.)	Tan (S.)
Nogralés (K.A.)	Tejada
Nolasco	Teves
Núñez-Malanyaon	Tiangco
Oaminal	Ting
Ocampo	Tinio
Olivarez	Tolentino
Ong (E.)	Treñas
Ong (H.)	Tugna
Ortega (P.)	Tupas
Ortega (V.N.)	Ty
Pacquiao	Umali
Paduano	Unabia
Palma	Ungab
Pancho	Unico
Panganiban	Uy (R.)
Panotes	Vargas
Pichay	Vargas-Alfonso
Pimentel	Velarde
Pineda	Velasco
Plaza	Velasco-Catera
Primicias-Agabas	Veloso
Quimbo	Vergara
Ramirez-Sato	Villafuerte
Ramos	Villanueva
Relampagos	Villarica
Revilla	Villarin
Roa-Puno	Violago
Rodriguez (I.)	Yap (M.)
Rodriguez (M.)	Yu
Roman	Zamora (M.C.)
Romero	Zamora (R.)
Romualdez	Zubiri
Romualdo	

THE SECRETARY GENERAL. Mr. Speaker, the roll call shows that 241 Members responded to the call.

THE DEPUTY SPEAKER (Rep. Hernandez). With 241 Members present, the Chair declares the presence of a quorum.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, I move that we proceed to the Business for the Day.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Dep. Majority Leader is recognized.

#### RECONSIDERATION OF APPROVAL OF H.B. NO. 2916 ON SECOND READING

REP. DEFENSOR. Mr. Speaker, I move that we reconsider the approval of House Bill No. 2916 on Second Reading.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. DEFENSOR. With that, Mr. Speaker, I further move that we recommit House Bill No. 2916 to the Committee on Revision of Laws.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

#### CONSIDERATION OF H.B. NO. 3177 ON SECOND READING

##### PERIOD OF SPONSORSHIP AND DEBATE

REP. DEFENSOR. Mr. Speaker, I move that we consider House Bill No. 3177, contained in Committee Report No. 10, as reported out by the Committee on Revision of Laws.

May I ask that the Secretary General be directed to read the title of the measure.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.\*

The Secretary General is directed to read only the title of the measure.

\* See MEASURES CONSIDERED (printed separately)

*With the permission of the Body, and since copies of the measure have been previously distributed, the Secretary General read only the title thereof without prejudice to inserting its text in the Congressional Record.*

THE SECRETARY GENERAL. House Bill No. 3177, entitled: AN ACT PENALIZING INFLUENCE PEDDLING AND FOR OTHER PURPOSES.

REP. DAZA. Mr. Speaker.

REP. DEFENSOR. May we know, Mr. Speaker, the pleasure of the Gentleman from Northern Samar?

#### SUSPENSION OF SESSION

REP. DAZA. Mr. Speaker, may I move for a suspension of the session for two minutes.

REP. DEFENSOR. Yes, Mr. Speaker, we will accommodate the motion of the Gentleman.

THE DEPUTY SPEAKER (Rep. Hernandez). The session is suspended.

*It was 5:07 p.m.*

#### RESUMPTION OF SESSION

*At 5:08 p.m., the session was resumed.*

THE DEPUTY SPEAKER (Rep. Hernandez). The session is resumed.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, we are in consideration of House Bill No. 3177 and with that, I move that we open the period of sponsorship.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. To sponsor the Bill, Mr. Speaker, I move that we recognize the distinguished Chairperson of the Committee on Revision of Laws, the Hon. Marlyn L. Primicias-Agabas.

THE DEPUTY SPEAKER (Rep. Hernandez). The Honorable Primicias-Agabas is hereby recognized.

#### SPONSORSHIP SPEECH OF REP. PRIMICIAS-AGABAS

REP. PRIMICIAS-AGABAS. Thank you, Mr. Speaker.

Honorable Members of the House, distinguished guests, friends, ladies and gentlemen.

Good afternoon. This Representation, as the Chairperson of the Committee on Revision of Laws, has the honor to present Committee Report No. 10 on House Bill No. 3177, entitled: AN ACT PENALIZING INFLUENCE PEDDLING AND FOR OTHER PURPOSES.

House Bill No. 3177 is a re-filed bill and has reached Third Reading during the Sixteenth Congress. The Bill is a novel proposal. It is intended to criminalize the act of influence peddling and to impose a corresponding penalty for the act. Our current law on the drive against corruption is anchored on Republic Act No. 3019 or the Anti-Graft and Corrupt Practices Act. However, what the law penalizes is the act of receiving a present, gift or any material or financial advantage by those who actually intervene, directly or indirectly, in transactions, applications, requests or contracts with the government. The act prior to receiving gifts or the actual intervention made by any person that influenced the public official or employee, may go unpunished. It is on this note that the actual gap—the representation by the public official or employee, either orally or in writing, that he can influence, facilitate or assist another person having some business, transaction, application, request or contract with the government in consideration of any present, gift, or material or pecuniary advantage—that this link be untied and punished.

In line with the administration's stance on corruption and preceding from the principle that public office is a public trust, this Representation believes in the timely adoption of this proposal, hence, the approval of this Bill is earnestly sought.

Thank you very much, Mr. Speaker, and good afternoon.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, on the first to interpellate, may we recognize the distinguished Gentleman from the First District of Albay, the Hon. Edcel C. Lagman.

THE DEPUTY SPEAKER (Rep. Hernandez). The distinguished Gentleman from the First District of Albay is hereby recognized.

REP. LAGMAN. Thank you, Mr. Speaker. At the outset, I would like to manifest that I have no



objection, in essence, with respect to the proposed measure, but I have some clarificatory questions and I wonder whether the distinguished Sponsor would yield to some questions.

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. LAGMAN. In common parlance, Mr. Speaker, distinguished Sponsor, what is meant by influence peddling?

REP. PRIMICIAS-AGABAS. Sila po iyong taga—in ordinary parlance, we call them as fixers, Mr. Speaker.

REP. LAGMAN. As fixers.

REP. PRIMICIAS-AGABAS. Yes.

REP. LAGMAN. Facilitators?

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. LAGMAN. Can lawyering or consultancy come under the coverage of prohibited influence peddling?

REP. PRIMICIAS-AGABAS. No, Mr. Speaker, Your Honor.

REP. LAGMAN. No. Is the act of prohibited influence peddling committed with or without material benefit to the offeror?

REP. PRIMICIAS-AGABAS. It should have an advantage on the part of the person who is going to help that person.

REP. LAGMAN. So, if the offer to help or to assist is without any material consideration, there is no prohibited influence peddling?

REP. PRIMICIAS-AGABAS. It must be in consideration of any present, gift, or material or pecuniary advantage, Mr. Speaker.

REP. LAGMAN. Okay. In other words, if there is no material advantage in favor of the one offering to help or assist, then that act of offering will not be punishable under the proposed Bill?

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. LAGMAN. Okay. Will acceptance of the offer of the supposed influence peddler make the one accepting culpable, like in bribery?

REP. PRIMICIAS-AGABAS. Come again, Mr. Speaker.

REP. LAGMAN. Will the acceptance by a person of the offer of the influence peddler make the one accepting the offer liable to or akin to acceptance of a bribe?

REP. PRIMICIAS-AGABAS. Not in this House Bill, Mr. Speaker.

REP. LAGMAN. In this particular proposed legislation or Bill, only the offeror is culpable?

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. LAGMAN. The one who accepts the offer is not culpable.

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. LAGMAN. The one who pays a material value to the one offering or the influence peddler is not liable.

REP. PRIMICIAS-AGABAS. Only the influence peddler, Mr. Speaker, is being penalized in this House Bill.

