

November 2016

UPDATE

ON THE IMPLEMENTATION OF LAWS

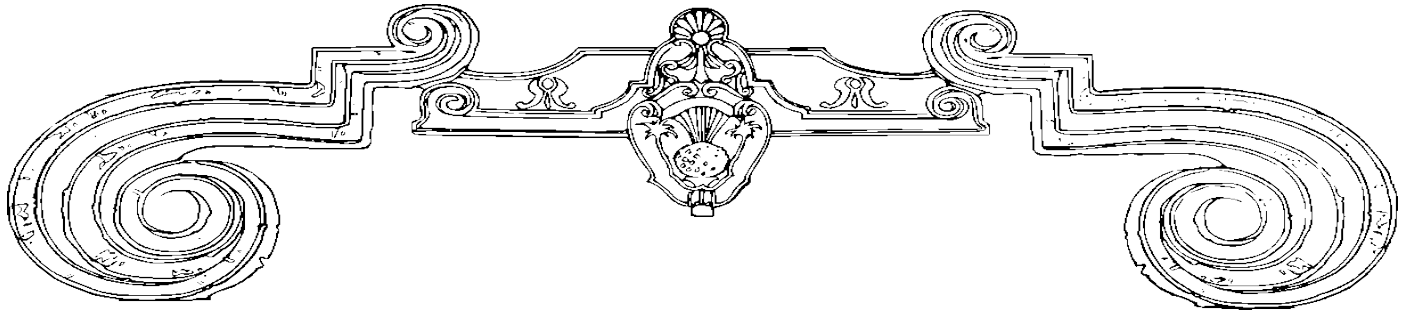
FIFTEENTH AND SIXTEENTH CONGRESS

Centennial Edition



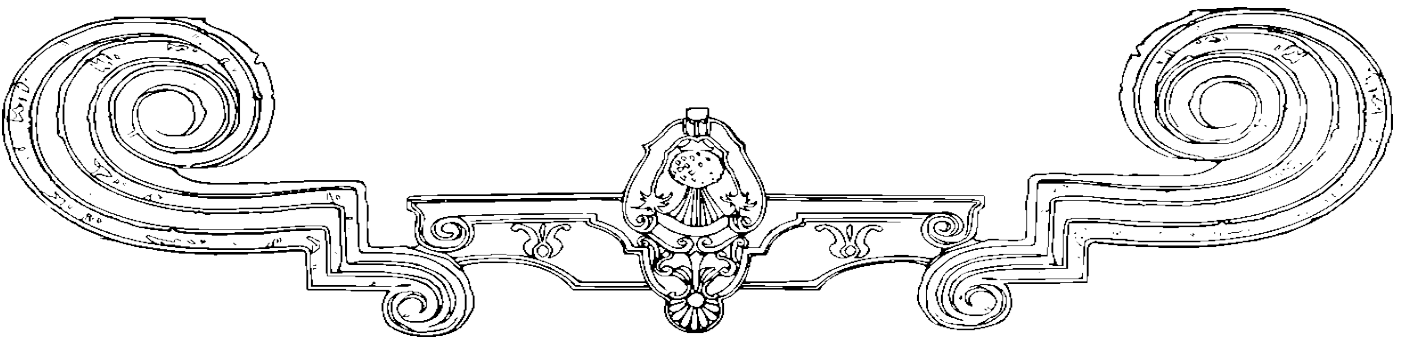
Senate of the Philippines

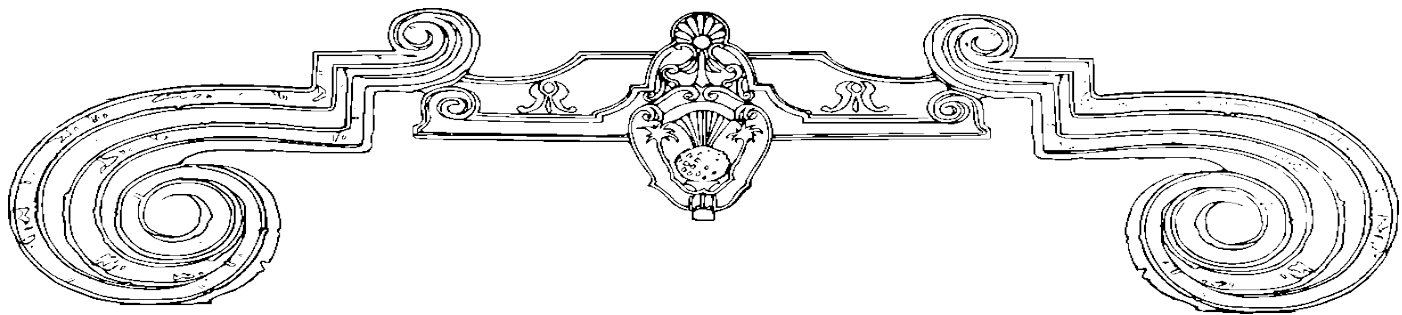
© 2016
Executive-Legislative Liaison Service
Office of External Affairs and Relations
Senate of the Philippines



LEGES SERVITAE

WHEN LAWS ARE COMPLIED WITH





PAX FIAT

THERE IS PEACE

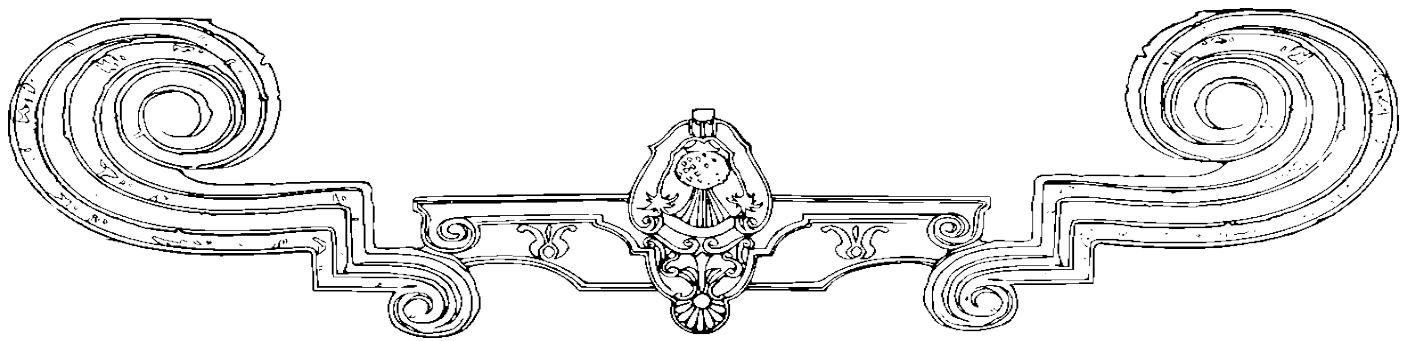


TABLE OF CONTENTS

PART I: MONITORING MATRIX	8
PART II: NARRATIVE REPORTS	28
Banks, Financial Institutions and Currencies	29
Civil Service, Government Reorganization and Professional Regulation	35
Education, Arts and Culture	40
Electoral Reforms and People's Participation	43
Government Corporations and Public Enterprises	47

Health and Demography	51
Justice and Human Rights	55
Labor, Employment and Human Resources Development	81
National Defense and Security	83
Science and Technology	84
Social Justice, Welfare and Rural Development	88
Ways and Means	90

PART ONE

MONITORING MATRIX



This section contains information on the status of the Implementing Rules and Regulations (IRR) of laws passed during the 15th and 16th Congress that have a broad national impact. The contents are based on:

- (a) Feedback from implementing agencies;
- (b) Official Gazette website;
- (c) Websites of implementing agencies; and
- (d) News reports from reputable organizations.

Laws with IRRs labeled ***Approved*** means that the IRR has been approved and published by the implementing agencies. The date of approval or publication is also indicated.

Laws with IRRs labeled ***Pending*** means that the IRR is still being drafted by the implementing agencies.

Laws with IRRs labeled ***No Update*** means that the status of the IRR is unknown due to

- (a) Failure of implementing agencies to respond in time;
- (b) Lack of information from other reputable sources; and/or
- (c) Difficulty communicating with implementing agencies/point persons.

Laws with IRRs labeled ***Not Explicitly Required*** means that the law does not explicitly require implementing agencies to approve and publish an IRR.

Narrative reports are provided for some laws. If available, the page number of the narrative report is indicated in the matrix.

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10149	AN ACT TO PROMOTE FINANCIAL VIABILITY AND FISCAL DISCIPLINE IN GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS AND TO STRENGTHEN THE ROLE OF THE STATE IN ITS GOVERNANCE AND MANAGEMENT TO MAKE THEM MORE RESPONSIVE TO THE NEEDS OF PUBLIC INTEREST AND FOR OTHER PURPOSES	06-Jun-11	Not Explicitly Required		
10150	AN ACT EXTENDING THE IMPLEMENTATION OF THE LIFELINE RATE, AMENDING FOR THE PURPOSE SECTION 73 OF REPUBLIC ACT NUMBERED NINETY-ONE THIRTY-SIX, OTHERWISE KNOWN AS THE "ELECTRIC POWER INDUSTRY REFORM ACT OF 2001"	21-Jun-11	Not Explicitly Required		
10151	AN ACT ALLOWING THE EMPLOYMENT OF NIGHT WORKERS, THEREBY REPEALING ARTICLES 130 AND 131 OF PRESIDENTIAL DECREE NUMBER FOUR HUNDRED FORTY-TWO, AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES	21-Jun-11	Approved	20-Jan-12	
10152	AN ACT PROVIDING FOR MANDATORY BASIC IMMUNIZATION SERVICES FOR INFANTS AND CHILDREN, REPEALING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 996, AS AMENDED	21-Jun-11	No Update		
10154	AN ACT REQUIRING ALL CONCERNED GOVERNMENT AGENCIES TO ENSURE THE EARLY RELEASE OF THE RETIREMENT PAY, PENSIONS, GRATUITIES AND OTHER BENEFITS OF RETIRING GOVERNMENT EMPLOYEES	15-Jul-11	Approved	30-Jan-13	
10156	AN ACT CONFERRING UPON MEMBERS OF THE SANGGUNIANG BAYAN, SANGGUNIANG PANLUNGSOD AND SANGGUNIANG PANLALAWIGAN, THE APPROPRIATE CIVIL SERVICE ELIGIBILITY UNDER CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES	20-Dec-11	Approved	06-Mar-13	Page 37
10157	AN ACT INSTITUTIONALIZING THE KINDERGARTEN EDUCATION INTO THE BASIC EDUCATION SYSTEM AND APPROPRIATING FUNDS THEREFOR	20-Jan-12	Approved	17-Apr-12	Page 40
10158	AN ACT DECRIMINALIZING VAGRANCY AMENDING FOR THIS PURPOSE ARTICLE 202 OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE	27-Mar-12	Not Explicitly Required		

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10165	AN ACT TO STRENGTHEN AND PROPAGATE FOSTER CARE AND TO PROVIDE FUNDS THEREFOR	11-Jun-12	Approved	19-Nov-12	Page 88
10167	AN ACT TO FURTHER STRENGTHEN THE ANTI-MONEY LAUNDERING LAW, AMENDING FOR THE PURPOSE SECTIONS 10 AND 11 OF REPUBLIC ACT NO. 9160, OTHERWISE KNOWN AS THE "ANTI-MONEY LAUNDERING ACT OF 2001", AS AMENDED, AND FOR OTHER PURPOSES	18-Jun-12	Approved	21-Jun-12	
10168	AN ACT DEFINING THE CRIME OF FINANCING OF TERRORISM, PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES	18-Jun-12	Approved	26-Aug-12	Page 31
10172	AN ACT FURTHER AUTHORIZING THE CITY OR MUNICIPAL CIVIL REGISTRAR OR THE CONSUL GENERAL TO CORRECT CLERICAL OR TYPOGRAPHICAL ERRORS IN THE DAY AND MONTH IN THE DATE OF BIRTH OR SEX OF A PERSON APPEARING IN THE CIVIL REGISTER WITHOUT NEED OF A JUDICIAL ORDER, AMENDING FOR THIS PURPOSE REPUBLIC ACT NUMBERED NINETY FORTY-EIGHT	15-Aug-12	Approved	24-Oct-12	
10173	AN ACT PROTECTING INDIVIDUAL PERSONAL INFORMATION IN INFORMATION AND COMMUNICATIONS SYSTEMS IN THE GOVERNMENT AND THE PRIVATE SECTOR, CREATING FOR THIS PURPOSE A NATIONAL PRIVACY COMMISSION, AND FOR OTHER PURPOSES	15-Aug-12	Approved	25-Aug-16	Page 84
10174	AN ACT ESTABLISHING THE PEOPLE'S SURVIVAL FUND TO PROVIDE LONG-TERM FINANCE STREAMS TO ENABLE THE GOVERNMENT TO EFFECTIVELY ADDRESS THE PROBLEM OF CLIMATE CHANGE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9729, OTHERWISE KNOWN AS THE "CLIMATE CHANGE ACT OF 2009", AND FOR OTHER PURPOSES	16-Aug-12	Approved	13-Nov-15	
10175	AN ACT DEFINING CYBERCRIME, PROVIDING FOR PREVENTION, INVESTIGATION AND IMPOSITION OF PENALTIES THEREFOR AND FOR OTHER PURPOSES	12-Sep-12	Approved	12-Aug-15	

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10176	AN ACT REVIVING THE OBSERVANCE OF ARBOR DAY BY AUTHORIZING THE LOCAL GOVERNMENT UNITS THE RESPONSIBILITIES FOR CELEBRATING THE DAY FOR TREE PLANTING AS AN ANNUAL EVENT	12-Sep-12	Approved	03-Apr-14	
10344	AN ACT PENALIZING THE UNAUTHORIZED TAKING, STEALING, KEEPING OR TAMPERING OF GOVERNMENT RISK REDUCTION AND PREPAREDNESS EQUIPMENT, ACCESSORIES AND SIMILAR FACILITIES	04-Dec-12	Approved	25-Jun-13	
10349	AN ACT AMENDING REPUBLIC ACT NO. 7898, ESTABLISHING THE REVISED AFP MODERNIZATION PROGRAM AND FOR OTHER PURPOSES	11-Dec-12	Not Explicitly Required		
10353	AN ACT DEFINING AND PENALIZING ENFORCED OR INVOLUNTARY DISAPPEARANCE	21-Dec-12	Approved	12-Feb-13	
10354	AN ACT PROVIDING FOR A NATIONAL POLICY ON RESPONSIBLE PARENTHOOD AND REPRODUCTIVE HEALTH	21-Dec-12	Approved	18-Mar-13	Page 51
10361	AN ACT INSTITUTING POLICIES FOR THE PROTECTION AND WELFARE OF DOMESTIC WORKERS	18-Jan-13	Approved	09-Oct-13	
10364	AN ACT EXPANDING REPUBLIC ACT NO. 9208, ENTITLED "AN ACT TO INSTITUTE POLICIES TO ELIMINATE TRAFFICKING IN PERSONS ESPECIALLY WOMEN AND CHILDREN, ESTABLISHING THE NECESSARY INSTITUTIONAL MECHANISMS FOR THE PROTECTION AND SUPPORT OF TRAFFICKED PERSONS, PROVIDING PENALTIES FOR ITS VIOLATIONS AND FOR OTHER PURPOSES	06-Feb-13	Not Explicitly Required		Page 55
10365	AN ACT FURTHER STRENGTHENING THE ANTI-MONEY LAUNDERING LAW, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9160, OTHERWISE KNOWN AS THE "ANTI-MONEY LAUNDERING ACT OF 2001", AS AMENDED	15-Feb-13	Not Explicitly Required		Page 30
10366	AN ACT AUTHORIZING THE COMMISSION ON ELECTIONS TO ESTABLISH PRECINCTS ASSIGNED TO ACCESSIBLE POLLING PLACES EXCLUSIVELY FOR PERSONS WITH DISABILITIES AND SENIOR CITIZENS	15-Feb-13	Approved	30-Aug-13	Page 43

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10367	AN ACT PROVIDING FOR MANDATORY BIOMETRICS VOTER REGISTRATION	15-Feb-13	Approved	19-Feb-14	Page 44
10368	AN ACT PROVIDING FOR REPARATION AND RECOGNITION OF VICTIMS OF HUMAN RIGHTS VIOLATIONS DURING THE MARCOS REGIME, DOCUMENTATION OF SAID VIOLATIONS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES	25-Feb-13	Approved	24-Apr-14	
10372	AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 8293, OTHERWISE KNOWN AS THE "INTELLECTUAL PROPERTY CODE OF THE PHILIPPINES", AND FOR OTHER PURPOSES	28-Feb-13	Approved	21-Sep-13	
10378	AN ACT RECOGNIZING THE PRINCIPLE OF RECIPROCITY AS BASIS FOR THE GRANT OF INCOME TAX EXEMPTIONS TO INTERNATIONAL CARRIERS AND RATIONALIZING OTHER TAXES IMPOSED THEREON BY AMENDING SECTIONS 28(A)(3)(A), 109, 118 AND 236 OF THE NATIONAL INTERNAL REVENUE CODE (NIRC), AS AMENDED, AND FOR OTHER PURPOSES.	07-Mar-13	Approved	20-Aug-13	
10380	AN ACT PROVIDING FOR LOCAL ABSENTEE VOTING FOR MEDIA	14-Mar-13	Approved	14-Oct-15	
10389	AN ACT INSTITUTIONALIZING RECOGNIZANCE AS A MODE OF GRANTING THE RELEASE OF AN INDIGENT PERSON IN CUSTODY AS AN ACCUSED IN A CRIMINAL CASE AND FOR OTHER PURPOSES	14-Mar-13	Not Explicitly Required		
10390	AN ACT AMENDING REPUBLIC ACT NO. 7306, ENTITLED AN ACT PROVIDING FOR THE ESTABLISHMENT OF THE PEOPLES TELEVISION NETWORK, INCORPORATED, DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FOR ITS SOURCES OF FUNDING AND FOR OTHER PURPOSES	14-Mar-13	Approved	19-Jul-13	Page 47

