



# Congressional Record

PLENARY PROCEEDINGS OF THE 17<sup>th</sup> CONGRESS, SECOND REGULAR SESSION  
*House of Representatives*

Vol. 4

Monday, March 12, 2018

No. 73

## CALL TO ORDER

*At 4:00 p.m., Deputy Speaker Eric D. Singson called the session to order.*

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

## NATIONAL ANTHEM

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

*Everybody rose to sing the Philippine National Anthem.*

THE DEPUTY SPEAKER (Rep. Singson). Please remain standing for the Invocation to be delivered by Rep. Corazon T. Nuñez-Malanyaon of the First District of Davao Oriental.

*Everybody remained standing for the Invocation.*

## INVOCATION

REP. NUÑEZ-MALANYAON. Heavenly Father, we come to You today asking for Your guidance, wisdom and support as we begin this afternoon's session.

Fill us with Your grace, Lord God, so that all our thoughts and actions are guided by Your truth and we may be able to push for reforms and policies that will benefit our country and our people much more.

Help us to engage in meaningful discussions and debates. Continue to remind us that everything we do here today, everything that we accomplish is for the pursuit of truth, for Your greater glory and for the service of humanity.

All these we ask in the mighty name of Jesus. Amen.

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

## ROLL CALL

THE DEPUTY SPEAKER (Rep. Singson). 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 reflected in Journal No. 73, dated March 12, 2018.\**

THE SECRETARY GENERAL. Mr. Speaker, the roll call shows that 221 Members responded to the call.

THE DEPUTY SPEAKER (Rep. Singson). With 221 Members responding to the call, the Chair declares the presence of a quorum.

The Majority Leader is recognized.

## APPROVAL OF THE JOURNAL

REP. DEFENSOR. Mr. Speaker, I move that we approve Journal No. 72 of the session on March 7, 2018.

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

The Majority Leader is recognized.

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

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

The Secretary General will please read the Reference of Business.

\* See ANNEX (printed separately)

REFERENCE OF BUSINESS

*The Secretary General read the following House Bills and Resolutions on First Reading, Messages from the Senate, Communications, Subpoena Duces Tecum and Committee Reports, and the Deputy Speaker made the corresponding references:*

BILLS ON FIRST READING

House Bill No. 7322, entitled:

“AN ACT TO ESTABLISH SATELLITE OFFICES OF THE PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE, ESTABLISHING A MECHANISM THEREFOR, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES”

By Representative Lanete  
TO THE COMMITTEE ON PUBLIC INFORMATION

House Bill No. 7323, entitled:

“AN ACT PROVIDING FOR THE CONSTRUCTION OF A NATIONAL COASTAL HIGHWAY CONNECTING THE MUNICIPALITIES OF PLACER AND CAWAYAN IN THE PROVINCE OF MASBATE”

By Representative Lanete  
TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

House Bill No. 7324, entitled:

“AN ACT PROVIDING PORTABLE COMMUNICATION RADIO DEVICES IN EVERY BARANGAY”

By Representative Lanete  
TO THE COMMITTEE ON NATIONAL DEFENSE AND SECURITY

House Bill No. 7325, entitled:

“AN ACT CREATING THREE (3) ADDITIONAL REGIONAL TRIAL COURT BRANCHES IN THE FOURTH JUDICIAL REGION TO BE STATIONED AT THE MUNICIPALITY OF CALAUAG, PROVINCE OF QUEZON, FURTHER AMENDING FOR THE PURPOSE SECTION 14 (E) OF THE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS ‘THE JUDICIARY REORGANIZATION ACT OF 1980’ AS AMENDED AND APPROPRIATING FUNDS THEREFOR”

By Representative Suarez  
TO THE COMMITTEE ON JUSTICE

House Bill No. 7326, entitled:

“AN ACT REVERTING TO THE NATIONAL GOVERNMENT THE DISCHARGE OF BASIC HEALTH SERVICES DEVOLVED TO MUNICIPAL AND PROVINCIAL LEVELS AND AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991”

By Representative Almario  
TO THE COMMITTEE ON LOCAL GOVERNMENT

House Bill No. 7328, entitled:

“AN ACT ESTABLISHING A NATIONAL PROGRAM FOR THE COFFEE INDUSTRY PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES”

By Representative Sy-Alvarado  
TO THE COMMITTEE ON AGRICULTURE AND FOOD

House Bill No. 7329, entitled:

“AN ACT EXTENDING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO THE IGLESIA NI CRISTO, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 4339, ENTITLED ‘AN ACT GRANTING THE IGLESIA NI CRISTO A FRANCHISE TO ESTABLISH RADIO STATIONS FOR PRIVATE TELECOMMUNICATION’, AS AMENDED BY REPUBLIC ACT NO. 7225, AND FOR OTHER PURPOSES”

By Representative Sy-Alvarado  
TO THE COMMITTEE ON LEGISLATIVE FRANCHISES

House Bill No. 7330, entitled:

“AN ACT INSTITUTIONALIZING SPORTS VARSITY TEAMS IN ELEMENTARY AND SECONDARY SCHOOLS AND FOR OTHER PURPOSES”

By Representative Vargas  
TO THE COMMITTEE ON BASIC EDUCATION AND CULTURE

House Bill No. 7331, entitled:

“AN ACT REQUIRING THE PROVISION OF INFANT-FRIENDLY FACILITIES IN GOVERNMENT AGENCIES AND MAJOR ESTABLISHMENTS IN THE PHILIPPINES”

By Representative Vargas  
TO THE COMMITTEE ON WELFARE OF CHILDREN

House Bill No. 7332, entitled:

“AN ACT INTEGRATING PALLIATIVE AND HOSPICE CARE INTO THE PHILIPPINE HEALTH CARE SYSTEM”

By Representative Vargas  
TO THE COMMITTEE ON HEALTH

House Bill No. 7333, entitled:

“AN ACT AMENDING CHAPTER V, SECTION 85 OF REPUBLIC ACT NO. 9593, OTHERWISE KNOWN AS THE ‘TOURISM ACT OF 2009’”

By Representative Vargas  
TO THE COMMITTEE ON TOURISM

House Bill No. 7334, entitled:

“AN ACT EXEMPTING PUBLIC UTILITY VEHICLES FROM THE MOTOR VEHICLES USER'S CHARGE, AMENDING FOR THE PURPOSE SECTIONS 2 AND 3 OF REPUBLIC ACT NO. 8794, OTHERWISE KNOWN AS THE ‘MOTOR VEHICLE USER'S CHARGE ACT OF 2000’”

By Representative Vargas  
TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS AND THE COMMITTEE ON WAYS AND MEANS

House Bill No. 7335, entitled:

“AN ACT PROHIBITING TELECOMMUNICATION COMPANIES FROM IMPOSING AN EXPIRATION PERIOD ON THE VALIDITY OF PREPAID CALL AND TEXT CARDS AND THE FORFEITURE OF LOAD CREDITS THEREOF”

By Representative Vargas  
TO THE COMMITTEE ON INFORMATION AND COMMUNICATIONS TECHNOLOGY

House Bill No. 7336, entitled:

“AN ACT INSTITUTIONALIZING INTERNATIONAL COASTAL CLEAN-UP DAY IN THE PHILIPPINES PRESCRIBING EVERY SECOND SUNDAY OF SEPTEMBER A NATIONAL COASTAL CLEAN-UP DAY”

By Representative Vargas  
TO THE COMMITTEE ON ECOLOGY

House Bill No. 7337, entitled:

“AN ACT PROHIBITING MERCHANDISING STORES AND SERVICE ESTABLISHMENTS FROM CHARGING MORE THAN THE CASH RETAIL PRICE OF GOODS AND SERVICES PURCHASED WITH CREDIT CARDS AND PRESCRIBING PENALTIES FOR ANY VIOLATION”

By Representative Vargas

TO THE COMMITTEE ON TRADE AND INDUSTRY

House Bill No. 7338, entitled:

“AN ACT TO PROVIDE FOR A FRAMEWORK IN THE CARE AND TREATMENT OF DIABETES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES”

By Representative Vargas  
TO THE COMMITTEE ON HEALTH

House Bill No. 7339, entitled:

“AN ACT REQUIRING THE INCLUSION OF ETHNIC ORIGIN IN THE NATIONAL SURVEY CONDUCTED BY THE PHILIPPINE STATISTICS AUTHORITY”

By Representative Vargas  
TO THE COMMITTEE ON POPULATION AND FAMILY RELATIONS

House Bill No. 7340, entitled:

“AN ACT MODERNIZING PUBLIC HEALTH INFRASTRUCTURE, PROVIDING FUNDS FROM THE PHILIPPINE AMUSEMENT AND GAMING CORPORATION (PAGCOR) INCOME, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 1869, AS AMENDED BY REPUBLIC ACT NO. 9487”

By Representative Vargas  
TO THE COMMITTEE ON GAMES AND AMUSEMENTS

House Bill No. 7341, entitled:

“AN ACT REGULATING THE IMPOSITION OF FEES FOR THE USE OF PARKING SPACES AND FACILITIES IN SHOPPING MALLS, HOSPITALS, SCHOOLS AND SIMILAR ESTABLISHMENTS, INCLUDING VACANT LOTS USED EXCLUSIVELY FOR PARKING AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF”

By Representative Vargas  
TO THE COMMITTEE ON TRADE AND INDUSTRY

House Bill No. 7342, entitled:

“AN ACT PROVIDING FOR A RURAL EMPLOYMENT ASSISTANCE PROGRAM AND APPROPRIATING FUNDS THEREOF”

By Representative Vargas  
TO THE COMMITTEE ON RURAL DEVELOPMENT

House Bill No. 7343, entitled:

“AN ACT EXEMPTING GREEN VEHICLES FROM THE MOTOR VEHICLE USER'S CHARGE AMENDING FOR THE PURPOSE SECTION 2 OF REPUBLIC ACT NO. 8794, OTHERWISE KNOWN AS THE ‘MOTOR VEHICLES USER'S CHARGE ACT OF 2000’ ”

By Representative Vargas  
TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS AND THE COMMITTEE ON WAYS AND MEANS

STATUS OF ITS AUTOMATIC PAYROLL DEDUCTION SYSTEM AND THE ACCREDITATION PROCESS FOR PRIVATE LENDING INSTITUTIONS AND THE IMPLEMENTATION OF THE NET TAKE-HOME PAY PROVISION OF THE GENERAL APPROPRIATIONS ACT”

By Representatives Tinio and Castro (F.L.)  
TO THE COMMITTEE ON RULES

MESSAGES FROM THE SENATE

House Bill No. 7344, entitled:

“AN ACT ESTABLISHING MANDATORY PSYCHOLOGICAL AND PSYCHIATRIC TESTING FOR OFFICIALS AND EMPLOYEES IN GOVERNMENT SERVICE AND FOR OTHER PURPOSES”

By Representatives Salo and Calalang  
TO THE COMMITTEE ON CIVIL SERVICE AND PROFESSIONAL REGULATION

Message dated March 5, 2018, informing the House of Representatives that the Senate on even date passed Senate Bill No. 1537, entitled:

“AN ACT PROVIDING FOR THE SCALING UP OF NUTRITION FOR THE FIRST ONE THOUSAND (1,000) DAYS OF LIFE, THROUGH A STRENGTHENED INTEGRATED STRATEGY FOR MATERNAL, NEONATAL, CHILD HEALTH AND NUTRITION, APPROPRIATING FUNDS THEREFORE AND FOR OTHER PURPOSES”

in which it requests the concurrence of the House of Representatives.