REP. LAGMAN. It is only the influenced peddler. Is this akin to a class legislation, distinguished Sponsor, because only the offeror is held accountable for influence peddling, and the one who accepts and pays the influence peddler is off the hook.

REP. PRIMICIAS-AGABAS. Mr. Speaker, as I said, this only covers the influence peddler and does not include others.

REP. LAGMAN. Okay. As a general rule, a person who offers or proposes the commission of a crime, except in the case of treason, is not criminally culpable. Is that correct, Mr. Speaker?

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. LAGMAN. Because the offer or proposal is outside the realm of criminal law. Is that correct, Mr. Speaker?

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. LAGMAN. In this particular case, Mr. Speaker, distinguished Sponsor, the influence peddler who offers his services to another is already culpable by the mere act of offering and receiving material benefit. Is that correct, Mr. Speaker?

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. LAGMAN. Thank you for the clarification. At the proper time, I would submit to the distinguished Sponsor or to the Committee some amendments consistent with the clarification I made, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. BONDOC. Mr. Speaker, the next of our colleagues who will interpellate our distinguished Sponsor is the Gentleman from the First District of Northern Samar. I move for the recognition of the Hon. Raul A. Daza.

THE DEPUTY SPEAKER (Rep. Hernandez). The distinguished Gentleman from the First District of Samar, Representative Daza, is hereby recognized.

REP. DAZA. Mr. Speaker, would the distinguished Sponsor yield to some questions?

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. DAZA. I would like to start by commending the Committee chaired by the distinguished Sponsor, the Committee on Revision of Laws, and all its members for the prodigious efforts in the present session. I noticed from the Order of Business that most of the Bills on the floor are supported by reports of the Committee on Revision of Laws, chaired by the distinguished Sponsor. They come from that Committee and I would like, therefore, to take this occasion to commend that Committee, the competent Chairperson and its equally competent members.

Mr. Speaker, I would like to state that, after I read the Explanatory Note and the provisions of the Bill, I am in favor of this Bill. I stand only to clarify and, if seasonable, to propose certain amendments to the Bill. I understand from the language of Section 2 which defines the act of influence peddling, that the mere act as defined in that section becomes punishable regardless of whether or not the public officer or employee, as the case may be, has given prior consent to the act defined as influence peddling.

In other words, the offense is committed regardless of whether or not the official or employee whom the influence peddler seeks to represent knows about the act. Is my understanding correct?

REP. PRIMICIAS-AGABAS. Yes, Your Honor, Mr. Speaker.

REP. DAZA. Also, my comprehension of Section 2 is that the person or the influence peddler becomes

liable regardless of whether or not his act is supported by some pecuniary consideration.

REP. PRIMICIAS-AGABAS. Mr. Speaker, it should be in consideration of any present, gift, or material, or pecuniary advantage.

REP. DAZA. Well, I wish that this Bill becomes a law because, not only from my experience, but I have been told by some other politicians or my friends that there have been occasions when names of Congressmen, even without their knowledge, and names of office holders, even without their knowledge, are being used by influence peddlers.

So, I believe that this piece of legislation is, in a sense, an act of self-defense on the part of Congressmen who are honest, and I know that Congressmen and Congresswomen are honest and that, therefore, there should be a deterrent against this act in order to protect the honor and integrity of Congressmen and Congresswomen, Senators, and other office holders. Does the Sponsor agree to that sentiment?

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. DAZA. Now, I would like to see this Section strengthened, and I believe that the definition of influence peddling should be inclusive rather than exclusive. So, on Section 2, I would like to suggest that, if the Sponsor sees fit, my proposed amendment come in by way of Committee amendment, that on line 3, beginning with the word "person," the line be amended to read: "HAVING SOME CONTRACT, BUSINESS OR TRANSACTION, OR ANY APPLICATION OR REQUEST OF WHATEVER KIND OR NATURE WITH ANY OFFICE OR AGENCY OF THE GOVERNMENT."

In short, I would suggest that the Committee, through the Sponsor, consider Section 2 to be more inclusive, to be more encompassing so that it would read: "INFLUENCE PEDDLING REFERS TO THE ACT OF REPRESENTING ONE'S SELF, EITHER ORALLY OR IN WRITING, AS BEING ABLE, WHETHER REAL OR IMAGINED, TO INFLUENCE, FACILITATE OR ASSIST ANOTHER PERSON HAVING SOME CONTRACT, BUSINESS OR TRANSACTION, OR ANY APPLICATION OR REQUEST OF WHATEVER KIND OR NATURE WITH ANY OFFICE OR AGENCY OF THE GOVERNMENT INCLUDING A GOVERNMENT-OWNED OR -CONTROLLED CORPORATION."

I would suggest that the last part of Section 2 as stated in the Bill which reads: "in which the public official or employee has to intervene in consideration of any present, gift, or material or pecuniary advantage," be deleted because the Sponsor agrees with me that the

matter of gift or consideration, whether the influence peddling is done with some remuneration or not, should be immaterial. So, that is my suggestion to the Sponsor, if she believes that ...

REP. PRIMICIAS-AGABAS. Your Honor, Mr. Speaker, you are trying to propose that we have to remove the last part of it which states: "The public official or employee has to intervene in consideration of any present, gift, or material or pecuniary advantage"—that will be removed. You are trying to propose that one, at the proper time, for the amendment, Your Honor, Mr. Speaker.

REP. DAZA. Well, to save time, because I am now ready to close my interpellation, I shall speak with the Sponsor or the technical staff and right after I had interpellated, will propose my suggested definition of influence peddling under Section 2. Would that be suitable?

REP. PRIMICIAS-AGABAS. Well taken, Your Honor, Mr. Speaker.

REP. DAZA. Thank you, Mr. Speaker. Thank you, distinguished Sponsor.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Next to interpellate, Mr. Speaker, may we recognize the honorable Dep. Speaker Rolando G. Andaya Jr.

THE DEPUTY SPEAKER (Rep. Hernandez). The honorable Dep. Speaker Rolando G. Andaya Jr. is hereby recognized.

REP. ANDAYA. Thank you very much. Just to clarify the Bill, because it seems quite confusing. In this particular legislation that you are proposing, what are we trying to penalize here, the act of influence peddling in receiving money or something in consideration in exchange for the perceived favor?

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. ANDAYA. Which?

REP. PRIMICIAS-AGABAS. What ...

REP. ANDAYA. I think what the Bill is seeking to do is to penalize the act of pretending— that an official can, in a way, you know, help that person, whether it is perceived as true or not, in exchange for money.

REP. PRIMICIAS-AGABAS. Yes.

REP. ANDAYA. It is the act of influence peddling.

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. ANDAYA. It has nothing to do with receiving anything.

REP. PRIMICIAS-AGABAS. It has nothing to do, yes. Nevertheless, what is provided here, it must be in consideration of any present, gift, or material or pecuniary advantage. What is being penalized here is the act of the person prior to receiving anything.

REP. ANDAYA. Yes, precisely. It is the prior act, not the bribe.

REP. PRIMICIAS-AGABAS. No.

REP. ANDAYA. No, but it is the act ...

REP. PRIMICIAS-AGABAS. It is the act.

REP. ANDAYA. ... of offering yourself, kaya nga influence peddling e.

REP. PRIMICIAS-AGABAS. Yes.

REP. ANDAYA. That you are showing that you have influence over this particular official or body of government, that you can help them in their dealings with that particular office or person. So, ang maliwanag ho dito, hindi ho iyong akto noong pagtanggap mo ng pera o konsiderasyon ang pinaparusahan. Ang pinaparusahan is that act of influencing a person to think that mayroon kang impluwensiya sa lugar na ito at babayaran ka.

REP. PRIMICIAS-AGABAS. Yes.