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10396	AN ACT STRENGTHENING CONCILIATION-MEDIATION AS A VOLUNTARY MODE OF DISPUTE SETTLEMENT FOR ALL LABOR CASES, AMENDING FOR THIS PURPOSE ARTICLE 228 OF PRESIDENTIAL DECREE NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE "LABOR CODE OF THE PHILIPPINES"	14-Mar-13	Approved	22-Feb-16	
10410	AN ACT RECOGNIZING THE AGE FROM ZERO (0) TO EIGHT (8) YEARS AS THE FIRST CRUCIAL STAGE OF EDUCATIONAL DEVELOPMENT AND STRENGTHENING THE EARLY CHILDHOOD CARE AND DEVELOPMENT SYSTEM, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES	26-Mar-13	Approved	04-Nov-13	
10515	AN ACT PROHIBITING AND PENALIZING UNAUTHORIZED INTERCEPTION, RECEPTION OR USE OF ANY SIGNAL OR SERVICE OVER A CABLE TELEVISION SYSTEM OR CABLE INTERNET SYSTEM AND/OR NETWORK, AND FOR OTHER PURPOSES	17-Apr-13	Approved	16-Oct-13	
10524	AN ACT EXPANDING THE POSITIONS RESERVED FOR PERSONS WITH DISABILITY, AMENDING FOR THE PURPOSE ACT NO. 7277, AS AMENDED, OTHERWISE KNOWN AS THE MAGNA CARTA FOR PERSONS WITH DISABILITY	23-Apr-13	Approved	17-Jun-16	Page 38
10531	AN ACT STRENGTHENING THE NATIONAL ELECTRIFICATION ADMINISTRATION, FURTHER AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 269, AS AMENDED, OTHERWISE KNOWN AS THE "NATIONAL ELECTRIFICATION ADMINISTRATION DECREE"	07-May-13	Approved	26-Jul-13	
10532	AN ACT INSTITUTIONALIZING THE PHILIPPINE NATIONAL HEALTH RESEARCH SYSTEM	07-May-13	Approved	30-Jul-13	Page 51
10533	AN ACT ENHANCING THE PHILIPPINE BASIC EDUCATION SYSTEM BY STRENGTHENING ITS CURRICULUM AND INCREASING THE NUMBER OF YEARS FOR BASIC EDUCATION, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES	15-May-13	Approved	04-Aug-13	Page 42

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10535	AN ACT TO SET THE PHILIPPINE STANDARD TIME (PST) IN ALL OFFICIAL SOURCES THROUGHOUT THE COUNTRY, TO PROVIDE FUNDS FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF SYNCHRONIZED TIME DEVICES TO BE DISPLAYED IN KEY PUBLIC PLACES AND TO DECLARE THE FIRST WEEK OF EVERY YEAR AS NATIONAL TIME CONSCIOUSNESS WEEK	15-May-13	Approved	03-Dec-13	
10536	AN ACT AMENDING REPUBLIC ACT NO. 9296, OTHERWISE KNOWN AS "THE MEAT INSPECTION CODE OF THE PHILIPPINES"	15-May-13	Approved	07-Feb-15	
10574	AN ACT ALLOWING THE INFUSION OF FOREIGN EQUITY IN THE CAPITAL OF RURAL BANKS, AMENDING REPUBLIC ACT NO. 7353, OTHERWISE KNOWN AS THE RURAL BANK OF 1992, AS AMENDED, AND FOR OTHER PURPOSES	24-May-13	Approved	22-Aug-13	Page 33
10575	AN ACT STRENGTHENING THE BUREAU OF CORRECTIONS (BUCOR) AND PROVIDING FUNDS THEREFOR	24-May-13	Approved	23-May-16	
10586	AN ACT PENALIZING PERSONS DRIVING UNDER THE INFLUENCE OF ALCOHOL, DANGEROUS DRUGS, AND SIMILAR SUBSTANCES, AND FOR OTHER PURPOSES	27-May-13	Approved	28-Apr-14	
10590	AN ACT AMENDING REPUBLIC ACT NO. 9189, ENTITLED AN ACT PROVIDING FOR A SYSTEM OF OVERSEAS ABSENTEE VOTING BY QUALIFIED CITIZENS OF THE PHILIPPINES ABROAD, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES	27-May-13	Approved	14-Oct-15	Page 44
10591	AN ACT PROVIDING FOR A COMPREHENSIVE LAW ON FIREARMS AND AMMUNITION AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF	29-May-13	Approved	07-Dec-13	
10592	AN ACT AMENDING ARTICLES 29, 94, 97, 98 AND 99 OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE	29-May-13	Approved	26-Mar-14	

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10593	AN ACT AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NO. 8048, ENTITLED "AN ACT PROVIDING FOR THE REGULATION OF THE CUTTING OF COCONUT TREES, ITS REPLENISHMENT, PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES"	29-May-13	Approved	04-Oct-13	
10601	AN ACT PROMOTING AGRICULTURAL AND FISHERIES MECHANIZATION DEVELOPMENT IN THE COUNTRY	05-Jun-13	Approved	20-Dec-13	
10606	AN ACT AMENDING REPUBLIC ACT NO. 7875, OTHERWISE KNOWN AS THE NATIONAL HEALTH INSURANCE ACT OF 1995, AS AMENDED, AND FOR OTHER PURPOSES	19-Jun-13	Approved	12-Sep-13	
10609	AN ACT PROTECTING THE RIGHT OF STUDENTS ENROLLED IN COURSES REQUIRING PROFESSIONAL LICENSING EXAMINATIONS TO ENROLL IN REVIEW CENTERS OF THEIR CHOICE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF	23-Aug-13	Approved	01-May-15	
10611	AN ACT TO STRENGTHEN THE FOOD SAFETY REGULATORY SYSTEM IN THE COUNTRY TO PROTECT CONSUMER HEALTH AND FACILITATE MARKET ACCESS OF LOCAL FOODS AND FOOD PRODUCTS, AND FOR OTHER PURPOSES	23-Aug-13	Approved	20-Feb-15	
10612	AN ACT EXPANDING THE COVERAGE OF THE SCIENCE AND TECHNOLOGY (S&T) SCHOLARSHIP PROGRAM AND STRENGTHENING THE TEACHING OF SCIENCE AND MATHEMATICS IN SECONDARY SCHOOLS AND FOR OTHER PURPOSES	23-Aug-13	Approved	04-Aug-14	Page 86
10618	AN ACT ESTABLISHING RURAL FARM SCHOOLS AS ALTERNATIVE DELIVERY MODE OF SECONDARY EDUCATION AND APPROPRIATING FUNDS THEREFOR	03-Sep-13	Approved	12-Aug-15	
10620	AN ACT PROVIDING FOR TOY AND GAME SAFETY LABELING, APPROPRIATING FUNDS THEREFOR	03-Sep-13	Pending		

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10623	AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 7581, ENTITLED AN ACT PROVIDING PROTECTION TO CONSUMERS BY STABILIZING THE PRICES OF BASIC NECESSITIES AND PRIME COMMODITIES AND BY PRESCRIBING MEASURES AGAINST UNDUE PRICE INCREASES DURING EMERGENCY SITUATIONS AND LIKE OCCASIONS AND FOR OTHER PURPOSES	06-Sep-13	Approved	19-Dec-13	
10625	AN ACT REORGANIZING THE PHILIPPINE STATISTICAL SYSTEM, REPEALING FOR THE PURPOSE EXECUTIVE ORDER NUMBERED ONE HUNDRED TWENTY-ONE, ENTITLED REORGANIZING AND STRENGTHENING THE PHILIPPINE STATISTICAL SYSTEM AND FOR OTHER PURPOSES	12-Sep-13	Approved	11-Dec-13	
10627	AN ACT REQUIRING ALL ELEMENTARY AND SECONDARY SCHOOLS TO ADOPT POLICIES TO PREVENT AND ADDRESS THE ACTS OF BULLYING IN THEIR INSTITUTIONS	12-Sep-13	Approved	13-Dec-13	
10629	AN ACT PROVIDING FOR THE RETENTION BY THE PROTECTED AREA MANAGEMENT BOARD OF SEVENTY-FIVE PERCENT (75%) OF THE REVENUES ACCRUING TO THE INTEGRATED PROTECTED AREAS FUND (IPAF), AMENDING FOR THE PURPOSE SECTION 16 OF REPUBLIC ACT NO. 7586, OTHERWISE KNOWN AS THE NATIONAL INTEGRATED PROTECTED AREAS SYSTEM ACT OF 1992	26-Sep-13	Approved	26-Aug-13	
10630	AN ACT STRENGTHENING THE JUVENILE JUSTICE SYSTEM IN THE PHILIPPINES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9344, OTHERWISE KNOWN AS THE JUVENILE JUSTICE AND WELFARE ACT OF 2006	03-Oct-13	Approved	16-Jun-14	
10631	AN ACT AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NO. 8485, OTHERWISE KNOWN AS THE ANIMAL WELFARE ACT OF 1998	03-Oct-13	Not Explicitly Required		

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10635	AN ACT ESTABLISHING THE MARITIME INDUSTRY AUTHORITY (MARINA) AS THE SINGLE MARITIME ADMINISTRATION RESPONSIBLE FOR THE IMPLEMENTATION AND ENFORCEMENT OF THE 1978 INTERNATIONAL CONVENTION ON THE STANDARDS OF TRAINING, CERTIFICATION, AND WATCHKEEPING FOR SEAFARERS, AS AMENDED, AND INTERNATIONAL AGREEMENTS OR COVENANTS RELATED THERETO	13-Mar-14	Approved	24-Jul-14	
10639	AN ACT MANDATING THE TELECOMMUNICATIONS SERVICE PROVIDERS TO SEND FREE MOBILE ALERTS IN THE EVENT OF NATURAL AND MAN-MADE DISASTERS AND CALAMITIES	20-Jun-14	Approved	21-Jul-15	
10640	AN ACT TO FURTHER STRENGTHEN THE ANTI-DRUG CAMPAIGN OF THE GOVERNMENT, AMENDING FOR THE PURPOSE SECTION 21 OF REPUBLIC ACT NO. 9165, OTHERWISE KNOWN AS THE COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002	15-Jul-14	Approved	28-May-15	
10641	AN ACT ALLOWING THE FULL ENTRY OF FOREIGN BANKS IN THE PHILIPPINES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7721	15-Jul-14	Not Explicitly Required		
10642	AN ACT STRENGTHENING CONSUMER PROTECTION IN THE PURCHASE OF BRAND NEW MOTOR VEHICLES	15-Jul-14	Approved	17-Nov-14	
10643	AN ACT TO EFFECTIVELY INSTILL HEALTH CONSCIOUSNESS THROUGH GRAPHIC HEALTH WARNINGS ON TOBACCO PRODUCTS	15-Jul-14	Approved	09-Feb-16	
10644	AN ACT PROMOTING JOB GENERATION AND INCLUSIVE GROWTH THROUGH THE DEVELOPMENT OF MICRO, SMALL AND MEDIUM ENTERPRISES	15-Jul-14	Approved	19-Dec-14	Page 81
10645	AN ACT PROVIDING FOR THE MANDATORY PHILHEALTH COVERAGE FOR ALL SENIOR CITIZENS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7432, AS AMENDED BY REPUBLIC ACT NO. 9994, OTHERWISE KNOWN AS THE EXPANDED SENIOR CITIZENS ACT OF 2010	05-Nov-14	Not Explicitly Required		Page 53

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10646	AN ACT CREATING THE QUEZON CITY DEVELOPMENT AUTHORITY (QCDA), DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FOR ITS ORGANIZATIONAL STRUCTURE AND CAPITALIZATION	05-Nov-14	Not Explicitly Required		Page 49
10647	AN ACT STRENGTHENING THE LADDERIZED INTERFACE BETWEEN TECHNICAL-VOCATIONAL EDUCATION AND TRAINING AND HIGHER EDUCATION	21-Nov-14	Approved	11-Jun-15	
10648	AN ACT PROVIDING SCHOLARSHIP GRANTS TO TOP GRADUATES OF ALL PUBLIC HIGH SCHOOLS IN STATE UNIVERSITIES AND COLLEGES AND APPROPRIATING FUNDS THEREFOR	27-Nov-14	Pending		
10649	AN ACT INCREASING THE BURIAL ASSISTANCE FOR VETERANS FROM TEN THOUSAND PESOS (P10,000.00) TO TWENTY THOUSAND PESOS (P20,000.00), AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6948, AS AMENDED, OTHERWISE KNOWN AS "AN ACT STANDARDIZING AND UPGRADING THE BENEFITS FOR MILITARY VETERANS AND THEIR DEPENDENTS" AND APPROPRIATING FUNDS THEREFOR	27-Nov-14	Not Explicitly Required		
10650	AN ACT EXPANDING ACCESS TO EDUCATIONAL SERVICES BY INSTITUTIONALIZING OPEN DISTANCE LEARNING IN LEVELS OF TERTIARY EDUCATION AND APPROPRIATING FUNDS THEREFOR	09-Dec-14	No Update		
10653	AN ACT ADJUSTING THE 13TH MONTH PAY AND OTHER BENEFITS CEILING EXCLUDED FROM THE COMPUTATION OF GROSS INCOME FOR PURPOSES OF INCOME TAXATION, AMENDING FOR THE PURPOSE SECTION 32(B), CHAPTER VI OF THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED	12-Feb-15	Approved	13-Mar-15	Page 90
10654	AN ACT TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING, AMENDING REPUBLIC ACT NO. 8550, OTHERWISE KNOWN AS "THE PHILIPPINE FISHERIES CODE OF 1998," AND FOR OTHER PURPOSES	27-Feb-15	Approved	22-Sep-15	

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10655	AN ACT REPEALING THE CRIME OF PREMATURE MARRIAGE UNDER ARTICLE 351 OF ACT NO. 3815, OTHERWISE KNOWN AS THE REVISED PENAL CODE	13-Mar-15	Not Explicitly Required		
10659	AN ACT PROMOTING AND SUPPORTING THE COMPETITIVENESS OF THE SUGARCANE INDUSTRY AND FOR OTHER PURPOSES.	27-Mar-15	Approved	04-Aug-15	
10660	AN ACT STRENGTHENING FURTHER THE FUNCTIONAL AND STRUCTURAL ORGANIZATION OF THE SANDIGANBAYAN, FURTHER AMENDING PRESIDENTIAL DECREE NO. 1606, AS AMENDED, AND APPROPRIATING FUNDS THEREFOR	16-Apr-15	Not Explicitly Required		
10665	AN ACT ESTABLISHING THE OPEN HIGH SCHOOL SYSTEM IN THE PHILIPPINES AND APPROPRIATING FUNDS THEREFOR	09-Jul-15	No Update		
10666	AN ACT PROVIDING FOR THE SAFETY OF CHILDREN ABOARD MOTORCYCLES	21-Jul-15	No Update		
10667	AN ACT PROVIDING FOR A NATIONAL COMPETITION POLICY PROHIBITING ANTI-COMPETITIVE AGREEMENTS, ABUSE OF DOMINANT POSITION AND ANTI-COMPETITIVE MERGERS AND ACQUISITIONS, ESTABLISHING THE PHILIPPINE COMPETITION COMMISSION AND APPROPRIATING FUNDS THEREFOR	21-Jul-15	Approved	16-Jun-16	Page 35
10668	AN ACT ALLOWING FOREIGN VESSELS TO TRANSPORT AND CO-LOAD FOREIGN CARGOES FOR DOMESTIC TRANSSHIPMENT AND FOR OTHER PURPOSES	21-Jul-15	Approved	16-May-16	
10676	AN ACT PROTECTING THE AMATEUR NATURE OF STUDENT-ATHLETES IN THE PHILIPPINES BY REGULATING THE RESIDENCY REQUIREMENT AND PROHIBITING THE COMMERCIALIZATION OF STUDENT-ATHLETES	26-Aug-15	Pending		
10679	AN ACT PROMOTING ENTREPRENEURSHIP AND FINANCIAL EDUCATION AMONG FILIPINO YOUTH	27-Aug-15	No Update		

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10687	AN ACT PROVIDING FOR A COMPREHENSIVE AND UNIFIED STUDENT FINANCIAL ASSISTANCE SYSTEM FOR TERTIARY EDUCATION (UNIFAST), THEREBY RATIONALIZING ACCESS THERETO, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES	15-Oct-15	Approved	11-May-16	
10691	AN ACT DEFINING THE ROLE OF THE DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE), THE LOCAL GOVERNMENT UNITS (LGUS), AND ACCREDITED NONGOVERNMENT ORGANIZATIONS (NGOS) IN THE ESTABLISHMENT AND OPERATION OF THE PUBLIC EMPLOYMENT SERVICE OFFICE (PESO), AND THE OPERATION OF JOB PLACEMENT OFFICES IN EDUCATIONAL INSTITUTIONS (EIS), AMENDING FOR THE PURPOSE SECTIONS 3, 5, 6, 7 AND 9 OF REPUBLIC ACT NO. 8759, OTHERWISE KNOWN AS THE PUBLIC EMPLOYMENT SERVICE OFFICE ACT OF 1999	26-Oct-15	Approved	22-Jun-16	
10692	AN ACT PROVIDING FOR THE MODERNIZATION OF THE PHILIPPINE ATMOSPHERIC, GEOPHYSICAL AND ASTRONOMICAL SERVICES ADMINISTRATION (PAGASA), PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES	03-Nov-15	Pending		Page 36
10693	AN ACT STRENGTHENING NONGOVERNMENT ORGANIZATIONS (NGOS) ENGAGED IN MICROFINANCE OPERATIONS FOR THE POOR	03-Nov-15	Approved	16-Aug-16	
10697	AN ACT PREVENTING THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION BY MANAGING THE TRADE IN STRATEGIC GOODS, THE PROVISION OF RELATED SERVICES, AND FOR OTHER PURPOSES	13-Nov-15	Pending		Page 83
10699	AN ACT EXPANDING THE COVERAGE OF INCENTIVES GRANTED TO NATIONAL ATHLETES AND COACHES, APPROPRIATING FUNDS THEREFOR, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 9064, ALSO KNOWN AS THE NATIONAL ATHLETES, COACHES AND TRAINERS BENEFITS AND INCENTIVES ACT OF 2001 OR SPORTS BENEFITS AND INCENTIVES ACT OF 2001	13-Nov-15	Approved	22-Jun-16	