TO THE COMMITTEE ON RULES

RESOLUTIONS

House Resolution No. 1751, entitled:

“A RESOLUTION DIRECTING THE HOUSE OF REPRESENTATIVES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, REGARDING THE CAUSE OF INTERRUPTION IN THE WATER SUPPLY OF MAYNILAD”

By Representatives Salo and Calalang  
TO THE COMMITTEE ON RULES

Message dated March 5, 2018, informing the House of Representatives that the Senate on even date passed with amendment House Bill No. 1926, entitled:

“AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY POBLACION 2 IN THE MUNICIPALITY OF VILLANUEVA, PROVINCE OF MISAMIS ORIENTAL”

TO THE COMMITTEE ON RULES

House Resolution No. 1752, entitled:

“RESOLUTION DIRECTING THE HOUSE COMMITTEE ON INDIGENOUS PEOPLES TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON THE DEATH OF IFUGAO ENVIRONMENTAL ACTIVIST RICARDO PUGONG MAYUMI AND THE WORSENING ATTACKS AGAINST INDIGENOUS PEOPLES AROUND THE COUNTRY”

By Representative Baguilat  
TO THE COMMITTEE ON RULES

Message dated March 5, 2018, informing the House of Representatives that the Senate on even date passed with amendments House Bill No. 5367, entitled:

“AN ACT REAPPORTIONING THE SIXTH AND SEVENTH LEGISLATIVE DISTRICTS OF THE PROVINCE OF CAVITE TO CREATE AN ADDITIONAL LEGISLATIVE DISTRICT TO BE KNOWN AS THE EIGHTH LEGISLATIVE DISTRICT OF THE PROVINCE OF CAVITE”

TO THE COMMITTEE ON RULES

House Resolution No. 1753, entitled:

“RESOLUTION CALLING FOR AN IMMEDIATE INQUIRY IN AID OF LEGISLATION INTO THE CURRENT POLICIES OF THE DEPARTMENT OF EDUCATION IN RELATION TO THE PRIVATE LOANS OF TEACHERS AND PERSONNEL, INCLUDING THE

Message dated March 6, 2018, informing the House of Representatives that the Senate on March 5, 2018 adopted House Bill No. 6714 as an amendment to Senate Bill No. 1269, entitled:

“AN ACT PROVIDING FOR THE REGISTRATION, LICENSURE AND PRACTICE OF FOOD TECHNOLOGY

IN THE PHILIPPINES, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES”  
TO THE COMMITTEE ON RULES

COMMUNICATIONS

Letter dated 26 February 2018 of Engineer Virgilio L. Lurot, Municipal Mayor, Municipality of Catigbian, Province of Bohol, submitting a copy of their Local Government Support Fund Report on Fund Utilization and Status of Program/Project Implementation for the 4th Quarter ended 2017 of the Assistance to Disadvantaged Municipalities.

TO THE COMMITTEE ON APPROPRIATIONS

Report on Fund Utilization and Status of Program/Project Implementation for the Quarter ended December 2017 of the Assistance to Disadvantaged Municipalities under the Local Government Support Fund of the Municipality of Corella, Province of Bohol, attested by Mayor Jose Nicanor D. Toemo.

TO THE COMMITTEE ON APPROPRIATIONS

Report on Fund Utilization and Status of Program/Project Implementation for the Quarter ended December 29, 2017 of the Assistance to Disadvantaged Municipalities under the Local Government Support Fund of the Municipality of Antequera, Province of Bohol, attested by Mayor Jose Mario J. Pahang.

TO THE COMMITTEE ON APPROPRIATIONS

Report on Fund Utilization and Status of Program/Project Implementation for the 4th Quarter ended 2017 of the Assistance to Disadvantaged Municipalities under the Local Government Support Fund of the Municipality of Loon, Province of Bohol, attested by Mayor Elvi Peter L. Relampagos.

TO THE COMMITTEE ON APPROPRIATIONS

Report on Fund Utilization and Status of Program/Project Implementation for the 4th Quarter ended 2017 of the Assistance to Disadvantaged Municipalities under the Local Government Support Fund of the Municipality of Sagbayan, Province of Bohol, attested by Mayor Ricardo L. Suarez.

TO THE COMMITTEE ON APPROPRIATIONS

Letter dated February 14, 2018 of Michael G. Aguinaldo, Chairperson, Commission on Audit, furnishing the House of Representatives a copy of the Consolidated Report on the Audit of the Disaster Risk Reduction and Management (DRRM) Fund for the calendar year 2016.

TO THE COMMITTEE ON APPROPRIATIONS

Letters dated March 1 and 2, 2018 of Roger E. Dino, Deputy Director, Office of the General Counsel and Legal Services, Bangko Sentral ng Pilipinas (BSP), furnishing the House of Representatives with duly certified and authenticated BSP issuances, to wit:

1. Circular Letter No. CL-2018-012 dated 20 February 2018;
2. Circular Letter No. CL-2018-013 dated 19 February 2018;
3. Memorandum No. M-2018-007 dated 22 February 2018;
4. Memorandum No. M-2018-008 dated 22 February 2018;
5. Memorandum No. M-2018-009 dated 26 February 2018;
6. Circular Letter No. CL-2018-014 dated 22 February 2018;
7. Circular Letter No. CL-2018-015 dated 22 February 2018; and
8. Memorandum No. M-2018-010 dated 27 February 2018.

TO THE COMMITTEE ON BANKS AND FINANCIAL INTERMEDIARIES

Letter of Salvador C. Medialdea, Executive Secretary, Office of the President, Malacañang, transmitting two (2) original copies of Republic Act No. 10972 which was signed by President Rodrigo Roa Duterte, entitled:

“AN ACT RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO INFOCOM COMMUNICATIONS NETWORK, INC. (PRESENTLY KNOWN AS NOW TELECOM COMPANY, INC.) UNDER REPUBLIC ACT NO. 7301, ENTITLED ‘AN ACT GRANTING INFOCOM COMMUNICATIONS NETWORK, INC. (ICNI), A FRANCHISE TO CONSTRUCT, ESTABLISH, OPERATE AND MAINTAIN MOBILE RADIO SYSTEMS SUCH AS RADIO PAGING SYSTEMS, CELLULAR PHONE SYSTEMS, PERSONAL COMMUNICATION NETWORK (PCN), AND TRUNKED RADIO SYSTEMS WITHIN AND WITHOUT THE PHILIPPINES FOR A PERIOD OF TWENTY-FIVE (25) YEARS, AND FOR OTHER PURPOSES,’ AS AMENDED BY REPUBLIC ACT NO. 7940”

TO THE ARCHIVES

Report of Atty. Cesar Strait Pareja, Secretary General, House of Representatives, on enrolled bills, submitted to the Office of the President, for His Excellency’s consideration and signature, pursuant to the provision of Rule VI, Section 18, Par. (h) of the Rules of the House of Representatives:

1. House Bill No. 5148, entitled:  
 “AN ACT AMENDING REPUBLIC ACT NO. 10604, ENTITLED: 'AN ACT CONVERTING THE ILOILO STATE COLLEGE OF FISHERIES IN THE MUNICIPALITY OF BAROTAC NUEVO, PROVINCE OF ILOILO INTO A STATE UNIVERSITY TO BE KNOWN AS THE ILOILO STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY, WITH CAMPUSES IN THE MUNICIPALITIES OF SAN ENRIQUE, DINGLE AND DUMANGAS, AND INTEGRATING THEREWITH THE BAROTAC NUEVO POLYTECHNIC INSTITUTE IN THE MUNICIPALITY OF BAROTAC NUEVO, ALL LOCATED IN THE PROVINCE OF ILOILO AND APPROPRIATING FUNDS THEREFOR' ”; and
2. House Bill No. 5149, entitled:  
 “AN ACT AMENDING REPUBLIC ACT NO. 10585, ENTITLED: 'AN ACT CONVERTING THE COTABATO CITY POLYTECHNIC COLLEGE INTO A STATE UNIVERSITY TO BE KNOWN AS THE COTABATO STATE UNIVERSITY AND APPROPRIATING FUNDS THEREFOR' ”.  
 TO THE ARCHIVES

#### *SUBPOENA DUCES TECUM*

Pursuant to Section 151, Rule XXIII of the Rules of the House of Representatives transmitting the *Subpoena Duces Tecum* dated 15 February 2018 of Nellie P. Boguen-Golez, Director, PIAB-D, Office of the Ombudsman, re: OMB-C-C-17-0401, directing Ms. Evelyn G. De Jesus, Director II, Human Resource Management Service, House of Representatives, to submit within three (3) days from receipt hereof, the Personal Data Sheet of Augusto H. Baculio, which bear his last known residential address/es and/or current assignment if still rendering governance service.