REP. ANDAYA. Different from bribery.

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. ANDAYA. Okay. So, this has nothing to do with bribery, nothing to do with it.

REP. PRIMICIAS-AGABAS. Nothing to do with it, yes. What we are ...

REP. ANDAYA. It is just the act of offering.

REP. PRIMICIAS-AGABAS. Sorry. What we are penalizing here is just limited to the influence peddler.

REP. ANDAYA. Correct. Nothing to do with bribery.

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. ANDAYA. Yes, you are just asking for something; whether the money is given or not, as long as you offer, you influence peddle, iyon ang pinaparusanhan dito.

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. ANDAYA. Okay. Thank you very much.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, next to interpellate, may we recognize the distinguished Gentleman from the Second District of Compostela Valley, the Hon. Ruwel Peter S. Gonzaga.

THE DEPUTY SPEAKER (Rep. Hernandez). The distinguished Gentleman from Compostela Valley, Representative Gonzaga, is hereby recognized.

REP. GONZAGA. Thank you, Mr. Speaker. Mr. Speaker, Mme. Sponsor, I would like to compare your Bill penalizing influence peddling and for other purposes to another law, the Revised Penal Code, particularly Article 210 on Bribery.

Now, I will give you a situational. If a person goes to a regional trial court judge and offers something to him in return for asking a favor, is that considered one of the acts prohibited or penalized under your Bill?

REP. PRIMICIAS-AGABAS. Mr. Speaker.

REP. GONZAGA. Yes.

REP. PRIMICIAS-AGABAS. Yes. Where is the one interpellating?

REP. GONZAGA. Here, Mr. Speaker.

REP. PRIMICIAS-AGABAS. Yes, thank you, Mr. Speaker. Come again, Mr. Speaker?

REP. GONZAGA. I will give you a situational case.

REP. PRIMICIAS-AGABAS. Yes.

REP. GONZAGA. A person goes to a regional trial court judge, offers something in return for a favor, is that one of the prohibited acts in your Bill?

REP. PRIMICIAS-AGABAS. No, Mr. Speaker.

REP. GONZAGA. I will change my situational case: A person goes to a judge, tries to influence him or her and asks for a favor and in return, there is a consideration. Is that covered by your bill?

REP. PRIMICIAS-AGABAS. The way I understand your scenario, Mr. Speaker, is that one is with the consideration but the other is without.

REP. GONZAGA. Yes, because this is the definition of influence peddling.

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. GONZAGA. That is, in consideration of any present, gift, or material or pecuniary advantage. So, I am giving you a scenario where all your elements are present, then tell me if this situational case is covered by your Bill. Now, you said that is covered by your Bill, right?

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. GONZAGA. What is now the distinction of your Bill from this Article 210 of the Revised Penal Code on what we call bribery? Is it not a redundancy of a present law, particularly the Revised Penal Code?

REP. PRIMICIAS-AGABAS. Mr. Speaker, what we have here, we are just penalizing the influence peddler, the one who is trying to offer, the one who is trying to fix, acting as a fixer, so as to be able to deliver something for that person.

REP. GONZAGA. So, you are telling us that you are penalizing a fixer, an ordinary fixer, not a person who goes to a public official and asks for something and for that, there is a return.

REP. PRIMICIAS-AGABAS. Mr. Speaker, specifically, Section 2 of this House Bill provides that—when we say influence peddling, it refers to the act of representing oneself.

REP. GONZAGA. To have influence.

REP. PRIMICIAS-AGABAS. Either orally or in writing, whether real or imaginary, to influence, facilitate or assist another person having some business, transaction, application, request or contract with the government.

REP. GONZAGA. Okay. I will change my situation. I am a person representing to have influence. I go to the LTO, the LTFRB, with a case. I ask a favor, “Mr.

LTO, I am one of your partners in your business and I have influence over you. Kindly facilitate the request or the papers of Mr. Tolentino and in return for that request, I will give you one brand-new vehicle.” Is that considered influence peddling, Mr. Speaker, distinguished Sponsor?

REP. PRIMICIAS-AGABAS. Mr. Speaker, apparently, it will appear that it is within Section 2 of the Anti-Influence Peddling Bill.

REP. GONZAGA. It is. Now, the elements that I have told you, they also fall under Article 210 on Bribery. How would you distinguish Article 210 of the Revised Penal Code from this Bill that you have presented before us now?

REP. PRIMICIAS-AGABAS. Mr. Speaker, Your Honor, under this Bill, what is being proposed to be punished is the act prior to the acceptance, as we had emphasized.

REP. GONZAGA. So you will...

REP. PRIMICIAS-AGABAS. Now, let me read to you...

REP. GONZAGA. Your presentation now is that there is a distinction between the influence presented in this Bill and the influence presented in Article 210 of the Revised Penal Code.

REP. PRIMICIAS-AGABAS. Mr. Speaker, as to your first question a while ago, with respect to the elements of direct bribery?

REP. GONZAGA. Yes. Your Section 4 says: “Any person who engages in influence peddling”—“any person” and so, it may cover a public official.

REP. PRIMICIAS-AGABAS. Mr. Speaker, Your Honor, in influence peddling we do not qualify whether he is a public officer or not.

REP. GONZAGA. Yes, exactly. So, there is no distinction. In bribery, there is distinction.

REP. PRIMICIAS-AGABAS. Yes.

REP. GONZAGA. It should be a public official and the person who is bribing the public officials, he may or he may not be a public official. In your case, a public official could be influenced by a non-public official.

REP. PRIMICIAS-AGABAS. Yes, Mr. Speaker.

REP. GONZAGA. In bribery, the person who is bribed, the officer who is bribed is liable, and the person who is bribing is also liable under the theory of conspiracy.

Now in your case, there is this person influencing another, so, what is now your distinction between your Bill and this Article 210 of the Revised Penal Code? At any rate, Mr. Speaker...

REP. PRIMICIAS-AGABAS. Mr. Speaker, what we are trying to point a while ago, *kanina pa po*, is this Bill seeks to propose that what is to be punished is the act prior to the acceptance. *Iyon po isa*, that one is already consummated na, but this one is the act prior to the acceptance.

REP. GONZAGA. At any rate, that is your definition. Okay, Mr. Speaker. Thank you.

Second, this relates to Section 4 which says: “...this Act shall be punished by imprisonment of not more than six (6) years or a fine not exceeding one hundred thousand pesos (P100,000.00).” Now, it may lower the penalty of another law like, for example, Republic Act No. 3019, the Anti-Graft and Corrupt Practices Act. Under the Anti-Graft and Corrupt Practices Act, Section 3(a) states: “Persuading, inducing or influencing another public officer...”

The liability or the penalty for imprisonment there is one year to 10 years. Here in your Bill, the supposed penalty is six years or a fine of P100,000. Now, if a judge penalizes the offender, the judge has no discretion; that no matter how big the offense is, still, the penalty is a mere P100,000 because you use the word “or.” So, how will you define this Section 4, Mr. Speaker, Mme. Sponsor?

REP. PRIMICIAS-AGABAS. Mr. Speaker, as stated in Section 4, it is not more than six years. So it is not an option of the court.

REP. GONZAGA. Yes, but you have ...

REP. PRIMICIAS-AGABAS. As long as it does not exceed six years or a fine of P100,000, but the word “both” is also included in Section 4.

So, the judge has the option whether to impose only the fine of P100,000 or less, or imprisonment of not more than six years, or per his discretion, both, Mr. Speaker.

REP. GONZAGA. Yes, but the Lady is giving discretion to the judge. Instead of “and,” she used “or.” At any rate, Mme. Sponsor, Mr. Speaker, I am accepting her definition. It is just a matter of clarifying the sections of her Bill.

