

# Update on the Implementation of Laws

Laws of National Significance  
Approved on Jan 12, 2016 to Aug 6, 2018



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



## **PREFACE**

This handbook seeks to update Senators, Senate officials and employees, and other interested parties on the status of implementation of nationally significant laws. Specifically, it reports on the status of the implementing rules and regulations (IRR), as well as the issues encountered by government agencies tasked with implementing these laws.

The Executive-Legislative Liaison Service (ELLS) is committed to continuously monitor and review the implementation of laws to help ensure that the benefits of legislation are realized by stakeholders on the ground. This is our humble contribution to the Senate as an institution, as well as to the Filipino people who have a stake in the efficient and effective implementation of such laws.

We sincerely hope that this report will serve as a useful guide to anyone who may have the opportunity to use it.

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## PART 1: MONITORING MATRIX

This section contains information on the status of the Implementing Rules and Regulations (IRR) of selected laws passed during the 16th and 17th Congress that have a broad national impact. The contents are based on:

- a) Feedback from implementing agencies;
- b) Websites of implementing agencies and other government offices; and
- c) News reports from reputable media outlets.

Laws with IRRs labeled **Approved** means that the IRR has been approved and published by the implementing agencies. The date of approval, publication or effectivity 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 the following:

- 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 Required** means that the law does not explicitly require implementing agencies to promulgate an IRR.

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

RA No.	Title	S&H No./ Congress	Date Approved	IRR Status	IRR Approval, Publication or Effectivity	Narrative Report
AGRICULTURE AND FOOD						
10969	AN ACT PROVIDING FREE IRRIGATION SERVICE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 3601, AS AMENDED, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES	S. No. 1465 H. No. 5670  17th Congress	02-Feb-18	Pending		24
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	S. No. 2951 H. No. 6162  16th Congress	23-May-16	Not required		
10845	AN ACT DECLARING LARGE-SCALE AGRICULTURAL SMUGGLINGS AS ECONOMIC SABOTAGE, PRESCRIBING PENALTIES THEREFOR AND FOR OTHER PURPOSES	S. No. 2923 H. No. 6380  16th Congress	23-May-16	Approved	09-May-17	
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	S. No. 2831 H. No. 6347  16th Congress	17-May-16	Approved	26-Jul-2017	24
10816	AN ACT PROVIDING FOR THE DEVELOPMENT AND PROMOTION OF FARM TOURISM IN THE PHILIPPINES	S. No. 3002 H. No. 5299  16th Congress	16-May-16	Approved	01-Dec-16	

RA No.	Title	S&H No./ Congress	Date Approved	IRR Status	IRR Approval, Publication or Effectivity	Narrative Report
	BANKS, FINANCIAL INSTITUTIONS AND CURRENCIES					
10927	AN ACT DESIGNATING CASINOS AS COVERED PERSONS UNDER REPUBLIC ACT NO. 9160, OTHERWISE KNOWN AS THE ANTI-MONEY LAUNDERING ACT OF 2001, AS AMENDED	S. No. 1468 H. No. 5663  17th Congress	14-Jul-17	Approved	04-Nov-17	29
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	S. No. 2976 H. No. 6020  16th Congress	23-May- 16	Not required		27
	CIVIL SERVICE, GOVERNMENT REORGANIZATION AND PROFESSIONAL REGULATION					
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	S. No. 2581 H. No. 6423  16th Congress	21-Jul-16	Approved	15-Mar-17	32
	CONSTITUTIONAL AMENDMENTS AND REVISION OF CODES					
10951	AN ACT ADJUSTING THE AMOUNT OR THE VALUE OF PROPERTY ON WHICH A PENALTY IS BASED, AND THE FINES IMPOSED UNDER THE REVISED PENAL CODE, AMENDING FOR THE PURPOSE ACT NO. 3815, OTHERWISE KNOWN AS THE REVISED PENAL CODE, AS AMENDED	S. No. 14 H. No. 5513  17th Congress	29-Aug-17	Not required		

RA No.	Title	S&H No./ Congress	Date Approved	IRR Status	IRR Approval, Publication or Effectivity	Narrative Report
	ECONOMIC AFFAIRS					
10922	AN ACT DECLARING THE SECOND WEEK OF NOVEMBER OF EVERY YEAR AS ECONOMIC AND FINANCIAL LITERACY WEEK	S. No. 2779 H. No. 5452  16th Congress	22-Jul-16	Not required		36
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	S. No. 3023 H. No. 6395  16th Congress	17-Jul-16	Not required		36
	EDUCATION, ARTS AND CULTURE					
11037	AN ACT INSTITUTIONALIZING A NATIONAL FEEDING PROGRAM FOR UNDERNOURISHED CHILDREN IN PUBLIC DAY CARE, KINDERGARTEN AND ELEMENTARY SCHOOLS TO COMBAT HUNGER AND UNDERNUTRITION AMONG FILIPINO CHILDREN AND APPROPRIATING FUNDS THEREFOR	S. No. 1279 H. No. 5269  17th Congress	20-Jun-18	Pending		
10968	AN ACT INSTITUTIONALIZING THE PHILIPPINE QUALIFICATIONS FRAMEWORK (PQF), ESTABLISHING THE PQF-NATIONAL COORDINATING COUNCIL (NCC) AND APPROPRIATING FUNDS THEREFOR	S. No. 1456 H. No. 6572  17th Congress	16-Jan-18	Pending		38



RA No.	Title	S&H No./ Congress	Date Approved	IRR Status	IRR Approval, Publication or Effectivity	Narrative Report
10931	AN ACT PROMOTING UNIVERSAL ACCESS TO QUALITY TERTIARY EDUCATION BY PROVIDING FOR FREE TUITION AND OTHER SCHOOL FEES IN STATE UNIVERSITIES AND COLLEGES, LOCAL UNIVERSITIES AND COLLEGES AND STATE-RUN TECHNICAL-VOCATIONAL INSTITUTIONS, ESTABLISHING THE TERTIARY EDUCATION SUBSIDY AND STUDENT LOAN PROGRAM, STRENGTHENING THE UNIFIED STUDENT FINANCIAL ASSISTANCE SYSTEM FOR TERTIARY EDUCATION, AND APPROPRIATING FUNDS THEREFOR	S. No. 1304 H. No. 5633  17th Congress	03-Aug-17	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	S. No. 3205 H. No. 4832  16th Congress	21-Jul-16	Not required		
10743	AN ACT DECLARING THE FIFTH DAY OF OCTOBER OF EVERY YEAR AS THE NATIONAL TEACHERS' DAY	S. No. 510 H. No. 4148  16th Congress	29-Jan-16	Not required		
	ELECTORAL REFORMS AND PEOPLES' PARTICIPATION					
10952	AN ACT POSTPONING THE OCTOBER 2017 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED BY REPUBLIC ACT NO. 9340, REPUBLIC ACT NO. 10632, REPUBLIC ACT NO. 10656, AND REPUBLIC ACT NO. 10923, AND FOR OTHER PURPOSES	S. No. 1584 H. No. 6308  17th Congress	02-Oct-17	No update		

RA No.	Title	S&H No./ Congress	Date Approved	IRR Status	IRR Approval, Publication or Effectivity	Narrative Report
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  16th Congress	08-Apr-16	Approved	05-Sep-17	
	ENERGY					
11039	AN ACT INSTITUTIONALIZING THE ELECTRIC COOPERATIVES EMERGENCY AND RESILIENCY FUND AND APPROPRIATING FUNDS THEREFOR	S. No. 1461, H. No. 7054  17th Congress	29-Jun-18	Pending		39
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	S. No. 2622 H. No. 5587  16th Congress	26-Feb-16	Approved	24-Jun-16	
	ENVIRONMENT AND NATURAL RESOURCES					
11038	AN ACT DECLARING PROTECTED AREAS AND PROVIDING FOR THEIR MANAGEMENT, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 7586, OTHERWISE KNOWN AS THE NATIONAL INTEGRATED PROTECTED AREAS SYSTEM (NIPAS) ACT OF 1992, AND FOR OTHER PURPOSES	S. No. 1444 H. No. 6772  17th Congress	22-Jun-18	Pending		

RA No.	Title	S&H No./ Congress	Date Approved	IRR Status	IRR Approval, Publication or Effectivity	Narrative Report
	FOREIGN RELATIONS					
10928	AN ACT EXTENDING THE VALIDITY OF PHILIPPINE PASSPORTS, AMENDING FOR THE PURPOSE SECTION 10 OF REPUBLIC ACT NO. 8239, OTHERWISE KNOWN AS THE PHILIPPINE PASSPORT ACT OF 1996, AND FOR OTHER PURPOSES	S. No. 1365 H. No. 4767  17th Congress	02-Aug-17	Approved	01-Jan-18	40
	HEALTH AND DEMOGRAPHY					
11036	AN ACT ESTABLISHING A NATIONAL MENTAL HEALTH POLICY FOR THE PURPOSE OF ENHANCING THE DELIVERY OF INTEGRATED MENTAL HEALTH SERVICES, PROMOTING AND PROTECTING THE RIGHTS OF PERSONS UTILIZING PSYCHIATRIC, NEUROLOGIC AND PSYCHOSOCIAL HEALTH SERVICES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES	S. No. 1354 H. No. 6452  17th Congress	20-Jun-18	Pending		
10932	AN ACT STRENGTHENING THE ANTI-HOSPITAL DEPOSIT LAW BY INCREASING THE PENALTIES FOR THE REFUSAL OF HOSPITALS AND MEDICAL CLINICS TO ADMINISTER APPROPRIATE INITIAL MEDICAL TREATMENT AND SUPPORT IN EMERGENCY, OR SERIOUS CASES, AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 702, OTHERWISE KNOWN AS "AN ACT PROHIBITING THE DEMAND OF DEPOSITS OR ADVANCE PAYMENTS FOR THE CONFINEMENT OR TREATMENT OF PATIENTS IN HOSPITALS AND MEDICAL CLINICS IN CERTAIN CASES", AS AMENDED BY REPUBLIC ACT NO. 8344, AND FOR OTHER PURPOSES	S. No. 1353 H. No. 5159  17th Congress	03-Aug-17	Approved	08-Apr-18	