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10706	AN ACT PROTECTING SEAFARERS AGAINST AMBULANCE CHASING AND IMPOSITION OF EXCESSIVE FEES, AND PROVIDING PENALTIES THEREFOR	26-Nov-15	Approved	19-Apr-16	
10707	AN ACT AMENDING PRESIDENTIAL DECREE NO. 968, OTHERWISE KNOWN AS THE PROBATION LAW OF 1976, AS AMENDED	26-Nov-15	Approved	24-Jul-16	
10708	AN ACT ENHANCING TRANSPARENCY IN THE MANAGEMENT AND ACCOUNTING OF TAX INCENTIVES, ADMINISTERED BY INVESTMENT PROMOTION AGENCIES	09-Dec-15	Approved	23-Jun-16	
10741	AN ACT STRENGTHENING THE OPERATIONS OF THE NATIONAL LABOR RELATIONS COMMISSION, AMENDING FOR THIS PURPOSE ARTICLES 220 AND 222 OF PRESIDENTIAL DECREE NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE "LABOR CODE OF THE PHILIPPINES"	12-Jan-16	Not Explicitly Required		
10742	AN ACT ESTABLISHING REFORMS IN THE SANGGUNIAN KABATAAN CREATING ENABLING MECHANISMS FOR MEANINGFUL YOUTH PARTICIPATION IN NATION-BUILDING, AND FOR OTHER PURPOSES	15-Jan-16	Approved	10-Aug-16	
10744	AN ACT PROVIDING FOR THE CREATION AND ORGANIZATION OF CREDIT SURETY FUND COOPERATIVES TO MANAGE AND ADMINISTER OF MICRO, SMALL AND MEDIUM ENTERPRISES, COOPERATIVES AND NONGOVERNMENT ORGANIZATIONS TO THE CREDIT FACILITY OF BANKS AND FOR OTHER PURPOSES	06-Feb-16	Pending		Page 29
10745	AN ACT ALLOWING NATURAL GAS POWER GENERATING PLANTS IN THE COUNTRY TO USE NEAT DIESEL AS AN ALTERNATIVE FUEL, EXEMPTING THEM FROM THE REQUIREMENTS OF PARAGRAPH 5.3., SECTION 5 OF REPUBLIC ACT NO. 9367, OTHERWISE KNOWN AS THE BIOFUELS ACT OF 2006	26-Feb-16	Approved	24-Jun-16	

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10747	AN ACT PROMULGATING A COMPREHENSIVE POLICY IN ADDRESSING THE NEEDS OF PERSONS WITH RARE DISEASE	03-Mar-16	No Update		
10752	AN ACT FACILITATING THE ACQUISITION OF RIGHT-OF-WAY SITE OR LOCATION FOR NATIONAL GOVERNMENT INFRASTRUCTURE PROJECTS	07-Mar-16	Approved	25-May-16	
10754	AN ACT EXPANDING THE BENEFITS AND PRIVILEGES OF PERSONS WITH DISABILITY (PWD)	23-Mar-16	Pending		
10756	AN ACT RENDERING ELECTION SERVICE NON-COMPULSORY FOR PUBLIC SCHOOL TEACHERS, AUTHORIZING THE APPOINTMENT OF OTHER QUALIFIED CITIZENS, PROVIDING FOR COMPENSATION AND OTHER BENEFITS.	08-Apr-16	Pending		Page 46
10767	AN ACT ESTABLISHING A COMPREHENSIVE PHILIPPINE PLAN OF ACTION TO ELIMINATE TUBERCULOSIS AS A PUBLIC HEALTH PROBLEM AND APPROPRIATING FUNDS THEREFOR	26-Apr-16	No Update		
10771	AN ACT PROMOTING THE CREATION OF GREEN JOBS, GRANTING INCENTIVES AND APPROPRIATING FUNDS THEREFOR	29-Apr-16	No Update		
10801	AN ACT GOVERNING THE OPERATIONS AND ADMINISTRATION OF THE OVERSEAS WORKERS WELFARE ADMINISTRATION	10-May-16	Pending		Page 39
10816	AN ACT PROVIDING FOR THE DEVELOPMENT AND PROMOTION OF FARM TOURISM IN THE PHILIPPINES	16-May-16	No Update		
10817	AN ACT INSTITUTING THE PHILIPPINE HALAL EXPORT DEVELOPMENT AND PROMOTION PROGRAM, CREATING FOR THE PURPOSE THE PHILIPPINE HALAL EXPORT DEVELOPMENT AND PROMOTION BOARD, AND FOR OTHER PURPOSES	16-May-16	Pending		

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10821	AN ACT MANDATING THE PROVISION OF EMERGENCY RELIEF AND PROTECTION FOR CHILDREN BEFORE, DURING, AND AFTER DISASTERS AND OTHER EMERGENCY SITUATIONS	18-May-16		No Update	
10844	AN ACT CREATING THE DEPARTMENT OF INFORMATION AND COMMUNICATIONS TECHNOLOGY, DEFINING ITS POWERS AND FUNCTIONS APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES	23-May-16		No Update	
10845	AN ACT DECLARING LARGE-SCALE AGRICULTURAL SMUGGLING AS ECONOMIC SABOTAGE, PRESCRIBING PENALTIES THEREFOR AND FOR OTHER PURPOSES	23-May-16		No Update	
10846	AN ACT ENHANCING THE RESOLUTION AND LIQUIDATION FRAMEWORK FOR BANKS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 3591, AS AMENDED, AND OTHER RELATED LAWS	23-May-16		Not Explicitly Required	
10848	AN ACT FURTHER EXTENDING THE PERIOD OF IMPLEMENTATION OF THE AGRICULTURAL COMPETITIVENESS ENHANCEMENT FUND (ACEF), AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8178, AS AMENDED BY REPUBLIC ACT NO. 9496, ENTITLED: AN ACT REPLACING QUANTITATIVE IMPORT RESTRICTIONS ON AGRICULTURAL PRODUCTS, EXCEPT RICE, WITH TARIFFS, CREATING THE AGRICULTURAL COMPETITIVENESS ENHANCEMENT FUND, AND FOR OTHER PURPOSES	23-May-16		Not Explicitly Required	
10863	AN ACT MODERNIZING THE CUSTOMS AND TARIFF ADMINISTRATION	30-May-16		No Update	
10864	AN ACT DEFINING RAW SUGAR OR RAW CANE SUGAR, AMENDING SECTION 109 (A) AND (F) OF THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED, AND FOR OTHER PURPOSES	10-Jun-16		No Update	

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10867	AN ACT REORGANIZING AND MODERNIZING THE NATIONAL BUREAU OF INVESTIGATION (NBI), AND PROVIDING FUNDS THEREFOR	23-Jun-16	No Update		
10868	AN ACT HONORING AND GRANTING ADDITIONAL BENEFITS AND PRIVILEGES TO FILIPINO CENTENARIANS, AND FOR OTHER PURPOSES	23-Jun-16	Approved	26-Sep-16	
10869	AN ACT INSTITUTIONALIZING THE NATIONWIDE IMPLEMENTATION OF THE JOBSTART PHILIPPINES PROGRAM AND PROVIDING FUNDS THEREFOR	29-Jun-16	No Update		
10870	AN ACT REGULATING THE PHILIPPINE CREDIT CARD INDUSTRY	17-Jul-16	Not Explicitly Required		
10871	AN ACT REQUIRING BASIC EDUCATION STUDENTS TO UNDERGO AGE-APPROPRIATE BASIC LIFE SUPPORT TRAINING	17-Jul-16	No Update		
10878	AN ACT STRENGTHENING AND INSTITUTIONALIZING DIRECT CREDIT SUPPORT OF THE LAND BANK OF THE PHILIPPINES TO AGRARIAN REFORM BENEFICIARIES, SMALL FARMERS AND FISHERFOLK, FURTHER AMENDING REPUBLIC ACT NO. 3844, OTHERWISE KNOWN AS THE AGRICULTURAL LAND REFORM CODE, AS AMENDED	17-Jul-16	No Update		
10881	AN ACT AMENDING INVESTMENT RESTRICTIONS IN SPECIFIC LAWS GOVERNING ADJUSTMENT COMPANIES, LENDING COMPANIES, FINANCING COMPANIES AND INVESTMENT HOUSES CITED IN THE FOREIGN INVESTMENT NEGATIVE LIST AND FOR OTHER PURPOSES	17-Jul-16	Not Explicitly Required		
10882	AN ACT EXEMPTING SURVIVING CHILDREN OF MILITARY PERSONNEL WHO ARE MENTALLY INCAPACITATED FROM TERMINATION OF BENEFITS UPON REACHING THE AGE OF TWENTY-ONE (21), AMENDING FOR THE PURPOSE SECTION 25 OF PRESIDENTIAL DECREE NUMBERED SIXTEEN HUNDRED AND THIRTY-EIGHT, OTHERWISE KNOWN AS THE AFP MILITARY PERSONNEL RETIREMENT AND SEPARATION DECREE OF 1979, AS AMENDED	17-Jul-16	Not Explicitly Required		

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10883	AN ACT PROVIDING FOR A NEW ANTI-CARNAPPING LAW OF THE PHILIPPINES	17-Jul-16	No Update		
10884	AN ACT STRENGTHENING THE BALANCED HOUSING DEVELOPMENT PROGRAM, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7279, AS AMENDED, OTHERWISE KNOWN AS THE URBAN DEVELOPMENT AND HOUSING ACT OF 1992	17-Jul-16	No Update		
10906	AN ACT PROVIDING STRONGER MEASURES AGAINST UNLAWFUL PRACTICES, BUSINESSES, AND SCHEMES OF MATCHING AND OFFERING FILIPINOS TO FOREIGN NATIONALS FOR PURPOSES OF MARRIAGE OF COMMON LAW PARTNERSHIP, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 6955, ALSO REFERRED TO AS THE ANTI-MAIL ORDER BRIDE LAW	21-Jul-16	No Update		
10908	AN ACT MANDATING THE INTEGRATION OF FILIPINO-MUSLIM AND INDIGENOUS PEOPLES HISTORY, CULTURE AND IDENTITY IN THE STUDY OF PHILIPPINE HISTORY IN BOTH BASIC AND HIGHER EDUCATION	21-Jul-16	Not Explicitly Required		
10910	AN ACT INCREASING THE PRESCRIPTIVE PERIOD FOR VIOLATIONS OF REPUBLIC ACT NO. 3019, OTHERWISE KNOWN AS THE ANTI-GRAFT AND CORRUPT PRACTICES ACT, FROM FIFTEEN (15) YEARS TO TWENTY (20) YEARS, AMENDING SECTION 11 THEREOF	21-Jul-16	Not Explicitly Required		
10910	AN ACT INCREASING THE PRESCRIPTIVE PERIOD FOR VIOLATIONS OF REPUBLIC ACT NO. 3019, OTHERWISE KNOWN AS THE ANTI-GRAFT AND CORRUPT PRACTICES ACT, FROM FIFTEEN (15) YEARS TO TWENTY (20) YEARS, AMENDING SECTION 11 THEREOF	21-Jul-16	Not Explicitly Required		
10911	AN ACT PROHIBITING DISCRIMINATION AGAINST ANY INDIVIDUAL IN EMPLOYMENT ON ACCOUNT OF AGE AND PROVIDING PENALTIES THEREFOR	21-Jul-16	No Update		

RA No	Title	Date Approved	IRR	IRR Approval or Publication	Narrative Report
10912	AN ACT MANDATING AND STRENGTHENING THE CONTINUING PROFESSIONAL DEVELOPMENT PROGRAM FOR ALL REGULATED PROFESSIONS, CREATING CONTINUING PROFESSIONAL DEVELOPMENT COUNCIL, AND APPROPRIATING FUNDS THEREFOR, AND FOR OTHER RELATED PURPOSES	21-Jul-16		No Update	
10913	AN ACT DEFINING AND PENALIZING DISTRACTED DRIVING	21-Jul-16		Pending	
10916	AN ACT REQUIRING THE MANDATORY INSTALLATION OF SPEED LIMITER IN PUBLIC UTILITY AND CERTAIN TYPES OF VEHICLE	21-Jul-16		Pending	
10917	AN ACT AMENDING CERTAIN PROVISIONS OF R.A. 9547 OTHERWISE KNOWN AS AN ACT STRENGTHENING AND EXPANDING THE COVERAGE OF THE SPECIAL PROGRAM FOR EMPLOYMENT OF STUDENTS, AMENDING FOR THE PURPOSE PROVISIONS OF R.A. 7323, OTHERWISE KNOWN AS THE SPECIAL PROGRAM FOR EMPLOYMENT OF STUDENTS	21-Jul-16		Not Explicitly Required	
10917	AN ACT AMENDING CERTAIN PROVISIONS OF R.A. 9547 OTHERWISE KNOWN AS AN ACT STRENGTHENING AND EXPANDING THE COVERAGE OF THE SPECIAL PROGRAM FOR EMPLOYMENT OF STUDENTS, AMENDING FOR THE PURPOSE PROVISIONS OF R.A. 7323, OTHERWISE KNOWN AS THE SPECIAL PROGRAM FOR EMPLOYMENT OF STUDENTS	21-Jul-16		Not Explicitly Required	



The Senate of the Philippines with Manuel L. Quezon (back of the room) presiding, in the Marble Hall of the Ayuntamiento de Manila (Presidential Museum and Library)

PART TWO

NARRATIVE REPORTS



his section contains narrative reports on the implementation of selected laws. The primary source of information of these reports is feedback from the implementing agencies. In some cases, information from other reputable sources were also incorporated.

These laws were selected based on the following criteria:

- (a) Potential to cause significant shifts in the way government agencies, private sector and other stakeholders behave or deal with each other;
- (b) Requiring active change or reorganization on the part of implementing agencies and/or stakeholders; and
- (c) Information gathered by ELLS is adequate for a narrative report.

ELLS sought to maximize the number of laws featured in this section, notwithstanding the following limitations:

- (a) Failure of implementing agencies to respond in time;
- (b) Lack of information from other reputable sources; and/or
- (c) Difficulty communicating with implementing agencies/point persons.



BANKS, FINANCIAL INSTITUTIONS AND CURRENCIES

RA 10744

AN ACT PROVIDING FOR THE CREATION AND ORGANIZATION OF CREDIT SURETY FUND COOPERATIVES TO MANAGE AND ADMINISTER CREDIT SURETY FUNDS TO ENHANCE THE ACCESSIBILITY OF MICRO, SMALL AND MEDIUM ENTERPRISES, COOPERATIVES AND NONGOVERNMENT ORGANIZATIONS TO THE CREDIT FACILITY OF BANKS AND FOR OTHER PURPOSES

S. No. 2909/H. No. 6007

Approved on February 6, 2016

This law creates the Credit Surety Fund (CSF), which is generated from the contributions of well-capitalized and well-managed member-cooperatives/NGOs, LGUs, GFIs and other institutions/government agencies. It is designed to serve as security for the loans that will be obtained by qualified borrowers from lending banks by way of a surety cover issued by the Board of Directors of the CSF Cooperative. Hence, the surety cover is issued in lieu of hard collaterals.

The CSF Cooperative shall be organized as an LGU-partnered cooperative in accordance with the IRR to be promulgated by the Cooperative Development Authority (CDA). It may be established in a province or in a city.

Update

CDA Chairman Orlando R. Ravanera reported to the Senate that the IRR of this law is still being drafted as of August 17, 2016. Public consultations based on the latest draft IRR are being led by the Bangko Sentral ng Pilipinas, with the CDA withholding its participation due to reservations with respect to some provisions of the working draft. As it stands, the date of promulgation of the IRR is still uncertain. Chairman Ravanera added that the agency is unable to “effectively fulfill” its mandate under the law due to budgetary constraints. In particular, the creation of a CSF Department within CDA as called for by this law highlights the need for additional appropriations.

RA 10365

AN ACT FURTHER STRENGTHENING THE ANTI-MONEY LAUNDERING LAW, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9160, OTHERWISE KNOWN AS THE “ANTI-MONEY LAUNDERING ACT OF 2001”, AS AMENDED

S. NO. 3123/H. NO. 6565

Approved on February 15, 2013

According to the Anti-money Laundering Council (AMLC), this law reinforces the powers of the council to investigate money laundering and terrorism financing cases, via the revision and expansion of the definition of money laundering, inclusion of designated non-financial businesses and professions as covered persons, and increase in the number of unlawful activities or predicate offenses to money laundering.

Moreover, this law boosts the authority of the AMLC to enforce compliance by covered persons of their obligations under RA 9160, as amended by providing the AMLC additional powers on the imposition of monetary and criminal penalties, as well as administrative sanctions.

The new provision allowing the forfeiture of assets of value equal to the proceeds of an unlawful activity, pursuant to Section 12 of RA 9160, as amended, enhances the asset recovery efforts of the AMLC by allowing the council to forfeit any monetary instrument or property in the event that assets found to be related in any way to an unlawful activity or a money laundering offense cannot be located, or has been substantially altered, destroyed, concealed or removed (among others).

Update

AMLC reported that as of March 31, 2015, the agency filed nine (9) civil forfeiture cases, thirty-one (31) ex-parte applications for bank inquiry before the Court of Appeals, all of which were granted, and eleven (11) petitions for freeze order before the Court of Appeals.

In 2013, AMLC reported to the Senate that this law took effect on March 7, 2013 following its publication on February 20, 2013 in Manila Bulletin and Philippine Star.

AMLC stated that the Financial Action Task Force (FATF), in its June 2013 plenary held in Oslo, Norway, commended the Philippines for its significant progress in addressing previously identified deficiencies in its anti-money laundering/combating the financing of terrorism (AML/CFT) regime. With the enactment of RA 10167 and RA 10365, it said the Philippines has established

the legal and regulatory framework to meet its commitment in its action plan regarding its deficiencies. This resulted in the removal of the Philippines from the list of jurisdictions subject to FATF's monitoring process, sparing the country from being blacklisted and from (possibly) being subjected to countermeasures by other jurisdictions.

Other issues and concerns

The FATF encouraged the Philippines to continue working with the Asia/Pacific Group on Money Laundering (APG) for the implementation of the new legislative and regulatory reforms to improve the Philippines' AML/CFT system, as well as to strengthen compliance with international standards particularly in regulating the casino sector.

In a letter dated June 28, 2013, FATF president Bjorn S. Aamo revealed that the FATF requested the APG to continue to apply enhanced monitoring to the Philippines until the casino sector is covered under the Philippines' AML/CFT regime. On February 10, 2014, the AMLC filed in the House of Representatives a proposed bill covering the casino sector under the AML/CFT regime (House Bill No. 3876). This bill seeks to establish an AML/CFT regulatory framework that would preserve the integrity of the gaming sector. Mr. Funk stressed that the casino sector must be protected and be subject to a comprehensive regulatory and supervisory regime as soon as possible.

RA 10168

AN ACT DEFINING THE CRIME OF FINANCING OF TERRORISM, PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES

S. NO. 3127/H. NO. 5015

Approved on June 18, 2012

This Act defines and sets penalties for financing of or attempting to finance terrorism. It empowers the Anti-Money Laundering Council (AMLC) to investigate financing of terrorism and if necessary, freeze accounts and other related properties effective for up to twenty (20) days, with possible extension of up to six (6) months upon order of the Court of Appeals. Appropriation and use of funds of the Public Attorney's Office to provide free legal assistance or services to persons charged of offenses defined in this Act shall not be construed as a violation of this Act.