Thank you very much, Mr. Speaker. Thank you very much, Mme. Sponsor.

REP. PRIMICIAS-AGABAS. Thank you very much.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, there being no other interpellators, I move that we close the period of debate.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the period of debate is hereby terminated.

REP. DEFENSOR. With that, Mr. Speaker, I move that we open the period of amendments.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Dep. Majority Leader is recognized.

REP. LAGMAN. Mr. Speaker, I have some clarificatory amendments, and just like in the previous measure, I would be submitting the same to the honorable Sponsor or to the Committee on Revision of Laws. So, I move that we suspend the further consideration of the measure pending the submission.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. DEFENSOR. We join the Gentleman in his motion to suspend the consideration of this measure, Mr. Speaker.

#### SUSPENSION OF CONSIDERATION OF H.B. NO. 3177

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The consideration of House Bill No. 3177 is hereby suspended.

The Dep. Majority Leader is recognized.

REP. TY. Before we proceed, Mr. Speaker, may we acknowledge the presence of some guests.

THE DEPUTY SPEAKER (Rep. Hernandez). Please proceed.

REP. TY. We would like to acknowledge the presence of the guests of Cong. Jonas C. Cortes of the

Sixth District of Cebu. They are the elected officials of Mandaue City: Vice Mayor Carlo Pontico Fortuna and Councilors Nenita Layese, Elstone Dabon, Cynthia Remedio, Raul Kevin Cabahug, Atty. Nilo Seno, Carmelino Del Mar, Ernie Manatad and Malcolm Sanchez, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). May we acknowledge the presence of the guests of Congressman Cortes of the Sixth District of Cebu. Please rise to be recognized. Welcome to the House of Representatives. (*Applause*)

The Dep. Majority Leader is recognized.

REP. TY. Mr. Speaker, we would like to acknowledge the presence of the guests of Rep. Antonio L. Tinio, Rep. France L. Castro, Rep. Emmi A. De Jesus, Rep. Arlene D. Brosas, Rep. Carlos Isagani T. Zarate, and Rep. Sarah Jane I. Elago. They are Jerome Succor Aba, Dulphing Ogan, Minda Dalinan, Gine Andit, Nenita Condes, Bai Ligkayan Bigkay Bibyaon, Lita Undag, Edwin Danan and Marcelo Carcolan, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). Please rise to be recognized. Welcome to the House of Representatives. (*Applause*)

The Dep. Majority Leader is recognized.

REP. TY. Mr. Speaker, lastly, we would like to acknowledge the presence of the guests of Rep. Cheryl P. Deloso-Montalla of the Second District of Zambales. They belong to Batch '84 Botolan High School, Sta. Monica Parochial Institute, namely: Florida Baluyot, Christine Rose Esparkago, Amador Macaspac Jr., Malu Diohen Payo, Lorna D. Nacin Dedicatoria, Carlyn Doble Esloga, Gloria D. Gonzales, Lisa C. Rivera, Racquel B. Cariño, Asuncion Panes, Assie B. Sionillo, Robinson D. Dollosa, Froilan Dequina and Alves B. Pangilinan Jr., Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). The guests of Representative Deloso-Montalla, please rise to be recognized. Welcome to the House of Representatives. (*Applause*)

The Dep. Majority Leader is recognized.

REP. TY. Mr. Speaker, lastly, may pahabol tayo rito, may we acknowledge the presence of the guests of Deputy Speaker Miro Quimbo: the president of the homeowners association of Marikina Heights. I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). The guests of Deputy Speaker Quimbo, please rise to be recognized. Welcome to the House of Representatives. (*Applause*) May kasamang merienda para sa kanila.

REP. QUIMBO. Thank you.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

CONSIDERATION OF H.B. NO. 4100  
ON SECOND READING

PERIOD OF SPONSORSHIP AND DEBATE

REP. DEFENSOR. Mr. Speaker, I move that we consider House Bill No. 4100, contained in Committee Report No. 11, as reported out by the Committee on Higher and Technical Education.

May I ask that the Secretary General be directed to read only the title of the measure.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.\*

The Secretary General is directed to read only the title of the measure.

*With the permission of the Body, and since copies of the measure have been previously distributed, the Secretary General read only the title thereof without prejudice to inserting its text in the Congressional Record.*

THE SECRETARY GENERAL. House Bill No. 4100, entitled: AN ACT MANDATING HIGHER EDUCATION INSTITUTIONS AND TECHNICAL-VOCATIONAL INSTITUTIONS TO ENSURE THE SAFETY AND SECURITY OF THE ACADEMIC COMMUNITY FROM INTERNAL AND EXTERNAL THREATS, THEREBY CREATING A CRIME PREVENTION COMMITTEE FOR THIS PURPOSE.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, I move that we open the period of sponsorship.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. To sponsor this measure, Mr. Speaker, I move that we recognize the distinguished Chairman of the Committee on Higher and Technical Education, the Hon. Ann K. Hofer. I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). The distinguished Representative Ann Hofer is hereby recognized.

SPONSORSHIP SPEECH OF REP. HOFER

REP. HOFER. Thank you, Mr. Speaker.

Mr. Speaker, esteemed colleagues, ladies and gentlemen.

The safest risk, it is said, is the one you did not take. We should not take a risk when it comes to the safety and security of our youth while they are in school, learning to become responsible citizens of our land and future leaders of our nation. The risk to the safety of our youth has become greater in recent years. Thus, because of its timeliness and enormous significance in ensuring the safety of our youth, I am honored and gratified to stand here today to sponsor a truly important piece of legislation, House Bill No. 4100, under Committee Report No. 11, entitled: AN ACT MANDATING HIGHER EDUCATION INSTITUTIONS AND TECHNICAL-VOCATIONAL INSTITUTIONS TO ENSURE THE SAFETY AND SECURITY OF THE ACADEMIC COMMUNITY FROM INTERNAL AND EXTERNAL THREATS, THEREBY CREATING A CRIME PREVENTION COMMITTEE FOR THIS PURPOSE or the proposed "Campus Safety and Security Act."

Mr. Speaker, at the outset, allow me to commend my two colleagues, both of whom I hugely respect and admire, namely: the Hon. Bellaflor J. Angara-Castillo of the Lone District of Aurora Province and the Hon. Evelina G. Escudero of the First District of Sorsogon, for filing the proposed Campus Safety and Security Act. This Bill finds basis in Article XIV, Section 4(1) of the Constitution which mandates the State to exercise reasonable supervision and regulation of all educational institutions. This includes the State's duty of ensuring the safety of our students while inside or within the area of their school premises.

Mr. Speaker, an assessment report by the Philippine National Police in 2013 identified the University Belt, which has more than eighty colleges and universities, as among the top crime-prone zones in Metro Manila. It can also be recalled that right after the September 2, 2016 Davao bombing incident, several schools in Quezon City and Manila had reportedly received bomb threats, leading to the cancellation of classes. School authorities previously warned that their institutions have become sitting targets of criminals who cause havoc and fear among their students and teachers. This situation has raised concern about the safety and security of our educational institutions as our students' second home where they spend a great deal of their time. Parents have entrusted their children to our educational institutions

\* See MEASURES CONSIDERED (printed separately)

with the assurance that the school authorities are their guardians away from home, a trust we must uphold.

This Bill, Mr. Speaker, shall make it mandatory for higher education institutions or HEIs and technical-vocational institutions or TVIs to create a Crime Prevention Committee. This Crime Prevention Committee shall be tasked to formulate policies and strategies to protect the academic community from internal and external threats such as theft, robbery, rape and other forms of violence within and outside the area where the HEI or TVI is located. Primarily, the task of the CPC is to formulate a crime prevention strategy arrived at in consultation with the school head, the chief of police where the education institution is located, the punong barangay, and other security specialists.