RA No.	Title	S&H No./ Congress	Date Approved	IRR Status	IRR Approval, Publication or Effectivity	Narrative Report
10767	AN ACT ESTABLISHING A COMPREHENSIVE PHILIPPINE PLAN OF ACTION TO ELIMINATE TUBERCULOSIS AS A PUBLIC HEALTH PROBLEM AND APPROPRIATING FUNDS THEREFOR	S. No. 2653 H. No. 5042  16th Congress	26-Apr-16	Approved	05-May-17	
10747	AN ACT PROMULGATING A COMPREHENSIVE POLICY IN ADDRESSING THE NEEDS OF PERSONS WITH RARE DISEASE	S. No. 2990 H. No. 5973  16th Congress	03-Mar-16	Approved	23-Nov-17	
JUSTICE AND HUMAN RIGHTS						
11055	AN ACT ESTABLISHING THE PHILIPPINE IDENTIFICATION SYSTEM	S. No. 1738 H. No. 6221  17th Congress	06-Aug-18	Pending		41
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	S. No. 2422 H. No. 4146  16th Congress	21-Jul-16	Not required		
10867	AN ACT REORGANIZING AND MODERNIZING THE NATIONAL BUREAU OF INVESTIGATION (NBI), AND PROVIDING FUNDS THEREFOR	S. No. 2950 H. No. 5855  16th Congress	23-Jun-16	IRR 1: Approved IRR 2: Pending	IRR 1: 20-Dec-16	43
10766	AN ACT EXTENDING THE LIFE OF THE HUMAN RIGHTS VICTIMS CLAIMS BOARD, AMENDING FOR THIS PURPOSE SECTION 29 OF REPUBLIC ACT NO. 10368 ENTITLED, "AN ACT PROVIDING FOR REPARATION AND RECOGNITION OF VICTIMS OF HUMAN RIGHTS VIOLATIONS DURING THE MARCOS REGIME, DOCUMENTATION OF SAID VIOLATIONS, APPROPRIATING FUNDS	S. No. 3153 H. No. 6412  16th Congress	19-Apr-16	Not required		

RA No.	Title	S&H No./ Congress	Date Approved	IRR Status	IRR Approval, Publication or Effectivity	Narrative Report
	THEREFOR AND FOR OTHER PURPOSES					
	LABOR, EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT					
10970	AN ACT DECLARING THE TWENTY-FIFTH DAY OF AUGUST OF EVERY YEAR AS THE NATIONAL TECH-VOC DAY	S. No. 209 H. No. 6136  17th Congress	07-Feb-18	Not required		45
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	S. No. 3090 H. No. 6414  16th Congress	21-Jul-16	Approved	20-Mar-17	
10911	AN ACT PROHIBITING DISCRIMINATION AGAINST ANY INDIVIDUAL IN EMPLOYMENT ON ACCOUNT OF AGE AND PROVIDING PENALTIES THEREFOR	S. No. 29 H. No. 6418  16th Congress	21-Jul-16	Approved	02-Feb-17	
10871	AN ACT REQUIRING BASIC EDUCATION STUDENTS TO UNDERGO AGE-APPROPRIATE BASIC LIFE SUPPORT TRAINING	S. No. 3204 H. No. 6204  16th Congress	17-Jul-16	No update		
10869	AN ACT INSTITUTIONALIZING THE NATIONWIDE IMPLEMENTATION OF THE JOBSTART PHILIPPINES PROGRAM AND PROVIDING FUNDS THEREFOR	S. No. 3091 H. No. 6415  16th Congress	29-Jun-16	Approved	08-Sep-17	

RA No.	Title	S&H No./ Congress	Date Approved	IRR Status	IRR Approval, Publication or Effectivity	Narrative Report
10801	AN ACT GOVERNING THE OPERATIONS AND ADMINISTRATION OF THE OVERSEAS WORKERS WELFARE ADMINISTRATION	S. No. 2955 H. No. 4990  16th Congress	10-May-16	Approved	08-Mar-17	
10789	AN ACT AMENDING PRESIDENTIAL DECREE NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES BY ADDING A NEW ARTICLE 302-A REDUCING THE RETIREMENT AGE OF RACEHORSE JOCKEYS FROM SIXTY (60) TO FIFTY-FIVE (55)	S. No. 129 H. No. 4133  16th Congress	03-May-16	Approved	02-Feb-17	
10771	AN ACT PROMOTING THE CREATION OF GREEN JOBS, GRANTING INCENTIVES AND APPROPRIATING FUNDS THEREFOR	S. No. 3092 H. No. 6100  16th Congress	25-Apr-16	Approved	07-Sep-17	
10757	AN ACT REDUCING THE RETIREMENT AGE OF SURFACE MINE WORKERS FROM SIXTY (60) TO FIFTY (50) YEARS, AMENDING FOR THE PURPOSE ARTICLE 302 OF PRESIDENTIAL DECREE NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES	S. No. 2836 H. No. 4271  16th Congress	08-Apr-16	Approved	19-Dec-17	
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	S. No. 2837 H. No. 5306  16th Congress	12-Jan-16	Not required		

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	LOCAL GOVERNMENT					
11054	AN ACT PROVIDING FOR THE ORGANIC LAW FOR THE BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO	S. No. 1717 H. No. 6475  17th Congress	27-Jul-18	Not required		
10923	AN ACT POSTPONING THE OCTOBER 2016 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED BY REPUBLIC ACT NO. 9340 AND REPUBLIC ACT NO. 10656, PRESCRIBING ADDITIONAL RULES GOVERNING THE CONDUCT OF BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS AND FOR OTHER PURPOSES	S. No. 1112 H. No. 3504  17th Congress	15-Oct-16	No update		
10755	AN ACT AUTHORIZING THE PUNONG BARANGAY TO ADMINISTER THE OATH OF OFFICE OF ANY GOVERNMENT OFFICIAL, INCLUDING THE PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES, AMENDING FOR THE PURPOSE SECTION 41 OF EXECUTIVE ORDER NO. 292 OTHERWISE KNOWN AS THE ADMINISTRATIVE CODE OF 1987, AS AMENDED BY REPUBLIC ACT NO. 6733	S. No. 2693 H. No. 2729  16th Congress	29-Mar-16	Not required		
10742	AN ACT ESTABLISHING REFORMS IN THE SANGGUNIANG KABATAAN CREATING ENABLING MECHANISMS FOR MEANINGFUL YOUTH PARTICIPATION IN NATION-BUILDING, AND FOR OTHER PURPOSES	S. No. 2401 H. No. 6043  16th Congress	15-Jan-16	Approved	10-Aug-16	

RA No.	Title	S&H No./ Congress	Date Approved	IRR Status	IRR Approval, Publication or Effectivity	Narrative Report
	PUBLIC INFORMATION AND MASS MEDIA					
10905	AN ACT REQUIRING ALL FRANCHISE HOLDERS OR OPERATORS OF TELEVISION STATIONS AND PRODUCERS OF TELEVISION PROGRAMS TO BROADCAST OR PRESENT THEIR PROGRAMS WITH CLOSED CAPTIONS OPTIONS, AND FOR OTHER PURPOSES	S. No. 2239 H. No. 925  16th Congress	21-Jul-16	Pending		
	PUBLIC ORDER AND DANGEROUS DRUGS					
11053	AN ACT PROHIBITING HAZING AND REGULATING OTHER FORMS OF INITIATION RITES OF FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8049, ENTITLED "AN ACT REGULATING HAZING AND OTHER FORMS OF INITIATION RITES IN FRATERNITIES, SORORITIES, AND ORGANIZATIONS AND PROVIDING PENALTIES THEREFOR	S. No. 1662 H. No. 6573  17th Congress	29-Jun-18	Pending		
10973	AN ACT GRANTING THE CHIEF OF THE PHILIPPINE NATIONAL POLICE (PNP) AND THE DIRECTOR AND THE DEPUTY DIRECTOR FOR ADMINISTRATION OF THE CRIMINAL INVESTIGATION AND DETECTION GROUP (CIDG) THE AUTHORITY TO ADMINISTER OATH AND TO ISSUE SUBPOENA AND SUBPOENA DUCES TECUM, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6975, AS AMENDED, OTHERWISE KNOWN AS THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT ACT OF 1990	S. No. 1239 H. No. 4863  17th Congress	01-Mar-18	Not required		46



RA No.	Title	S&H No./ Congress	Date Approved	IRR Status	IRR Approval, Publication or Effectivity	Narrative Report
10883	AN ACT PROVIDING FOR A NEW ANTI-CARNAPPING LAW OF THE PHILIPPINES	S. No. 2794 H. No. 4544  16th Congress	17-Jul-16	Pending		47
	<b>PUBLIC SERVICES</b>					
10930	AN ACT RATIONALIZING AND STRENGTHENING THE POLICY REGARDING DRIVER'S LICENSE BY EXTENDING THE VALIDITY PERIOD OF DRIVERS' LICENSES, AND PENALIZING ACTS IN VIOLATION OF ITS ISSUANCE AND APPLICATION, AMENDING FOR THOSE PURPOSES SECTION 23 OF REPUBLIC ACT NO 4136, AS AMENDED BY BATAS PAMBANSA BLG. 398 AND EXECUTIVE ORDER NO. 1011, OTHERWISE KNOWN AS THE LAND TRANSPORTATION AND TRAFFIC CODE	S. No. 1449 H. No. 5648  17th Congress	02-Aug-17	Approved		49
10916	AN ACT REQUIRING THE MANDATORY INSTALLATION OF SPEED LIMITER IN PUBLIC UTILITY AND CERTAIN TYPES OF VEHICLE	S. No. 2999 H. No. 5911  16th Congress	21-Jul-16	Approved	12-Apr-18	50
10913	AN ACT DEFINING AND PENALIZING DISTRACTED DRIVING	S. No. 3211 H. No. 4531  16th Congress	21-Jul-16	Approved	01-Jun-17	50
	<b>PUBLIC WORKS</b>					
10752	AN ACT FACILITATING THE ACQUISITION OF RIGHT-OF- WAY SITE OR LOCATION FOR NATIONAL GOVERNMENT INFRASTRUCTURE PROJECTS	S. No. 3004 H. No. 5588  16th Congress	07-Mar-16	Approved	25-May-16	

RA No.	Title	S&H No./ Congress	Date Approved	IRR Status	IRR Approval, Publication or Effectivity	Narrative Report
	SCIENCE AND TECHNOLOGY					
11035	AN ACT INSTITUTIONALIZING THE BALIK SCIENTIST PROGRAM, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES	S. No. 1533 H. No. 5792  17th Congress	15-Jun-18	Pending		52
10929	AN ACT ESTABLISHING THE FREE INTERNET ACCESS PROGRAM IN PUBLIC PLACES IN THE COUNTRY AND APPROPRIATING FUNDS THEREFOR	S. No. 1277 H. No. 5225  17th Congress	02-Aug-17	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	S. No. 2686 H. No. 6198  16th Congress	23-May-16	Approved	17-Oct-16	
	SOCIAL JUSTICE, WELFARE AND RURAL DEVELOPMENT					
10868	AN ACT HONORING AND GRANTING ADDITIONAL BENEFITS AND PRIVILEGES TO FILIPINO CENTENARIANS, AND FOR OTHER PURPOSES	S. No. 449 H. No. 5780  16th Congress	23-Jun-16	Approved	26-Sep-16	53
	TRADE, COMMERCE AND ENTREPRENEURSHIP					
11032	AN ACT PROMOTING EASE OF DOING BUSINESS AND EFFICIENT DELIVERY OF GOVERNMENT SERVICES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9485 OTHERWISE KNOWN AS THE ANTI-RED TAPE ACT OF 2007, AND FOR OTHER PURPOSES.	S. No. 1311 H. No. 6579  17th Congress	28-May-18	Pending		