#### COMMITTEE REPORTS

Report of the Committee on Basic Education and Culture (Committee Report No. 649), re H.R. No. 1757, entitled:  
 “RESOLUTION STRONGLY URGING THE DEPARTMENT OF EDUCATION TO REQUIRE ALL PUBLIC AND PRIVATE BASIC EDUCATION SCHOOLS TO PRIORITIZE IN THEIR CONDUCT OF EDUCATIONAL FIELD TRIPS VISITS TO HISTORICAL SITES, LANDMARKS, AND MUSEUMS WITHIN THE PHILIPPINES”

recommending its adoption in substitution of House Resolution No. 154  
 Sponsors: Representatives Durano and Atienza  
 TO THE COMMITTEE ON RULES

Report of the Committee on Health and the Committee on Appropriations (Committee Report No. 650), re H.B. No. 7355, entitled:

“AN ACT CONVERTING THE ZIGAMEMORIAL DISTRICT HOSPITAL IN THE CITY OF TABACO, PROVINCE OF ALBAY, INTO AN EXTENSION HOSPITAL OF THE BICOL REGIONAL TRAINING AND TEACHING HOSPITAL, AND INCREASING ITS BED CAPACITY FROM FIFTY (50) TO ONE HUNDRED FIFTY (150) BEDS TO BE NOW KNOWN AS THE DR. LORENZO P. ZIGA MEMORIAL DISTRICT HOSPITAL, AND APPROPRIATING FUNDS THEREFOR”

recommending its approval in substitution of House Bill No. 6569  
 Sponsors: Representatives Tan (A.), Lagman and Nograles (K.A.)  
 TO THE COMMITTEE ON RULES

Report of the Committee on Local Government (Committee Report No. 652), re H.B. No. 7363, entitled:

“AN ACT RENAMING THE PROVINCE OF COMPOSTELA VALLEY AS THE PROVINCE OF DAVAO DE ORO”

recommending its approval in substitution of House Bill No. 4633  
 Sponsors: Representatives Acharon, Zamora (M.C.) and Gonzaga  
 TO THE COMMITTEE ON RULES

Report of the Committee on Justice and the Committee on Appropriations (Committee Report No. 653), re H.B. No. 7365, entitled:

“AN ACT CREATING FOUR (4) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE FOURTH JUDICIAL REGION TO BE STATIONED IN SAN PABLO CITY, PROVINCE OF LAGUNA, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE SECTION 14(E) OF BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS ‘THE JUDICIARY REORGANIZATION ACT OF 1980’, AS AMENDED”

recommending its approval in substitution of House Bill No. 3464  
 Sponsors: Representatives Umali, Nograles (K.A.), Veloso and Aragon  
 TO THE COMMITTEE ON RULES

Report by the Committee on Justice and the Committee

on Appropriations (Committee Report No. 654), re H.B. No. 7366, entitled:

“AN ACT CREATING FOUR (4) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE NATIONAL CAPITAL JUDICIAL REGION TO BE STATIONED IN THE CITY OF CALOOCAN, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE SECTION 14(D) OF BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS ‘THE JUDICIARY REORGANIZATION ACT OF 1980’, AS AMENDED”

recommending its approval in substitution of House Bill No. 4644

Sponsors: Representatives Umali, Nograles (K.A.), Veloso, Malapitan, De Vera, Sandoval, Cuaresma, Quimbo and Batocabe  
TO THE COMMITTEE ON RULES

Report of the Committee on Justice and the Committee on Appropriations (Committee Report No. 655), re H.B. No. 7367, entitled:

“AN ACT CREATING TWO (2) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT AND ONE (1) ADDITIONAL BRANCH OF THE MUNICIPAL TRIAL COURT IN CITIES IN THE FOURTH JUDICIAL REGION, TO BE STATIONED IN THE CITY OF SANTA ROSA, LAGUNA, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE SECTION 14 (E) AND SECTION 29 OF BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS ‘THE JUDICIARY REORGANIZATION ACT OF 1980’, AS AMENDED”

recommending its approval in substitution of House Bill No. 3608

Sponsors: Representatives Umali, Nograles (K.A.), Veloso and Arcillas  
TO THE COMMITTEE ON RULES

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

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

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

#### CONSIDERATION OF H.B. NO. 6973

*Continuation*

#### PERIOD OF SPONSORSHIP AND DEBATE

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

resume the consideration of House Bill No. 6973, as contained in Committee Report No. 572, and for the purpose, that we please direct our Secretary General to read the title of the measure.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection to the motion? (*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. 6973, entitled: AN ACT ENHANCING THE EFFECTIVENESS OF THE METROPOLITAN MANILA COUNCIL IN FORMULATING POLICIES, RULES, REGULATIONS, AND IN ENACTING ORDINANCES FOR METRO MANILA, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7924, ENTITLED, “AN ACT CREATING THE METROPOLITAN MANILA DEVELOPMENT AUTHORITY, DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES.”

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

REP. DEFENSOR. Mr. Speaker, before we proceed, may we acknowledge the presence of the guests of the Hon. Angelina “Helen” D.L. Tan, MD and they are Dr. Chet del Prado Panti of the Catanduanes Provincial Health Office and Dr. Edz Tasarra of the Rizal Provincial Health System in Duavit Memorial Hospital.

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

REP. DEFENSOR. Also, Mr. Speaker, we have here the guests of the Gentleman from the PBA Party-List, the Hon. Mark Aeron H. Sambar, from the Department of Budget and Management. We have Undersecretary Laura B. Pascua, Atty. Maria Paula Domingo, Mr. John Dumas and Mr. Omar Castañar. Also, from the Bureau of Treasury, we have Deputy Treasurer Sharon Almanza. From the Department of Finance, we have Ms. Malou Quintos; and from the National Economic and Development Authority, we have Assistant Director Bien Ganapin and Ms. Irene Cuya.

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

REP. DEFENSOR. Also, Mr. Speaker, may we acknowledge the presence of the guests of the Hon.

Tomasito “Tom” S. Villarín and they are from the following organizations: Trade Union Solidarity Center–Finland and Jalapart–National Network for Advocacy for Domestic Workers – Indonesia.

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

REP. DEFENSOR. We also have the guests from the International Domestic Workers Federation–Indonesia; Trade Union Solidarity Center of Finland–South East Asia; Labor Education and Research Network–Philippines; and United Domestic Workers of the Philippines.

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

#### SUSPENSION OF CONSIDERATION OF H.B. NO. 6973

REP. DEFENSOR. Mr. Speaker, we have earlier resumed the consideration of House Bill No. 6973; however, we have to give way to a bill on Second Reading. With that, I move that we suspend the consideration of House Bill No. 6973.

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

The Majority Leader is recognized.

#### SUSPENSION OF SESSION

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

THE DEPUTY SPEAKER (Rep. Singson). The session is suspended for a minute.

*It was 4:29 p.m.*

#### RESUMPTION OF SESSION

*At 4:29 p.m., the session was resumed.*

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

The Majority Leader is recognized.

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

that we take up items in the Calendar of Business for the Day. I so move, Mr. Speaker.

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

#### CONSIDERATION OF H.B. NO. 7303 ON SECOND READING

##### PERIOD OF SPONSORSHIP AND DEBATE

REP. DEFENSOR. Mr. Speaker, I move that we consider House Bill No. 7303, contained in Committee Report No. 640, as reported out by the Committee on Population and Family Relations.

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

THE DEPUTY SPEAKER (Rep. Singson). 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. 7303, entitled: AN ACT INSTITUTING ABSOLUTE DIVORCE AND DISSOLUTION OF MARRIAGE IN THE PHILIPPINES.

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

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

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

REP. DEFENSOR. To sponsor the measure, Mr. Speaker, we have the distinguished Gentleman from the First District of Albay, the Hon. Edcel C. Lagman. I move that the Gentleman be recognized.

THE DEPUTY SPEAKER (Rep. Singson). The Hon. Edcel Lagman is recognized to sponsor the Bill, the measure that is to be discussed.

\* See MEASURES CONSIDERED (printed separately)



## SPONSORSHIP SPEECH OF REP. LAGMAN

REP. LAGMAN. Thank you, Mr. Speaker. Thank you, Majority Leader.

Mr. Speaker, distinguished Members of this Chamber, despite the eventual institution, hopefully, of a law on absolute divorce and dissolution of marriage, the State shall be steadfast in protecting marriage as a social institution and as the foundation of the family. Towards this end, House Bill No. 7303 unequivocally provides the following guiding principles, and I quote:

1. Absolute divorce and dissolution of marriage shall be judicially decreed after the fact of an irremediably broken marital union or a marriage vitiated from the start.

2. The State has the role of strengthening marriage and family life by undertaking relevant prenuptial and post-matrimonial programs and activities.

3. Except for grounds under summary judicial proceedings, the proper court shall not start the trial of a petition for absolute divorce before the expiration of a mandatory six-month cooling-off period after the filing of the petition during which the court shall exercise all efforts to reunite and reconcile the parties.

4. Despite the pendency of a petition for absolute divorce or the issuance of a decree of absolute divorce and dissolution of marriage, reconciliation of the spouses shall be effected by either terminating the divorce proceedings or recalling the decree of divorce.

5. Drive-thru or quickie divorces are prohibited because “No decree of absolute divorce shall be based upon a stipulation of facts or a confession of judgment.”

6. The Office of the Public Prosecutor is authorized and obliged to conduct investigations to find out whether or not there is collusion between the spouses in a petition for absolute divorce and dissolution of marriage and shall report its findings to the proper court within six months from the filing of the petition.

7. Stiff penalties are imposable on colluding spouses and on a spouse who coerces or compels the other to file a petition for absolute divorce and dissolution of marriage. The penalties are an indivisible imprisonment of five years and a fine of P200,000.

Mr. Speaker, distinguished colleagues, absolute divorce and dissolution of marriage is the exception. The great majority of married Filipino couples have happy, harmonious and vibrant relationships where absolute divorce is remotest from their minds and not needed. A divorce law cannot undo centuries of dearly held Filipino customs and traditions honoring and celebrating marriage and the family. Marriage and family are and will still be at the heart of the Filipino way of life. However, marriage, even as it is proclaimed

as an inviolable institution, is not impervious to demise, predeceasing the spouses. It is still basically a human institution which, in some instances, may collapse and wither because of human frailties and mortal limitations. Verily, some marriages are shattered beyond repair even as the State endeavors to protect and preserve marriage.

In proceedings for absolute divorce and dissolution of marriage, there is no more marriage to protect or to destroy because the union has long perished. In these exceptional circumstances, the State is also duty-bound to help couples in dysfunctional marriages where reconciliation is virtually nil. The State cannot abandon distressed spouses and their children in a house aflame. Verily, absolute divorce is a merciful liberation of a hapless wife from an abusive relationship, which makes this Bill a pro-woman legislation. Absolute divorce is a decent interment of a long-dead marriage. It is a grant of full relief to couples in irremediably broken marriages. It gives spouses in utter torment a second chance in achieving marital bliss. It bails out children from the agony and stress of being exposed to interminable parental strife and this is the reason this Bill is also pro-children.