Mr. Speaker, this measure is, without a doubt, consistent with the thrust of President Duterte in promoting peace and order in the country. As we know, our police force can only do so much. The passage of this Bill will reinforce the efforts of our law enforcers to deliver the President's commitment of building a safe and peaceful community. Thus, this Representative's emphasis is on the urgency of this Bill, which the House already approved in both the Fifteenth and Sixteenth Congresses. However, due to time constraints, it remained pending in the Senate. Hence, it is my fervent hope that, this time, it will finally see the light of the day for the sake of our children and future generations.

Mr. Speaker, we need to protect our youth. We need to protect our students, our teachers, and the other members of the academic community. Their protection is tantamount to the protection of the future of our nation. For all these reasons, Mr. Speaker, I urge my colleagues in this venerable Chamber to please join me in working for the immediate passage of this piece of legislation.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, I move that we proceed to the interpellation and debate.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. To interpellate, Mr. Speaker, we have the Gentleman from Anakpawis. I move that we recognize the Hon. Ariel "Ka Ayik" B. Casilao.

THE DEPUTY SPEAKER (Rep. Hernandez). The distinguished Gentleman from Anakpawis, Representative Casilao, is hereby recognized.

REP. CASILAO. Thank you, Mr. Speaker. Mme.

Sponsor, I am in unison with the objective, especially in securing our studentry. However, there are certain questions that I would like to be clarified. One, how do we define the specific acts or definitions of internal and external threats? Can we enumerate specific internal and external threats?

REP. HOFER. Internal threats are the ones that are happening within the campus. External threats are the ones that are happening around the campus.

REP. CASILAO. Yes. Can we enumerate specifically the acts that threaten or that pose security threats? For example, I understand, of course, kidnapping, bomb threats ...

REP. HOFER. Robbery, theft, rape, ...

REP. CASILAO. Rape.

REP. HOFER. ... and other forms of violence.

REP. CASILAO. So, those are considered internal..

REP. HOFER. Yes.

REP. CASILAO. ... and external threats? Am I to understand that with this proposed Bill, the definitions of internal and external threat would merit the same definition as those of the Armed Forces of the Philippines?

REP. HOFER. Well, we are talking about campuses, higher education campuses and the technical-vocational institutions, so, we are talking about a smaller threat area. The committee which will be formed for that particular institution will focus on their particular area.

REP. CASILAO. Yes. Mme. Speaker, I am raising this apprehension, because I was a student leader before in Ateneo de Davao University, and, of course, I do not want this law or this proposed Bill to be exploited to curtail the guaranteed rights of our students in expressing grievances against the institution and the government.

Is there any guarantee or provision that would ensure that this will not be abused, or used in curtailing the freedom of expression or the activism of the studentry, especially on issues that would be detrimental to the students' rights and welfare, for example, in protesting against tuition fee increases and other exorbitant fees? Will this proposed Bill not be exploited or abused in addressing or interpreting those freedoms of expression of students, especially those who are in the progressive organizations of students?



REP. HOFER. It is not included, Mr. Speaker, we are not curtailing the freedom of speech or freedom of demonstration. It is not specified in the Bill—what is specified here are theft, robbery, and other forms of violence within the area.

REP. CASILAO. Yes. Will there be a provision that will expressly state this because the danger would be, in the formulation of the committee or the creation of a crime prevention committee, the CPC, if not expressly written in this proposed Bill, then it would be interpreted under the jurisdiction of the CPC outrightly, especially occasions when protests are conducted within campuses that would result in paralysis of the school's operations, then those eventually would be categorized as a security threat.

So, this Representation would like to suggest to the distinguished Sponsor to put in a provision, an express provision, to guarantee the expression that I had already mentioned, in order to ensure that this measure will not be abused or will not be exploited in curtailing those freedoms that I had already mentioned.

REP. HOFER. Yes, Mr. Speaker. Actually, the Bill is quite open. The Bill just said that we should form a committee in consultation with the school board and for the security aspect, to consult the barangay captain and to consult the police in the area and so, the student leaders can be part of this organization or this committee that the board will create. So, it is not really very specific on that aspect. If we make it very specific, then it may be more difficult for the committee to move around in making their own strategy, Mr. Speaker. I would also suggest that if the Gentleman wants that, then we can work it out within the IRRs. We will work out all the details in the IRRs.

REP. CASILAO. Yes, that would be all, Mme. Sponsor, Mr. Speaker.

REP. HOFER. Thank you very much, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. DEFENSOR. There being no further interpellations, Mr. Speaker, I move that we close the period of sponsorship and debate.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. DEFENSOR. Mr. Speaker, I move that we open the period of amendments.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. DEFENSOR. There being no Committee or individual amendments, Mr. Speaker, I move that we close the period of amendments.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection?

REP. GO (M.). Mr. Speaker, may I ...

THE DEPUTY SPEAKER (Rep. Hernandez). May we know the pleasure of the Gentleman.

REP. GO (M.). I would like to propose an individual amendment to the Bill.

THE DEPUTY SPEAKER (Rep. Hernandez). May we know the amendment of the Gentleman, Mr. Speaker.

REP. GO (M.). Yes, just one proposed amendment, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). Please proceed.

#### INDIVIDUAL AMENDMENT

REP. GO (M.). Instead of calling it the "Crime Prevention Committee," can it be called SAFETY AND SECURITY COMMITTEE, as the name "Crime Prevention Committee" is very negative. Will it not be okay? We are talking here of the different universities and other institutions. Can it be considered that we call it SAFETY AND SECURITY COMMITTEE instead of "Crime Prevention Committee"?

THE DEPUTY SPEAKER (Rep. Hernandez). What is the pleasure of the Sponsor?

REP. HOFER. I accept the amendment, Mr. Speaker.

REP. GO (M.). Okay, thank you.

THE DEPUTY SPEAKER (Rep. Hernandez). On the part of the House, is there any objection? (*Silence*) The Chair hears none; the amendment is approved.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. There being no further individual amendments, Mr. Speaker, I move that we close the period for individual amendments.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. DEFENSOR. I move that we open the period for Committee amendments.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. DEFENSOR. There being no Committee amendments, Mr. Speaker, I move that we close the period of amendments.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. DEFENSOR. Mr. Speaker, with that, I move that we approve on Second Reading, House Bill No. 4100, as amended.

#### VIVA VOCE VOTING

THE DEPUTY SPEAKER (Rep. Hernandez). As many as are in favor of House Bill No. 4100, as amended, please say *aye*.

SEVERAL MEMBERS. *Aye*.

THE DEPUTY SPEAKER (Rep. Hernandez). As many as are against, please say *nay*.

FEW MEMBERS. *Nay*.

#### APPROVAL OF H.B. NO. 4100, AS AMENDED, ON SECOND READING

THE DEPUTY SPEAKER (Rep. Hernandez). The *ayes* have it; the motion is approved.

House Bill No. 4100, as amended, is approved on Second Reading.

The Dep. Majority Leader is recognized. (*Applause*)

#### CONSIDERATION OF H.B. NO. 416 ON SECOND READING

##### PERIOD OF SPONSORSHIP AND DEBATE

REP. DEFENSOR. Mr. Speaker, I move that we consider House Bill No. 416, contained in Committee Report No. 12, as reported out by the Committee on Basic Education and Culture.

May I ask that the Secretary General be directed to read only the title of the measure.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.\*

The Secretary General is directed to read only the title of the measure.