RA No.	Title	S&H No./ Congress	Date Approved	IRR Status	IRR Approval, Publication or Effectivity	Narrative Report
10962	AN ACT REGULATING THE ISSUANCES, USE AND REDEMPTION OF GIFT CHECKS	S. No. 1466 H. No. 6016  17th Congress	19-Dec-17	Pending		54
10909	AN ACT PROHIBITING BUSINESS ESTABLISHMENTS FROM GIVING INSUFFICIENT OR NO CHANGE TO CONSUMERS AND PROVIDING PENALTIES THEREFOR	S. No. 1618 H. No. 4730  16th Congress	21-Jul-16	Approved	29-Dec-16	55
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  16th Congress	06-Feb-16	Approved	20-Jun-17	56
	URBAN PLANNING, HOUSING AND RESETTLEMENT					
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	S. No. 2947 H. No. 4116  16th Congress	17-Jul-16	Approved	03-May-17	

RA No.	Title	S&H No./ Congress	Date Approved	IRR Status	IRR Approval, Publication or Effectivity	Narrative Report
	WAYS AND MEANS					
10963	AN ACT AMENDING SECTIONS 5, 6, 24, 25, 27, 31, 32, 33, 34, 51, 52, 56, 57, 58, 74, 79, 84, 86, 90, 91, 97, 99, 100, 101, 106, 107, 108, 109, 110, 112, 114, 116, 127, 128, 129, 145, 148, 149, 151, 155, 171, 174, 175, 177, 178, 179, 180, 181, 182, 183, 186, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 232, 236, 237, 249, 254, 264, 269, AND 288; CREATING NEW SECTIONS 51-A, 148-A, 150-A, 150-B, 237-A, 264-A, 264-B AND 265-A; AND REPEALING SECTIONS 35, 62 AND 89, ALL UNDER REPUBLIC ACT NO. 8424, OTHERWISE KNOWN AS THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED, AND FOR OTHER PURPOSES	S. No. 1592 H. No. 5636  17th Congress	19-Dec-17	BIR issuances to date:  14 Revenue Regulations  14 Revenue Memo Circulars  9 Memo Orders		
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	S. No. 2987 H. No. 5713  16th Congress	10-Jun-16	No update		
10863	AN ACT MODERNIZING THE CUSTOMS AND TARIFF ADMINISTRATION	S. No. 2968 H. No. 5525  16th Congress	30-May-16	Pending		58
10754	AN ACT EXPANDING THE BENEFITS AND PRIVILEGES OF PERSONS WITH DISABILITY (PWD)	S. No. 2890 H. No. 1039  16th Congress	23-Mar-16	Approved	08-Apr-17	59

RA No.	Title	S&H No./ Congress	Date Approved	IRR Status	IRR Approval, Publication or Effectivity	Narrative Report
	WOMEN, CHILDREN, FAMILY RELATIONS AND GENDER EQUALITY					
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	S. No. 3209 H. No. 5572  16th Congress	21-Jul-16	No update		
10821	AN ACT MANDATING THE PROVISION OF EMERGENCY RELIEF AND PROTECTION FOR CHILDREN BEFORE, DURING, AND AFTER DISASTERS AND OTHER EMERGENCY SITUATIONS	S. No. 3034 H. No. 5285  16th Congress	18-May- 16	Approved	28-Feb-18	62
	OTHERS					
11014	AN ACT DECLARING JANUARY 23 OF EVERY YEAR A SPECIAL WORKING HOLIDAY IN THE ENTIRE COUNTRY TO COMMEMORATE THE DECLARATION OF THE FIRST PHILIPPINE REPUBLIC	H. No. 477  17th Congress	05-Apr-18	Not required		
10966	AN ACT DECLARING DECEMBER 8 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE ENTIRE COUNTRY TO COMMEMORATE THE FEAST OF THE IMMACULATE CONCEPTION OF MARY, THE PRINCIPAL PATRONESS OF THE PHILIPPINES	H. No. 5241  17th Congress	28-Dec-17	Not required		

RA No.	Title	S&H No./ Congress	Date Approved	IRR Status	IRR Approval, Publication or Effectivity	Narrative Report
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	H. No. 772  16th Congress	17-Jul-16	Approved	30-May-18	70
10879	AN ACT ESTABLISHING THE SOUTHWESTERN TAGALOG REGION TO BE KNOWN AS THE MIMAROPA REGION	H. No. 5511  16th Congress	17-Jul-16	Approved	16-Dec-16	63
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	H. No. 3785  16th Congress	17-Jul-16	Pending		68
10870	AN ACT REGULATING THE PHILIPPINE CREDIT CARD INDUSTRY	H. No. 5417  16th Congress	17-Jul-16	Not required		69
10866	AN ACT DECLARING THE PROVINCE OF BATANES AS A RESPONSIBLE, COMMUNITY-BASED CULTURAL HERITAGE AND ECOTOURISM ZONE	H. No. 6152  16th Congress	23-Jun-16	Pending		70

RA No.	Title	S&H No./ Congress	Date Approved	IRR Status	IRR Approval, Publication or Effectivity	Narrative Report
10786	AN ACT DECLARING THE FOURTH WEEK OF SEPTEMBER OF EVERY YEAR AS THE NATIONAL THYROID CANCER AWARENESS WEEK	H. No. 5307  16th Congress	03-May- 16	Not required		

## **PART 2: IMPLEMENTATION REPORTS**

This section contains 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 was also incorporated.



## **Agriculture and Food**

### **RA 10969**

AN ACT PROVIDING FREE IRRIGATION SERVICE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 3601, AS AMENDED, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

S. No. 1465/H. No. 5670, Approved on 02-Feb-18

#### **Description**

This Act declares that all farmers with landholding of eight (8) hectares and below are exempted from paying irrigation service fees for water derived from National Irrigation Systems and Communal Irrigation Systems that were, or are to be funded, constructed, maintained and administered by the National Irrigation Administration (NIA).

NIA is mandated to implement this law in consultation with concerned government agencies, farmers, irrigators associations, farmers' cooperatives, and other stakeholders.

#### **Update**

The National Irrigation Authority (NIA) reported to the Senate that the IRR has been drafted and is pending the approval of the NIA Board. The IRR will likely be adopted in September 2018.

### **RA 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

S. No. 2831/H. No. 6347, Approved on 17-May-16

#### **Description**

This law seeks to develop and promote the Halal industry and increase the exports of Halal products. It establishes the Philippine Halal Export Development and Promotion Program and the Halal Board.

The Halal Board consists of the following:

- (a) Secretary, DTI - Chairperson
- (b) Secretary, NCMF - Vice Chairperson
- (c) Secretary, DA
- (d) Secretary, DOH
- (e) Secretary, DOST
- (f) Secretary, DFA
- (g) Secretary, DOT
- (h) Governor, BSP
- (i) Chairperson, MinDA
- (j) 2 Professional Muslim Filipinos (from the academe, law, industry, or food science who have experience in Halal industry development)

## **Update**

The Department of Trade and Industry (DTI) reported that the Philippine Accreditation Bureau (DTI-PAB) is currently developing a national certification scheme that will set clear guidelines on the accreditation standards. DTI-PAB is the sole agency mandated by law to handle the accreditation of halal-certification bodies, inspection bodies, and testing and calibration laboratories.

DTI Assistant Secretary Abdulgani M. Macatoman, speaking before the World Halal Assembly in Pasay City on 18 January 2018, noted that while the Philippines “only contributed five (5) percent of the global halal trade”, more opportunities are starting to open up for Filipino entrepreneurs. “Preparation of halal food and fashion pieces require a great understanding and obedience to Muslim culture, and we Filipinos have a great grasp of this culture and unique practices. Filipino Muslims naturally understand what the global market wants and needs, being part of the market themselves. And the sheer size of underserved markets makes it easier to penetrate the industry. There are simply more people who need Halal products and services than there are existing businesses”.

Asec. Macatoman remarked that with a steadily growing global Muslim population, the halal industry is expected to hit US\$ 10 trillion by 2030.

### *Other accomplishments*

- DTI’s Export Marketing Bureau (DTI-EMB) held a halal awareness seminar and consultation with stakeholders on 1 February 2018, in Davao City. DTI-EMB used the event to present the draft Philippine Halal Development and Promotion Program Strategic Plan. DTI-EMB is the secretariat of the Halal Export Board, the body that oversees the country’s halal industry.

- DTI through its regional office also participated in the first Autonomous Region in Muslim Mindanao (ARMM) Halal Summit on 28-29 June 2018, in Lamitan, Basilan. The event coincided with the launch of the Halal Food Innovation Center, the first of its kind in the country. The center is envisioned to help micro, small and medium enterprises access locally-developed technologies designed to improve and promote their products.

The IRR of this law was approved/published on 26 July 2017.<sup>1</sup>

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<sup>1</sup> Department of Trade and Industry; BusinessMirror (<https://businessmirror.com.ph/dti-emb-eyes-strategic-plan-for-phl-halalexports-with-mindanao-halal-stakeholders/>)

## Banks, Financial Institutions and Currencies

### **RA 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

S. No. 2976/H. No. 6020, 23-May-16

### **Description**

This law amended the Charter of the Philippine Deposit Insurance Corporation (PDIC). It seeks to address the inconvenience caused to depositors by the absence of deposit records of closed banks, or by irregularities in the documentation and deposit record keeping of a closed bank. It also allows faster payment of deposit insurance claims and faster access to customers' locked funds.

### **Update**

President and CEO Roberto B. Tan of the Philippine Deposit Insurance Corporation (PDIC) reported to the Senate the following issuances related to the implementation of this law:

*As statutory receiver of closed banks:*

- Master Liquidation Plan for Closed Banks (approved by PDIC Board on 18 January 2017). This document governs the conduct of liquidation by PDIC for closed banks. Copies are sent to regional trial courts where petitions for assistance in the liquidation of closed banks are filed/pending;
- Memorandum No. 2018-01 (approved by the PDIC Board on 26 July 2017 and published on 18 February 2018). It sets out procedures for the filing of claims by creditors against the assets of the closed bank with the receiver within sixty (60) days from the date of publication of the notice of closure, in accordance with Section 16 (L) of the PDIC Charter; and
- Rules of procedure for Section 16 (B) of the PDIC Charter (pending). These rules shall set specific guidelines on the petition for assistance in the liquidation of a closed bank. Once finalized, the rules shall be submitted to the Supreme Court for consideration.

*As deposit insurer/co-regulator of banks:*

- Regulatory Issuance No. 2017-01 (approved by the PDIC Board on 3 April 2017). It governs the payment of regular assessment to PDIC by banks incorporated under Philippine law, including branches and agencies in the Philippines of foreign banks; and
- Bank Risk Monitoring and Mitigation Framework (approved by the PDIC Board on 5 October 2016). It sets out PDIC's role in supervising banks to complement the functions of the Bangko Sentral ng Pilipinas (BSP). This framework focuses on banks deemed "high risk" to PDIC and the depositing public. It outlines the interaction of offsite monitoring, onsite examination, enforcement action, and bank resolution to protect depositors and minimize losses to the Deposit Insurance Fund. Mr. Tan noted that this framework enhanced PDIC's authority and functions with respect to:
  - Exchange of information with BSP on banks under Prompt Corrective Action and those deemed high risk, consistent with Section 11 (b) of the PDIC Charter;
  - Capacity to impose such enforcement action as termination of the insured status of banks which do not comply with cease and desist order in relation to unsafe and/or unsound deposit practices provided under Section 8 (c) of the PDIC Charter; and
  - Capacity to commence resolution activity on a failed bank classified under prompt corrective action (PCA) if it requests in writing to be placed under resolution, and it has a third-party investor with a viable business plan, consistent with Section 11 (a) of the PDIC Charter.