Mr. Speaker, distinguished colleagues, despite the adoption in the 1987 Constitution of the tenets on marriage as a social institution and as the foundation of the family, the Commissioners of the 1986 Constitutional Commission which drafted the present Constitution were unanimous in asserting that the foregoing principles do not prevent or foreclose the Congress from enacting a divorce law. Among the advocates of this position was Fr. Joaquin Bernas, a very active, articulate and authoritative Catholic prelate. After Commissioner Chito Gascon introduced the aforesaid concepts of marriage and family, Fr. Bernas rose to interpellate in this wise:

FR. BERNAS. Just one question, and I am not sure if it has been categorically answered. I refer specifically to the proposal of Commissioner Gascon. Is this to be understood as a prohibition of a general law on divorce? His intention is to make this a prohibition so that the legislature cannot pass a divorce law?

MR. GASCON. Mr. Presiding Officer, that was not primarily my intention. My intention was primarily to encourage the social institution of marriage, but not necessarily discourage divorce. X X X

FR. BERNAS. No. My question is more categorical. Does this carry the meaning of prohibiting a divorce law?

MR. GASCON. No, Mr. Presiding Officer.

FR. BERNAS. Thank you.

In a subsequent proceeding, the following exchange transpired between Commissioners Jose Bengzon and Maria Teresa Nieva, and I quote:

MR. BENGZON. Will this in any way preclude Congress from approving a law on divorce?

MS. NIEVA. We discussed that yesterday and I think we reiterated that it does not.

MR. BENGZON. It does not.

COMMISSIONER NIEVA. No.

MR. BENGZON. So, even if this section or this sentence is approved, Congress will have every right to pass a divorce law under certain circumstances as it may deem fit.

It should be underscored that no Commissioner posted a dissenting view.

The foregoing erases doubts on the constitutionality of this measure. Empirical data in countries which had instituted absolute divorce or dissolution of marriage document that the passage of the law did not open the floodgates to separation and divorce.

We will be ready, at the proper time, to answer salient interpellations and we are open to perfecting amendments.

Thank you, Mr. Speaker, and distinguished colleagues.

Mr. Speaker, Majority Leader, I understand that there are two more Members of the House, coauthors of the measure, who will deliver their respective sponsorship speeches, the Honorable De Jesus and the Honorable Baguilat.

Thank you, Mr. Speaker.

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

REP. DEFENSOR. Mr. Speaker, also to sponsor the measure, we have the Lady from GABRIELA, the Hon. Emmi A. De Jesus. I move that the Lady be recognized.

THE DEPUTY SPEAKER (Rep. Singson). The Hon. Emmi A. De Jesus is recognized to sponsor the Bill.

#### SPONSORSHIP SPEECH OF REP. DE JESUS

REP. DE JESUS. Maraming salamat po, Mr. Speaker.

Mr. Speaker, fellow Members of the House and to all our guests, magandang hapon. It is with great optimism for women and women's rights advocates that I rise today to sponsor House Bill No. 7303 or the Divorce Bill. Tunay na makasaysayan ang araw na ito dahil sa unang pagkakataon, umabot sa plenaryo ang

panukalang divorce. Noong 2005 pa unang isinampa ito ng Gabriela Women's Party at mula rito ay apat na beses na muling inihain ito dito sa Mababang Kapulungan. Matagal na itong inaabangan ng mga kababaihan at mga grupong sumusuporta sa divorce, at natutuwa kami na kasama natin ang ilan sa kanila sa araw na ito.

The Philippines stands as the only country right now without a divorce law but in legalizing divorce, this is not just to belong to the huge circle of nations espousing divorce as a way to terminate marital relations, higit pa rito ang batayan ng pagsusulong ng diborsiyo. Malinaw sa amin sa Gabriela Women's Party ang pagkilala sa diborsiyo bilang isang remedyo para makaalpas ang mga kababaihan mula sa mapang-abusong relasyong mag-asawa. Given the country's history, the Bill seeks to restore divorce as a rights-based option for majority of Filipinos, an option based on the recognition that the right to enter into a marriage contract has the corresponding spousal right to end such contract when it has reached the point of irreparability. Kung karapatan po ng indibidwal na pumasok sa kontrata ng marriage na may kaakibat na mga obligasyon, at ang mga obligasyon na iyan ay hindi na nagagampanan ng isa, maaari pong maghain at kilalanin ng estado ang kanyang karapatang umalis sa kontratang iyan.

Legislating the measure will not necessarily lead to termination of marriages and breakups. It is merely offering another option to spouses who may or may not resort to it. It retains the existing remedies of legal separation, declaration of nullity of the marriage and annulment, and this only adds as one more remedy. That is why the common fear that divorce will erode morals and personal values on marriage appear unfounded. Let me reiterate some grounds that underscore the need to legislate divorce in the Philippines.

According to a study by the Center for Women's Resources, every 14 minutes and 36 seconds, a woman is battered by her husband or partner. Domestic violence occurs not by day or by hour, but in minutes. In this context, should a woman still stay within the marital relationship even if it is abusive, disadvantageous and unhealthy? In GABRIELA, we have been receiving complaints of domestic abuse and violence from women almost daily—countless stories of painful experiences, unbearable emotional torment, physical and sexual abuse, cyclical strife. Worse, the irreparable problems between spouses have spillover effects on their children which could affect their well-being and schooling.

Magandang palalimin din ang konteksto ng mga karaniwang problema sa loob ng kasal. In fact, there should be a discussion of the real causes of weak marriages. In a country where over 12 million are migrant workers deployed in various countries; where real incomes of families are stagnant, if not declining, despite growth rates; where joblessness is always a trap; where the cost of living continues to soar amid

hikes in taxes and prices; and where cultural values are corrupted, it becomes easy to understand the turmoil and the problems in marriages. Labor export and forced migration, for instance, are borne out of the lack of decent jobs at home. It is quite unfortunate that more and more families look abroad for opportunities while the social fabric continues to be strained. The worsening socio-economic crisis creates the conditions that contribute to the weakening of marriages. The Divorce Bill merely gives legal sanction to an already existing social fact. In this sense, divorce does not destroy the family or the home, as what has already fallen asunder cannot be further broken.

We have also always asserted that divorce is not a biblical or religious question. In fact, ang amin pong panukalang ito ay walang pagtatangi sa anumang relihiyon. It recognizes that the plurality of religious beliefs and cultural sensibilities in the Philippines demand that different remedies for failed marriages should be made available. It should be emphasized that the issue should be approached on a rights-based realm beyond any moral or theological consideration. What is important is the full human development and attainment of peace of mind and the protection of human rights, not necessarily for the purpose of remarriage. In fact, marami pong nagtatanong—iyon po bang gustong mag-move on, ang kanila bang layunin talaga ay remarriage? Hindi po, at para sa karamihan sa aming advocates para maipasa na ito, muli, ito ay ang pagkilala sa kanilang karapatan at ang pagkakaroon ng kapayapaan sa kanilang kaisipan at emosyon. Sa huli't huli, mahalaga sa amin ang pagtitiyak ng karapatan at kagalingan ng kababaihan – karapatan na makalaya mula sa mapang-abusong relasyon at maitaguyod ang sariling kagalingan. Ito ang nasa buod ng ilang dekadang pakikipaglaban ng kababaihan para isulong ang mga panukala katulad ng divorce.

Mr. Speaker, dear colleagues, it is about time that we offer spouses, especially wives, the added legal option from unhealthy marital relationships with the full recognition that it is not the long-term solution to the abuse of women. We have set out clear-cut grounds and the socio-economic context for divorce, and this Sponsor believes that with the growing support of women and the people, we can advance this measure further beyond plenary debates and tackle deep-seated societal ills that consistently threaten the institution of marriage.

Bilang pangwakas, mga kapwa ko Mambabatas, iyon pong hindi naman nangangailangan ng panukalang ito dahil sila ay nandoon sa isang malusog, masaya at patuloy na maunlad na relasyon, huwag po ninyong problemahin ang panukalang ito dahil hindi ninyo ito kailangan. Ang panukalang ito ay para po doon sa nangangailangan ng remedyo maliban doon sa ating nabanggit na three existing laws.

Muli, magandang hapon at maraming salamat.

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

REP. DEFENSOR. Mr. Speaker, first to interpellate, I move that we recognize the Gentleman from BUHAY, the Hon. Jose “Lito” L. Atienza Jr.

REP. CAYETANO. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Cayetano is recognized.

REP. CAYETANO. I am sorry, I apologize, I thought there would be another Sponsor—Cong. Teddy Baguilat will no longer deliver a sponsorship speech. I was going to approach the Floor Leader to ask if I could also deliver after Hon. Teddy Baguilat—sorry for the impromptu but he already called an interpellator.

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

REP. ATIENZA. Mr. Speaker, narinig ko po tinawag ang pangalan ko, na ako ay kinilala na ng Majority Leader. So, mayroon po bang nais sabihin ang ating Majority Leader bago po magpatuloy ako?

REP. DEFENSOR. Yes, Mr. Speaker. With the indulgence of the Honorable Atienza, our honorable Dep. Speaker Pia Cayetano has signified her intention to, likewise, deliver a sponsorship speech on the measure.

REP. ATIENZA. Tinatanggap po natin ang pagbabago at inilalaan ko po ang aking sarili pagkatapos pong makapagsalita ang ating Deputy Speaker.

REP. DEFENSOR. With that, Mr. Speaker, I move for the reconsideration of our recognition of the Honorable Atienza to give way to another sponsor.

REP. CAYETANO. Thank you.

THE DEPUTY SPEAKER (Rep. Singson). Deputy Speaker Cayetano is recognized to deliver her sponsorship speech.

#### SPONSORSHIP SPEECH OF REP. CAYETANO

REP. CAYETANO. Thank you, Mr. Speaker; thank you, Honorable Atienza for indulging me into the Body. I was actually rushing to tell the acting Floor Leader that I wanted to deliver an impromptu speech. I did not prepare a sponsorship speech on the Divorce Bill

because I know my colleagues were preparing to do so, except that there was a news article this morning that prompted me to think about it and in just the last three minutes, I decided that I should do it because the timing is right.

So, in the news today was a wife chop-chop victim. I call her a “wife chop-chop victim” because her body was chop-chopped by her husband precisely because in his mind, she was not fulfilling her duty as a wife, at na-chop-chop daw po siya para daw matingnan iyong laman ng uterus niya kung bakit walang baby, something to that effect. Of course, I do not know this from personal observation; I just read the news.

What I want my dear colleagues to understand is this: this type of violence does not happen overnight. Somebody does not just wake up and decide to chop-chop his wife. This violence would have been manifested over a period of time—months, maybe even years; and though this type of violence is extreme, God forbid that this become common. There is violence that occurs in many, many homes in our country, maybe not to the extent of chop-chop but a woman can be slapped, punched, and this is done even when she is pregnant; she suffers from verbal abuse in front of her very own children—these things happen. I do not think there is anyone in the halls of Congress that can deny that these things exist in different homes.