*With the permission of the Body, and since copies of the measure have been previously distributed, the Secretary General read only the title thereof without prejudice to inserting its text in the Congressional Record.*

THE SECRETARY GENERAL. House Bill No. 416, entitled: AN ACT ALLOWING HOME ECONOMICS GRADUATES TO TEACH HOME ECONOMICS SUBJECTS AND HOME ECONOMICS-RELATED TECHNICAL-VOCATIONAL SUBJECTS IN ALL PUBLIC AND PRIVATE ELEMENTARY AND SECONDARY EDUCATIONAL INSTITUTIONS, RESPECTIVELY, CONSISTENT WITH SECTION 8 OF REPUBLIC ACT NO. 10533 OR THE ENHANCED BASIC EDUCATION ACT OF 2013.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, I move that we open the period of sponsorship.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Dep. Majority Leader is recognized.

REP. DEFENSOR. To sponsor this measure, Mr. Speaker, is the distinguished Chairperson of the Committee on Basic Education and Culture. May we recognize the Hon. Evelina G. Escudero.

THE DEPUTY SPEAKER (Rep. Hernandez). The distinguished Representative, the Hon. Evelina G. Escudero, is hereby recognized.

#### SPONSORSHIP SPEECH OF REP. ESCUDERO

REP. ESCUDERO. Thank you, Mr. Speaker. House Bill No. 416 is a re-filed version of House Bill No. 1681 which was passed in the House of Representatives during the Sixteenth Congress. The Bill serves as a solution to the additional personnel needed to teach technical-vocational subjects as provided for

\* See MEASURES CONSIDERED (printed separately)

in Section 8 of Republic Act No. 10533, otherwise known as the Enhanced Basic Education Act of 2013. Section 8 (b) of the law provides that graduates of technical-vocational courses are allowed to teach their specialized subjects in the secondary education, provided that these graduates possess the necessary certifications issued by the Technical Education and Skills Development Authority or TESDA. Section 8 (d) of the law further provides that the DepEd and private educational institutions may hire practitioners, with expertise in the specialized learning areas offered by the Basic Education Curriculum, to teach in the secondary level on part-time basis only.

Home Economics degree holders are allowed to take the Licensure Examination for Teachers or LET and its graduates are recognized to be more than adequately prepared for teaching positions, and are also possessing skills as chefs and food service managers, as consumer and marketing researchers, as trainers and as entrepreneurs, among others.

The objective of the Bill really is to provide opportunities for graduates of Home Economics to impart their skills, competencies and knowledge to students of elementary and secondary schools by allowing them to teach home economics and home economics-related technical-vocational subjects in all public and private basic education institutions. Its significant provisions include the following:

1. It mandates that the hiring of Home Economics graduates should augment the demand for competent instructors in order to produce students with home economics and home economics-related technical-vocational skills.

2. It stipulates the academic requirements, competencies and standards that will qualify Home Economics graduates to teach technical-vocational subjects, provided that for them to teach technical-vocational subjects in the secondary level, they must have acquired the NC1 or National Certificate Level 1 and the NC2 or the National Certificate Level 2 from TESDA.

3. It requires Home Economics graduates to take the Licensure Examination for Teachers within the five-year period from the date of hiring, but the same is not required of those who are willing to teach only on a part-time basis; and

4. It mandates that the Home Economics profession shall be represented in the Teacher Education Council.

Indeed, the Bill clarifies the need to complement the Home Economics profession to be part of the Enhanced Basic Education Act of 2013. This Bill had been approved by the House in the Sixteenth Congress and transmitted also to the Senate, but due to lack of material time, it was not approved thereat.

Mr. Speaker, therefore, I respectfully seek the approval of House Bill No. 416, under Committee Report No. 12, on Second Reading.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). The Dep. Majority Leader is recognized.

REP. DEFENSOR. There being no interpellations and sponsorship, Mr. Speaker, I move that we close the period of sponsorship and debate.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. DEFENSOR. Mr. Speaker, I move that we open the period of amendments and proceed to the individual amendments.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. DEFENSOR. There being no individual amendments, Mr. Speaker, I move that we proceed with the Committee amendments.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. DEFENSOR. There being no Committee or individual amendments, Mr. Speaker, I move that we close the period of amendments.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. DEFENSOR. With that, Mr. Speaker, I move that we approve House Bill No. 416 on Second Reading.

#### VIVA VOCE VOTING

THE DEPUTY SPEAKER (Rep. Hernandez). There is a motion to approve House Bill No. 416. As many as are in favor, please say *aye*.

SEVERAL MEMBERS. *Aye*.

THE DEPUTY SPEAKER (Rep. Hernandez). As many as are against, please say *nay*. (*Silence*)

#### APPROVAL OF H.B. NO. 416 ON SECOND READING

THE DEPUTY SPEAKER (Rep. Hernandez). The *ayes* have it; the motion is approved.

House Bill No. 416 is hereby approved on Second Reading.

REP. ESCUDERO. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). Walang kahirap-hirap.

The Dep. Majority Leader is recognized.

#### APPROVAL OF THE JOURNAL

REP. DEFENSOR. Mr. Speaker, I move that we approve Journal No. 37 of the October 17, 2016 session.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Dep. Majority Leader is recognized.

#### SUSPENSION OF SESSION

REP. DEFENSOR. I move for a suspension of the session, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). The session is suspended.

*It was 6:08 p.m.*

#### RESUMPTION OF SESSION

*At 6:09 p.m., the session was resumed.*

THE DEPUTY SPEAKER (Rep. Hernandez). The session is resumed.

The Floor Leader is recognized.

#### PRIVILEGE HOUR

REP. HERRERA-DY. Yes, having tackled everything in the Business of the Day, I move that we proceed with the Privilege Hour.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Floor Leader is recognized.

REP. HERRERA-DY. I move that we recognize Rep. Rico B. Geron from Party-List AGAP for his privilege speech.

THE DEPUTY SPEAKER (Rep. Hernandez). The distinguished Rep. Rico B. Geron of Party-List AGAP is hereby recognized.

#### PRIVILEGE SPEECH OF REP. GERON

REP. GERON. Thank you, Mr. Speaker.

Mr. Speaker, distinguished colleagues, on behalf of my constituents and the AGAP Party-List, I rise today to recognize the celebration of the month of October as Cooperative Month and to pay tribute to one million people across the globe who own cooperative enterprises that contribute to sustainable development of the world. This celebration is backed by two proclamations: Proclamation No. 2238, issued in 1982 by then President Ferdinand Marcos, which proclaimed October 16 to November 15 of every year as Cooperative Month; and Proclamation No. 493, issued in 2003 by then former President Gloria Macapagal-Arroyo.

Now, our colleague here in the august Chamber superseded Proclamation No. 2238 with this year's theme, "Cooperatives: The Catalyst of Change through Poverty Eradication and Social Transformation," and the promise of the Duterte administration that change will come and in fact, we have felt that change has indeed arrived. The cooperatives will play a very important role in nation-building. We have an aggressive administration that will deliver programs that will advance the people's agenda in the realm of poverty alleviation and social transformation.

It is a reality that poverty and hunger are still rampant in rural areas, and there are places where apathy and resentment have strangled hope, and where patience and faith have given way to outrage and despair. For our fellow countrymen, the poverty-stricken barangay is a little more than a prison where an ingrained and unfair system ruthlessly and systematically denies its people any opportunity for meaningful choices in jobs, housing, education, welfare and public services. In these areas, cooperatives are a source of income, employment and services. Their cooperatives are their source of economic relief. It is the cooperative that they turn to for economic alleviation. Cooperatives become vital in the light of our current experiences of food and rice crises as well as the never-ending energy crisis.

Mr. Speaker, dear colleagues, here are some examples of cooperatives that have served their constituents well by giving them economic upliftment.