*Other updates*

Mr. Tan informed that PDIC and BSP are reviewing the existing Memorandum of Agreement (MOA) on information exchange and sharing to reflect the latest regulatory and industry environment. This document seeks to establish an overall framework by which the two agencies shall share relevant bank information/data while respecting data privacy. It also seeks to enhance the effectiveness of their respective operations, and strengthen their cooperation in achieving their mandates. Moreover, PDIC will likewise revisit the MOA with BSP on the standardized procedures in the conduct of examination of banks. This MOA was previously amended on 27 November 2013.

*Recommendations*

Mr. Tan proposes the enactment of a law formally creating the Financial Stability Coordinating Council (FSCC) chaired by the BSP governor, with the Department

of Finance, Securities and Exchange Commission, Insurance Commission, and the PDIC as members.

The FSCC is currently a voluntary interagency council created via MOA between the above agencies. It was formed to identify, manage and mitigate the buildup of systemic risks, consistent with the overall prudential objective of financial stability. Enacting a law creating the FSCC will equip it with the necessary powers to ensure financial stability and the integrity of the banking system.

### **RA 10927**

AN ACT DESIGNATING CASINOS AS COVERED PERSONS UNDER REPUBLIC ACT NO. 9160, OTHERWISE KNOWN AS THE ANTI-MONEY LAUNDERING ACT OF 2001, AS AMENDED

S. No. 1468/H. No. 5663, Approved on 14-Jul-17

### **Description**

This Act states that casinos, including internet and ship-based casinos, with respect to their casino cash transactions related to their gaming operation, and such other entities as may be determined by Appropriate Government Agency (AGA), are designated as covered persons under the Anti-Money Laundering Act (AMLA).

### **Update**

Atty. Mel Georgie B. Racela, Executive Director of the Anti-Money Laundering Council (AMLC) reported to the Senate that with the passage of this law, the Philippines was taken out from “membership action” of the Asia Pacific Group on Money Laundering (APG). APG is an autonomous international organization formed in 1997 that implements and enforces anti-money laundering and countering the financing of terrorism (AML/CFT) standards, particularly the Financial Action Task Force’s (FATF) forty (40) recommendations. In 2013, the Philippines was removed from FATF’s “grey list” consisting of vulnerable jurisdictions, but encouraged it to work with APG in setting regulations covering the casino sector for AML/CFT purposes. Atty. Racela added that compliance of the law to international standards and the effectiveness of its implementation will be assessed by APG later this year.

AMLC carried out the following activities to implement this law, in coordination with Philippine Amusement and Gaming Corporation (PAGCOR), Aurora Pacific

Economic Zone and Freeport (APECO), and Cagayan Economic Zone Authority (CEZA).

- *Casino implementing rules and regulations (CIRR)*

CIRR took effect on 4 November 2017 with the support of a technical assistance project by the Asian Development Bank (ADB). It requires casinos to institute risk management policies and implement a comprehensive risk-based money laundering and terrorist financing prevention program. It also empowers PAGCOR, APECO and CEZA to supervise, assess and monitor compliance of casinos with their obligations under the AMLA, CIRR and other applicable measures. Atty. Racela noted that such powers do not impede upon AMLC's role as chief policymaker and implementing agency of AMLA.

- Training for casino supervisors and casino operators

After the passage of CIRR, the AMLC with the assistance of ADB held training sessions on the CIRR for casino supervisors and casino operators:

- Training for AMLC Secretariat, PAGCOR, APECO, CEZA and BSP supervisors on 23-25 October 2017; and
- Training for "land-based" and "internet-based" casino operators supervised by PAGCOR and CEZA on 4-5 and 7-8 December 2017. Forty-eight (48) operators attended the two training sessions.

- Regulatory exchange program with the Australia Transaction Reports and Analysis Centre (Austrac)

Austrac is the financial intelligence unit of the Australian government. It extended a technical assistance project related to casino supervision. In February 2018, supervisors from the AMLC secretariat, PAGCOR and CEZA visited casinos in Australia and the Austrac offices to learn about best practices. Moreover, Austrac supervisors visited the offices of PAGCOR and CEZA in April 2018 to offer their help in the development of a casino AML/CFT supervision framework. Austrac also visited casinos in Entertainment City, Manila Bay to check the implementation of money laundering prevention programs and offer advice on AML/CFT compliance mechanisms.

- AMLC registration and reporting guidelines for casinos (ARRGC)

The ARRGC took effect on 19 May 2018. It requires casinos to register with AMLC's electronic reporting system to be able to file covered transaction reports (CTRs) and suspicion transaction reports (STRs). It also requires relevant government agencies to ensure that casinos, casino operators and licensees, and integrated

resorts under their watch install an AML/CFT reportorial system within a reasonable time within ninety (90) days from publication of the ARRGC. So far Pagcor and Ceza have submitted to AMLC a list of casinos under their supervision. And as of 12 July 2018, eight (8) casinos have already registered with the reporting system.

- Mutual evaluation (ME) of the Philippines

Atty. Racela said that on 22 February 2018, Executive Secretary Salvador C. Medialdea issued a memorandum instructing government agencies, departments, bureaus, offices and agencies to extend their assistance in the third (3rd) round of mutual evaluations (ME) by APG. The ME seeks to gauge the country's compliance with international AML/CFT standards.

Furthermore, AMLC issued operational guidelines for the ME on 11 April 2018. It called for the creation of an inter-agency working group consisting of key government agencies.

- National AML/CFT strategy (NACS)

NACS seeks to provide a “whole of government” approach to AML/CFT efforts. It is described as a collective response by government to the risks and problem areas identified in the National Risk Assessment Reports. Consultations and trainings have been held with key implementing agencies to draft and implement the NACS.

- Risk assessment on Casino Services and Products

Section 16 of the CIRR require casinos to establish and record the true identity of their customers based on recognized identification documents presented during account opening and/or redemption of casino chips, tokens or gaming instruments.

Pagcor is working closely with integrated casino resorts on the determination of a reasonable CDD threshold that is also compliant with international standards. Atty. Racela noted that the FATF-recommended threshold stood at approximately PhP 150,000.

### *Issues and concerns*

The AMLC official informed the Senate that their office is having some difficulty engaging with APECO. AMLC has not obtained a list of operators in the said economic zone. APECO has also failed to participate in preparations for the upcoming ME process.



## **CIVIL SERVICE, GOVERNMENT REORGANIZATION AND PROFESSIONAL REGULATION**

### **RA 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

S. No. 2581/H. No. 6423, Approved on 21-Jul-16

### **Description**

This Act requires professional to earn a specific number of units before their license are renewed. The units will be acquired through development programs such as seminars, workshops, technical lectures, tours and visits. Such programs must equip professionals with advanced knowledge, skills and values in specialized or inter/multidisciplinary field(s) of study, self-directed research, and /or lifelong learning.

This law was passed to upgrade and ensure the competencies and qualifications of professionals for the practice of their professions pursuant to the Philippine Qualifications Framework (PQF), ASEAN Qualifications Reference Framework (AQRF), and the ASEAN Mutual Recognition Arrangements (ASEAN-MRA).

The Professional Regulation Commission (PRC) and Professional Regulatory Boards (PRB) will be the lead implementing agencies of this law.

### **Update**

Commissioner Yolanda D. Reyes of PRC reported to the Senate that the IRR of this law was issued on 28 February 2017, as PRC Resolution No. 1032. It took effect on 15 March 2017. Twenty-one (21) Professional Regulatory Boards (PRBs) already have approved operational guidelines:

- Professional Teachers;
- Electrical Engineering;
- Landscape Architecture;
- Architecture;
- Agricultural and Biosystems Engineering;

- Accountancy;
- Chemistry;
- Respiratory Therapy;
- Interior Design;
- Civil Engineering;
- Pharmacy;
- Customs Brokers;
- Nurses;
- Environmental Planning;
- Forestry;
- Electronics Engineering;
- Sanitary Engineering;
- Social Work;
- Dentistry;
- Medical Technology; and
- Aeronautical Engineering.

The commissioner noted the following issues regarding the implementation of this law, as well as the corresponding action of PRC:

*Difficulty in renewal of licenses*

PRC carried out the following measures to help ease the difficulty faced by some professionals in renewing their licenses:

- Professionals unable to earn the required number of Continuing Professional Development (CPD) units may renew their ID card by executing an undertaking indicating his/her commitment to complete the required CPD units before the next renewal deadline of their ID. Such undertaking is already embedded in the application form for the renewal of the ID;
- Applicants that already comply with CDP requirements under self-directed learning and lifelong learning can claim their ID card on the same day;
- Professionals classified as “balik manggagawa”, senior citizens, physically differently abled, and pregnant women are provided an express lane; and
- All certificates issued by the Department of Education in the last three (3) years are acceptable for the renewal of the ID card. There’s no need to file for application under self-directed learning.

### *Lack of funding for CPD implementation*

Commissioner Reyes claimed that there are no funds available in the General Appropriations Act to support the implementation of the law, specifically for the payment of honoraria of the first and second members of the CPD councils, monitoring of the programs, and other related expenses.

PRC has persistently requested the Department of Budget and Management for funding. Nevertheless, it is exerting all efforts to strictly implement the law in spite of these limitations.

Large volume of applications for accreditation as CPD (and related) providers, such that CPD councils are finding it difficult to cope, causing delays in the issuance of the Certificate of Accreditation.

To assist the CPD councils, PRC pursued the following actions:

- Mandated PRBs to recommend additional CPD evaluators from the Accredited Integrated Professional Organization (AIPO)/Accredited Professional Organization (APO), as well as the academe;
- Mandated PRBs to recommend additional monitors of CPD programs. This is to ensure that programs submitted and approved by the CPD Council are strictly followed; and
- Developed the CPD Accreditation System which allows applicants to apply for CPD provider accreditation online.

### *Resistance from some professionals or professional groups to comply with CPD requirements*

PRC is conducting consultations and information campaigns. It is also exercising “maximum flexibility” in implementing the law to ensure affordability and accessibility.

### *Difficulty of professionals in the regions to access CPD seminars and programs*

PRC pursued the following activities to facilitate access to such programs:

- Approved the following additional activities that can earn CPD credit units:
  - Community outreach program;
  - Livelihood programs;
  - Medical missions;
  - Disaster response;
  - Donations to select projects, including scholarships and disaster relief;
  - Assistance to PRC, CPDs and professional service;

- Participation to PRC committees and other government-created committees;
  - Innovations/inventions;
  - Travels/study tours;
  - Exhibits of professional products;
  - Plant visits;
  - Proven new learning and transfer of knowledge in the workplace;
  - Other activities, as recommended by CPD councils and approved by PRBs and PRC.
- Encouraged private and government organizations to apply as CPD providers (Memorandum Circular No. 07 s. 2017). So far some 230 private organizations and institutions have been accredited, making their in-house training eligible for CPD units;
- Encouraged APOs to conduct CPD seminars and trainings even in remote areas;
- Encouraged CPD providers to provide online programs. The Philippine Nurses Association, for instance, has launched an online program requiring only a minimal management fee from participants;
- Some APOs have started offering free CPD programs, including the United Architects of the Philippines, Philippine Institute of Interior Design, Philippine Physical Therapy Association, Integrated Institute of Electrical Engineers, Philippine Institute of Certified Public Accountants, and the Philippine Dental Association;
- Some institutions have started offering free in-house trainings for their employed professionals; and
- Encouraged CPD providers to offer at least five (5) free slots for unemployed professionals, especially those from the regions.