My question to each and every one of us here today is—what is so unacceptable about divorce if it will result in saving the life, the sanity, the dignity of a woman before something like this happens to her, iyong ma-chop-chop ang body niya or ma-chop-chop iyong utak niya, iyong kaluluwa niya. I would just ask that you think of this when we have the debate in the next few hours, in the next few days. We are simply asking that we provide the legal vehicle for women or men who will need this as a result of a home that does not give them the peace, the sanctity, the respect which was the promise they expected when they said “I do.” That is the only thing that we as Sponsors can ask for—that you will listen to the debates and not have in your mind a prejudice that just because we will pass a Divorce Law, everybody will run to get a divorce. I would like to believe that every single person who gets married, would want to fight for that marriage before he or she asks for divorce.

So, iyon lang po, Mr. Speaker, dear colleagues. That is my simple request, by way of my sponsorship speech, that we think of the chop-chop wife when we decide that divorce could be acceptable on certain grounds.

Thank you very much.

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

REP. DEFENSOR. Mr. Speaker, again, to

interpellate, I move that we recognize the Gentleman from BUHAY, the Hon. Lito Atienza.

THE DEPUTY SPEAKER (Rep. Singson). The Hon. Lito Atienza is recognized to interpellate the Sponsor.

REP. ATIENZA. Maraming salamat po, Mr. Speaker, Mr. Majority Leader.

Ang nais ko po lamang immediately ay sagutin ang mga naturan dito ngayong hapon na nagmula sa tatlong Sponsors nitong measure.

Una, si Congressman Lagman. Marami po siyang sinabi tungkol sa mga pag-uusap sa nakaraan na mga delegado, ang ating Saligang Batas, at marami siyang tinuran na mga probisyon, iyong kanyang panukalang batas na sa tingin niya ay makabubuti pero sa tingin po namin ay makasasama. What Congressman Lagman stated for the record was a series of half-truths, chicanery, and outright lies on what is prevailing today in our country.

The second Sponsor, Congresswoman De Jesus, stressed that this is now the answer to our changing social institutions. Iyan po naman ay hindi rin katanggap-tanggap sa marami nating mga kababayan sapagkat hindi po nagbabago ang ugali ng Pilipino. Binanggit pa niya ang milyun-milyon nating kababayang OFWs, na para bagang makikinabang dito sa batas na ito na bigyan daw ng laya ang mga nagkahiwalay dahil lang po sa paghihirap, dahil sa kahirapan, at nagtatrabaho sa labas ng bansa upang sila ay lumigaya na muli sa bago nilang direksiyon.

Again, I would like to stress that this is a false presentation of the problem of our OFWs. Our fellow Filipinos are separated from their loved ones because they are working hard to sustain their families here in the Philippines, and we should provide them an avenue so that they will continue whatever they would want to do outside of the country if they are involved now with another person, whether male or female. Hindi po siguro tama na itugma natin ang batas na ito doon sa sinasabi nilang pagbabago. Hindi po nagbabago ang ating paniniwala na ang kasal ay sagrado.

Tapos, iyong ikatlong Sponsor po naman, nakinig din ako sa kanya at ang sabi po niya ay maraming nasasaktan na mga kababaihan kaya ito ay kinakailangang ipasa natin. Nais kong ipaalala kay Congresswoman Cayetano na mayroon tayong mga batas upang ang pang-aabuso sa isang maybahay, and for that matter, ang pang-aabuso sa isang asawang lalaki, na mayroon tayong mga batas na nagbibigay ng parusa upang ito ay hindi magpatuloy.

Therefore, what we heard are alibis for deodorizing this piece of legislation which, to our hearts and minds, will destroy the Filipino family.

I will not interpellate them on the exact provisions

of their distortion of facts. I would like to cite the constitutional protection of the Filipino family. Huwag na po tayong mag-usap tungkol doon sa chop-chop. Huwag na tayong mag-usap doon sa nangangaliwang OFW. Huwag na tayong mag-usap tungkol sa sinabi ni Fr. Bernas o ang sinagot noong kanyang tinanong na kapwa delegado. Ang ating pag-usapan ay ang ating Saligang Batas, the Constitution of the Philippines, which should rule every Filipino, lawmaker or ordinary citizen.

It is very clear under the Constitution, Article XV, specifically on the family—alam ba ninyo, ito ang kaisang Konstitusyon, siguro at marahil sa buong mundo, na nagbibigay halaga sa pamilya. Ang sabi po ng ating Saligang Batas: Ang pamilya ay pinakapundasyon ng ating lipunan. Ito ay dapat pinalalakas. Section 2 states, “Marriage, as an inviolable social institution, x x x”—inviolable. Tiningnan ko po sa lahat ng diksyonaryo, pati po sa Internet, ang ibig sabihin ng “inviolable” at malinaw po—hindi dapat labagin. Ang sabi po ng Seksyon 2 ay ang tungkulin ng estado ay palakasin at bigyan ng proteksiyon ang kasal upang tumibay ang pamilya.

Under Section 3(4), sinasabi po na ang sinumang magbabago ng anumang pag-uugali natin sa pamamagitan ng batas sa kasal at pag-aasawa at pamilya, kinakailangang tanungin lahat ng pamilya at ang associations of families. Sasabihin ninyo, mahirap gawin iyon. Totoo po sapagkat nilalayan ng ating Saligang Batas na pahirapin ang paghihiwalay ng dalawang tao. Hindi sapat sabihin na nananakit iyong lalaki, hindi sapat sabihin na nananakit iyong babae, kaya puwede nang paghiwalayin.

Tayong lahat po ay sumusumpa ngayon sa ating mga mapapangasawa, “Till death do us part.” Baka iyon po ay nabago na rin sa pag-iisip noong mga Sponsor. Ang ibig sabihin po noon ay iyong ating panunumpa sa isa’t isa ay permanente at hindi dapat labagin ng anumang batas. Kung mayroon pong mga problema ang mag-asawa, puwede po naman siguro silang humanap ng paraan, bigyan ng solusyon ang kanilang personal na problema sa kanilang pamilya but definitely, the solution, Mr. Speaker, does not lie in the passage of a law that is a clear violation of the promise and the protection of the Constitution of the Republic of the Philippines. We all have to follow one rule, one Constitution, not subject to interpretation by singular Members of Congress or for that matter, a group of Members of Congress, but rather by the constitutional rights that each and every citizen is provided with.

So, I dare challenge all the Sponsors of this measure, as we will all challenge them in the proper courts, that this piece of legislation does not carry constitutionality and it is a clear violation thereof. Ito po, sa tingin po ng inyong lingkod, ay hindi po magtatagumpay sapagkat mananaig ang tama sa ating lipunan at sa ating bansa.

Ang hinihingi ko po sa lahat ng ating mga Miyembro, sa lahat ng mga nandito ngayon, na isipin ninyong mabuti ang magiging bunga nitong panukalang batas. Iyong nilalayan ng mga Sponsors, hindi po mangyayari sapagkat lalo lamang sisiklab ang problema ng hiwalayan ng mga mag-asawa sapagkat ang diborsiyo, sabi nila, ay tutulong sa mga kababaihan. Hindi po totoo iyan. Kawawa naman ang mga kababaihan kapagka ito ay natuloy. It will not protect the rights of the women, it will not give them a better future.

Isipin ninyo—ang lalaki ay hindi gaanong apektado sa paghihiwalay sa diborsiyo. A man can marry and remarry for a number of times and he will still be a man who can marry and remarry once again. A woman, once divorced, will suffer the consequences of a separation in the family. Ang magdurusang rito ay ang mga bata, ang mga anak na mawawalan ng haligi ng tahanan at ilaw ng kanilang tahanan, ng pamilya. Kapagka ang diborsiyo ay naging laganap, at ito ay lalaganap sa pamamagitan nitong panukala, ang pamilyang Pilipino ay wala nang pupuntahan because the framers of the Constitution are very clear in their vision—to protect the family, marriage should be considered an inviolable social institution. We change that and we change the whole character of our nation.

Ang sabi noong isang Sponsor, ang Pilipinas na lang daw ang walang diborsiyo. Hindi po ba iyan ay kahanga-hanga at iyan ay dapat nating ipagmalaki? Ang Pilipino na lang ang tamang mag-isip kung saka-sakaling masasabi nating pagkakamali nga ang nangyayari sa ibang bansa. Ayaw nating humantong na ang mga batang lumaki sa mga separated and divorced parents ay magdadala ng baril sa kanilang eskuwela upang barilin iyong prinsipal at kanyang mga kamag-aral. Nangyayari po ngayon iyan sa mga bansang mayroong laganap na diborsiyo pero dito sa atin, sapagkat mayroon tayong paggalang sa karapatan ng bawat isa, paggalang sa mga babae, at paggalang naman sa ating minamahal na asawa ay hindi po natin ipinakikita sa mga bata ang gusot ng ating pagsasama. Anuman ang pait na dinaranas ng mag-asawa ay itinatago nila iyan sa kanilang mga anak, sapagkat alam nila na ang lahat ng pagsusuri, lahat ng pag-aaral ay nagawa na at ang mga bata ang siyang nagdurusang kapagka iyong kanilang magulang ay naghiwalay at wala na silang masasabing taga-pagtanggol ng kanilang kapakanan.

So, I am appealing to each and every Member of Congress today to take a serious look at this proposed piece of legislation. Ang sabi nila ay apat na beses na raw nilang inulit-ulit ito pero hindi ito matuloy-tuloy. Ako ay naniniwala, ang komposisyon ng ating Kapulungan ngayon ay binubuo rin ng mga tao, babae at lalaki, na mayroong paniniwala sa kahalagahan ng ating pamilya at may salita tayong binibigkas sa harapan ng Panginoong Diyos sapagkat ang pangaral sa atin, “whom God has put together, let no man put asunder.” Anybody

who would like to separate can go to the process of legal separation and annulment of their marriage, but to remarry again because of this piece of legislation will be a violation not only of the Constitution, it will also be a violation of our faith that marriage is a sacrament and, of course, family is all-important for each and every one of us. Let us protect the family by rejecting the Divorce Bill.

Maraming, maraming salamat po. Patnubayan tayong lahat ng Dakilang Lumikha. Thank you for this opportunity.

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

REP. LAGMAN. Considering that no question was proffered, then we are willing to be interpellated by other Members.