The Siayan Officials and Employees Multi-Purpose Cooperative (SOEMPUCO) in Zamboanga del Norte; the NATCCO, the second best performing cooperative federation in 2015, which is based in Quezon City; the Nueva Segovia Consortium of Cooperatives, best performing cooperative federation in 2015 based in Ilocos Sur; the Ilijan Multi-Purpose Cooperative in Batangas City; the ACDI Multi-Purpose Cooperative, the biggest cooperative in the country of the Philippine Army; and the Sorosoro Ibaba Development Cooperative based in Batangas, the biggest agri-based cooperative with more than 24,000 backyard livestock farmers who are very successfully operating in different regions. Another

example is our very own House of Representatives Multi-Purpose Cooperative, which is based in this House.

As a country, some of our old systems and set-ups have not kept pace as interdependence deepens. We simply must find better ways of working together and building systems that are attuned to our times, systems that will be accountable, more representative and more able to maximize our collective strength and limited resources to the best benefit of our community that has become globally competitive.

The advantage with cooperatives, is that they are based on the values of self-help, self-responsibility, democracy, equality, equity and solidarity. In the tradition of their founders, cooperative members believe in the ethical values of honesty, openness, social responsibility and caring for others. The cooperative principles, recognized by the International Cooperative Alliance, are the guidelines by which cooperatives put their values into practice: voluntary and open membership; democratic member control; member economic participation; autonomy and independence; education, training and information; cooperation among cooperatives; and concern for community.

Today, the cooperative movement has steered itself through the birthing pains of cooperatives during Martial Law, to the use of cooperatives as a cure-all vehicle during the Aquino period, to the realization during the current period of globalization that cooperatives can be the best business vehicle for the underprivileged to meet the demands of competition and growth.

Mr. Speaker, dear colleagues, may I present to you the lessons of successful cooperative organizing work for the past 25 years among our brothers and sisters striving for economic upliftment. The first lesson is crucial: We must build on hope and not fears. We have seen that by mobilizing the best workers or farmers in the rural areas, they will produce goods that are competitively world class. The second lesson is self-reliance. Cooperatives that have succeeded have done so not because of government assistance but because they relied on their own resources through capital buildup and gradually established its business endeavors. The third lesson is that the democratic structure of cooperatives has established and generated trust and confidence among its members. This is a key ingredient as this ensures economic democracy, that is, management is always accountable to its members and the business operations are transparent.

The message of the annual Cooperative Month is simple: Cooperatives can improve the lot of our populace especially in the lower echelon of our society. Competition pressure should not collapse our social bonds, should not collapse our labor standards, and it certainly should not collapse the environment provided by cooperatives for the underprivileged in order to prevent a social implosion.

The task now of the government, the private sector, the academe and even the cooperative sector itself is to tie up and connect cooperatives through the Internet. This will be critical for the economic enhancement of the cooperative as it will be able to reach out and identify new clientele, and increase its marketing strategy on a 24-hour basis, not just in the local market but also in the foreign market.

How the cooperative movement develops its work will determine the success or failure of the cooperative. The academe says that 10 years from now, the digital divide will now be inexistent. Those who have and do not have access to the Internet will be the new indicator of who is underprivileged.

Mr. Speaker, dear colleagues, may I just point out that the cooperatives have contributed and aided the government in the sense that where government service is not available, it is the cooperative that covers up for the government. Samantalang hindi naibigay ng pamahalaan ang mga pangunahing serbisyo, lalo na sa mga kanayunan, tulad halimbawa ng serbisyo sa patubig, kuryente at mga financial access para sa puhunan ng mga maliliit na mga mamamayan para sa kanilang pangkabuhayan, kooperatiba ang pumupuno sa kakulangang ito.

Still, the coops are faced with challenges. There are sectors who are calling for the removal of the tax exemption of cooperatives as provided for under Article 60 of Republic Act No. 9520 or the Philippine Cooperative Code of 2008, as they perceive cooperatives are just like any ordinary business enterprise. We have a sector that does not appreciate the social and economic impact of cooperatives and in fact, belittles the effort of cooperatives.

This anti-cooperative perception defeats the beneficial purpose of the law; they cause the regression of cooperative development efforts.

We, in Congress, are working hard to promote the growth and stability of the cooperative sector per mandate of the Constitution while the cooperative movement is exerting efforts to protect the interest of the cooperative sector. Work or working in a cooperative as a director or in any other capacity is a moral occupation. As the Chairman of the Committee on Cooperatives Development, the Committee will steadfastly work to maintain the tax exemption of cooperatives. In the same breadth, there is a need to revisit Republic Act No. 6939, the Charter of the Cooperative Development Authority, Mr. Speaker.

The proposed measure was filed during the Sixteenth Congress and was approved at the committee level, submitted to the Committee on Appropriations and the Committee on Ways and Means for its recommendation but remained pending with the latter Committee from December 2014 until the Sixteenth Congress adjourned because the tax exemption provision did not sit well with the Department of Finance and the Bureau of Internal Revenue. It is the government itself that is the cause

of the constraint of the development of the cooperative movement. The cooperatives strive and thrive on their own using their own resources and nothing from the government and yet, they will be taxed for their efforts. The tax exemption is in the law; it is provided for under Republic Act No. 9520.

A cooperative is not just like any other kind of enterprise because the members who use the services and/or goods of the cooperative are also the owners of the enterprise itself, and the tendency is to be truthful about the operations of the cooperative because they as member-owners are protecting their own interests. Cooperatives do not get aid from the government, although they get grants from entities which voluntarily assist in the cooperatives' endeavors. True also that cooperatives secure loans from GOCCs like the LandBank and these cooperatives have proven their worth as debtors as they themselves have shown during the Gawad PITAK Award. The most successful cooperatives are those that are fully accountable to their member-owners, and the management, the board of directors, is transparent in their operations.

Mr. Speaker, dear colleagues, let me express my gratitude to the men and women who have organized and are still organizing cooperatives. They have made a choice to make dreams come true through self-reliance. Cooperatives are this government's partner in economic development at the grassroots level. Cooperatives have long proven their viability as seen through their exemplary performances, not only in their respective local areas of operations but they have long expanded their operations to the provincial, regional and national levels and that is why there is a need to have a cooperative development officer in all local government unit levels. The continuing success of our cooperatives is a testament of our better instincts, our communal solidarity and our shared values. However, instead of forming new cooperatives, I am advocating the merger or consolidation of cooperatives just like in Japan where there are only a few cooperatives but they are overwhelmingly successful.

While the national leadership is striving to redirect the course of the country's economy, the cooperative sector has strengthened its resolve through its varied advocacies to assist the efforts of the leadership to ultimately contribute to the well-being of the country. Thus, because of the vital role that cooperatives play in shaping the economy of the country, cooperatives should be managed by competent, dedicated and selfless individuals as they need to steer their respective cooperatives to rise beyond their circumstances in order to help arrest and address the economic perils of global competition, the perils of global warming affecting our harvests and our lives,

spiraling oil prices and dwindling food stocks that threaten everyone's security. Thus, training for the directors and officers of the cooperative is mandatory from the fundamentals of cooperatives to trainings on good governance, management of cooperatives, risk management, specialized training on financial management, and credit management.

Indeed, if we are to focus on the government's efforts in building and developing cooperatives to combat or eradicate poverty, we will achieve President Duterte's mission of helping the underprivileged sector of our country. We can hit two birds with one stone as we will create a means to eradicate poverty on one hand and encourage the economic viability of cooperatives on the other. In the words of UN Secretary General Mr. Ban Ki-moon, "Cooperatives are a reminder to the international community that it is possible to pursue both economic viability and social responsibility."

On the occasion of this year's National Cooperative Month, the AGAP Party-List, together with coop-based party-lists in this august Chamber COOP-NATCCO Party-List and BUTIL, we reiterate our call to the government to develop a strategy to assist the cooperative sector thrive more. The cooperative sector needs a sound policy environment conducive to the continued formation, growth and stability of our coops.