*Some CPD providers impose excessive registration fees*

CPD councils are making an effort to disapprove programs charging exorbitant fees. They carefully scrutinize applications for accreditation, taking into consideration the professionals' capacity to pay, venue and duration of the CPD activity, the number and qualifications of speakers, and other inclusions in the packages being offered.

For the PRC's part, it is finalizing the "rationalized" fees. It has so far obtained preliminary data on fees and charges. Moving forward, more extensive data gathering and evaluation will be conducted to support the study.

## **ECONOMIC AFFAIRS**

### **RA 10922**

AN ACT DECLARING THE SECOND WEEK OF NOVEMBER OF EVERY YEAR AS ECONOMIC AND FINANCIAL LITERACY WEEK

S. No. 2779/H. No. 5452, Approved on 22-Jul-16

#### **Description**

This law requires the Department of Education (DepEd), Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA), and National Youth Commission (NYC), in coordination with the NEDA, to conduct “consciousness-raising” and “knowledge-expanding” activities on economic and financial literacy.

#### **Update**

TESDA Deputy Director General Rosanna A. Urdaneta informed the Senate that the agency incorporated financial literacy in its training programs. Examples include:

- Training for Rural Economic Empowerment;
- ILO-Start and Improve your Business;
- COKE-STAR (Sari-sari Store Training and Access to Resources) Program;
- Special Training for Employment Program; and
- Skillspreneurship in partnership with Bayan Academy.

TESDA also held an exploratory meeting with the Bangko Sentral ng Pilipinas (BSP) in April 2018 for a free financial literacy seminar for TESDA employees.

### **RA 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

S. No. 3023/H. No. 6395, Approved on 17-Jul-16

## **Description**

This Act allows 100 percent foreign ownership in adjustment, lending, and financial companies as well as investment houses. It also noted that this law does not preclude the Bangko Sentral ng Pilipinas (BSP) from exercising its powers and authorities over financing companies, lending companies and investment houses pursuant to existing laws.

## **Update**

Mr. Elmer Capule, Assistant Governor and General Counsel of BSP, informed the Senate that it has submitted its recommendations to the Securities and Exchange Commission (SEC) on the prospective SEC issuances that will be released to implement this law. The BSP may also issue its own regulations to facilitate the implementation of this law.

## EDUCATION, ARTS AND CULTURE

### **RA 10968**

AN ACT INSTITUTIONALIZING THE PHILIPPINE QUALIFICATIONS FRAMEWORK (PQF), ESTABLISHING THE PQF-NATIONAL COORDINATING COUNCIL (NCC) AND APPROPRIATING FUNDS THEREFOR

S. No. 1456/H. No. 6572, Approved on 16-Jan-18

#### **Description**

Under this law, the Philippine Qualifications Framework National Coordinating Council (PQF-NCC) is created to harmonize and promote a seamless education and training system. It is composed of the following:

- Secretary, Department of Education - Chairperson
- Secretary, Department of Labor and Employment (DOLE)
- Chairperson, Commission on Higher Education (CHED)
- Director General, Technical Education and Skills Development Authority (TESDA)
- Chairperson, Professional Regulation Commission (PRC)
- A representative from the economic sector
- A representative from the industry sector

#### **Update**

Deputy Director General Rosanna A. Urdaneta of TESDA informed the Senate that the IRR of this law is still pending.

A series of consultation meetings with the CHED, DOLE, PRC and DepEd were held to draft the IRR. The latest version, issued in May 2018, was sent to regional offices for their review. The consolidated version will then be presented to the Social Development Cluster of the National Economic and Development Authority (NEDA).

## **ENERGY**

### **RA 11039**

AN ACT INSTITUTIONALIZING THE ELECTRIC COOPERATIVES EMERGENCY AND RESILIENCY FUND AND APPROPRIATING FUNDS THEREFOR

S. No. 1461/H. No. 7054, Approved on 29-Jun-18

#### **Description**

This law institutionalizes the emergency and resiliency fund for electric cooperatives. It requires cooperatives to submit comprehensive and integrated management programs which will be evaluated by the National Electrification Administration (NEA) and National Disaster Risk Reduction and Management Council (NDRRMC).

It mandates that PhP 750 million of NDRRMC funds be allocated for the initial implementation of this law. The NEA may also receive donations in the form of funds, materials or equipment, whether local or international, to restore or rehabilitate damaged power facilities.

#### **Update**

The National Electrification Commission informed the Senate that a committee to draft the IRR was formed on 25 July 2018. More meetings will be set in the coming months to finalize the IRR.



## FOREIGN RELATIONS

### **RA 10928**

AN ACT EXTENDING THE VALIDITY OF PHILIPPINE PASSPORTS, AMENDING FOR THE PURPOSE SECTION 10 OF REPUBLIC ACT NO. 8239, OTHERWISE KNOWN AS THE PHILIPPINE PASSPORT ACT OF 1996, AND FOR OTHER PURPOSES

S. No. 1365/H. No. 4767, Approved on 02-Aug-17

#### **Description**

This Act extends the validity of Philippine passports from five (5) to ten (10) years, except for those of minors which would only have a five (5)-year validity. However, the Department of Foreign Affairs (DFA), as the passport issuing authority, can choose to limit passport validity to less than ten 10 years whenever in the national economic interest or political stability of the country such restriction is necessary.

This law also mandates the DFA to make necessary reforms to make the passport processing system seamless, convenient and pro-people, and to make the production and security of passports at par with technological advances and world standards.

#### **Update**

DFA Assistant Secretary Leah M. Basinang-Ruiz informed the Senate that a total of 1,280,434 passports, which will expire in the year 2028, have been issued from January to June, 2018. She revealed that the agency is planning to introduce upgrades to the passport's security features and the material used in its production to ensure longevity.

## JUSTICE AND HUMAN RIGHTS

### **RA 11055**

#### AN ACT ESTABLISHING THE PHILIPPINE IDENTIFICATION SYSTEM

S. No. 1738/H. No. 6221, Approved on 06-Aug-18

#### **Description**

This law seeks to establish a single national identification system (PhilSys) for all citizens and resident aliens of the Republic of the Philippines to provide a valid proof of identity as a means of simplifying public and private transactions.

Data to be collected under this system shall be limited to the following:

##### Demographic Data

- (1) Full Name;
- (2) Sex;
- (3) Date of Birth;
- (4) Place of Birth;
- (5) Blood Type;
- (6) Address;
- (7) Filipino or Resident Alien;
- (8) Marital Status (optional);
- (9) Mobile Number (optional); and
- (10) Email Address (optional)

##### Biometrics Information

- (1) Front Facing Photograph;
- (2) Full Set of Fingerprints;
- (3) Iris Scan; and
- (4) Other Identifiable Features as may be determined by the Implementing Rules and Regulations (IRR).

The Philippine Statistics Authority (PSA) is the primary implementing agency of this law. It is authorized to issue guidelines and undertake measures to ensure secure, reliable and efficient authentication of PhilSys records upon the request of authorized government and private entities.

This Act also creates the PhilSys Policy and Coordination Council (PSPCC), which is charged with formulating policies and guidelines to ensure effective coordination and implementation of PhilSys.

The PSPCC will be composed of the following:

- (a) Secretary, NEDA - Chairperson
- (b) National Statistician and Civil Registrar General, PSA - Co-Chairperson
- (c) Undersecretary, DBM - Vice Chairperson
- (d) Undersecretary, DFA
- (e) Undersecretary, DICT
- (f) Undersecretary, DOF
- (g) Undersecretary, DSWD
- (h) Undersecretary, DILG
- (i) Chairman, NPC
- (j) Deputy Governor, BSP
- (k) President and General Manager, GSIS
- (l) President and Chief Executive Officer, PhilHealth
- (m) President and Chief Executive Officer, SSS
- (n) Postmaster General, PHILPost

## **Update**

PSA informed the Senate that the first meeting of the PSPCC was held on 15 August 2018 to set guidelines on the drafting of the IRR.

Meanwhile, PSA reported to the media that it is preparing the terms for the action of the design contract for the underlying infrastructure of the system. Furthermore, a consortium of Ayala Corp., Aboitiz Equity Ventures and Unisys, has submitted a 17-year unsolicited proposal on Aug. 13 for the design and development of infrastructure to be used in implementing the system.<sup>2</sup>

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<sup>2</sup>Philippine Statistics Authority; BusinessWorld (<http://www.bworldonline.com/psa-preparing-terms-for-national-id-auction-process/>)

## **RA 10867**

### **AN ACT REORGANIZING AND MODERNIZING THE NATIONAL BUREAU OF INVESTIGATION (NBI), AND PROVIDING FUNDS THEREFOR**

S. No. 2950/H. No. 5855, 23-Jun-16

#### **Description**

This law expands the capacity of the National Bureau of Investigation (NBI) by providing funding support, enabling it to acquire state-of-the-art investigative and intelligence equipment and establish, among others, forensic and scientific laboratories. It provides for the hiring of additional agents and support personnel and their training, as well as salary increases.

This law also allows the NBI to retain and use 30 percent of its collections from clearance fees every year for its modernization and to augment its operational expenses.

#### **Update**

NBI Director Dante A. Gierran informed the Senate that the agency requires two (2) IRRs to implement this law. The first IRR, which applies to all NBI offices in the Philippines, was signed on 19 December 2016, and was published in the Philippine Star and Malaya the following day. The second IRR covering NBI personnel assigned to select consular posts abroad is still pending. NBI is coordinating with the Department of Foreign Affairs to finalize this IRR.

Meanwhile, Atty. Gierran highlighted the following issues and concerns on the implementation of this law:

#### ***Budgetary constraints***

NBI submitted to the Department of Budget and Management (DBM) a request for the purchase of equipment for 2019, which was reportedly not approved by DBM. As a result, NBI has zero provision for capital outlay in 2019.

Atty. Gierran noted that the implementation of this law requires additional manpower, establishment of more offices, and acquisition of modern investigative and intelligence equipment and laboratories. The deployment of NBI personnel abroad likewise requires additional funds. Moreover, there is a need to address the structural integrity of the current NBI offices in Manila, which was found by a consulting firm to have “zero integrity”, effectively confirming the earlier findings of the Department of Public Works and Highways (DPWH).

### *Interpreting the law*

Atty. Gierran claimed that some provisions of the law have conflicting interpretations.