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

REP. DEFENSOR. Mr. Speaker, there being no other Member who wishes to interpellate or speak against the measure, I move that we close the period of sponsorship and debate.

THE DEPUTY SPEAKER (Rep. Singson). 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 Committee amendments.

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

REP. DEFENSOR. Mr. Speaker, there being no Committee amendments, I move that we proceed to the consideration of individual amendments.

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

REP. ATIENZA. Mr. Speaker, before we even go to any other procedure in tackling this Bill, I am questioning the quorum. I do not think there are enough Members present to constitute a quorum. I move for the calling of the roll.

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

## SUSPENSION OF SESSION

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

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

*It was 5:10 p.m.*

## RESUMPTION OF SESSION

*At 5:16 p.m., the session was resumed.*

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

The Majority Leader is recognized.

## ROLL CALL

REP. DEFENSOR. Mr. Speaker, we second the motion of the Honorable Atienza and therefore move that we call the roll of Members.

THE DEPUTY SPEAKER (Rep. Singson). 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 reflected in Journal No. 73, dated March 12, 2018.\**

THE SECRETARY GENERAL. The Speaker is present.

Mr. Speaker, the roll call shows that 159 Members responded to the call.

THE DEPUTY SPEAKER (Rep. Singson). With 159 Members responding to the call, ...

REP. ATIENZA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). ...the Chair declares the presence of a quorum.

REP. ATIENZA. Mr. Speaker.

REP. DEFENSOR. Mr. Speaker, with the presence of a...

REP. ATIENZA. Mr. Speaker.

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

\* See ANNEX (printed separately)

REP. DEFENSOR. ... quorum, I reiterate my motion to open the period for individual amendments.

REP. ATIENZA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). Yes.

REP. ATIENZA. The count of the Secretariat is 159 but our count is 147, so, kulang pa po tayo ng dalawa. Bakit po naman natin ipipilit magbotohan ngayon, e kulang po naman ang bilang natin? I move that we now have a headcount to be sure of the count. Magsitayo po tayo at bilangin natin ang ating sarili.

THE DEPUTY SPEAKER (Rep. Singson). The roll call showed that we have 159, Your Honor, and so, the Chair declared the presence of a quorum.

REP. DEFENSOR. With that, Mr. Speaker, I reiterate my motion to proceed...

REP. ATIENZA. Mr. Speaker.

REP. DEFENSOR. ... to the individual amendments.

REP. ATIENZA. Mr. Speaker, do not deny...

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection to the motion?

REP. ATIENZA. ... a very basic, simple question coming from the floor. We move that we have a headcount. Kung talaga po namang may quorum, di ituloy na natin ang ating sesyon, pero kung wala pong quorum ay huwag naman po ninyong ipilit ito sa pamamagitan ng inyong puwersa sa floor. This is not a matter of interpretation of the Majority Leader.

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

REP. DEFENSOR. Mr. Speaker.

REP. ATIENZA. It is a matter of reality and the truth.

REP. DEFENSOR. Mr. Speaker, with all due respect to the Gentleman, such a remedy is not sanctioned by the rules. We cannot request for a vote by tellers to question the official count of the Secretariat. With that, Mr. Speaker,...

REP. ATIENZA. We reiterate our motion to have a headcount.

REP. DEFENSOR. ... I reiterate my motion...

REP. ATIENZA. If you refuse that,...

REP. DEFENSOR. ... to open the period of individual amendments.

REP. ATIENZA. ... it only means that we are correct in saying that there is no quorum on the floor. Ipilit po ninyo.

THE DEPUTY SPEAKER (Rep. Singson). The Chair declared that we have a quorum, so, we proceed with the agenda.

REP. ATIENZA. Let it be recorded that this is under question and we continue to question the count of the Secretariat.

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

REP. DEFENSOR. Again, Mr. Speaker, I reiterate my motion to proceed to the individual amendments.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection to the motion?

REP. ATIENZA. Objection.

THE DEPUTY SPEAKER (Rep. Singson). The Chair hears none;...

REP. DEL MAR. Objection, Mr. Speaker

THE DEPUTY SPEAKER (Rep. Singson). ... the motion is approved.

REP. DEL MAR. Objection.

REP. ATIENZA. Tingnan ninyo, may objection, hindi ninyo kinikilala.

REP. DEFENSOR. Mr. Speaker, there being no individual amendments,...

REP. DEL MAR. Mr. Speaker.

REP. DEFENSOR. ... I move that we close the period of amendments.

REP. DEL MAR. Mr. Speaker, I have individual amendments.

REP. ATIENZA. There are objections on the floor, Mr. Speaker.

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

REP. ATIENZA. Please respect the rights of each Member of this Congress. There is an objection. I have an objection. Please consider our objections before we proceed.

THE DEPUTY SPEAKER (Rep. Singson). State your objection.

The Majority Leader is recognized.

REP. DEL MAR. Mr. Speaker, I object because we are in the period of amendments and I have a lot of individual amendments to propose.

THE DEPUTY SPEAKER (Rep. Singson). We are done with the....

REP. DEFENSOR. Mr. Speaker, our parliamentary status is that we are in the period of individual amendments and the Honorable Del Mar has risen for an individual amendment and so, I move that we recognize the Gentleman.

REP. ATIENZA. Mr. Speaker, we reiterate our appeal...

THE DEPUTY SPEAKER (Rep. Singson). The Hon. Raul V. Del Mar will propose...

REP. ATIENZA. ... to the Chair and to the Majority Leader. Please, let us have a headcount and determine this once and for all—kung may quorum po ay wala po tayong kwestyon.

THE DEPUTY SPEAKER (Rep. Singson). Your Honor, we are done with the headcount, we are proceeding.

The Chair recognizes the Honorable Del Mar as he has an individual amendment. You may proceed, Honorable Del Mar.

REP. DEL MAR. Thank you, Mr. Speaker. Actually, I had a lot of questions, but the period of sponsorship and debate was cut short very suddenly and this is not fair because even Congressman Lito Atienza still has some questions. Since this is the way it is going, it is difficult for me now to avail of this period of amendments unfairly also. May I proceed?

THE DEPUTY SPEAKER (Rep. Singson). You may proceed to make your individual amendments.

REP. DEL MAR. Mr. Speaker, unless we are given a chance to interpellate, I will introduce amendments on each and every section and that will take time.

THE DEPUTY SPEAKER (Rep. Singson). Your

Honor, the period of sponsorship and debate had been closed. We went through it; we did it. Wala namang nag-o-object kanina. There was no objection, so we proceeded with the process and now, we are considering individual amendments.

REP. ATIENZA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). You may proceed with your individual amendment. The Chair recognized you to present your individual amendment.

REP. ATIENZA. With all due respect, Mr. Speaker, we objected and you refused to recognize the objection. We move that we have a headcount. Kung mayroong quorum po, wala po tayong problema, ituloy natin ang sesyon.

THE DEPUTY SPEAKER (Rep. Singson). The Majority Leader answered that the headcount is not a proper process at this time.

REP. DEFENSOR. Mr. Speaker, our parliamentary status is that we are considering individual amendments and so, may we request the Honorable Del Mar to proceed with his individual amendments.

REP. ATIENZA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). Honorable Del Mar, please proceed.

REP. ATIENZA. Nais ko lang idiin na puwede ninyong ipilit ito ngayon. Ayaw ninyong tumanggap ng katotohanang kailangang bilangin ang mga Miyembro na nasa loob ng Plenary Hall. You forced the issue. We will force the issue in some other forum and so, if not here, with the people of the Philippines.

Thank you.

THE DEPUTY SPEAKER (Rep. Singson). Yes, Your Honor, we just called the roll call kanina and we have declared the presence of a quorum.

So, we proceed with the honorable Gentleman from Cebu. What is your individual amendment?

#### INDIVIDUAL AMENDMENT

REP. DEL MAR. Yes, Mr. Speaker, I will propose an amendment on page 1, Section 1. I propose the deletion of the entire Section 1.

REP. LAGMAN. On behalf of the Committee, we regret that we decline the proposed amendment.



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

REP. DEFENSOR. Will the Gentleman proceed to the next amendment, Mr. Speaker?

THE DEPUTY SPEAKER (Rep. Singson). You may proceed.

REP. DEL MAR. The Sponsor has declined and I am entitled, Mr. Speaker, to a vote, even by *viva voce*, on my amendment.

REP. DEFENSOR. Mr. Speaker, may we know if the Gentleman is ...

REP. DEL MAR. With the objection, my amendment stands, so I ask for a vote.

REP. DEFENSOR. Mr. Speaker, may we know if the Honorable Del Mar is appealing from the ruling of the Chair that the proposed amendment has just been rejected by the Sponsor?

REP. DEL MAR. I am appealing.

REP. DEFENSOR. I move that the Gentleman be given five minutes to explain, Mr. Speaker.

REP. DEL MAR. I will go straight to the amendment because you will cut me again. So, Section 1 is out of the question, Mr. Speaker. So, as I said, unless you allow us to interpellate, I will question and propose an amendment for the deletion of each section and so, it is on this basis that I am proposing this amendment for the deletion of Section 1.

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

REP. FARIÑAS. Mr. Speaker, as the Majority Leader, I appeal to our Members. Our status earlier was that we were in the period of sponsorship and debate, and the Sponsors were ready to debate and answer all interpellations. Unfortunately, the Gentleman questioned the quorum, and this is like *déjà vu* to me during the debates on the death penalty. The Sponsors are ready to answer all questions, but if a Member demands that, when he interpellates or debates, a majority of the Members should be present, that is a tall order. So, we are accommodating him in allowing, in granting that, but now we have a quorum.

There will be instances where, perhaps, even only 10 will be listening here and they are the only ones who would want to listen, and we will be accommodating

them and so, we will continue with the session. They should do their interpellation because the Members, as I have stated before, are free to listen to the debates in their respective offices and need not be physically present here because, actually, we are doing this as an accommodation.

So, to the Gentleman from Cebu, we are sorry that we closed the period of sponsorship and debate. We are ready, but if you or those against the measure, instead of debating on the matter, would rather use subterfuge like questioning the quorum, and we also have our own Calendar of Business as relayed to us by the leadership, then, we will do what we are tasked to do.

So, I appeal to the Members, if you want to interpellate, maybe I can move to reconsider and we will reopen the period of sponsorship and debate. But let it be a caveat that if anyone questions the quorum hereon, I will move to close the period of sponsorship and debate, I will also move to close the period of amendments, and we will vote on the matter. So, it is a tit for tat or accommodation on both sides. We will accommodate, if they are willing and they are interested to continue with the debates without anyone questioning the quorum, but only for the period of debate; I will move to reconsider that.