Finally, Mr. Speaker, fellow cooperators in this august Chamber, colleagues in this House, employees of this House, the Cooperative Development Authority, the cooperative development councils in the local government units, and all the cooperatives and their members nationwide, mula Batanes hanggang Jolo, i-saludo natin ang ating sarili dahil ang ating movement ay nagbibigay lakas sa bawat miyembro at sa kanilang pamilya na nakagawa ng maunlad na komunidad nang dahil sa kooperatiba. Let our respective cooperatives join up with the call for change by President Rodrigo R. Duterte by aligning our advocacies and activities for the advancement of the people's agenda in poverty alleviation and social transformation.

Mabuhay ang kilusang kooperatiba.

May I present for all your appreciation, a video clip of one of the most successful cooperatives in the Visayas, the Lamac Multi-Purpose Cooperative from Pinamungajan, Cebu.

*(Video presentation)*

REP. GERON. Maraming salamat po.

THE DEPUTY SPEAKER (Rep. Hernandez). The Floor Leader is recognized.

REP. HERRERA-DY. Mr. Speaker, there being no

Member who wishes to interpellate, I move that we refer the speech of the Honorable Geron of the AGAP Party-List to the Committee on Rules for its appropriate action.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Floor Leader is recognized.

REP. HERRERA-DY. Yes, Mr. Speaker. I move that we recognize Rep. Ruby M. Sahali from the Lone District of Tawi-Tawi to avail of the remaining time of the Privilege Hour.

THE DEPUTY SPEAKER (Rep. Hernandez). Rep. Ruby Sahali, Lone District of Tawi-Tawi, is hereby recognized.

#### PRIVILEGE SPEECH OF REP. SAHALI

REP. SAHALI. Thank you, Mr. Speaker.

Bismillah hir-Rahman nir-raheem. Assalamu alaikum warahmatullahi taala wabarakatuh.

First of all, I wish to thank from the bottom of my heart Speaker Pantaleon Alvarez for giving the House Special Committee on Peace, Reconciliation and Unity the rare opportunity for us to join as observers in the GRP-NDF Second Round of Formal Peace Talks in Oslo, Norway. For those of us who attended the talks, it was a very enlightening and enriching experience vis-à-vis the peace process. We have seen a radiant ray of hope for a successful conclusion of the peace talks, as we observe the sincerity and dedication of both the negotiating parties in ironing out the kinks in the ongoing negotiations.

Yes, Mr. Speaker, esteemed colleagues, fellow countrymen, there is now hope for peace—a comprehensive, workable and lasting peace—for our country. Thus, allow me to share three important things that came out from our official visit in Oslo, Norway.

First, with the help and contribution of the Royal Norwegian Government and the commitment to peace by both the Government of the Republic of the Philippines and the National Democratic Front of the Philippines, we now have the GRP-NDF joint statement, entitled: Joint Statement on the Second Round of Peace Talks Between the GRP and the NDFP. Its purpose is to provide direction to the succeeding phases of the peace talks. The salient features of the joint statement are the agreements on (1) the immediate release of detained prisoners listed by the NDFP; and (2) the President's amnesty proclamation. Both panels also already agreed on the date and the venue of the next meeting.

There was a series of meetings conducted successfully by the two negotiating panels to tackle,

discuss or clarify, and agree upon on such issues as social and economic reforms, political and constitutional reforms, the common outline on the end of hostilities and the disposition of forces and on joint monitoring. The Secretariat, I presume, has already furnished you copies or photocopies of the joint statement, along with the annexes.

Second, Mr. Speaker, the Oslo peace talks were not without its tense and worrisome part. On intervals, there were heated discussions, fueled by differences of opinion on substantial and contentious issues. "It was a roller-coaster ride," Secretary Silvestre Bello III said. Nonetheless, the patience, benevolence, wisdom, skill and optimism of the panelists won the day and the peace for us. I now wish to congratulate both panels, the Government of the Republic of the Philippines and the National Democratic Front for the success of the Second Round of Peace Talks in Oslo, Norway. In my capacity as Chairman of the House Special Committee on Peace, Unity and Reconciliation, I now wish to convey to them my sincere felicitations. I am urging them to finish the talk or the task to the very end.

Third, Mr. Speaker, it is my impression that the NDFP panelists, together with CPP founding chair Jose Maria Sison, have been very objective and engaging in their negotiation. I did not sense any of them taking things personally. It enabled the GRP panelists, who were equally self-sacrificing and prudent, in that at every turn, they found a way of arriving to an agreement.

An author, Brian Koslow, has said, "During a negotiation, it would be wise not to take anything personally. If you leave personalities out of it, you will be able to see opportunities more objectively." Kudos to both members of the negotiating teams for your objective and skillful handling of the negotiations, and for bearing in mind that the ultimate goal of the talks is not for the triumph of your respective interests but to achieve genuine peace and development for our country.

Finally, we also would like to express our deepest gratitude to His Excellency, President Rodrigo Duterte, for making all these possible.

Mr. Speaker, I am deeply happy to have been part of that very exhilarating and rewarding undertaking in Oslo. Again, thank you. Rest assured that my Committee will do its part and its best to be able also to contribute, positively or significantly, to the peace process. In closing, Mr. Speaker, on a very serious significance of our collective task at hand, I wish to quote US President Ronald Reagan:

Our goal is peace. We can gain that peace by strengthening our alliances, by speaking candidly about the dangers before us, by assuring potential adversaries of our seriousness, by actively pursuing every change of honest and fruitful negotiation.

The team was headed by our Deputy Speaker Bai Sandra Sinsuat A. Sema, me as the Chairman of the Committee; and Congressman Jesus N. Sacdalan, Congresswoman Nancy A. Catamco, Congressman Leopoldo N. Bataoil and of course, Congressman Carlos Isagani “Caloy” T. Zarate were with us.

Maraming salamat po.

Wa billahit tawfiq wal hidayah! Assalamu alaykum wa rahmatullahi wa barakatuh!

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Hernandez). The Floor Leader is recognized.

REP. HERRERA-DY. Mr. Speaker, there being no Member who wishes to interpellate, I move that we refer the speech of the Honorable Sahali to the Committee on Rules for its appropriate action.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. HERRERA-DY. Mr. Speaker, I move that we terminate the Privilege Hour.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Floor Leader is recognized.

REP. HERRERA-DY. Mr. Speaker, we would like to acknowledge the presence of the guests of Rep. Juliet Marie D. Ferrer of the Fourth District

of Negros Occidental. They are: Councilor Bebs Garita, Municipality of Pontevedra and Councilor Alfredo Berona, ABC President, Municipality of Pontevedra.

THE DEPUTY SPEAKER (Rep. Hernandez). We would like to acknowledge the presence of the guests of Hon. Juliet Marie D. Ferrer. Please rise. Welcome to the House of Representatives. (*Applause*)

The Floor Leader is recognized.

REP. HERRERA-DY. Mr. Speaker, with leave of the House, I move that we reconsider the referral of House Bill No. 6, from the Committee on Public Order and Safety, to the Committee on Local Government and the Committee on Public Order and Safety.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Floor Leader is recognized.

#### ADJOURNMENT OF SESSION

REP. HERRERA-DY. Mr. Speaker, I move that we adjourn the session until four o'clock in the afternoon of Wednesday, October 19, 2016.

THE DEPUTY SPEAKER (Rep. Hernandez). Is there any objection? (*Silence*) The Chair hears none; the session is adjourned until Wednesday, October 19, 2016, at four o'clock in the afternoon.

*It was 6:41 p.m.*