- Upgrading of salary grade: The law provides for the corresponding salary and benefits even without new appointment papers. But as per Article 1 Section 191 of the Government Accounting and Auditing Manual issued by the Commission on Audit (COA), one of the basic requirements for the payment of salaries and wages is the issuance of a valid appointment;
- Investigative jurisdiction of NBI: It is unclear whether this law is a total repeal or an amendment of the old NBI law. The view that prevails will have implications on the agency's investigative jurisdiction on penal violations, with the former limiting such jurisdiction and the latter expanding it;
- Collection of dental records: The law establishes a Clearance and Identification Center containing all derogatory and criminal records, as well as civilian identification records such as dental records. PD 1575 requires dentists to turn over to the NBI patient dental records upon lapse of ten (10) years from the last entry. Atty. Gierran said that the prescribed ten (10)-year period is too long. Moreover, the PhP 100 to 1,000 fine for violating PD 1575 is "negligible".

Atty. Gierran is requesting for the Senate's support in convincing DBM to provide additional funds for a new main building, more provincial offices, investigative and intelligence equipment, and more plantilla positions. He said that the agency will request for insertions directly with Congress. The official likewise committed to provide further updates to the Senate, as needed.

## **LABOR, EMPLOYMENT AND HUMAN RELATIONS**

### **RA 10970**

AN ACT DECLARING THE TWENTY-FIFTH DAY OF AUGUST OF EVERY YEAR AS THE NATIONAL TECH-VOC DAY

S. No. 209/H. No. 6136, Approved on 07-Feb-18

#### **Description**

This Act institutes a National Tech-Voc Day every 25th of August and encourages all public and private institutions to organize and participate in related events.

#### **Update**

Deputy Director General Rosanna A. Urdaneta of the Technical Education and Skills Development Authority (TESDA) informed the Senate that the agency issued Circular No. 38 s. 2016 requiring all TESDA regional and provincial offices, TESDA Technology Institutions, and private technical-vocational institutions to hold regular “World Café of Opportunities (WCO)” through Job Linkaging and Networking Services (JoLiNS).

WCO through JoLiNS is a one-stop-shop for technical, vocational education and training (TVET) graduates/alumni to explore possible employment, training and financing opportunities. National government agencies, private companies, “tech-voc” institutions, and financing institutions participate in such events. The first WCO through JoLiNS was held simultaneously in 17 regions during the celebration of the National Tech-Voc Day on 25 August 2018. TESDA plans to hold this event twice a year or once per semester in the coming years.

Other events held on National Tech-Voc Day 2018 included the following:

- National enrollment day and job bridging for construction-related qualifications;
- Walk for the national tech-voc day
- Skills demonstrations showcasing TVET programs

## PUBLIC ORDER AND DANGEROUS DRUGS

### **RA 10973**

AN ACT GRANTING THE CHIEF OF THE PHILIPPINE NATIONAL POLICE (PNP) AND THE DIRECTOR AND THE DEPUTY DIRECTOR FOR ADMINISTRATION OF THE CRIMINAL INVESTIGATION AND DETECTION GROUP (CIDG) THE AUTHORITY TO ADMINISTER OATH AND TO ISSUE SUBPOENA AND SUBPOENA DUCES TECUM, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6975, AS AMENDED, OTHERWISE KNOWN AS THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT ACT OF 1990

S. No. 1239/H. No. 4863, Approved on 01-Mar-18

### **Description**

This law gives the Chief of the Philippine National Police (PNP) and the Deputy Director for Administration of the Criminal Investigation and Detection Group (CIDG) the power to administer oath, and issue *subpoena* and *subpoena duces tecum* in relation to its investigation.

### **Update**

Philippine National Police (PNP) Chief PDG Oscar D. Albayalde reported to the Senate that the provisional guidelines on the implementation of *subpoena duces tecum* and *subpoena ad testificandum* were issued on 22 June 2018. The PNP chief said that such guidelines strictly observe Rules 21 and 71 of the Rules of Court, which apply on subpoenas issued by quasi-judicial entities and other offices outside the judiciary.

Meanwhile, Police Director Roel B. Obusan of the Criminal Investigation and Detection Group (CIDG) informed that they have issued six (6) subpoenas to date. Of this number, five (5) have substantially complied while one (1) requested for additional time.

### ***Issues and concerns***

PDG Albayalde noted that the PNP “is confronted with a generally misplaced notion” that the grant of subpoena powers to the PNP Chief, and the Director and Deputy Director for Administration of CIDG might be abused. The PNP is thus “placed with the burden of proving its case against a recalcitrant witness before the proper court”. To avoid such circumstance, PNP seeks to ensure that every

subpoena issued “is pursuant to the established guidelines and to applicable provisions of the Rules of Court”.

Police Director Obusan’s report offered the following details:

“If there is any problem at all at this stage, it is only the generally misplaced notion that is being advanced by some misguided sector/s that this grant of subpoena power might be abused. This is a misplaced and erroneous notion considering that in case of non-compliance/recalcitrant witness, this Group (CIDG) still has to initiate a Petition for Indirect Contempt of Court before the RTCs (Regional Trial Courts) of Quezon City, the general venue for our petition. Note that neither this group nor the intended witness but only the appropriate branch of the RTC-Quezon City which will determine whether or not the issued subpoena is unreasonable, or irrelevant, or oppressive, or that the disobedience thereof is “without adequate cause”. Thus, if and when an unreasonable or irrelevant, or oppressive subpoena was indeed issued by this Group, it will only give us a difficult time to prove our case against the recalcitrant witness, and eventually bring us only into bad light before the RTCs of Quezon City. To be sure, the only way to avoid this is for this Group to ensure that every subpoena is issued pursuant to the guidelines as well as the applicable provisions of the Rules of Court.”

Both officials note that the implementation of this law is still in its early stages and thus, any serious legal issues have yet to be encountered.

### **RA 10883**

AN ACT PROVIDING FOR A NEW ANTI-CARNAPPING LAW OF THE PHILIPPINES

S. No. 2794/H. No. 4544, Approved on 17-Jul-16

#### **Description**

This law imposes penalties on those who commit carnapping, which is defined as “the taking, with intent to gain, of a motor vehicle belonging to another without the latter’s consent, or by means of violence against or intimidation of persons, or by using force upon things”. It also prohibits the concealment of carnapping, defacing or tampering with serial numbers, and the sale of second hand spare parts taken from a carnapped vehicle, among others.



## **Update**

Philippine National Police (PNP) Chief PDG Oscar D. Albayalde informed the Senate that the IRR of this law is still pending. PNP is working closely with the Office of Undersecretary for Legal Affairs of the Department of Transportation (DOTr) “to fast-track the finalization and approval of said IRR.”

PDG Albayalde noted that the practice of “open deed sale”, which is exploited by carnapping syndicates selling carnapped vehicles to innocent buyers, was addressed by Section 8 of this law. But to further prevent such incidents from arising, PDG Albayalde recommended stricter regulation and monitoring of the shipping of motor vehicles by domestic vessels using the “door-to-door” method to prevent the transport of carnapped motor vehicles from one region to another.

## **PUBLIC SERVICES**

### **RA 10930**

AN ACT RATIONALIZING AND STRENGTHENING THE POLICY REGARDING DRIVER'S LICENSE BY EXTENDING THE VALIDITY PERIOD OF DRIVERS' LICENSES, AND PENALIZING ACTS IN VIOLATION OF ITS ISSUANCE AND APPLICATION, AMENDING FOR THOSE PURPOSES SECTION 23 OF REPUBLIC ACT NO 4136, AS AMENDED BY BATAS PAMBANSA BLG. 398 AND EXECUTIVE ORDER NO. 1011, OTHERWISE KNOWN AS THE LAND TRANSPORTATION AND TRAFFIC CODE

S. No. 1449/H. No. 5648, Approved on 02-Aug-17

#### **Description**

This law amends Section 23 of the Land Transportation and Tariff Code (R.A. 4136) to extend the validity period of drivers' licenses.

Under Section 23, stricter rules and guidelines regarding the issuance of licenses will be enforced by the Land Transportation Office (LTO) to ensure that licenses are issued only to deserving applicants with sufficient driving skills and knowledge on road safety and proper road courtesy.

#### **Update**

Undersecretary Thomas M. Orbos of the Department of Transportation (DOTr) informed the Senate that the IRR of this law has been approved. However, he noted problems with respect to connectivity IT (DERMALOG), as well as the finalization of the merit/demerit system guidelines.

To improve the implementation of this law, Usec. Orbos recommended the following actions:

- Inter-connectivity with the database of local government units on apprehensions;
- Distribution of promotional/educational material;
- Giving out questionnaires to random driver's license applicants;
- Deployment of exam via touch screen computer;
- Use of biometrics and facial recognition; and
- Establishment of online and walk-in application and payment facilities.

## **RA 10916**

### **AN ACT REQUIRING THE MANDATORY INSTALLATION OF SPEED LIMITER IN PUBLIC UTILITY AND CERTAIN TYPES OF VEHICLE**

S. No. 2999/H. No. 5911, Approved on 21-Jul-16

#### **Description**

This Act calls for the mandatory installation of speed limiters in all covered vehicles. Those who fail to install the device shall not be allowed to ply roads, register with the Land Transportation Office (LTO), or be given a franchise by the Land Transportation Franchising and Regulatory Bureau (LTFRB).

#### **Update**

Undersecretary Thomas M. Orbos of the Department of Transportation (DOTr) informed the Senate that the IRR of this law was published on 12 April 2018. Guidelines on the Accreditation of Speed Limiter Installers and Testing Facilities were also released on the same date.

However, he noted the following issues and concerns:

- Limited availability of speed limiter devices in the Philippines; and
- Pending guidelines from the Department of Trade and Industry (DTI) on the process of accreditation of speed limiter devices, as well as consideration of vehicles with electronic control units (ECU) compliance with the Philippine National Standard for Speed Limiters, aside from the actual speed limiter devices.

## **RA 10913**

### **AN ACT DEFINING AND PENALIZING DISTRACTED DRIVING**

S. No. 3211/H. No. 4531, Approved on 21-Jul-16

#### **Description**

This Act prohibits distracted driving by restricting and penalizing the use of handheld mobile phones and other electronic devices while driving on any public road, street or highway. This law covers all public and private vehicles, including agricultural machineries, tractors, construction equipment, as well as bicycles, pedicabs, motorcycles, trolleys, and carts.

The provisions of this Act shall not apply to motorists of motor vehicles which are not in motion, except those which are stopped momentarily at a red light, or are

pulled over to the side of the road in compliance with a traffic regulation. It shall not apply also to motorist using mobile phone for emergency purposes.

### **Update**

Undersecretary Thomas M. Orbos of the Department of Transportation (DOTr) informed the Senate that the IRR of this law was signed on 4 April 2017. A revised version was issued in June.

Usec. Orbos recommended the following actions to enhance the implementation of this law:

- Consistent enforcement activities;
- Better public awareness;
- Installation of more high-resolution CCTV cameras; and
- Promulgation and implementation of regulations on TINTs.

## SCIENCE AND TECHNOLOGY

### **RA 11035**

AN ACT INSTITUTIONALIZING THE BALIK SCIENTIST PROGRAM, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

S. No. 1533/H. No. 5792, Approved on 15-Jun-18

#### **Description**

This law mandates the Department of Science and Technology (DOST) to administer the “Balik Scientist Program”. It provides benefits, incentives and privileges to scientists of Filipino descent to encourage and support their scientific and technological activities.