The Department of Foreign Affairs and the Anti-Terrorism Council shall publish a list of designated persons to which this Act or the Human Security Act applies.

Update

The Anti-Money Laundering Council issued Resolution No. TF-03-2014 informing the public of individuals covered by freeze order under Resolution No. TF-02-2012. Thus, any person is prohibited from dealing with any of these individuals pursuant to Section 8 of the Terrorism Financing Act.

The individuals covered by the resolution were:

Abdelrahman Mouhamad Zafir al Dabidi al Jahani
Hajjaj Bin Fahd Al Ajmi
Abou Mohamed al Adnani
Said Arif
Abdul Mohsen Abdallah Ibrahim al Charekh
Hamid Hamad Hamid al-Ali

The IRR of this law took effect on August 26, 2012 after its publication in the Philippine Star.

Pursuant to Section 3, 8 and 11 of R.A. 10168, in relation to Rules 22.a, and 22.b of the IRR, the AMLC issued Resolution Nos. TF-1 and 2 which direct, among others, the immediate freezing of property or funds, including related accounts, of individuals and entities designated as terrorists in the Al-Qaeda Sanctions List and the Taliban 1988 Sanction List.

Furthermore, since the issuance of the IRR, the AMLC Secretariat staff has included R.A. 10168 in its various lectures before law enforcement agencies, the judiciary and concerned institutions.

Pursuant to Rule 24.a of the IRR, the AMLC is proposing, in coordination with relevant concerned agencies, the creation of a multi-agency task force that will work on information gathering and sharing, and effective case build-up operation, among other things, relative to terrorism financing.

Meanwhile, in the February 22, 2013 statement of the Financial Action Task Force, it noted the progress that the Philippines has made in its Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT) regime, to wit:

“...the Philippines has made significant progress to improve its AML/CFT regime and has largely addressed its action plan, including by enacting legislation to adequately criminalize money laundering and terrorist financing; implementing adequate procedures to identify and freeze terrorist assets and confiscate funds related to money laundering; enhancing financial transparency; ensuring capacity and financial resources for competent

authorities; and extending the coverage of reporting entities to include all financial institutions and some of the designated nonfinancial businesses and professions."

RA 10574

AN ACT ALLOWING THE INFUSION OF FOREIGN EQUITY IN THE CAPITAL OF RURAL BANKS, AMENDING REPUBLIC ACT NO. 7353, OTHERWISE KNOWN AS "THE RURAL BANK ACT OF 1992", AS AMENDED, AND FOR OTHER PURPOSES

S. NO. 3282/H. NO. 5360

Approved on May 24, 2013

This Act amends Section 4 of RA 7353 to allow non-Filipinos to own, acquire or purchase up to 60 percent of the voting stocks in a rural bank. The percentage of foreign-owned voting stocks shall be determined by the citizenship of the individual or corporate stockholders of the rural bank. It also amends Section 5 of R.A. 7353 to allow non-Filipinos to become members of the Board of Directors of a rural bank subject to certain conditions.

Update

The Rural Bankers Association of the Philippines (RBAP) has praised the passage of the law, describing it as a "major win" for both rural banks and the countryside. "Now that foreign investments are allowed, rural banks are now in a better financial position to reach out and serve both the unbanked and under-banked through improved banking services. We expect continuous development in the countryside especially now that rural banks are made even stronger and sustainable", said RBAP president Edward Leandro Z. Garcia, Jr. in a statement released on May 29, 2013.

Mr. Elmore O. Capule, General Counsel of the Bangko Sentral ng Pilipinas (BSP), reported to the Senate that BSP issued Circular No. 809 dated August 23, 2013 to implement this law. The circular was published in the Manila Times on August 29, 2013.

In a media release issued on August 30, 2013, the BSP noted that "the implementing rules provide the general guidelines for the entry of foreign banks, non-bank corporations and individuals as shareholders of rural banks. The fitness of prospective investors in rural banks will be assessed based on their strategic objectives, reputation and integrity and effectiveness of banking or business model. Qualified foreign investors are allowed to pour capital into several rural banks to the extent authorized by the Monetary Board".

Meanwhile, the BSP Office of Supervisory Policy Development reported to the Senate the following concerns regarding the implementation of this law:

1. Harmonization of RA 10574 with the “single-entry rule” under RA 7721 or the Foreign Banks Liberalization Act. BSP issued Circular No. 809 to harmonize this law with the “single-entry rule”. While there have been no formal expressions of interest by foreign banks in entering the rural banking system, Circular No. 809 would bar those foreign banks that have already availed of one mode of entry under RA 7721.
2. Constitutional prohibition on foreign ownership of land. Clarification is needed about the status of rural banks that become foreign-owned. Doing business would require maintaining a physical office, and foreign-owned rural banks would be limited to renting offices, which may not be cost effective. This is also a concern faced by other categories of banks that are similarly situated.



CIVIL SERVICE, GOVERNMENT REORGANIZATION AND PROFESSIONAL REGULATION

RA 10667

AN ACT PROVIDING FOR A NATIONAL COMPETITION POLICY PROHIBITING ANTI-COMPETITIVE AGREEMENTS, ABUSE OF DOMINANT POSITION AND ANTI-COMPETITIVE MERGERS AND ACQUISITIONS, ESTABLISHING THE PHILIPPINE COMPETITION COMMISSION AND APPROPRIATING FUNDS THEREFOR

S. No. 2282/H. No. 5286

Approved on July 21, 2015

Known as the Philippine Competition Act, this law establishes the Philippine Competition Commission (PCC), an independent quasi-judicial body tasked with conducting inquiry, investigating, and hearing and deciding on cases involving any violation of existing competition laws. PCC is mandated to review proposed mergers and acquisitions; apply remedies against anti-competitive agreements; conduct administrative proceedings; and impose sanctions, fines or penalties for any noncompliance, among others. This law also defines prohibited acts classified under (1) anti-competitive agreements and (2) abuse of dominant position, and outlines guidelines with respect to mergers and acquisitions and disposition of cases.

Update

PCC reported to the Senate that the IRR became effective on June 16, 2016 following a series of nationwide consultations with the business community and other sectors. Since the effectivity of the IRR, the PCC has released its prescribed M&A notification form and is currently working on formulating supplementary issuances and guidelines to assist in interpreting the provisions of this law.

As of August 31, 2016, the PCC claims to have accomplished the following:

- Published the IRR within four (4) months from the organization of the Commission;
- Reviewed and acted upon 65 M&A notifications;
- Held consultations with sector regulators to help ensure smooth coordination

and collaboration in cases where both the PCC and the sector regulator may have parallel jurisdiction.

The agency is currently conducting a comprehensive review of the country's competition policy landscape for the formulation of the National Competition Policy, which will be integrated in the upcoming Philippine Development Plan of the new administration.

PCC identified three (3) key challenges in carrying out its mandate:

1. Mergers and acquisitions and competition enforcement

The current legal challenge brought forth by PLDT and SMART challenges PCC's mandatory obligation under this Act to review mergers and acquisitions. Nevertheless, the agency continues to set procedures for investigation, while looking into a number of matters spanning a diverse set of sectors, including power, cement and rice.

2. Manpower and resources

By 2017, PCC hopes to hire about 200 "top-caliber" personnel from the approximately 22 permanent staff as of August 2016. The PCC is considering engaging with external counsels to help it face future legal challenges, which are expected as the agency fulfills its mandate. PCC noted that Congress "may take interest in providing such flexibility to PCC".

3. Public awareness and advocacy

PCC seeks to communicate the following:

- a. How the law impacts the conduct of business;
- b. What people need to do to comply with the law; and
- c. How the PCC can help protect the interests of consumers and the public through the full implementation of this law.

PCC officials have been involved in numerous talks and forums to present the law and the Commission.

RA 10692

**AN ACT PROVIDING FOR THE MODERNIZATION OF THE PHILIPPINE
ATMOSPHERIC, GEOPHYSICAL AND ASTRONOMICAL SERVICES
ADMINISTRATION (PAGASA), PROVIDING FUNDS THEREFOR AND FOR
OTHER PURPOSES**

S. No. 2834/H. No. 4397

Approved on November 3, 2015

The modernization of PAG-ASA includes the following components:

- Modernization of Physical Resources and Operational Techniques
- Enhancement of Research and Development Capability
- Establishment of Regional Weather Service Centers
- Establishment of PAGASA Data Center
- Enhancement of Weather Data Collection and Information Dissemination Services
- Creation of a Human Resource Development Program
- New Salary Scale for PAGASA Personnel
- PAGASA Personnel Retention Incentive
- Scholarship Program
- Development of Regional and International Cooperation Program

This law creates a PAGASA Modernization Fund. PhP 3 billion will be sourced from the national government share in the gross income of PAGCOR, to be used exclusively for capital outlay. Other potential sources of funds include income from PAGASA products, services and programs; and loans, grants, bequests and donations from local and foreign sources.

Update

Acting PAGASA Administrator Vicente B. Malano reported to the Senate that the IRR is still pending as of August 3, 2016. Public consultations have been completed and the technical working committee (TWC) is currently finalizing the draft IRR. To date, the TWC has held 10 meetings; the most recent was on July 27, 2016.

RA 10156

AN ACT CONFERRING UPON MEMBERS OF THE SANGGUNIAN BAYAN, SANGGUNIAN PANLUNGSOD AND SANGGUNIAN PANLALAWIGAN, THE APPROPRIATE CIVIL SERVICE ELIGIBILITY UNDER CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES

S. NO. 2946/H. NO. 4357

Approved on December 20, 2011

This Act confers Career Service Professional Eligibility upon a member of the Sangguniang Bayan, Sangguniang Panlungsod and the Sangguniang Panlalawigan who has served for an aggregate period of nine (9) years in office, provided that such member has a bachelor's degree. Those who served for an aggregate period of six (6) years will be granted Career Service Sub-Professional Eligibility provided that this eligibility is appropriate for second and first level

positions in the career service, except those that require qualifications in skills or trade test and/or board examinations and other special eligibilities.

Update

The CSC noted that this law, in effect, expands the coverage of the grant of civil service eligibility to local officials. R.A. 7160 or the Local Government Code of 1991 (Chapter IV, Sec. 393) grants the appropriate civil service eligibility to the Punong Barangay, Sangguniang Barangay members, Barangay Treasurer, and Barangay Secretary pursuant to the rules and regulations issued by the CSC.

The Commission added that with the passage of R.A. 10156, elected members of the Sangguniang Bayan, Sangguniang Panlungsod and Sangguniang Panlalawigan who are carrying out broader and extensive duties and responsibilities, now have the same eligibility privilege (appropriate to their qualifications) as that enjoyed by barangay officials.

The CSC promulgated the IRR through CSC Resolution No. 1300486 dated March 6, 2013.

RA 10524

AN ACT EXPANDING THE POSITIONS RESERVED FOR PERSONS WITH DISABILITY, AMENDING FOR THE PURPOSE ACT NO. 7277, AS AMENDED, OTHERWISE KNOWN AS THE MAGNA CARTA FOR PERSONS WITH DISABILITY

S. NO. 3371 / H. NO. 5475

Approved on April 23, 2013

According to this law, no person with disability shall be denied access to suitable employment. A qualified employee with disability shall be subject to the same terms and conditions of employment and the same compensation, privileges, benefits, fringe benefits, incentives or allowances as a qualified able bodied person. Further, at least one percent of all positions in all government agencies, offices or corporations must be reserved for persons with disability. Private corporations with more than 100 employees are likewise encouraged to reserve one percent of all positions for such persons.

Update

The IRR of this law was signed on June 17, 2016. In a statement, Carmen R. Zubiaga, Acting Executive Director of the National Council on Disability Affairs, lauded the approval of the IRR, calling it “another milestone in our goal to establish better and equal opportunity for employment for PWDs”.

RA 10801

AN ACT GOVERNING THE OPERATIONS AND ADMINISTRATION OF THE OVERSEAS WORKERS WELFARE ADMINISTRATION

H. No. 4990/S. No. 2955

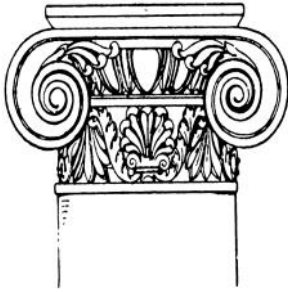
Approved on May 10, 2016

Known as the “Overseas Workers Welfare Administration Act”, this law seeks to clarify the role of the Overseas Workers Welfare Administration (OWWA), as well as outline policies with respect to fund management, programs, and services administration. It classifies OWWA as a “chartered institution” attached to the Department of Labor and Employment.

Based on this law, the OWWA is composed of the OWWA Board of Trustees, which acts as the policy-making body, as well as the OWWA Secretariat as the implementing arm. Meanwhile, the OWWA Fund is defined as a private fund held in trust by the agency. It can only be used to serve the welfare of member-OFWs and their families, including the financing of core programs and services of the OWWA.

Update

OWWA Administrator Rebecca J. Calzado reported to the Senate that the IRR of this law is still being drafted. As of September 8 2016, the comments and recommendations that arose during the series of consultations with several stakeholders were being integrated into the final draft of the IRR. However, the agency is still awaiting the comments and suggestions from the Department of Finance and the Department of Budget and Management.



EDUCATION, ARTS AND CULTURE

RA 10157

AN ACT INSTITUTIONALIZING THE KINDERGARTEN EDUCATION INTO THE BASIC EDUCATION SYSTEM AND APPROPRIATING FUNDS THEREFOR

H. NO. 3826

Approved on January 20, 2012

This Act institutionalizes kindergarten education, defined as one year of preparatory education for children at least five (5) years old, as part of basic education. It shall be implemented partially for school year 2011-2012 and will be made mandatory for entrance to Grade 1 thereafter. The mother tongue, defined as the language first learned by the child, shall be used as medium of instruction except for special cases where the medium of instruction will be determined by DepEd.

DepEd, in coordination with the Commission on Filipino Language and in close coordination with relevant academic and research institutions, shall formulate a mother tongue-based multilingual framework for teaching and learning, provided that DepEd will also include teaching strategies to introduce and strengthen the child's understanding of English.

A new division under the DepEd's Bureau of Elementary Education (BEE) will be created to regulate the organization, operation and/or implementation of the kindergarten education program of both public and private schools. DepEd through BEE shall exercise the following powers and functions:

1. Oversee and supervise the organization, operation and implementation of the program;
2. Develop the curriculum for kindergarten education in line with universally accepted norms and standards;
3. Develop teaching strategies for mother tongue-based multilingual education;
4. Develop and implement a continuing professional development program for kindergarten teachers;

5. Prescribe qualifications for the hiring and accreditation of teachers;
6. Exercise authority over the creation of private kindergarten institutions;
7. Supervise establishment of various venues for early childhood education;
8. Introduce innovative programs that include educational technologies, whenever applicable.

Update

In 2015, DepEd reported that the number of Kindergarten enrollees nearly doubled two years after the law was enacted, with an average annual growth rate of 20.7 percent. Furthermore, the ratio of Kindergarten participation to net enrolment rate (proportion of pupils enrolled in Kindergarten with respect to total school age population) increased from 74 percent to 77 percent from school year (SY) 2011-2012 to SY 2012-2013. DepEd targets 100 percent kindergarten enrollment rate by 2016.

To address the surge in demand, 13,738 new items/positions for kindergarten and elementary teachers were created in financial year (FY) 2014. However, in some areas, the DepEd encountered difficulties filling up the vacancies due to the lack of qualified teachers. Volunteer teachers were hired to help fill the gap, but out of 41,973 volunteer teachers (from 2011 to 2013), only 8,897 or about 21 percent were absorbed as regular teachers. This is because many volunteer teachers did not possess a teacher's license and/or lacked early childhood education units. For SY 2015-2016, 18,187 teaching positions were created for kindergarten and elementary level, but DepEd does not expect all these vacancies to be filled up due to the standardization of the hiring process per DepEd Order No. 7, series of 2015.

Meanwhile, DepEd provided 45,000 sets of toys, 45,000 copies of storybooks and big books per title (total of 38 titles) and 1.7 million copies of activity sheets in 19 languages. The department issued Order No. 20, series of 2013 to guide schools on using these instructional materials.

The IRR of this law was approved on April 17, 2012 by Education Secretary Armin A. Luistro. It was subsequently published in the Manila Standard on May 26, 2012 and Business Mirror on May 27, 2012. The IRR was issued to all DepEd concerned offices through DepEd Order No. 32, Series of 2012 dated April 17, 2012.

RA 10533

**AN ACT ENHANCING THE PHILIPPINE BASIC EDUCATION SYSTEM BY
STRENGTHENING ITS CURRICULUM AND INCREASING THE NUMBER OF
YEARS FOR BASIC EDUCATION, APPROPRIATING FUNDS THEREFOR AND
FOR OTHER PURPOSES**

S. NO. 3286/H. NO. 6643

Approved on May 15, 2013

Under this law, the enhanced basic education program will encompass at least one year of kindergarten education, six years of elementary education, and six years of secondary education. Secondary education includes four years of junior high school and two years of senior high school. Basic education shall be delivered in a language understood by the learners. For kindergarten and the first three years of elementary education, the language to be used shall be the regional or native language of the learners.

Update

The IRR of this law was approved on September 4, 2013. 2016 marked the full implementation of the Senior High School program. The first cohort of K to 12 Grade 6 and Grade 12 graduates are expected to come in 2018.



ELECTORAL REFORMS AND PEOPLE'S PARTICIPATION

RA 10366

AN ACT AUTHORIZING THE COMMISSION ON ELECTIONS TO ESTABLISH PRECINCTS ASSIGNED TO ACCESSIBLE POLLING PLACES EXCLUSIVELY FOR PERSONS WITH DISABILITIES AND SENIOR CITIZENS

S. NO. 3287/H. NO. 5509

Approved on February 15, 2013

This law seeks to ensure that persons with disabilities (PWDs) and senior citizens are able to exercise their right to political participation without discrimination or restrictions via:

- Ensuring that voting procedures, facilities and materials are appropriate, accessible, and easy to understand and use;
- Protecting the right of persons with disabilities and senior citizens to vote by secret ballot in elections without intimidation, facilitating the use of assistive and new technologies where appropriate; and
- Guaranteeing the free expression, in the exercise of the right of suffrage, of persons with disabilities and senior citizens, allowing assistance in voting by a person of their own choice.

The Commission on Elections (Comelec) is mandated to render appropriate assistance to persons with disabilities and senior citizens in coordination with government agencies and civil society organizations. It shall keep an updated record of persons with disabilities and senior citizens who are registered as voters subject to certain privacy guidelines to assist it in determining policy directions for a more inclusive and accessible electoral process. It is authorized to establish precincts of a non-territorial nature exclusively for persons with disabilities and senior citizens.