#### SUSPENSION OF SESSION

REP. FARIÑAS. With that, may I move to suspend the session so that we can talk with the proponents.

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

*It was 5:41 p.m.*

#### RESUMPTION OF SESSION

*At 5:43 p.m., the session was resumed.*

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

The Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, our parliamentary status is that we have opened the period of individual amendments and at this point, I move that we reconsider the opening of the period of individual amendments.

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

REP. DEL MAR. Mr. Speaker.

REP. DEFENSOR. Mr. Speaker.

REP. DEL MAR. You are closing the period for ...

REP. DEFENSOR. Yes, Mr. Speaker, that is necessary so that we can go back ...

REP. DEL MAR. ... individual amendments?

REP. DEFENSOR. Yes, Mr. Speaker.

REP. DEL MAR. Which means that we will now proceed to consider Committee amendments?

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Del Mar will kindly listen to the Majority Leader.

REP. DEFENSOR. May I explain, Mr. Speaker?

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

REP. DEFENSOR. May I explain that we are reconsidering the opening of the period for individual amendments so that we can go back to reconsider the closure of the period for Committee amendments, and go back to the period of sponsorship and debate so that the Gentleman can interpellate.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection to the motion? Do you object?

REP. DEL MAR. No, Mr. Speaker.

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

REP. DEFENSOR. Likewise, Mr. Speaker, I move that we reconsider the termination of the period of amendments.

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

REP. DEFENSOR. Mr. Speaker, I move that we likewise reconsider the closure of the period of sponsorship and debate.

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

REP. DEL MAR. Mr. Speaker, I was made to understand that the Majority Leader will reopen the period of sponsorship and debate. Is that where we are heading?

REP. DEFENSOR. Yes, Mr. Speaker.

REP. DEL MAR. Because we are now proceeding to the closing of the period of amendments...

REP. DEFENSOR. No, Mr. Speaker, let me explain to the Gentleman. We are reconsidering the closure so that we can open it.

REP. DEL MAR. ... and the sequence after that is the voting already.

REP. DEFENSOR. No, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). Let me restate the situation.

REP. DEL MAR. Let me explain.

THE DEPUTY SPEAKER (Rep. Singson). The Majority Leader moved for the reopening.

REP. DEL MAR. Let me explain, Mr. Speaker, first. Under our rules, we have the period of sponsorship and debate.

THE DEPUTY SPEAKER (Rep. Singson). Please listen to the Majority Leader.

REP. DEL MAR. Okay, may I proceed.

THE DEPUTY SPEAKER (Rep. Singson). Yes, there is a motion to reopen.

REP. DEL MAR. Yes, I am just explaining why I am objecting. Pursuant to our rules, after the period for the individual amendments comes the period of the Committee amendments and if that is closed, what will follow now is the voting on Second Reading.

REP. DEFENSOR. No, Mr. Speaker. For the information of the Gentleman, we did not terminate the period of amendments. We reconsidered the termination of the period of amendments so that we can go back to the period of sponsorship and debate where the Gentleman may proceed to interpellate the Sponsor, Mr. Speaker.

REP. DEL MAR. On that basis, Mr. Speaker, then I no longer object to that.

THE DEPUTY SPEAKER (Rep. Singson). Okay. The Majority Leader is recognized.

REP. DEFENSOR. Our status, Mr. Speaker, the pending motion is for the reconsideration of the closure of the period of sponsorship and debate.

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

REP. DEFENSOR. Mr. Speaker, with that, I move that we again open the period of sponsorship and debate.

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

REP. DEFENSOR. Again, Mr. Speaker, may we recognize the distinguished Gentleman from the First District of Albay, the Hon. Edcel C. Lagman, to continue with his sponsorship.

THE DEPUTY SPEAKER (Rep. Singson). The Hon. Edcel C. Lagman is recognized to continue with his sponsorship of the measure.

REP. DEFENSOR. Also, Mr. Speaker I move that we recognize the Hon. Raul V. Del Mar for his interpellation.

THE DEPUTY SPEAKER (Rep. Singson). The Hon. Raul V. Del Mar is recognized to interpellate the Sponsor.

REP. DEL MAR. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). You may proceed.

REP. DEL MAR. Thank you, Mr. Speaker. Thank you, Majority Leader.

Before my first question, I would like to thank the distinguished Majority Leader for acceding to our request that we allow the period of sponsorship and debate to continue so that all Members who have questions may be able to ask them.

Now, I am happy at this development because, you see, we have rules of procedure and these can be taken advantage of to curtail the right of the Members to speak and so, in the same way, I had no other choice but to introduce amendments. I have no amendments to introduce because, like the others, I just wanted to be able to ask questions. But if that were the case, I felt that the Majority was taking advantage of the rules to stifle the right of the Members to speak and so, I would have gone also, in accordance with the rules, to introduce individual amendments and I would have introduced an amendment to each and every section, from Section 1 until the last section, as a sign of my protest because the Members were not allowed to question and to speak. With that explanation, I shall proceed.

I was expecting the Gentleman from Manila to start with his interpellation, but it seems that he is not around, so we will just proceed.

May I ask the distinguished Sponsor if he does not feel that this measure is totally unnecessary, considering that we already have legal separation, annulment of marriage not only in the church but also civil or in law? So, with these in place, they are sufficient to address whatever are the objectives of this measure. May I have the answer of the Sponsor.

REP. LAGMAN. Mr. Speaker, this is completely and fully necessary because the present Family Code provisions on legal separation and annulment of marriage will not give complete relief to couples in irremediably broken marriages. For example, in legal separation, the spouses are only separated from bed and board and they are not allowed to contract or remarry for a second time. With respect to annulment of marriages, it refers to causes which reshaped the marriage at the time it was solemnized. It does not look at causes which would reshape or affect the marriage subsequent to the solemnization of the marriage or for supervening causes. Consequently, annulment does not also give full relief to the parties. It is for this reason that we are instituting absolute divorce and the dissolution of marriage to give full relief to the couples in irremediably distressed situation.

That is it.

REP. DEL MAR. Okay. I was under the impression—correct me if I am wrong, Mr. Speaker, Your Honor—that the reason this measure was passed despite the presence of existing laws on legal separation and annulment of marriage is that legal separation and annulment have been viewed as, not only expensive but it takes so much time for the marriage to be able to be terminated, it takes years. So, this is like an amendment to laws on legal separation and annulment by shortening the period before a separation can be decreed, Your Honor, Mr. Speaker.

REP. LAGMAN. It is not, Mr. Speaker, Your Honor, a question of expense, it is a question of granting couples in irremediably broken marriages the full relief which they should get from the State. It is giving these couples the option whether to file legal separation, annulment of marriage, or filing for a petition for absolute divorce and dissolution of marriage.

REP. DEL MAR. Mr. Speaker, Your Honor, I made that observation and question, aware of the fact that it really takes so much time, but this is negated by the Sponsor that it does not take much time to obtain a decree of legal separation or annulment. In this matter, may I ask the distinguished Sponsor, since he is a

very successful practicing lawyer, how long does it normally take for a couple to have a legal separation or annulment?

REP. LAGMAN. As I said, Mr. Speaker, distinguished Gentleman from Cebu, this Bill is being introduced not because of the length and expense entailing legal separation or annulment of marriage, but this is to give full relief to couples in distress and to give them the options.

To answer the question of the distinguished Gentleman, I have not been in the practice of legal separation or annulment of marriages, but during the Committee hearings, out of town and even out of the country hearings by the Committee, they were informed that it takes so long to have a legal separation or annulment of marriage, and these are also expensive.

As I said, it is not the expense, it is not the length that we are introducing in this Bill, but it is to give full relief to couples in distress and to also give them the option whether to file under the Family Code or under an absolute decree of law.

REP. DEL MAR. Even if the distinguished Sponsor has not handled any legal separation or annulment case, from his knowledge and experience, I would expect that he would be able to tell us the average time that a legal separation or annulment can be obtained. I am sure that the distinguished Sponsor, Mr. Speaker, could give us a ballpark figure on this.

REP. LAGMAN. I have no data on that, Mr. Speaker, distinguished Gentleman from Cebu, but during our Committee hearings, the resource person said that it takes a long time to secure a legal separation or an annulment of marriage, most probably, one or two years, or even more.

REP. DEL MAR. So, the answer is, it would take a long time.

REP. LAGMAN. Yes, Mr. Speaker, Your Honor.

REP. DEL MAR. And this measure will definitely shorten the time?

REP. LAGMAN. Yes, Mr. Speaker, Your Honor.

REP. DEL MAR. How long will this be, Mr. Speaker?

REP. LAGMAN. As a measure to give full relief and options to the couples in irremediably broken relationship, yes, it would. How? One, there will be grounds wherein summary proceedings will be conducted by the proper court and with respect to

expense, there will be court-assisted petitioners who would be, upon application, exempted from the payment of filing fees and litigation expenses. They will be given the officio counsel and the court will also appoint psychologists, social workers and psychiatrists to assist the petitioners as well as the court.

REP. DEL MAR. Mr. Speaker, Your Honor, you replied by saying that the time it takes a couple to obtain a legal separation or annulment of marriage is somewhere between one, two years, three years. But I believe, Your Honor, or my impression is that it takes a longer time than just three years to obtain a legal separation or annulment of marriage, is it not the case, Mr. Speaker?

REP. LAGMAN. I have no particular empirical data on that, Mr. Speaker, Your Honor, but the observation of the distinguished Gentleman from Cebu may be correct.

REP. DEL MAR. Such being the case, can we say that getting an absolute divorce and dissolution of marriage, if it is considered relatively shorter than getting a legal separation or an annulment of marriage, will be, let us say, three to six months? Would that be a reasonable period to have the absolute divorce and dissolution of marriage as proposed under this measure?

REP. LAGMAN. There can be no hard and fast rule on the length of time, but we are assuring the distinguished Gentleman that, with the pertinent provisions in the Bill, it will be much shorter than an annulment or legal separation proceedings.

REP. DEL MAR. Mr. Speaker, Your Honor, do you not consider that a relatively longer time to obtain a divorce or dissolution, as it is now done for legal separation and annulment, is also something that can save what appears to be a broken marriage but actually only differences that can be solved right away, in due time? That is why if you provide only a short time for the couple to be able to solve their differences, then you would be really denying the couple the opportunity of a grave decree like absolute divorce and dissolution of marriage, which will be very difficult to obtain the second time around, Your Honor, Mr. Speaker.