#### **Update**

DOST informed the Senate that public consultations on the IRR of this law are ongoing. So far, five (5) out of six (6) consultations have been held. The last event is scheduled on 6 September 2018, in Butuan City.

Meanwhile, two (2) meetings of the interagency technical committee that is tasked with drafting the IRR have been held. The IRR is set to be finalized in the committee’s final meeting on 11 September 2018 in Los Baños, Laguna. The following day, it is scheduled to be presented to the DOST Secretary for signature. If necessary, the committee will meet again after 12 September to incorporate any revisions to the IRR by the DOST secretary.

## **SOCIAL JUSTICE, WELFARE AND RURAL DEVELOPMENT**

### **RA 10868**

AN ACT HONORING AND GRANTING ADDITIONAL BENEFITS AND PRIVILEGES TO FILIPINO CENTENARIANS, AND FOR OTHER PURPOSES

S. No. 449/H. No. 5780, Approved on 23-Jun-16

#### **Description**

This Act states that all Filipinos who reach the age of one hundred (100) years old, whether residing in the Philippines or abroad, shall be honored with:

- (a) A Letter of Felicitation from the President of the Philippines congratulating the celebrant for his/her longevity; and
- (b) A Centenarian Gift in the amount of one hundred thousand pesos (P 100,000.00).

This law also requires concerned local government units (LGU) to award a plaque of recognition and a cash incentive those who became centenarians in the current fiscal year. The LGU shall determine the amount of cash incentive to be given out. This is in addition to the incentives given by the national government.

The Department of Social Welfare and Development (DSWD), Department of Interior and Local Government, Department of Health, and Commission on Filipinos Overseas are mandated to implement this law.

#### **Update**

The IRR of this law was approved on 26 September 2018.

Undersecretary Luzviminda C. Ilagan of the (DSWD) cited the following issues and concerns on the implementation of this law:

- Lack of budget to cover the provision of Letter of Felicitation and Posthumous Plaque of Recognition, as well as transportation expended during pay-out of the incentives; and
- Minor delays in the delivery of benefits to centenarians have sometimes resulted to malicious comments and negative media publicity.

Usec. Ilagan also acknowledged the lobbying of some groups to lower the age coverage of this act, arguing that only a few senior citizens are able to live up to 100 years old.

## TRADE, COMMERCE AND ENTREPRENEURSHIP

### **RA 10962**

#### AN ACT REGULATING THE ISSUANCES, USE AND REDEMPTION OF GIFT CHECKS

S. No. 1466/H. No. 6016, Approved on 19-Dec-17

#### **Description**

This law prohibits the imposition of expiration dates on gift certificate, check, card, voucher or other similar instruments. Such instruments shall be redeemable until all the monetary value or equivalent goods or services has been used up by the bearer. However, those issued under loyalty, rewards or promotional programs, as determined by the Department of Trade and Industry (DTI), are not covered by this law.

#### **Update**

DTI Undersecretary for Consumer Protection Ruth B. Castelo reported to the Senate that the IRR of this law is awaiting the signature of Sec. Ramon M. Lopez.

Public consultations/hearings on the draft IRR were held in April 2018. Usec. Castelo noted the following concerns raised by stakeholders during the public consultations/hearings:

- Usage of gift checks;
- Revalidation, changing, updating and upgrading of gift checks;
- Closure of issuer's business;
- Monitoring scheme for the unused value, credit or balance stored in the instrument;
- Transitory provisions; and
- Treatment/presentation in the issuer's financial statement of the unused value, credit or balance stored in the instrument.

Usec. Castelo recommended the following actions after the signing of the IRR:

- Hold briefings/trainings for relevant DTI officials and staff;
- Include the law/IRR in consumer education efforts;
- Assess queries or complaints that will be received; and
- Monitor compliance of issuers on the law and IRR.

## **RA 10909**

AN ACT PROHIBITING BUSINESS ESTABLISHMENTS FROM GIVING INSUFFICIENT OR NO CHANGE TO CONSUMERS AND PROVIDING PENALTIES THEREFOR

S. No. 1618/H. No. 4730, Approved on 21-Jul-16

### **Description**

Under this Act, all business establishments, including sari-sari stores and government-owned and controlled corporations and government agencies performing proprietary functions, are mandated to give exact change to consumers and are prohibited from giving other forms of change like candy in lieu of monetary change.

The Department of Trade and Industry (DTI) is mandated to lead the implementation of this law.

### **Update**

The IRR of this law was signed on 21 December 2016, as DTI Department Administrative Order No. 16-03, Series of 2016.

DTI Undersecretary for Consumer Protection Ruth B. Castelo reported to the Senate that the agency's Fair Trade and Enforcement Bureau (FTEB)-Mediation Division received six (6) complaints in 2017 and twelve (12) complaints so far in 2018, of which one (1) has been resolved. Meanwhile, FTEB-Enforcement Division received fifteen (15) complaints in 2017, of which four (4) were resolved while the rest were archived. In 2018 it has so far received seven (7) complaints, all of which are still being processed.

Usec. Castelo noted the following problems with respect to the implementation of this law:

- Cases were archived due to failure of complainants to submit a verified complaint with supporting documents to DTI;
- Insufficient details about informal and unregistered business establishments;
- Reported lack of coins or denominations at the point-of-sale;
- Reported non-acceptance of small denomination coins by some business establishments; and
- Non-response and non-appearance of concerned parties during investigation.



Meanwhile, Usec. Castelo recommended the following actions to improve the effectiveness of this law:

- Encourage complainants to submit and comply with the required documents to support their allegations; and
- Strengthen coordination between DTI and local government units.

### **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 06-Feb-16

#### **Description**

The law defines CSF cooperatives as a local government unit-partnered cooperative “comprised of well-capitalized and well-managed member-cooperatives or NGOs” that make financial contributions to the CSF. The CSF, which is administered by a CSF cooperative, serves “as a security for loans obtained by qualified borrowers from lending banks by way of a surety cover” issued by the CSF cooperative’s Board of Directors. The surety cover is issued in lieu of hard collaterals.

The CSF Cooperative shall be organized as an LGU-partnered cooperative and may be established in a province or city.

#### **Update**

The IRR of this law was approved on 20 June 2017. But OIC-Chairman Benjie S. Oliva of the Cooperative Development Authority (CDA) reported to the Senate that the agency lacks the capability for its full implementation. While the law and its IRR expanded the functions and responsibilities of CDA, the Department of Budget and Management (DBM) has not yet authorized the creation of new positions for the Credit Surety Fund (CSF) department. CDA’s proposal for the said positions is still being reviewed by DBM through its Organization, Position Classification and Compensation Bureau.

The Bangko Sentral ng Pilipinas (BSP) has launched several CSFs in various cities and provinces, in line with its mandate under this law. However, due to the problems cited above, the CDA is unable to accept or act upon the application for accreditation of such CSFs to be able to acquire juridical personalities and become full-fledged cooperatives. Mr. Oliva said it was “highly absurd” to expect CDA to fully meet its obligations under the law without the corresponding budget for the creation of the CSF department.

The CSF department was specifically created by RA 10744 to regulate, supervise and monitor CSF cooperatives.

## WAYS AND MEANS

### **RA 10863**

#### AN ACT MODERNIZING THE CUSTOMS AND TARIFF ADMINISTRATION

S. No. 2968/H. No. 5525, Approved on 30-May-16

#### **Description**

This law takes into consideration the mandatory standards of the Revised Kyoto Convention and other international agreements, as well as best practices in customs administration. It raises the tax exemption ceiling of balikbayan boxes to PhP 150,000 from PhP 10,000, and raises the de minimis value to PhP 10,000 from PhP 10. It also paves the way for the implementation of reforms to streamline processes in the Bureau of Customs (BoC).

#### **Update**

DOF created a microsite to serve as a clearinghouse of information on the drafting of the IRR: [http://www.dof.gov.ph/cmta\\_irr](http://www.dof.gov.ph/cmta_irr). The microsite contains background information on the law, invites and notices, draft documents and templates, and contact information.

The agency reported that the IRR will be “fleshed out” in 42 orders to be issued by the BOC. As of 28 August 2018, seven (7) Customs Administrative Orders and four (4) Customs Memorandum Orders have been signed and posted on the website. BOC is targeting the issuance of all related regulations before the end of 2018.<sup>3</sup>

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<sup>3</sup> Department of Finance website (<https://www.dof.gov.ph/index.php/irr-of-customs-modernization-law-fleshed-out-in-about-42-boc-orders/#>); DOF-CMTA website

## **RA 10754**

### **AN ACT EXPANDING THE BENEFITS AND PRIVILEGES OF PERSONS WITH DISABILITY (PWD)**

S. No. 2890/H. No. 1039, Approved on 23-Mar-16

#### **Description**

This law expands the benefits and privileges given to PWDs, to wit:

- (1) VAT exemption and 20% discount on specific goods and services;
  - (a) Discount on fees and charges relative to the utilization of all services in hotels and similar lodging establishments; restaurants and recreation centers;
  - (b) Discount on admission fees charged by theaters, cinema houses, concert halls, circuses, carnivals and other similar places of culture, leisure and amusement;
  - (c) Discount on the purchase of medicines in all drugstores;
  - (d) Discount on medical and dental services including diagnostic and laboratory fees such as, but not limited to, x-rays, computerized tomography scans and blood tests, and professional fees of attending doctors in all government facilities, subject to the guidelines to be issued by the Department of Health (DOH), in coordination with the Philippine Health Insurance Corporation (PhilHealth);
  - (e) Discount on medical and dental services including diagnostic and laboratory fees, and professional fees of attending doctors in all private hospitals and medical facilities;
  - (f) Discount on fare for domestic air and sea travel;
  - (g) Discount on actual fare for land transportation travel such as, but not limited to, public utility buses or jeepneys (PUBs/PUJs), taxis, Asian utility vehicles (AUVs), shuttle services and public railways, including Light Rail Transit (LRT), Metro Rail Transit (MRT) and Philippine National Railways (PNR); and
  - (h) Discount on funeral and burial services for the death of the PWD
- (2) Educational assistance for all levels through the provision of scholarships, grants, financial aids, subsidies and other incentives to qualified PWD, including support for books, learning materials, and uniform allowance to the extent feasible, and social insurance thru GSIS, SSS, and PAG-IBIG;
- (3) To the extent practicable and feasible, the continuance of the same benefits and privileges given by the Government Service Insurance System (GSIS), Social Security System (SSS), and Pag-IBIG;

- (4) To the extent possible, the government may grant special discounts in special programs for PWD on purchase of basic commodities; and
- (5) Provision of express lanes for PWD in all commercial and government establishments.