Update

The IRR of this law was approved on August 30, 2013 as Resolution No. 9763.

Comelec Deputy Executive Director Bartolome J. Sinocruz, Jr. reported to the Senate that during the May 2016 national elections, 6,221 accessible precincts were made available nationwide, benefiting 35,547 PWD and 174,771 senior citizen voters who chose to use the accessible precincts. Prior to the elections, the Comelec launched various activities to encourage compliance with the law, including an accessibility audit of voting centers (under Project EASE) to ensure that at least one (1) polling place in the voting centers included in the pilot launch had the minimum acceptable features of accessibility.

RA 10367

AN ACT PROVIDING FOR MANDATORY BIOMETRICS VOTER REGISTRATION

S. NO. 1030/H. NO. 3469

Approved on February 15, 2013

This law requires registered voters whose biometrics have not been captured to submit themselves for validation to be conducted by the city or municipal election officer.

Update

The Comelec issued on February 19, 2014 the rules and regulations to govern the resumption of the system of continuing registration of voters, validation and updating of registration records for the May 9, 2016 elections.

Comelec Deputy Executive Director Bartolome J. Sinocruz, Jr. reported to the Senate that 2,284,743 registration records were deactivated in the database due to their failure to submit for validation, as mandated by law. As of the May 9, 2016 elections, 54,357,924 voters out of the total 54,363,844 registered voters have complete biometrics data. 5,920 had corrupted biometrics i.e. corrupted photographs, fingerprints or signatures. Those with corrupted biometrics were requested to appear before their respective Election Officer or Acting Election Officer for the recapturing of their biometrics.

RA 10590

AN ACT AMENDING REPUBLIC ACT NO. 9189, ENTITLED AN ACT PROVIDING FOR A SYSTEM OF OVERSEAS ABSENTEE VOTING BY QUALIFIED CITIZENS OF THE PHILIPPINES ABROAD, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

S. No. 3312/H. No. 6542

Approved on May 27, 2013

This law removes the requirement for overseas Filipinos to swear under oath that they would return to the country within three years before they could be allowed to vote. Filipinos who register abroad shall be allowed to vote in presidential and midterm elections, as well as in all national referenda and plebiscites. Those who reacquired or retained their Philippine citizenship under RA 9225 are also allowed to cast their ballots. RA 10590 also creates an Office for Overseas Voting under Comelec to oversee and supervise the implementation of this law.

Update

Comelec Deputy Executive Director Bartolome J. Sinocruz, Jr. informed the Senate about the following challenges and recommendations with respect to amending or implementing this law:

Challenge	Recommendation
Lack of manpower	Additional manpower at posts. Consider new plantilla positions at DFA
Plantilla positions at OFOV	DBM/Congress to approve budget for PS of OFOV
Submission of monthly registration reports	Criminalize or exact severe administrative sanctions to erring DFA personnel
Limited budget for registration and election	Provide adequate budget even on non-election year
Information campaign and voter registration	Allocate sufficient budget

RA 10756

AN ACT RENDERING ELECTION SERVICE NON-COMPULSORY FOR PUBLIC SCHOOL TEACHERS, AUTHORIZING THE APPOINTMENT OF OTHER QUALIFIED CITIZENS, PROVIDING FOR COMPENSATION AND OTHER BENEFITS

S. No. 2178/H. No. 5412

Approved on April 8, 2016

Known as the “Election Service Reform Act”, this law allows private school teachers and selected national government employees to render election service in case of a lack of public school teachers willing, available or qualified to serve. It sets rates of the honoraria and allowances, service credit and other benefits for participants.

Update

Comelec Deputy Executive Director Bartolome J. Sinocruz, Jr. reported that the IRR of this law is still pending. The technical working group (TWG) to draft the IRR was created on July 19, 2016. In the meantime, the draft General Instructions for the Board of Election Tellers and the Barangay Board of Canvassers incorporated key sections of RA 10756. This is to help ensure the implementation of the law in time for the next barangay and SK elections.



GOVERNMENT CORPORATIONS AND PUBLIC ENTERPRISES

RA 10390

AN ACT AMENDING REPUBLIC ACT NO. 7306, ENTITLED “AN ACT PROVIDING FOR THE ESTABLISHMENT OF THE PEOPLE’S TELEVISION NETWORK, INCORPORATED, DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FOR ITS SOURCES OF FUNDING AND FOR OTHER PURPOSES”

S. NO. 3316/H. NO. 6703

Approved on March 14, 2013

Known as “An Act Revitalizing the People’s Television Network, Incorporated”, this law increases the capital stock of the People’s Television Network (PTV) from ₱1 billion to ₱6 billion. It also allows the network to use block timers (limited to education, sports, tourism, quality entertainment programs, and programs that promote public interest), as well as to generate revenue from advertising and airtime sales.

Other key provisions include the following:

Gifts and donations to the network shall be exempt from donor’s tax and these shall be considered as an allowable deduction from the gross income of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended;

PTV must provide subsidized airtime to legitimate people’s organizations and nongovernment organizations (NGOs) in the promotion of their programs and projects;

Positions considered as creative and artistic in nature are exempted from the Civil Service Code coverage of network employees;

The network shall also have its own compensation and position classification system.

Update

According to Presidential Communications Operations Office (PCOO) Asec. Kristian R. Ablan, their office believes that this law is insufficient to conform

with the vision of the President to transform the network to be “at par with the British Broadcasting Corporation of the United Kingdom, NHK of Japan, and PBS of the United States of America.” The following issues and concerns were highlighted:

Section 2d	Law does not provide for the delivery of news through emerging technology such as social media platforms
Section 5	It does not provide the authority to establish secondary broadcast hubs
Section 9a	PTNI should also serve as a vehicle of the state for information, entertainment, developing a culture of disaster preparedness and climate change adaptation
Section 10	The current membership in the board should be expanded from five (5) to seven (7) to expand the scope of representation and expertise
Section 10-A	The Advisory Council was never convened
Section 16	Must include in the general program standards: (a) disaster preparedness and climate change adaptation; (b) sports
Section 18	Law failed to provide appropriations for the network. The network cannot survive without government appropriations at least for the first few years until its income is sufficient to cover all its liabilities
	The general list of program standards shall be well-defined to avoid nuisance programs

Section 22	Law does not clearly provide for a definition of positions considered as creative and artistic in nature, which should be exempted from the qualification standards and civil service eligibility requirements
	Law fails to provide a section on the independence of the network. PTNI should be independent in all matters concerning the content of its output, the times and manner in which this is supplied, and in the management of its affairs
	Law should require a percentage of government placement to be directed to PTV to assist in the network's profitability

RA 10646

AN ACT CREATING THE QUEZON CITY DEVELOPMENT AUTHORITY (QCDA), DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FOR ITS ORGANIZATIONAL STRUCTURE AND CAPITALIZATION

S. No. 2161/H. No. 3899

Approved on November 8, 2014

This law establishes the Quezon City Development Authority (QCDA) as a government-owned or -controlled corporation. With a capitalization of PhP 2 billion, it is governed by Board of Directors chaired by the city administrator of Quezon City. A General Manager appointed by the QCDA Board serves as QCDA's chief executive officer.

QCDA seeks to:

- Provide adequate and affordable housing to marginal and low-income families in Quezon City;
- Encourage the participation of the private sector in housing ventures and urban renewal;
- Promote greening and development of vacant, blighted and underutilized lands in Quezon City owned by the local government; and
- Provide to the constituency of Quezon City projects that will improve their quality of life, such as affordable means and schemes of transportation, energy, telecommunication, information technology and manufacturing.

Update

As of August 2016, City Administrator Aldrin C. Cuña reported to the Senate that there has been a delay in the creation of the Board of Directors. He attributed it to the recent national and local elections, as the law specifically required that members of the board be vetted by the City Mayor and Sangguniang Panlungsod.

Mr. Cuña added that the city government is currently coordinating with the Governance Commission for Government-Owned and Controlled Corporations in setting up the QCDA.



HEALTH AND DEMOGRAPHY

RA 10354

AN ACT PROVIDING FOR A NATIONAL POLICY ON RESPONSIBLE PARENTHOOD AND REPRODUCTIVE HEALTH

S. NO. 2865 / H. NO. 4244

Approved on December 21, 2012

Known as the “Responsible Parenthood and Reproductive Health Act of 2012”, this law guarantees access to a full range of modern family planning methods. It includes in the National Drug Formulary hormonal contraceptives, intrauterine devices, injectables and other safe, legal, non-abortifacient and effective family planning products and supplies. The Philippine National Drug Formulary System shall be observed in selecting drugs including family planning supplies that will be included or removed from the Essential Drugs List in accordance with existing practice and in consultation with reputable medical associations in the Philippines.

Update

The Supreme Court issued a temporary restraining order (TRO) preventing the Department of Health (DOH) from processing applications for registration and re-certification of reproductive products and supplies. The agency was also barred from procuring and distributing the hormonal contraceptive "Implanon" and "Implanon NXT". In October 2016, the DOH again requested for the lifting of the TRO.

RA 10532

AN ACT INSTITUTIONALIZING THE PHILIPPINE NATIONAL HEALTH RESEARCH SYSTEM

S. NO. 3399/H. NO. 6735

Approved on May 7, 2013

Known as the Philippine National Health Research System Act of 2013, this law institutionalizes the Philippine National Health Research System (PNHRS) and defines its objectives, to wit:

- Ensuring that health research is linked to the health system needs;
- Ensuring that investments in health research yield the most benefit;
- Promoting good governance among health research organizations through efficient, effective, transparent and ethical health research management system;
- Engaging in national and international partnerships and networks for health research development; and
- Ensuring sustainability of resources for health research.

The law also defines the composition of the PNHRs, specifically: the Governing Council (GC), the Steering Committee, the Technical Working Committees (TWC) and the Secretariat.

The Philippine Council for Health Research and Development (PCHRD) Governing Council, created under Executive Order (EO) No. 784 of 1982 and EO No. 128 of 1987, shall be the Governing Council of the PNHRs. Chaired by the Secretary of the Department of Science and Technology (DOST), the council shall (among others):

- Set policies and directions for the PNHRs;
- Evaluate and approve the National Unified Health Research Agenda, and identify areas that will serve as the “foci” of the National Health Research Agenda; and
- Review, approve or disapprove research programs.

The Council shall be supported by a Secretariat, a Steering Committee and Technical Working Committees aligned with research themes which are based on the country’s health needs and the six building blocks of the World Health Organization to attain universal health care.

Further, this law creates the Philippine Health Research Ethics Board to ensure adherence to the universal principles for the protection of human participants in research. The PNHRs framework shall also be mirrored in all the regions of the country, forming a network of regional research consortia.

Update

On August 19, 2016, PCHRD Officer-in-Charge Merlita M. Opena reported to the Senate that the agency is currently performing a review of the 2017-2022 National Unified Health Research Agenda (NUHRA), which is “a set of research priorities determined by the country’s stakeholders” that addresses the health needs of the population in relation to the health sector’s goal of universal health care.

The PCHRD is developing monitoring tools to aid in the execution of its mandate. It was piloted in Regions 4-B, 8 and 11. The results of the pre-test were presented in the PNHRM Monitoring System Conference held in Palawan. An online version of the monitoring tool is expected to be deployed by the end of this year.

RA 10645

AN ACT PROVIDING FOR THE MANDATORY PHILHEALTH COVERAGE FOR ALL SENIOR CITIZENS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7432, AS AMENDED BY REPUBLIC ACT NO. 9994, OTHERWISE KNOWN AS THE “EXPANDED SENIOR CITIZENS ACT OF 2010”

S. No. 712/H. No. 4593

Approved on NOVEMBER 5, 2014

This law mandates the enrollment of all senior citizens to the national health insurance program of the Philippine Health Insurance Corporation (Philhealth).

Update

Philhealth Chief Legal Executive Atty. Edgar Julio S. Asuncion reported to the Senate in 2015 that the corporation has created a new membership category called “Senior Citizen” for elderly Filipinos not covered under any existing category of the National Health Insurance Program, while retaining the membership of those currently enrolled in other programs (e.g. Indigents, Employed, Self-employed).

As of March 31, 2015, 4.2 million were enrolled under the “Senior Citizen” category. Another 1.9 million members aged 60 years and above were also enrolled in other categories/programs. Since there are approximately 7.6 million Filipinos aged 60 and above based on data from the Philippine Statistics Authority, Philhealth still needs to enroll some 1.5 million elderly Filipinos to fully comply with this law.

Since the corporation expects to complete the enrollment and subsequent issuance of Philhealth IDs to take months, it now allows the automatic availment of benefits (deducted from patient’s hospitalization fees) with the presentation of OSCA-issued senior citizen’s card or any valid government issued ID accompanied by an accomplished Philhealth Member Registration Form. This arrangement helps guarantee the access of senior citizens to Philhealth benefits even if they have not yet enrolled in the program. Thus, Atty. Asuncion claims that Philhealth already achieved de facto 100 percent coverage of senior

citizens. This arrangement is outlined in Philhealth Circular 33-2014 published on December 23, 2014.

Issues and concerns

Atty. Asuncion noted that the prevailing provisions of the 2015 General Appropriations Act (GAA) states that senior citizens to be covered under RA 10645 should not have existing coverage under any Philhealth membership program and are not dependents of a principal member. However, the Philhealth Board resolved in their November 2014 and January 2015 meetings to enroll dependents 60 years old and above as Senior Citizen members.

On April 29, 2015, the Philhealth Board issued a resolution directing Philhealth to be transparent in presenting the number of declared dependents among Senior Citizen members. Subsequently, the Department of Health with the concurrence of Philhealth management reduced the budget proposal for the premium of Senior Citizen members in the 2016 GAA from PhP 10.6 billion to PhP 6.8 billion, with the possibility of further reducing it to PhP 3.0 billion to exclude those belonging to the upper quintile of the population, as well as those previously declared as legal dependents.

Thus, Atty. Asuncion reported that Philhealth may need to retract the membership of senior citizens who are parents of members qualified to the benefits. However, this may result in some elderly Filipinos who will not be covered by the program when they are hospitalized due to the limitations of being a declared dependent versus being a “full-pledge” member.

Further, Philhealth found out during its consultations with senior citizens that there are members who do not allow their parents to avail of benefits to give way for their children’s future confinement. It likewise discovered that many senior citizens declared as dependents were not covered due to the failure of primary members to remit contributions. They are nevertheless enrolled in the program by virtue of RA 10645.

Seniors paying for Philhealth membership advised to sign up as Senior Citizen members instead

Meanwhile, senior citizens who remit contributions and are enrolled as members under the Formal and Informal Economies category are entitled to less benefits compared to seniors whose premiums are paid by the national government. Senior citizens who are paying members were advised by Philhealth to demand coverage as Senior Citizen members instead. Doing so frees them from having to remit contributions while entitling them to more benefits.



JUSTICE AND HUMAN RIGHTS

RA 10364

**AN ACT EXPANDING REPUBLIC ACT NO. 9208, ENTITLED “AN ACT TO
INSTITUTE POLICIES TO ELIMINATE TRAFFICKING IN PERSONS
ESPECIALLY WOMEN AND CHILDREN, ESTABLISHING THE NECESSARY
INSTITUTIONAL MECHANISMS FOR THE PROTECTION AND SUPPORT OF
TRAFFICKED PERSONS, PROVIDING PENALTIES FOR ITS VIOLATIONS AND
FOR OTHER PURPOSES”**

S. NO. 2625 / H. NO. 6339

Approved on February 6, 2013

The “Expanded Anti-Trafficking in Persons Act of 2012” prohibits and punishes trafficking in persons, defined as the recruitment, obtaining, hiring, providing, offering, transporting, transfer, maintaining, harboring, or receipt of persons with or without the victim’s consent or knowledge, within or across national borders by means of threat, use of force, other forms of coercion, abduction or fraud for exploitation, including prostitution or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs. Penalties are also imposed on those found guilty of attempted trafficking. Those found guilty of qualified trafficking face life imprisonment and a fine of up to PhP 5 million. This law mandates an interagency effort to address trafficking in persons covering prevention, protection and rehabilitation for victims.

Update

The report to the Senate of former Justice Undersecretary Jose Vicente B. Salazar, sent in 2015, is reproduced below:

We note that RA 10364 has been implemented in relation to the 4 Key Result Areas (KRAs) defined under the National Strategic Action Plan:

Advocacy and Prevention; Protection, Recovery, Rehabilitation and Reintegration; Prosecution; and Partnership.

Activities under Advocacy and Prevention have involved the dissemination of information to the general public, especially its vulnerable sectors, in order to raise awareness of human trafficking and to prevent our citizens from becoming TIP victims. It also involved measures to identify TIP victims and intercept ongoing acts of trafficking. Thus, Advocacy and Prevention activities include social media publicity, the celebration of the International Day against Trafficking, the roll-out of the 2nd National Strategic Action Plan, the conduct of seminars, identification and interception of TIP victims in ports of entry in accordance with the Guidelines on Strict Departure Formalities, and the formation of the Yolanda (Haiyan)/ Interagency Council Against Trafficking (IACAT) Disaster Rapid Response Task Force.

In the area of Protection, Recovery, Rehabilitation and Reintegration of TIP survivors, the Department of Social Welfare and Development (DSWD) has continued the Recovery and Reintegration Program for Trafficked Persons (RRPTP) to ensure the provision of adequate recovery services for TIP survivors, including livelihood assistance, financial assistance, and sheltering services. The passage of RA 10364 strengthened the implementation of the same.

The frontline agencies of the DOJ and specialized units of the IACAT Secretariat have also continued to provide aftercare services to recovered victims. They are further enhancing their institutional capacity for these services through the Victim Protection Center Pilot Project, in partnership with the DSWD and, in part, through the assistance of the Netherlands government. Enrivel Construction, the winning contractor, is in the process of securing the necessary permits from different government agencies before proceeding with the actual construction of the VPC. The said Victim Protection Center is expected to be fully constructed within the last quarter of 2015.

In the area of Prosecution and Law Enforcement, the IACAT and its member agencies and organizations has continued to improve the tempo of law enforcement operations, resulting in greater numbers of successful prosecutions. As of 15 June 2015, a total of 187 convictions involving 209

prosecutors have been secure for violation of RA 9208, of which 87 convictions involving 99 perpetrators were down since the enactment of RA 10364.