REP. LAGMAN. Your Honor, Mr. Speaker, the parties to a divorce proceeding will be given all the opportunities to try to reconcile. For example, the proper court will not start the trial before the expiration of a mandatory six-month period wherein the court will actively give its best efforts to reconcile the parties. Another provision which would help try to reconcile

the parties is that reconciliation can be effected even after the petition has been filed or even after a divorce decree has been issued. If the parties are willing to try and will submit to the court that they would like to reconcile, so at any stage of the proceedings, the court can stop or terminate the petition for absolute divorce and dissolution of marriage; or even after the decree has been issued, the same can be set aside to effectuate the reconciliation of the parties.

There are also grounds for divorce where the State should not let the parties further agonize. For example, when one of the spouses has contracted a bigamous marriage, then there is no need for the parties to prolong their agony; when the spouses had been legally separated by judicial decree for two years, so after legal separation has been decreed, then they can apply for divorce after two years; or when one of the spouses had been sentenced to imprisonment for six months; or when one of the spouses had undergone a sex reassignment surgery; or had transitioned into another sex.

In all of these, the State will have the parties secure the divorce proceedings at a less expensive and less expended time because the grounds would require the need to relieve the parties from a continuing agony of a broken marriage, and these are all exceptional circumstances. We do not grab the most happy, vibrant and harmonious married relationship, which is the overwhelming relationship among the majority of Filipino couples. This is more of an exception than the rule.

REP. DEL MAR. Do you not think, Your Honor, Mr. Speaker, that during the marriage, couples normally have differences and no matter how you look at it, these differences can be solved. So, do you not look at this absolute divorce and dissolution of marriage as being worse, it is supposed to be a cure but it will be worse than the cure because there is finality here, Mr. Speaker, Your Honor. If you obtain absolute divorce and dissolution of marriage, you can no longer come to terms even if you want to. Couples will be very—will absolute divorce and dissolution of marriage—happy, like trigger happy.

For every difference, the course is made to get this absolute divorce and dissolution of marriage instead of working on or giving time to solve differences. Going back to my previous observation, it will really need time, Mr. Speaker, Your Honor, for differences to be solved. So, instead of solving them, you are now killing the possibility—because of this absolute divorce—of getting them together again.

So, that is why, Mr. Speaker, Your Honor, I believe that once this measure becomes law—that given a period of one year to two years, then we compare it to the time when we did not have this absolute divorce and dissolution of marriage—there will be a lot of marriage breakups. Instead of solving the problem, you

are compounding the problem because marriage is not all peaches and cream, that everything will be all right, that things will be rosy; and you believe that you will be happier if you get this absolute divorce and dissolution of marriage. Because had you stayed married, you could have solved your differences and lived a happy marriage life as has been made and experienced in so many years in this country, Mr. Speaker, Your Honor.

REP. LAGMAN. Mr. Speaker, Your Honor, this Bill will not inveigle couples, where the relationship is vibrant, happy and harmonious, to secure a divorce. This will only be for couples where the relationship had been broken beyond repair, had been shattered, and the differences are insoluble. This will not allow quickie or pass-through divorces; and the empirical data in countries which instituted absolute divorce, showed that it did not open the floodgates to separation and divorce.

The rules for couples to stay together, particularly in the Philippines, are in the hearts of these couples. Marriage and family life should be considered as a social institution but despite the protection of the State, marriages, in some instances, are still shattered beyond rehabilitation because of human frailties and mortal limitations. That is where the State could come in to give full relief to the couples in distress.

REP. DEL MAR. You have a cooling-off period here of six months before the decree can be obtained, after the same is filed. Is that correct, Your Honor?

REP. LAGMAN. Yes, Your Honor.

REP. DEL MAR. Is there also a period after marriage within which you cannot file a petition for absolute divorce and dissolution of marriage, a certain period like, let us say, there is a period of one year, two years, which will serve as the minimum period before you can file a petition for absolute divorce and dissolution?

REP. LAGMAN. There is none, Your Honor, because we do not encourage the filing of absolute divorce or dissolution of marriage. The State will continue to protect and preserve marriage as a social institution and as the foundation of the family. In cases where the spouses are in a irremediably shattered relationship, then the State will come in to give them full relief, including their children. So, there is no justification to have a period of time before anyone can file a divorce after marriage.

REP. DEL MAR. There is none, Your Honor, but will you consider an amendment later on to put a minimum period after marriage before the couple can

file a petition for absolute divorce and dissolution of marriage?

REP. LAGMAN. At the proper time, Your Honor, we may consider such an amendment.

REP. DEL MAR. Your Honor, Mr. Speaker, I seriously doubt that with the time frame given a couple to obtain an absolute divorce and dissolution of marriage, it is a negative factor instead of being a positive factor, Your Honor, because, as I said, while it is easy and quick to have differences, it is not as easy and as quick to solve some differences and these will really need some time, Your Honor. That is why, do you not think that the long period of time in obtaining legal separation or annulment was precisely provided—that long—not for any reason, but to be able to save the marriage if you give it sufficient time, which time it is taking now to be able to obtain a legal separation or annulment.

REP. LAGMAN. I had answered that question a number of times already and there is nothing in the Family Code which says that the legal separation and annulment of marriage should take a longer period, nothing in the Family Code would be pertinent to that kind of question.

REP. DEL MAR. There are so many questions to ask, Your Honor, on the various provisions here such that this Representation would need more time, Your Honor, to go over this Bill in order to be able to ask the many questions that I have. Answers like there are no empirical data on particular situations might be negated by showing that there are, in fact, empirical data if we only have time to go over this measure.

REP. LAGMAN. Your Honor, this Representation is ready to answer all questions from the distinguished Gentleman. If he is ready to ask his questions, then I am ready to answer his questions.

REP. DEL MAR. Yes, I would be more ready, Your Honor, if given more time. Is there any need to rush this and approve this tonight? Can we not give it—since this is a very serious measure, can we not give it a couple of days, or why the hurry, Your Honor, Mr. Speaker?

REP. LAGMAN. As far as the Sponsors of this Bill are concerned, as far as the sponsoring Committee is concerned, we appreciate and we welcome more debates on this Bill so that all questions can be answered and all issues can be resolved. We are not in a hurry to have this Bill enacted into law, but as I had said, we are ready to answer the questions if the distinguished Gentleman is ready to ask his questions.

REP. DEL MAR. I appreciate Your Honor's reply because I have known him to be a distinguished Member of this House who had complained in the past of not being able to be given his right to be able to speak, his right to be able to interpellate. I am glad that he is open to giving more time to this measure to be discussed during this interpellation and debate.

So, Your Honor, now, I see that we are very few here already because they might be researching to ask their questions. Why do we not give others a chance to be heard and be ready to interpellate because this measure was never scheduled today? There was no announcement that this measure will be sponsored on the floor today. While that is not really the same case for all the measures, I feel that this important measure should have been given that time, Your Honor, for the Members to be able to study and be able to ask more questions.

REP. LAGMAN. Your Honor, this Bill is in the Calendar of Business and everybody has been given the copy of the Calendar of Business. But if the distinguished Gentleman from Cebu is suing for time despite the fact that this Representation said that he is ready to answer all questions, then, his motion should be directed to the leadership of the House.

REP. DEL MAR. So, Your Honor, I am ready to give way to others who want to ask questions and avail of more time to do so after they have been given the opportunity. Just the same, Your Honor, I do not feel that this situation is conducive to anyone asking questions, because you ask questions and the period of sponsorship and debate is such that all Members will be able to hear the questions and the answers in order that they will be more ready and more knowledgeable when they will cast their votes for or against the measure.

So, seeing us, this will not be the case, Your Honor, where this would mean that everyone has already decided. I think not, Your Honor, and so, to give them the chance to be able to hear the debate and absorb the questions and answers and rejoinders, maybe, Your Honor, Mr. Speaker, it is but proper and I am sure that Your Honor will not only be amenable, but will welcome such suggestion at the moment.

REP. LAGMAN. It is the call of the distinguished Gentleman from Cebu to make the proper motion.

REP. DEL MAR. Yes. This Representation is—I do not want to question the quorum, so I am just asking the Majority Leader to kindly allow the other Members time to be able to study and propound their questions as, in fact, even those Members who had appointments or had other important things to do in their offices, would have been here to ask questions if they knew that this would be taken up this afternoon, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). Majority Leader, kindly respond to the question.

REP. DEFENSOR. Again, Mr. Speaker, what is the pleasure of the Honorable Del Mar?

REP. DEL MAR. Ah, you like me to make a motion? I would rather that you understand what I am trying to say without my making the motion which would end the deliberation now.

REP. DEFENSOR. Mr. Speaker, our parliamentary status is that we are in the period of sponsorship and debate on this House Bill, and there are no other Members who listed their names to interpellate, Mr. Speaker.

With that, Mr. Speaker, if there are no more interpellations, I am constrained to move for the termination of the period of sponsorship and debate.

REP. DEL MAR. I object, Mr. Speaker. Again, you are inviting the same treatment for a Member to address you as you are addressing it to me. I am telling you, if you close the period of sponsorship and debate, I will avail of the period of amendments by proposing amendments to each and every section to give more time for the Members to be able to be present here and ask their questions.

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

REP. DEFENSOR. With that, Mr. Speaker, I reiterate my motion to close the period of sponsorship and debate.

THE DEPUTY SPEAKER (Rep. Singson). There is a motion to close the period of interpellation and debate. Is there any objection?

REP. DEL MAR. Objection, Mr. Speaker.

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

REP. DEFENSOR. Mr. Speaker, there is a motion and there is an objection, I move for a ruling.

### VIVA VOCE VOTING

THE DEPUTY SPEAKER (Rep. Singson). As many as are in favor of the motion of the Majority Leader, please say *aye*.

SEVERAL MEMBERS. *Aye*.

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

I hear only one, so, the *ayes* have it.

The Majority Leader is recognized.

REP. DEFENSOR. Mr. Speaker, I now move that we open the period of amendments to consider Committee amendments.

REP. DEL MAR. Mr. Speaker, I move to adjourn. You asked for it.

### SUSPENSION OF SESSION

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

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

*It was 6:23 p.m.*

### RESUMPTION OF SESSION

*At 6:24 p.m., the session was resumed.*

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

### ADJOURNMENT OF SESSION

REP. DEFENSOR. Mr. Speaker, we join the Gentleman in his motion to adjourn the session until tomorrow, March 13, Tuesday, at four o'clock in the afternoon.

THE DEPUTY SPEAKER (Rep. Singson). The session is adjourned until tomorrow, March 13, until four o'clock in the afternoon.

*It was 6:25 p.m.*