The amendments provided under RA 10364 contributed to the increase in the conviction rate, particularly the addition of the new provision on attempted trafficking, which is punishable with 15 years imprisonment and a fine of not less than 500,000 Pesos but not more than 1,000,000 Pesos. We note that its penalty is comparable to the penalty of 14 years imprisonment leveled for consummated trafficking under the British Asylum and Immigration Act of 2004 prior to the amendments made under the Modern Slavery Act of 2014. Thus, in 2014 alone, 14 cases were resolved on pleas of guilt to the offense for attempted trafficking, in accordance with Rule 116, Section 1(f) of the Rules of Court.

The Philippines also increased the training of law enforcement and other service providers that implement the law against TIP, which includes training on RA 10364. Philippine National Police (PNP) Women and Children Protection Desk (WCPD) officers from all over the Philippines received training to improve their investigative skills and ensure their success in the filing of appropriate criminal cases. Police and other law enforcement officers also underwent training in case build-up, gender sensitivity, advocacy, effective communication, and values formation. The IACAT likewise organized anti-trafficking training for intelligence agents, immigration officers, policemen, Philippine Marines, judicial officers, other government employees, and members of the Non-Government and Civil Society Organizations.

The IACAT has also established a total of 23 trained and fully operational task forces, which have proven effective in rescue operations, case build-up and prosecution of traffickers. Of these, 5 were enacted after the approval of RA 10364: (1) the Aklan Port-Based Anti-Trafficking Task Force on 1 April 2015; (2) the Regional Anti-Trafficking Task Force – Region IV on 6 March 2015; (3) the Regional Anti-Trafficking Task Force – Region VI on 22 April 2015; (4) the Regional Anti-Trafficking Task Force—Region X on 16 March 2015; and (5.) Regional Anti-Trafficking Task Force—Region XII on 6 May 2015. The task forces are established in strategic locations like entry/exit points in the country and

the areas where trafficking victims are recruited or exploited, in order to spearhead the preventive initiatives and activities designed to minimize illegal entry/exit of the recruited victims, and enhance the local operatives' enforcement of the law.

Finally, in the area of Partnership and Networking, we have continued to establish linkages for coordination and collaboration not only among IACAT member agencies and organizations but also with foreign governments, international organizations and other non-traditional partners, including NGO partners, faith-based organizations, and student groups. As lead shepherd in the Association of Southeast Asian Nations (ASEAN), the Philippines has also taken the lead in negotiating and drafting a binding ASEAN convention and a regional plan of action against trafficking in persons. The instruments that have resulted from the work are now undergoing the ASEAN approval process.

To improve the monitoring of the implementation of RA 10364, the IACAT Secretariat continues to monitor relevant information from member agencies. For instance, matrix of the TIP cases that were filed in the prosecutors' offices and in the courts provides information on victims' and traffickers' profiles, types of trafficking (i.e. sex, cyber-sex, labor, etc.), and the aging and status of cases. The DOJ Circular requiring all DOJ prosecutors to provide information on trafficking cases filed before their offices has been revised to reflect a more comprehensive description of the cases for the Philippine Anti-Trafficking Database, as mandated under Section 16 of RA 10364.

Problems and bottlenecks

In reference to your inquiry in problems and bottlenecks in the implementation of RA 10364, we note the following perceived limitations on the government's ability to address human trafficking problems in the country:

First, the implementation of RA 10364 suffers from the length of the investigation and trial process and the consequently slow disposition of cases. The situation has markedly improved after the issuance of an Office of the Court Administrator (OCA) Circular No. 151-2010 and Department of Justice (DOJ) Circular 51, s. 2010 mandating the

monitoring and speedy disposition of TIP cases. However, they cannot fully ameliorate the preliminary investigation process, which amounts to a first-order judicial proceeding involving both receipt of evidence from the parties and recourse to appeals; and the use of antiquated rules in trial that allow multiple means to delay the proceedings.

Possible means to resolve these problems include the statutory reform of preliminary investigation process, which may be changed, along a common law model, into a simple determination of whether the evidence provided by the offended party and the police is sufficient for indictment, without requiring contrary evidence and appeal as these are more appropriate to the judicial process. Likewise, the pace of trial may be improved by rationalizing the antiquated English rules of trial that England itself has already reformed.

A second problem in the implementation of RA 10364 is the enforced separation of preliminary investigation and police investigation functions in the Philippines, unlike in other jurisdictions where prosecution and law enforcement officers cooperate in case build-up. This separation deprives the police of guidance and support in conducting their investigation, and deprives prosecutors of the opportunity to intervene in investigations to ensure that enough evidence is correctly obtained for successful prosecution. The situation has been improved to some extent through the inter-agency task force model employed by the IACAT, but a statutory reform of the process remains necessary.

Third, the implementation of RA 10364 suffers from the non-inclusion of certain strategic agencies in the IACAT. For instance, the non-inclusion of the Department of Health hampers the mobilization of resources for operations relating to the health of Filipino migrants and potential human trafficking victims abroad. Similarly, the non-membership of the Department of Education affects IACAT projects involving public education on human trafficking, which requires coordination with appropriate local partners to incorporate basic knowledge about human trafficking and its moral significance in school curricula. Likewise, the exclusion of the Department of Transportation and Communication limits the means of mobilizing the transportation sector against trafficking.

Conclusion

Notwithstanding the aforementioned issues or limitations in the implementation of our anti-human trafficking laws, we respectfully note that the IACAT has made extensive accomplishments in the four Key Result Areas of Advocacy and Prevention; Protection, Recovery, Rehabilitation and Reintegration; Prosecution and Law Enforcement; and Partnership and Networking, especially since the approval of RA 10364.

Thus in 2014, the Philippines retained its Tier 2 ranking in the Global Trafficking in Persons Report of the United States Department of State, which provided a fundamentally positive evaluation of the Philippines' efforts to prevent and suppress trafficking in persons, with its key finding that:

“The Government of the Philippines does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so.” (Emphasis supplied.)

Further, the intensity of the Philippines' effort against trafficking led to its recognition in the 2014 edition of the Global Slavery Index among the countries “making comparatively strong efforts with limited resources” in the campaign against TIP. The Index ranked the Philippines number 3 in the Asia-Pacific and number 29 out of 167 countries globally—the highest ranked Asian country—in terms of the government's efforts and programs, especially the response of the criminal justice system against TIP. The Index gave the Philippines a high government response rating (BB), noting the significant steps the government has taken to fight human trafficking, including short-term victim support services, a criminal justice framework that criminalizes some forms of modern-day slavery, and protection for vulnerable sectors.

For your consideration, and in order to provide a fuller representation of our efforts in combating TIP, we have attached to this letter a summary with Information on Human Trafficking Efforts of the Government and the Updates on Trafficking in Persons Convictions of the IACAT.

We look forward to working with you on this matter of global concern. If you have any questions on the information provided in this letter and in the materials we have attached, please do not hesitate to contact us.

Meanwhile, below is a reproduction of a DOJ-IACAT report on government efforts to address human trafficking, also sent in 2015:

The Philippines is a State party to a number of international binding agreements that require the government to adopt measures to combat Trafficking In Persons (TIP) at the local, national, regional and international level. One of these agreements is the UN Convention Against Transnational Organized Crime, and its supplemental protocols namely, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol Against Smuggling of Migrants by Land, Sea, and Air. The Anti-Trafficking Protocol provides for an internationally accepted definition of TIP. It also requires State Parties to adopt legislative and other measures to combat TIP at the national level.

A. Legislation

Pursuant to its obligations under the said Anti-Trafficking Protocol, the Philippines enacted Republic Act No. 9208, otherwise known as the “Anti-Trafficking in Persons Act of 2003” on May 26, 2003. The law lays down policies and procedures for a comprehensive approach to combating TIP. It also adopts the definition under the Protocol and expands it to afford more protection to victims. Further, it created the Inter-Agency Council Against Trafficking (IACAT), the body created by law to coordinate and monitor the implementation of Republic Act No. 9208.

The signing into law of Republic Act No. 10364, also known as the “Expanded Anti-Trafficking in Persons Act of 2012,” on February 6, 2013 gave the government a stronger weapon against human trafficking syndicates. The new law amended certain provisions of the Anti-Trafficking in Persons Act to account for new situations discovered since the passage of the Anti-Trafficking in Persons Act of 2003. In response to the jurisdictional challenges posed by transnational trafficking, the new

law likewise established the extraterritorial application of anti-trafficking laws over offenses committed by citizens or permanent residents of the Philippines and against Philippine citizens. The provision on extraterritorial jurisdiction was enacted to allow the Philippine government and its anti-trafficking partners to assist victims and pursue perpetrators even beyond Philippine shores.

To further enhance the efficiency and continuity in the tasks of the IACAT Secretariat, the amended law provides for a permanent Secretariat to the Council to be headed by an Executive Director, to be appointed by the Secretary of the Department of Justice (DOJ) upon the recommendation of the Council. It provides security of tenure to the Secretariat to (a) increase accountability of officials in monitoring and ensuring that the anti-trafficking efforts of the country are ably documented; (b) to see to it that all duty-bearers are monitored and assisted to ensure optimum delivery of expectations and accomplishments of anti-trafficking goals. The following summarizes the amendments that were introduced:

Section 4-A: Attempted Trafficking in Persons.

Section 4-B: Criminal liability for accomplices.

Section 5: Additional punishable acts for Acts that promotes trafficking in persons, to wit:

To tamper or cause the destruction of evidence or influence or attempt to influence a witnesses in an investigation or prosecution;

To destroy, conceal, confiscate or possess actual or purported passport, immigration, travel documents or government documents in order to restrict the persons liberty to move or travel to maintain her or his labor or services; and

To utilize his or her office to impede investigation, prosecution or execution of lawful order.

Section 7: The right to privacy of the accused was deleted.

Section 11: A higher penalty of 15-years for any person who buys or engages the services of a trafficked person for prostitution.

Section 16-A: Establishment of an Anti-Trafficking in Persons Database.

Section 17-B: Proof of past sexual behavior or the sexual

predisposition of a trafficked person is inadmissible in evidence for the purpose of proving consent of the victim to engage in sexual behaviour, or to prove the predisposition, sexual or otherwise, of a trafficked person.

Section 17-C: The amended law grants service providers immunity from harassment suits.

Section 22: Extraterritorial jurisdiction over the accused for acts of trafficking committed outside the country.

Republic Act No. 10361, or “An Act Instituting Policies for the Protection and Welfare of the Domestic Workers”, was signed into law by the President on 18 January 2013. The law provided regulatory policies for domestic workers and established standards of protection for their welfare. It requires employers to provide board, lodging and medical aid to their house helpers, among others.

Republic Act No. 10365 amended the Anti-Money Laundering Act to include as predicate crimes “Violations of Sections 4 to 6 of Republic Act No. 9208, otherwise known as the Anti-Trafficking in Persons Act of 2003.” This gives us the ability to directly pursue the financial resources of trafficking syndicates and attack them at the most vulnerable part of their operations.

B. Social Media Publicity

The use of new media such as Youtube, Twitter and Facebook pages has increased the reach of IACAT to the public. Materials from its media monitoring activities are posted to the said social networking sites. Awareness of IACAT and its main functions has improved immensely. The iacat.net, official IACAT website was re-launched on the month of July 2012. It contains the basic information regarding the council and its partners in the public and private sectors. Infused in its homepage are the twitter and facebook page with its real-time updates. To this end, a key implication of this modest increase in the public awareness through new media creates an informed society through free access to a wide range of available information from IACAT’s Public Information and Communications Section.

The active presence of IACAT in various platforms of new media such as Facebook, Twitter and YouTube has been sustained. This has proven to be quite effective in furthering the reach of IACAT, particularly to the critical sector of youth. The official IACAT website [www.iacat.net] with its Public Assistance Corner (I-PAC), where people may send TIP related queries and vital information on TIP activities, is also updated promptly and regularly.

The 1343 Actionline was established by the IACAT as the first telephone hotline dedicated to combat human trafficking and other related cases. The main function of the 1343 Actionline is to receive and immediately respond to requests for assistance, inquiries and referrals from the victims, their families and the public pertaining to Human Trafficking. The service has been expanded to accommodate on-line reporting and text messaging. From April 2014 to January 2015, the 1343 Actionline has assisted 23 alleged human trafficking victims, who are all female. Three (3) were referred to shelters in the Philippine Embassy in Jordan and Lebanon. Three (3) minor victims were assisted. Of the number of victims, seven (7) were victims of sex trafficking, 14 of labor trafficking and two (2) of child trafficking. The said victims were trafficked within the Philippines, Malaysia, Jordan, Singapore, Lebanon, Saudi Arabia and Kuwait. Five (5) cases were resolved, another five (5) unresolved, and others still pending.

Television stations produced documentaries and infomercials in trafficking in persons, aside from the infomercials produced by IACAT. One of the information dissemination programs supported by IACAT is the installation of the IACAT TV in various government premises where a number of prospective migrants converged. IACAT TV is a three (3) hour television show featuring segments such as documentaries on trafficking, advisories, policies and other IACAT-related concerns in the closed-circuit TV booths of every IACAT-member government agency.

C. International Day Against Trafficking

IACAT celebrated the International Day Against Trafficking (IDAT) and held the following activities: (a.) LRT and MRT poster campaigns; (b.) medical and dental mission; and (c.) Survivor's Day. On 12 December 2014, a team of IACAT and youth volunteers from the University of the

Philippines jumpstarted the week-long celebration of the IDAT by distributing flyers and placing posters in all terminals of the Light Rail Transit (LRT) Line 2 and Metro Rail Transit (MRT) stations. LRT-2 serves eleven (11) stations on 13.8 km of the line while the MRT serves thirteen (13) stations on a length of 16.9 km along EDSA. The team distributed flyers containing basic information on the problem of human trafficking and how they can help in its prevention. The team also placed posters (only 2 posters per station for both LRT and MRT were allowed) in strategic areas of the stations mentioned above.

The medical and dental mission was held in Marillac Hills and Haven for Women in Muntinlupa City on 15 December 2014 and involved a total of 387 participants—10 IACAT staff, 35 medical staff, 133 participants from Haven for Women and 209 participants from Marillac Hills. On 16 and 17 December 2014, groups of TIP survivors were treated to a day of leisure and entertainment in Manila Ocean Park. 280 participants from the IACAT, OPCEN, Marillac Hills, Haven Forum, VFFI and Blas Ople joined the event.

D. Roll-out of the 2nd National Strategic Action Plan for 2012-2016

Representatives from the IACAT went to various LGUs, such as Palawan and Isabella, to impart the aforementioned Action Plan to the LGUs and capacitate them to form their own strategic action plan for their respective areas.

E. Seminars

The government has conducted numerous programs, trainings, and fora for government officers to boost the awareness and anti-trafficking expertise of law enforcement and other frontline public officers. These efforts led to a significant increase in the extent of awareness levels of Filipinos on Trafficking in Persons. The rise was attributed to the help of the broadcast, print and the social media in delivering core messages on the ills of human trafficking.

F. Interception of Potential Victims

To prevent potential TIP victims from being brought to the sites

where they will be exploited, the IACAT has placed anti-trafficking task forces in airports, seaports, trafficking recruitment areas and other strategic locations that would, among other tasks, identify likely trafficking victims. At international points of entry, this involves the strict evaluation of travel, employment, and financial documents to determine if persons are leaving the Philippines for bona fide purposes.

The Guidelines on the Departure Formalities for International Bound Passengers in All Airports and Seaports in the Country, which provides for definite parameters to the enforcement of immigration departure formalities intended for the prevention of trafficking in persons and other related offenses, is presently undergoing revision by the IACAT to provide a clearer and more exact rules in the inspection and offloading of international bound passengers.

G. Asset Forfeiture Proceedings in Trafficking Cases

As noted above, Republic Act No. 10365 amended the Anti-Money Laundering Act of 2001 and included the acts committed in violation of R.A. No. 9808 as a predicate offense or those unlawful activities which can give rise to the crime of money laundering. As a result of the amendment, the remedies of bank inquiry, freezing, and civil forfeiture of monetary instrument or property representing, involving or relating to acts which constitutes trafficking in persons may now be pursued by the government notwithstanding the lack of conviction or even the absence of a pending criminal action against the traffickers.

H. Yolanda (Haiyan)/IACAT Disaster Rapid Response Task Force

The natural and man-made disasters that wreaked havoc on the lives of Filipinos living in the Visayas and Mindanao in 2013 have prompted the IACAT to create the Yolanda (Haiyan)/IACAT Disaster Rapid Response Task Force. The task force is composed of representatives from each member agencies of the IACAT and was formed for the purpose of creating a coordinating body within the IACAT that will ensure that existing anti-TIP programs are strengthened especially in the identified priority areas and to assess, plan and implement programs to combat, prevent and suppress trafficking and illegal recruitment among survivors of recent natural and man-made

calamities.

Several members of the taskforce composed of representatives of member-agencies including the DOJ, IACAT Secretariat, DSWD, and PNP, went to the following areas:

Ormoc City, Leyte in Region VIII
Province of Aklan in Region VI
Tagbilaran City, Bohol in Region VII

The teams conducted seminars to familiarize local officials of provinces recently hit by natural disasters on the law on trafficking in persons and the proper handling of TIP victims. A discussion was also held with the officials on the establishment of 'help desks' on TIP in local ports in their respective localities.

II. Protection, Recovery, Rehabilitation and Reintegration

A. Shelters

There are sixty six (66) shelters being maintained by the Department of Social Welfare and Development (DSWD); and temporary shelters are provided by NGO partners that specialize in the case of trafficking victims and by the DOJ through the IACAT Operations Center. From April 2014 up to January 2015, a total of 1,101 clients were served in 14 Haven for Women and Haven for Women and Girls and 821 clients in Home for Girls and Marillac Hills nationwide

Like the Witness Protection Program (WPP), these shelters and safe houses provide not only security and protection to these victims but also economic assistance thru livelihood programs and skills trainings; and to strengthen their responsiveness to victims' needs, the DSWD established the National Recovery and Reintegration Database to continually monitor their safety and condition. Suspected trafficking and illegal recruitment victims intercepted at ports, airports and border control areas receive a two-step evaluation process subject to careful safeguards that protect their rights and dignity; and those rescued by task force operatives are immediately turned over to Government agencies like the DSWD and its partner NGOs to receive temporary

shelter, food, security, and medical and psychological assistance.

The DSWD is currently implementing the Recovery and Reintegration Program for Trafficked Persons (RRPTP), which ensures the provision of adequate recovery services for trafficked persons, including livelihood assistance, financial assistance, and sheltering services. Its beneficiaries are trafficking victims, families and relatives of victims, and communities with a high incidence of trafficking.

In addition to the shelters operated by the Department of Social Welfare and Development and NGOs, the IACAT Operation Center established a temporary shelter for witnesses and trafficking victims.

The IACAT is also in the process of constructing a Victim Processing Center in Mandaluyong City which, once built and becomes operational, will serve as a one-stop-shop for rescued TIP victims from around the National Capital Region where they may be interviewed and their statements obtained by law enforcement authorities and where they can temporarily stay while their cases are being investigated. This project is partly funded by the Kingdom of the Netherlands and a ground breaking ceremony took place on 11 February 2014.

The Government strengthened the witness protection program in relation to witnesses in trafficking cases. The Witness Protection Program (WPP) spent the total amount of Seven Million Eight Hundred Seventeen Thousand, Four Hundred Forty Five Pesos (Php 7,817,445.00) for financial assistance, security and protection of thirty (30) TIP witnesses, sourced mainly from the budget of the WPP under the Office of the Secretary of Justice for its implementation of the same. To give the witnesses enhanced medical care, the Government enrolled them in its public insurance program, which is administered by Philippine Health Insurance Corporation (PhilHealth), and accorded them preferential treatment in its flagship medical center, the Philippine General Hospital (PGH). The Government also leased several farmlands and developed them into “witness colonies,” where witnesses learn farming, poultry, cattle raising and other livelihood skills that tangibly increase their economic self-sufficiency and improve their psychological well-being.

As a support center, the IACAT Operation Center (OPCEN) assists in investigation, protection of victims, and prosecution.

In investigations, for the period of April to December 2014, OPCEN, as the primary receiving and processing center of Trafficking in Persons (TIP) and Illegal Recruitment (IR) complaints, received and processed a total of thirty two (32) walk-in complaints for TIP, 30 of which also involved illegal recruitment. OPCEN also received a total fifty seven (57) referral of cases for initial assessment and investigation of possible Illegal Recruitment (IR) and Trafficking in Persons (TIP) from Department of Foreign Affairs – Office of the Undersecretary for Migrant Worker’s Affair (DFA-OUMWA), Bureau of Immigration (BI), Department of Labor and Employment, IACAT Secretariat, and other non-government agencies. Finding the walk-in complaints and referrals meritorious, the same were thereafter referred to National Bureau of Investigation-Anti Human Trafficking Division (NBI-AHTRAD) for proper disposition and action. OPCEN operatives conducted nine (9) surveillance operations, and in support to the operations of IACAT Task Forces, NBI and PNP, the OPCEN operatives assisted in twenty six (26) rescue and entrapment operations in various clubs and other private establishments that resulted to the apprehension of ninety one (91) suspected human traffickers and illegal recruiters and the rescued a total of three hundred six (306) victims, including seventy (70) minors.

On protection of victims, OPCEN served as a temporary holding area for the rescued victims who were eventually turned over to the DSWD for the provision of protection services. They likewise made referrals to other agencies for the provision of financial/livelihood assistance, capacity building, and other trainings.

OPCEN also greatly contributed to the prosecution of TIP cases. From April to December 2014 alone, in compliance with requests from various IACAT task forces and prosecutors, OPCEN operatives located and persuaded a total of eighty eight (88) victims/witnesses in different areas in the country and escorted them to attend their respective court hearings. In a particular case, two (2) witnesses/victims were located in Balagtas, Bulacan and brought to Zamboanga City. As a result of their testimony, the court denied the Petition for Bail filed by the accused.

In addition to locating witnesses, OPCEN also rendered security services to a total of ninety four (94) witnesses/victims and ensured their attendance to case conferences and court trials for the aforementioned period.

III. Prosecution and Law Enforcement

A. Conviction

From the time of the effectivity of R.A. 9208 in 2003 to 15 June 2015, a total of 187 human trafficking convictions involving 209 perpetrators have been handed down. More than two-thirds of this number occurred in the Aquino Government starting from July 2010.

The significant increase in convictions was accompanied by an array of institutional reforms in law enforcement. First, the Philippines increased the training of police and other officers that enforce the law against trafficking in persons. The Philippine National Police (PNP) conducted various trainings to PNP Women and Children Protection Desk (WCPD) officers from all over the Philippines, to improve their investigative skills and ensure their success in the filing of appropriate criminal cases. Likewise, police and other law enforcement officers underwent training in case build-up, gender sensitivity, advocacy, effective communication, and values formation. The IACAT also organized anti-trafficking seminars for intelligence agents, immigration officers, policemen, servicepersons in the Philippine Marines, judicial officers, other government employees, and members of the Non-Government and Civil Society Organizations.

Furthermore, the Government pursued an active drive against corruption in the agencies that stand at the front-line of the campaign against trafficking. It promptly investigates all employees reported to be involved in acts of trafficking, and imposes the fitting administrative penalty on those who are found liable after due process of law. In furtherance of this objective, up to 598 administrative cases have been filed against 893 government employees for their alleged involvement in human trafficking.

B. Task Forces Against Trafficking

The DOJ persisted in ensuring the prosecution of persons for violations of R.A. 9208 or the Anti-Trafficking Act of 2003 as amended by R.A. 10364 or the Expanded Anti-Trafficking in Persons Act. Pursuant to the Implementing Rules and Regulations (IRR) of the said law, the IACAT established Law Enforcement Task Forces Against Trafficking in Persons and Quick-Reaction Teams (QRT), composed of prosecutors (DOJ), law enforcement investigators (NBI/PNP), welfare officers (DSWD), and non-government organizations (NGOs), in 11 seaports, airports and land terminals all over the country. The Task Forces were established, trained and are all fully operational. The Department remained steadfast in prioritizing the investigation, case build up and prosecution of trafficking in persons cases by establishing and maintaining these specialized anti-trafficking task forces in the critical regions of the country, namely:

Inter-Agency/ Port-Based Task Forces National

- National Inter-Agency Task Force Against Trafficking/Quick Reaction Team (NIATFAT/QRT) based in Metro Manila, National Capital Region (NCR)

Port-Based

- Manila Harbor Task Force Against Trafficking based in Manila North Harbor, Manila
- Ninoy Aquino International Airport Task Force (NAIATFAT) Against Trafficking based in Terminals 1, 2, 3, in Pasay City
- Mactan Cebu International Airport (MCIA) Task Force Against Trafficking in Cebu
- Clark International Airport (CIA) Task Force Against Trafficking based in DMIA, Clark, Pampanga
- Zamboanga Sea-Based Anti-Trafficking Task Force (SBATTF) based in Zamboanga City
- Aklan Port-Based Anti-Trafficking Task Force

Prosecutorial Task Forces

National

- DOJ Task Force Against Trafficking in Persons (TFATIP) based in DOJ Main Office, Manila

Regional

- Manila Anti-Trafficking Task Force (MATTF)
- Palawan Anti-Trafficking Task Force Against Trafficking based in Puerto Princesa City, Palawan
- Regional Anti-Trafficking Task Force – Region I (RATTF1) based in San Fernando City
- Regional Anti-Trafficking Task Force – Region II (RATTF2) based in Tuguegarao City, Cagayan
- Regional Anti-Trafficking Task Force – Region III (RATTF3) based in Cabanatuan City
- Regional Anti-Trafficking Task Force – Region IV (RATTF4) based in San Pablo City, Laguna
- Regional Anti-Trafficking Task Force – Region V (RATTF5) based in Legaspi City, Albay
- Regional Anti-Trafficking Task Force – Region VI (RATTF6)
- Regional Anti-Trafficking Task Force – Region VII (RATTF7) based in Cebu City, Cebu
- Regional Anti-Trafficking Task Force – Region VIII (RATTF8) based in Tacloban City, Leyte
- Regional Anti-Trafficking Task Force – Region IX (RATTF9)
- Regional Anti-Trafficking Task Force – Region X (RATTF10)
- Regional Anti-Trafficking Task Force – Region XI (RATTF11) based in Davao City, Davao Oriental
- Regional Anti-Trafficking Task Force – Region XII (RATTF12)
- Regional Anti-Trafficking Task Force – Region XIII (RATTF13) based in Surigao City

This brings the total number of task forces across the country to twenty-three (23), all of which take an indispensable part in the rescue operations, case build-up and prosecution of traffickers. The task forces are established in strategic locations considering critical entry/exit points in the country and the place of origin or source area of TIP victims.

These task forces spearhead the preventive initiatives and activities designed to minimize illegal entry/exit of the recruited victims. They are created to enhance the local operative's enforcement of the law particularly, in surveillance/rescue operations and build-up of TIP cases. Thus, they ensure that the incidents are reported, referred and filed in the local prosecutor's office acquiring jurisdiction thereof.

The Department of Justice completely supports the operational and administrative management of the 23 task forces all over the country. They are monitored and evaluated by way of the accomplishment reports centering, but not limited to, rescue/surveillance operations conducted, cases initiated, handled and monitored and the trainings and capacity building seminar organized.

C. Database

In order to put in place a comprehensive database of all the TIP cases, the DOJ-IACAT case monitoring team is continuously complying with its mandate to monitor and make an inventory of cases filed before the Regional Trial Courts (RTC) of the country.

With the completion of the case audit project, a more comprehensive case monitoring matrix was developed to fill the gaps of information in the database. The said matrix provides information on victims' and traffickers' profile, types of trafficking (i.e. sex, cyber-sex, labor, etc.), and aging and status of cases. To date, the IACAT has encoded a total 2,464 cases. The IACAT has already accomplished a significant percentage of the required fields of the database. It is also working on a system focusing on the effective use and management of information, particularly on the prosecution of TIP cases and at the same time addressing the challenge of gathering data in a reliable and timely manner.

D. Capacity-building Activities

The IACAT continues to spearhead the capacity development of members of law enforcement, prosecution, judiciary, civil service and non-government organizations by holding seminars and training workshops to strengthen anti-trafficking approaches and responses in their

respective areas of jurisdiction. The activities aforementioned are in addition to other seminars and workshops initiated and organized by individual member agencies of the IACAT such as the Roll-Out Trainings on the Recovery and Reintegration Program for Trafficked Persons of the DSWD and the Anti-Illegal Recruitment/Trafficking in Persons Seminars of the POEA and the PNP.

The IACAT Secretariat and the Task Forces conducted a total of 99 trainings involving 4,952 participants from the government and 9,791 participants from the private sector. In the aftermath of super typhoon Haiyan, which lead to an increased vulnerability to human trafficking in the disaster-stricken areas, the IACAT Secretariat prioritized its anti-TIP trainings in the affected areas of Regions 6, 7 and 8. Together with its partners, namely the International Organization for Migration (IOM), United Nations Population Fund (UNFPA) and United Nations Children's Fund (UNICEF), the IACAT conducted five (5) trainings in the aforesaid regions to capacitate the regional service providers and local government officials in responding to TIP cases. The IACAT, in cooperation with its partners, noted the importance of expanding existing cooperation efforts to give additional focus on displaced persons in humanitarian crisis situations arising from devastating weather systems and man-made crisis situations, including localized armed conflict. Thus, a number of initiatives to further increase public information and awareness on human trafficking in disaster and conflict-affected areas were conducted, including the aforementioned trainings and capacity-building of frontline service providers, establishment of anti-trafficking and anti-illegal recruitment help desks and distribution of IEC materials.

E. Manual On The Labor Exploitation Dimensions Of Trafficking In Persons

The IACAT developed a manual on the Labor Dimensions of Trafficking in Persons, A Manual for Investigators, Prosecutors, Labor Inspectors and Service Providers which is designed to establish conceptual clarity on forced labor, recommend special investigative techniques, distinguish acts of trafficking for labor exploitation from other penal laws, expound other legal options covered by civil, labor, migration and administrative law regimes, and outline the legal protection and other forms of assistance to victims and survivors of trafficking for labor exploitation as well as the roles and responsibilities of agencies and institutions.

IV. Partnership and Networking

The IACAT has been enthusiastic in finding and collaborating with new partners in the campaign against trafficking in persons. The influential Catholic Bishops of the Philippines (CBCP) was invited to attend the regular monthly meeting of the IACAT. Dialogues with other faith-based organizations on TIP are also being planned. Partnership with student and youth organizations such as the Association of Law Students of the Philippines are also being pursued. The IACAT likewise partnered with the Student Council Alliance of the Philippines (SCAP) for seminars held in various schools and colleges to raise awareness to students about the danger of human trafficking.

The Philippines has consistently recognized that international collaboration is vital to avert the threat of TIP. Accordingly, the Philippines, through the IACAT and the individual member-agencies, undertook efforts to strengthen its ties with the international community.

In 9 April 2014, Undersecretary Felizardo Serapio of the Philippine Center for Transnational Crime, accompanied by a lawyer of the IACAT Secretariat, participated in the International Conference Against Trafficking held at the Vatican City State. Undersecretary Serapio signed a pledge of commitment that established the San Marta Group, an international network of law enforcement agencies tasked to cooperate on trafficking. The San Marta Group will have a meeting in the United Kingdom in November 2014.

The Philippine Government, recognizing the trans-national characteristic of trafficking in persons and the need for ASEAN Member States to have a united front in combating the same, took a leading part in the discussion on the proposed ASEAN Convention on Trafficking in Persons (ACTIP) and the Regional Plan of Action (RPA) on Trafficking in Persons in the recent Senior Officials Meeting on Transnational Crime (SOMTC). The working drafts of the ACTIP and RPA were formally presented at the 9th ASEAN Ministers Meeting on Transnational Crimes (AMMTC) held in Vientiane, Laos last September 16 to 18, 2013.

In accordance with the mandate given by the Leaders at the 2011 ASEAN Summit in Bali to accelerate the consideration of an ASEAN

Convention Against Trafficking in Persons (ACTIP), the 6th Experts Working Group (EWG) Meeting on the ACTIP and Regional Plan of Action to Combat Trafficking in Persons (RPA) convened on 3 to 5 June 2014 at Yangon, Myanmar to continue deliberations on the two instruments.

The Philippines, as the Senior Officials Meeting on Transnational Crime (SOMTC) Lead Shepherd on Trafficking in Persons, chaired the 6th EWG Meeting through Assistant Secretary Ma. Joji V. Aragon of the Department of Labor and Employment. All ASEAN Member States were represented at the Meeting.

The Philippines, as the lead shepherd on trafficking in persons of the ASEAN Senior Officials Meeting on Transnational Crime, successfully concluded negotiations with its ASEAN counterparts of the draft ASEAN Convention Against Trafficking in Persons (ACTIP) and its corresponding Regional Plan of Action (RPA), and thus met the mandated deadline of December 2014. These legally-binding and action-oriented instruments will be endorsed for ratification of the ASEAN Leaders during the Leaders' Summit in November 2015, thus ensuring increased protection for Filipinos and other ASEAN nationals from the scourge of human trafficking in the region.

The IACAT is also an active participant in cooperative international investigations on trafficking, as enumerated below:

- CIDG Flagship Projects "OPLAN SAGIP ANGHEL and "OPLAN NENA"

In December 2011, five (5) females, including a minor, were rescued in Xiamen, China through coordination of the Ninoy Aquino International Airport Task Force (NIATFAT); the Philippine Consulate in Xiamen, China; the Overseas Workers' Welfare Administration (OWWA); the Bureau of Immigration (BI) and the PNP-CIDG/NCR. In July 2012, the Chinese recruiter was convicted in China while the case against the local recruiters is pending trial before the Regional Trial Court of the City of Manila.

- Joint Rescue Operation of Four (4) TIP Victims in Johor Baru, Malaysia

In March 2012, the Blas Ople Center, the IACAT, the DFA, the PNP and NCB Manila coordinated with the Anti-Human Trafficking Section of the Royal Malaysia Police for the rescue of four (4) victims. The victims were turned over to a shelter managed by Malaysian Welfare authorities pending the arrest and eventual prosecution of the Malaysian recruiter who evaded his arrest.

- “Operation LUZVIMINDA”: A Joint Rescue Mission of IACAT/PNP, INTERPOL – Kuala Lumpur and the Special Branch, Royal Malaysia Police, Federal Territory of Labuan, Malaysia

In July 2012, the local television show “BITAG” referred to IACAT the case of two (2) female victims who were recruited in Nueva Ecija, transported to Zamboanga City and Tawi-Tawi, and finally smuggled to Labuan, Malaysia, where they were forced to work as prostitutes in a bar allegedly owned by a certain Benedict Xian Lim. Utilizing INTERPOL resources, the IACAT coordinated with NCB Kuala Lumpur for the rescue of two (2) victims in Labuan, Malaysia. After referral to the Special Branch, Royal Malaysia Police in the Federal Territory of Labuan, a joint operation was conducted, leading to the recovery and repatriation of the two victims. A follow-up mission was conducted in Tawi-Tawi to positively identify the suspects, who were members of an organized syndicate involved in human trafficking operations in Northern Luzon, Metro Manila, Zamboanga and Tawi-Tawi.

In September 2012, formal charges were filed against Asaha Adin, who was also employed as a Fire Officer in the Bureau of Fire Protection, and eight (8) others for violation of R.A. No. 9208 as well as other related offenses. The case is pending preliminary investigation before the City Prosecutor of Zamboanga City.

- Rescue of a TIP Victim in Kota Kinabalu, Malaysia

On 21 October 2013, the IACAT coordinated with the Office of the Undersecretary for Migrant Workers’ Affairs (OUMWA) for the rescue of a victim in Kota Kinabalu, Sabah. By 18 November 2013, the victim had been rescued and was staying in the Shelter Home for Women 3 in Kota Kinabalu, Sabah. Further, the Malaysian Court granted the application for

Protection Order (PO) of the Deputy Public Prosecutor on behalf of the victim, who served as a witness for the prosecution.

- Arrest of Alleged Recruiter Danny Esmade Sanrojo and Rescue of 13 Potential TIP Victims (28 January 2014)

On 28 January 2014, the Philippine Center for Transnational Crime (PCTC), the IACAT Sea Based Anti-Trafficking Task Force (SBATTF), the Philippine Coast Guard and the Visayan Forum Foundation, in coordination with the Presidential Anti Organized Crime Commission (PAOCC), intercepted thirteen (13) potential TIP victims and arrested Danny Esmade Sanrojo, a suspected recruiter, in the Zamboanga City Port. Sanrojo allegedly offered the victims, who are mostly from Zamboanga Sibugay, jobs as restaurant and palm oil plantation workers in Sandakan, Sabah. Sanrojo was referred for inquest by CIDG IX while the victims were turned over to the DSWD.

Arrest of Hadji Arraji Jammang Kamman, a Notorious Human Trafficker, in Zamboanga City (29 January 2014)

On 29 January 2014, the IACAT Sea Based Anti-Trafficking Task Force (SBATTF), composed of representatives from the DOJ, PCTC, CSWD, DSWD, the Visayan Forum, CIDG, PCG, NISG and the Zamboanga City Police, coordinated with PAOCC for the apprehension of Hadji Arraji Jammang Kamman, a notorious human trafficker operating in Zamboanga City. Kamman was the owner of Salwa Hotel and the Wendelyn motor vessel. He was finally arrested in a remote area at Talabaan, Mercedes, Zamboanga City. A follow-up operation was thereafter conducted for the possible rescue of more TIP victims.

Rescue of a TIP Victim in Sarawak, Malaysia (15 February 2014)

In December 2013, MIGRANTE International, an NGO, referred to IACAT the case of Monica Carinea, who was trafficked in Sarawak, Malaysia in September 2013. She made to work as an entertainer in Pub Beach Club, where she was forced to have intercourse with customers.

On 27 January 2014, the IACAT coordinated with the Office of the Undersecretary for Migrant Workers Affairs (OUMWA), DFA for her

rescue. On 6 February 2014, the DFA informed the IACAT that the Philippine Embassy in Kuala Lumpur had endorsed the case to the Malaysian Anti-Trafficking in Persons Council.

On 15 February 2014, she was finally repatriated to the Philippines. The IACAT is currently coordinating with her and MIGRANTE International for the filing of a criminal case against her local recruiter.

- Arrest of Peter Scully (20 February 2015)

For the reporting period, NBI coordinated with the National Police of Netherlands, the DOJ-Office of Cybercrime (DOJ-OCC), the Australian Federal Police (AFP) and the PNP for the arrest of Peter Scully, an Australian national, in Cagayan De Oro City last 20 February 2015 for violation of R.A. No. 9208, as amended by R.A. No. 10364, R.A. No. 8353, R.A. No. 7610 and Article 248 of the Revised Penal Code. Scully is the one of the perpetrators of the “Destruction of Daisy” videos, which contain grave sexual abuses and the physical torture of Filipino children.

In 2014, the IACAT, through its member NGOs, organized three NGO Summits in Manila, Iloilo and Davao. The summits were again held to gather various NGOs representing the sectors of women, children and OFWs, to synergize their anti-trafficking efforts and to formulate a common action plan in combating the same in accordance with the National Strategic Action Plan against Trafficking in Persons.

The IACAT also hosted the five day visit of a high-level mission from the Kingdom of the Netherlands last February 2014. The visit was made to strengthen the partnership between the anti-trafficking agencies of the two countries and establish a framework that will facilitate the processing of requests for legal assistance on trafficking cases between the Philippines and the Netherlands.

Further, the IACAT strengthened its partnership with other countries such as the People’s Republic of Bangladesh, which sent a high level mission last 23 to 27 June 2014 to learn from the best practices of the IACAT and its member agencies in the investigation and prosecution of trafficking in persons. Further, the IACAT remained a strong collaborator with its national and international partners, particularly in

advocacy and in the conduct of trainings.

The Australia-Asia Program to Combat Trafficking in Persons (AAPTIP) is also partnering with the IACAT to conduct a workshop which shall identify IACAT projects on the criminal justice response against trafficking which can be supported by the four year program.

As a result of the continued and coordinated efforts of public servants, government organizations, local government units, NGO partners, faith-based organizations, and other groups who contribute to the overall efforts of the country in fighting human trafficking, the Philippines was recognized in the 2014 edition of the Global Slavery Index among countries “making comparatively strong efforts with limited resources” in the campaign against human trafficking. The second edition of the Index ranked the Philippines as number one in Asia, number three in the Asia-Pacific and number 29 out of 167 countries globally in terms of the government’s efforts and programs, especially on the response of the criminal justice system against human trafficking.

The said Index provides a scientific approximation, country by country, of the number of people currently living in modern slavery. Based on the report, the Philippines acquired a high government response rating (BB), noting the significant steps the government has taken to fight human trafficking. These include short-term victim support services, a criminal justice framework that criminalizes some forms of modern-day slavery, a body to coordinate the response, and protection for vulnerable sectors.

Finally, on 18 March 2015, the IACAT and the Movie and Television Review and Classification Board (MTRCB) executed a Memorandum of Agreement (MOA) seeking to institutionalize TIP awareness, education and prevention campaigns of the Government. The MOA escalates the public awareness and call-to-arms campaign, with the goal of transforming the informed citizenry into vigilant anti-TIP advocates, by paving the way for the widest dissemination of anti-human trafficking advertorials in cinemas, radio and television stations.



LABOR, EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT

RA 10644

AN ACT PROMOTING JOB GENERATION AND INCLUSIVE GROWTH THROUGH THE DEVELOPMENT OF MICRO, SMALL AND MEDIUM ENTERPRISES

S. No. 2046/H. No. 4595

Approved on July 15, 2014

Known as the “Go Negosyo Act”, this law mandates the establishment of *Negosyo Centers* across the country, under the supervision of a reconstituted Micro, Small and Medium Enterprise Development (MSMED) Council. These centers shall be responsible for promoting ease of doing business and facilitating access to services for MSMEs within its jurisdiction, including business registration, technology transfer, and training. The MSMED Council through the regional offices of the Department of Trade and Industry (DTI) shall perform oversight functions and shall assign personnel to fulfill the functions of the *Negosyo Centers*.

Other key provisions of this law include:

- Establishing a Philippine Business Registry Databank to serve as a repository of information of all business enterprises in the Philippines;
- Establishing a Start-up Fund for MSMEs to be sourced from the MSME Development Fund and BMBE Fund to provide financing for the development and promotion of MSMEs in priority sectors of the economy as specified in the MSMED Plan;

Update

In 2015, DTI Undersecretary Zenaida Cuison-Maglaya reported to the Senate that the Implementing Rules and Regulations of this law were issued on December 19, 2014 as Department Administrative Order No. 14-5, and were published on the Philippine Star, Manila Bulletin and the Philippine Daily Inquirer on December 29, 2014.

With respect to the creation of *Negosyo Centers*, 22 have been established as of June 2015, with 31 more targeted to be launched in soon. A so-called “multi-phase plan” for establishing *Negosyo Centers* is awaiting the approval of the Micro, Small and Medium Enterprise Development (MSMED) Council.

Meanwhile, the new members of the MSMED Council, which was reconstituted under this law, were welcomed during a consultative meeting on May 13, 2015.



NATIONAL DEFENSE AND SECURITY

RA 10697

AN ACT PREVENTING THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION BY MANAGING THE TRADE IN STRATEGIC GOODS, THE PROVISION OF RELATED SERVICES, AND FOR OTHER PURPOSES

S. No. 2762/H. No. 5822

Approved on November 13, 2015

The "Strategic Trade Management Act" establishes a National Strategic Goods List which specifies the strategic goods subject to authorization. The list must conform with international commitments and non-proliferation obligations pursuant to bilateral and multilateral treaties, international conventions and international non-proliferation regimes.

This law creates the NSC-Strategic Trade Management Committee (NSC-STMCom) under the National Security Council to function as "the central authority on any and all matters relating to strategic trade management". It is chaired by the Executive Secretary, with the Department of Trade and Industry (DTI) Secretary as Vice Chairperson, and selected cabinet secretaries as members. The Strategic Trade Management Office (STMO) serves as "the executive and technical agency of the national government for the establishment of the management systems for the trade in strategic goods". The STMO is a bureau under the administrative supervision of DTI.

Update

National Security Adviser Hermogenes C. Esperon, Jr. reported to the Senate that the IRR of this law is still pending as of September 5, 2016. A technical working group (TWG) was organized to prepare the draft IRR. The draft IRR is currently being reviewed by the Executive Secretary. Meanwhile, the DTI is currently studying the proposed organizational structure of the STMO.

The National Security Adviser noted that the Bureau of Customs and DTI need to harmonize their respective standard operating procedures regarding the import and export of the strategic goods, as well as the procedures in securing licenses.



SCIENCE AND TECHNOLOGY

RA 10173

AN ACT PROTECTING INDIVIDUAL PERSONAL INFORMATION IN INFORMATION AND COMMUNICATIONS SYSTEMS IN THE GOVERNMENT AND THE PRIVATE SECTOR, CREATING FOR THIS PURPOSE A NATIONAL PRIVACY COMMISSION, AND FOR OTHER PURPOSES

S. NO. 2965/H. NO. 4115

Approved on August 15, 2012

This law sets the procedures to be followed in the collection, processing and handling of personal information, outlines the rights of the data subjects, and creates the National Privacy Commission (NPC).

Update

The IRR was submitted to the Official Gazette on August 25, 2016 and filed with the UP Law Center on the same date. Deputy Commissioner Ivy D. Patdu told the Senate that the IRR sought to clarify “perceived ambiguities in the law, such as the use of the term *personal information* or interpretation of rules on non-applicability”. It also provided definitions of the principles of transparency, legitimate purpose, and proportionality while further explaining the rights of data subject.

The Deputy Commissioner noted that the NPC has conducted its first *motu proprio* investigation, which was related to the reported hacking of the Commission on Elections website. The cases are currently being evaluated after a series of fact-finding investigations and a clarificatory hearing. She added that NPC also issued a compliance order directing COMELEC to sufficiently notify data subjects affected by the personal data breach, including provision of assistance to those who may be put at risk for identity theft, or whose personal data had been compromised.

The Commission has received additional complaints from data subjects on different issues, including (1) the right to request erasure of personal data records from a company data base (2) unauthorized disclosure of electronic

mail address (3) perceived vulnerabilities in government IT system (4) publication of personal data in government websites, and (5) unauthorized disclosure of financial information. These complaints are still being reviewed.

To monitor and ensure compliance with international standards set for data protection, the NPC is coordinating with the International Conference of Data Protection and Privacy Commissioners, applying for recognition as an independent Data Privacy Authority of the Philippines. The Commission is currently awaiting acceptance. The Commission participated in the Asia Pacific Privacy Authority Forum in Singapore on July 21-22, 2016 and attended the special session on Cross Border Privacy Rules on July 18, 2016.

NPC is currently reviewing issues related to the right to information privacy. For instance, it has released a brief position paper on the Memorandum Circular pertaining to Freedom of Information Access in government agencies. The Commission is also actively monitoring news reporting and social media sites on issues that affect privacy rights. NPC has also begun accepting requests for assistance, primarily from government agencies seeking to have data sharing agreements reviewed, or clarifying their respective authority to collect personal data. Meetings were held with the National Anti-Poverty Commission, the Philippine General Hospital, the Department of Health, the Commission on Higher Education, and the Department of Social Welfare and Development.

The Deputy Commissioner likewise noted that the NPC is still awaiting the release of its requested budget for its operating expense for the remainder of the year 2016. Nevertheless, it has initiated the hiring process by publishing available positions, and coordinating with other government agencies. Projects being considered for future implementation would include creation of a Data Privacy Council, establishing a Do Not Call Registry, and public information campaigns.

Recommendations

The Deputy Commissioner put forward the following recommendations:

1. The Data Privacy Act should already be reviewed for possible amendments to align it with the newly implemented European Union General Data Protection Regulation (2016), which already incorporates the current developments in Information and Communication Technology. The NPC is already reviewing the Act and intends to actively participate in advocating for further development of a privacy culture in the country, which meets international standards.
2. The Data Privacy Act requires those involved in the processing or use of

personal data to designate an individual or individuals who are accountable for the organization's compliance with this Act. The identity of the individuals so designated shall be made known to any data subject upon request. Based on our consultations, compliance with this provision of the law (Sec. 21) remains to be a problem because of government budgetary constraints. In other jurisdictions, the compliance officer or data protection officer is recommended to be a high level officer, in view of the important and critical function of the position. The NPC recommends legislative support on this front. The protection of personal data is necessary in today's digital age, where information is the new currency.

3. The Commission is also mindful of the need to incorporate data protection principles in other legislation. Current laws or regulations allow for disclosure of personal information that may not be necessary for the purpose sought to be achieved. For example the General Appropriations Act of 2016 mandate the posting of sensitive personal information in government websites, such as patients or names and location of people who receive medical assistance. The need for transparency in government can be addressed without making these sensitive personal information readily available in websites, with the potential to prejudice vulnerable sectors. As a general rule, personal data should be processed only to the minimum extent necessary to achieve a legitimate government purpose.
4. Laws such as proposed bills to create a National Identification System or similar systems should always take into consideration the need for implementing security measures. The Data Privacy Act supports free flow of information and efficiency in the provision of government services. It is important that in projects, programs or other endeavors involving collection and use of personal data of Filipinos, a privacy impact assessment be performed. Understanding the risks is important to ensure that when use or benefits from personal data of citizens is contemplated, there is a corresponding obligation to ensure adequate safeguards are in place, including implementation of organizational, physical and technical security measures for personal data protection.

RA 10612

AN ACT EXPANDING THE COVERAGE OF THE SCIENCE AND TECHNOLOGY (S&T) SCHOLARSHIP PROGRAM AND STRENGTHENING THE TEACHING OF SCIENCE AND MATHEMATICS IN SECONDARY SCHOOLS AND FOR OTHER PURPOSES

Approved on August 23, 2013

This law seeks to strengthen the country's science and technology education by fast-tracking graduates in the sciences, mathematics, and engineering who shall teach science and mathematics subjects in high schools around the country. It provides scholarships to finance the education of talented and deserving students in their third year of college, as well as incentives for them to pursue a career in teaching in high schools, especially in their home regions.

RA 10612 also sets conditions and incentives for return of service, as well as options for science, technology, engineering and mathematics (STEM) graduates who did not receive the scholarship but intend to teach in high school.

Update

The IRR was approved by the Secretaries of the Department of Science and Technology (DOST) and the Department of Education on August 4, 2014. The number of scholars under this law has grown from 500 in 2014 to 2,000 in 2016. This figure is expected to grow further to 2,684 in 2017.

Director Josette T. Biyo of the DOST-Science Education Institute informed the Senate of the following activities covering 2015-2016:

2015 Junior Level Science Scholarships Examination

Qualifiers were announced on September 15, 2015. 1,030 out of the 3,945 college students who applied for the scholarship passed the exam, equivalent to an acceptance rate of 26%.

Preparations for the 2016 Junior Level Science Scholarships

An orientation meeting was held with DOST Regional Scholarship Coordinators and Project Staff on March 14-15, 2016 in Tagaytay to prepare for this year's Junior Level Science Scholarships exam.

Fast-track Arrangement with the Department of Education (DepEd)

SEI coordinated with DepEd in the hiring of 311 scholar-graduates of RA 10612 to teach science, math and technology courses in public and private high schools.



SOCIAL JUSTICE, WELFARE AND RURAL DEVELOPMENT

RA 10165

AN ACT TO STRENGTHEN AND PROPAGATE FOSTER CARE AND TO PROVIDE FUNDS THEREFOR

S. NO. 2486/H. NO. 4481

Approved on June 11, 2012

The Foster Care Act of 2012 seeks to ensure the welfare of children who are neglected, abused, surrendered, dependent, abandoned, under sociocultural difficulties, or with special needs. It outlines the procedure for becoming foster parents and sets regulations with respect to adoption of a foster child, the parental authority of foster parents, and termination of placement, among others.

Update

Undersecretary Mateo G. Montaño of the Department of Social Welfare and Development (DSWD) informed the Senate on September 5, 2016 that 1,227 children were placed under foster care as of July 2016. 85% of these children are classified under community-based setting consisting of social welfare and development (SWAD) teams, local government units and non-government organizations. The remaining 15% were in DSWD-run facilities. DSWD provides a monthly subsidy of PhP 4,000 for healthy/normal children and PhP 5,000 for children with special needs. About half of all children under foster care receive this subsidy.

Meanwhile, Usec. Montaño reported that as of July 2016, there were 998 licensed foster parents, of which 79% were assessed by SWAD teams. 15% were from non-government child placing agencies, which are licensed and accredited by the DSWD to recruit and develop foster parents and place children under foster care. The rest were assessed by the local government units. Moreover, as of the same period, there were 74 children and 73 foster parents available for foster matching.

The DSWD noted that for CY 2016, Field Offices have utilized some PhP 14.5 million out of the PhP 27.0 M allotted for foster care subsidy.

The IRR of this law was approved on November 19, 2012.

Issues and concerns

1. Despite privileges offered to foster parents, recruitment and development remain a challenge due to factors such as the large number of cases, as well as the number of other tasks handled by social workers.
2. Some provisions in the IRR, notably on matching of foster children and foster parents, are not being implemented due to the following:
 - Most child placement agencies have no established Foster Care Committee, forcing them to wait for the schedule of matching in the DSWD Field Office;
 - Convening the Foster Care Committee to discuss cases with special needs defeats the purpose of foster care because by the time the foster parents and foster children are matched, nearly half of interventions have already been performed by the agency;
 - The agency has no budget for the honorarium of Foster Care Committee members;
 - The law does not specify policies regarding regional and inter-regional foster care matching.
3. Most LGUs have no funding for the foster care program, resulting in social workers who are not fully equipped on key features of the law and IRR. DSWD is helping to bridge this gap by organizing seminars on alternative parental care to different municipalities and provinces.



WAYS AND MEANS

RA 10653

AN ACT ADJUSTING THE 13TH MONTH PAY AND OTHER BENEFITS CEILING EXCLUDED FROM THE COMPUTATION OF GROSS INCOME FOR PURPOSES OF INCOME TAXATION, AMENDING FOR THE PURPOSE SECTION 32(B), CHAPTER VI OF THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED

H. No. 4970/S. No. 2437

Approved on FEBRUARY 12, 2015

This law exempts 13th month pay and other benefits from taxation provided that the benefit does not exceed eighty-two thousand pesos (PhP 82,000).

Update

Undersecretary Jeremias N. Paul, Jr. of the Department of Finance (DOF) informed the Senate in 2015 that the agency issued Revenue Regulations No. 3-2015 to serve as the Implementing Rules and Regulations of RA 10653.

Revenue Regulations No. 3-2015 clarified that the PhP 82,000 ceiling only applies to the 13th month pay and other benefits prescribed under the provisions of Section 2.78.1(B)(11) of Revenue Regulation No. 2-98, as amended, which also covers members' Christmas bonuses, productivity incentive bonuses, loyalty awards, as well as gifts in cash and in kind.

The Bureau of Internal Revenue said that the total amount of bonuses to be subjected under the PhP 82,000 ceiling does not include other compensation received by an employee under an employer-employee relationship such as basic salary and allowance. Likewise, this exclusion from gross income is not applicable to self-employed individuals and income generated from businesses.

Violation of this law is punishable under the National Internal Revenue Code of 1997.



© 2016 Executive Legislative Liaison Service

Room 411, 4/F Senate of the Philippines
GSIS Financial Center, JW Diokno Blvd.,
CCP Complex, Pasay City, Philippines
+63 2 5526601 ext 4109, 4110, 4000
senate.ells@gmail.com
<http://www.senate.gov.ph>