## **Update**

Undersecretary Luzviminda C. Ilagan of the Department of Social Welfare and Development reported to the Senate the following issues related to the implementation of this law:

- The National Council on Disability Affairs received the following complaints on the implementation of 20% discount and value added tax (VAT) exemption of persons with disabilities (PWDs):
  - Section 32 (a): PWDs were denied discount privileges on the purchase of medicine because the disability category indicated in the disability card is the “medical condition” of the cardholder instead of his/her functional limitation resulting from the impairment. There are also complaints that PWD IDs are not honored in small drugstores and establishments;
  - Section 32 (a): The Civil Aeronautics Board issued Resolution No. 41 (Guidelines Requiring Domestic Airlines to Apply Senior Citizen and PWD Discount on Air Transportation Tickets Purchased Online). There were complaints on compliance to these guidelines; and
  - Section 33: The Bureau of Internal Revenue issued Revenue Regulation No. 5-2017 on tax privileges for PWDs and tax incentives for establishments. There were complaints on the voluminous and tedious requirements to avail of such privileges and incentives;
- Varying interpretations of this law by duty bearers (LGU issuing facility) and stakeholders (PWDs and their families, business establishments, service providers, etc.) is a key implementation challenge. One of the most frequently asked questions is the assignment of appropriate disability category on medical conditions such as psoriasis, kidney failure and other chronic illnesses. Usec. Ilagan claims that such varying interpretations have resulted in “heated debates”; and
- Some disability cardholders and their families misuse or demand more than what is provided in the law and the IRR. Examples include discounts for room accommodation for the family of a deceased person with disability as part of funeral services, as well as the transfer of privileges to other family members.

The DSWD official recommended the following actions to improve the implementation of this law:

- Closer monitoring of implementation;
- Department of Health (DOH) review of current disability categories;
- DOH orientation on issuance of disability certificates and the different types of disabilities for city and municipal health officers;
- Orientation on the standardized application of discounts and privileges for business establishments and service providers.

The IRR of this law was signed on 1 December 2016, and took effect on 8 April 2017.

## **WOMEN, CHILDREN, FAMILY RELATIONS AND GENDER EQUALITY**

### **RA 10821**

AN ACT MANDATING THE PROVISION OF EMERGENCY RELIEF AND PROTECTION FOR CHILDREN BEFORE, DURING, AND AFTER DISASTERS AND OTHER EMERGENCY SITUATIONS

S. No. 3034/H. No. 5285, Approved on 18-May-16

### **Description**

This law ensures the protection of children in times of calamity, disaster and other emergencies. It calls for a comprehensive emergency program for government to respond to the needs, rights and protection of the children, pregnant and lactating mothers during emergencies.

Components of the program include standards on the establishment of evacuation centers, delivery of basic necessities and services, safety and security of affected children, as well as provisions for education, health and sanitation.

### **Update**

Undersecretary Luzviminda C. Ilagan of the Department of Social Welfare and Development (DSWD) informed the Senate that the IRR of this law was approved on 28 February 2018. DSWD also launched the Comprehensive Emergency Program for Children (CEPC) on 16 April 2018, to support the implementation of this law. However, Usec. Ilagan lamented that DSWD's budget proposal for the implementation of this law and the CEPC was not approved by the Department of Budget and Management (DBM). This is expected to cause a delay in the implementation of the program.

Moving forward, DSWD will pursue the development of a Manual of Operations for CEPC and strategic planning, in coordination with the National Inter-Agency Committee (NIAC) and Save the Children Philippines. Meetings and "write-shops" were scheduled in July and August 2018.

It will also organize a National Conference on Children Emergencies in partnership with the Council for the Welfare of Children (CWC) and Save the Children in October 2018. The event is seen as a venue for national government agencies to report the status of implementation of the CEPC. Civil society organizations and children's representatives will also be given the opportunity to participate in the drafting of a national report to be submitted to Congress.

## OTHERS

### **RA 10879**

AN ACT ESTABLISHING THE SOUTHWESTERN TAGALOG REGION TO BE KNOWN AS THE MIMAROPA REGION

H. No. 5511, Approved 17-Jul-16

#### **Description**

This law establishes the MIMAROPA Region comprising the provinces and cities of Occidental Mindoro, Oriental Mindoro, Marinduque, Romblon, Palawan, Puerto Princesa City, and Calapan City.

The National Economic and Development Authority (NEDA), in coordination with the Department of the Interior and Local Government (DILG), shall formulate and promulgate the necessary rules and regulations for the establishment of the regional center.

#### **Update**

The regional office of NEDA in the Mimaropa region reported to the Senate the following updates:

#### *IRR*

NEDA, in coordination with the Department of the Interior and Local Government (DILG), prepared the draft IRR for the establishment of the regional center. It was signed by the Secretaries of NEDA and DILG on 6 December 2016. It was subsequently published in two national newspapers namely, Malaya and Manila Standard on 16 December 2016.

#### *Creation of MIMAROPA Regional Government Center Management Committee (RGCMC)*

Pursuant to the IRR of the MIMAROPA Act, the MIMAROPA Regional Development Council (RDC) during its 58th Full Council meeting in Palawan, passed a resolution creating the RGCMC and approved its terms of reference.

The RGCMC is composed of representatives of the regional offices of the following agencies: NEDA, DILG, Department of Budget and Management (DBM), Department of Public Works and Highways, Department of Environment and Natural Resources, Philippine National Police, Land Transportation Office. Other members include the Presidential Management Staff Office for Regional Concerns,



Department of Information and Communications Technology, Province of Oriental Mindoro, and City of Calapan. Among the functions of the RGCMC is to identify the site of the RGC.

#### *RGC Technical Working Group (TWG)*

The RGCMC created a TWG composed of technical staff from member agencies of the RGCMC, provincial planning and development office (Oriental Mindoro), and city planning and development office (Calapan City).

Two TWG meetings were held on 25 April 2017 and 9 May 2017, to discuss the data requirements and tasking for the preparation of the master plan for the establishment of the RGC.

A TWG technical workshop was also conducted on 10-11 May 2017, to start the preparation of site development plan as part of the master plan study.

#### *RGCMC meetings*

The RGCMC, during its 1st quarter meeting in Calapan City on 30 April 2017, recommended RDC approval of the proposed RGC site. The proposed RGC site is a five-hectare land located at Barangay Sta. Isabel, Calapan City owned by the Provincial Government of Oriental Mindoro. The proposed RGC site will be used under a usufruct agreement.

The RGCMC, during its 3rd quarter meeting on 25 August 2017 in Quezon City, discussed the proposed usufruct agreement between the City of Calapan and Province of Oriental Mindoro for the five-hectare land that will be utilized as the RGC site of MIMAROPA.

The Sangguniang Panlalawigan (SP) of Oriental Mindoro committee on laws, ordinances, and legal matters deferred to act on the usufruct agreement because the RGCMC's legal entity to enter into such contract is an issue to be resolved first. Instead, a resolution expressing the intent and willingness of the province of Oriental Mindoro to host the proposed RGC site was issued.

During its 4th quarter meeting on 27 November 2017 in Calapan City, the RGCMC recommended that each regional government office will just enter into a lease agreement for 50 years at ₱1/year with the Provincial Government of Oriental Mindoro.

The committee requested NEDA MIMAROPA to take the lead in drafting the terms of reference (TOR) together with the City Government of Calapan City, Provincial Government of Oriental Mindoro, and DPWH. The TOR will guide the RGCMC,

and the city, provincial, and DPWH architects in crafting the site development plan of the MIMAROPA RGC.

The RGCMC, during its 1st quarter meeting held in Calapan City on 17 January 2018, recommended that the usufruct agreement should be between the Provincial Government of Oriental Mindoro and one Regional Government Office, which has yet to be determined.

The RGCMC also conducted a special meeting on 9 March 2018, in Calapan City. The committee reviewed the terms of reference for the hiring of consultant for the preparation of the master plan study and architectural schematics prepared by NEDA MIMAROPA and the RGC site layout prepared by DPWH MIMAROPA.

### *Groundbreaking Ceremony*

The groundbreaking ceremony for the proposed five-hectare MIMAROPA RGC site was held on 8 September 2017, at Barangay Sta. Isabel, Calapan City. During the event, NEDA Undersecretary for Regional Development Adoracion M. Navarro advised the MIMAROPA RGCMC to conduct a study tour to established and operational RGCs to learn best practices that will serve as input to the preparation of the MIMAROPA RGC master plan study.

### *RGC Benchmarking Activity*

The MIMAROPA RGCMC conducted benchmarking activity on 11 January 2018, at the Diosdado Macapagal Government Center (DMGC) in San Fernando City, Pampanga. The benchmarking activity was conducted to acquaint the RGCMC members with the best practices and lessons learned from other regions with established and operational regional government centers. Various concerns regarding lot acquisition, space requirement, budgetary processes, and legal actions were discussed during the activity.

### *MIMAROPA RDC Resolutions*

MIMAROPA RDC passed the following resolutions to effectively advocate and support the establishment of the RGC:

- RDC Resolution No. 2017-058-605 creating MIMAROPA Regional Government Center Management Committee
- RDC Resolution No.2017-059-622 approving the proposed MIMAROPA regional government center site
- RDC Resolution No. 2017-059-623 adopting the proposed conceptual design of the site development plan of the MIMAROPA Regional Government Center

- RDC Resolution No. 2018-062-686 approving the usufruct agreement between MIMAROPA RDC and Provincial Government of Oriental Mindoro.

MIMAROPA RDC, as represented by its Chairperson Governor Jose C. Alvarez of the Province of Palawan, shall be the usufructuary, while the NEDA MIMAROPA, as the RDC Secretariat, shall serve as the RGC Administrator.

The usufruct agreement shall apply for a period of fifty years, subject to automatic renewal without political intervention, upon prior agreement of both parties.

- RDC Resolution No. 2018-062-687 approving the terms of reference (TOR) for the procurement of consultancy services for the formulation of the MIMAROPA RGC master plan and architectural design.

The objective of the procurement of consultancy services under the TOR is to formulate the master plan and architectural design which shall include site development, maintenance and operations, and responsibilities of regional government offices.

Under the TOR, the DPWH MIMAROPA shall be the executing and implementing agency, which shall provide funds for the consultancy services amounting to ₱10,000,000.00.

- RDC Resolution No. 2018-062-688 requesting DPWH MIMAROPA to provide funds for the backfilling of the MIMAROPA RGC site amounting to ₱60,000,000.00.

The DPWH MIMAROPA, during the 1st quarter RGC Management Committee meeting held in Calapan City on 17 January 2018, committed to provide funds for the backfilling of the MIMAROPA RGC site amounting to ₱60,000,000.00 in 2018.

#### *Oriental Mindoro SP Resolutions*

The SP of Oriental Mindoro committee on laws, ordinances, and legal matters and committee on public works, infrastructures and rural and urban development conducted joint public hearing on the passage of a resolution authorizing the provincial governor to sign and enter into a usufruct agreement for 50 years with the MIMAROPA RDC on 20 June 2018. The committee reviewed the terms and provisions of the agreement and agreed to endorse the resolution to the SP.

The SP of Oriental Mindoro issued Resolution No. 4260-2018 dated 2 July 2018, authorizing Governor Alfonso V. Umali, Jr. of Oriental Mindoro, to enter into and sign a usufruct agreement with the Regional Development Council represented by RDC Chairperson Governor Jose C. Alvarez pertaining to the utilization of

apportion of a land consisting an area of 51,100 square meters located at Barangay Sta. Isabel, Calapan City, Oriental Mindoro, to be used as site for the Regional Government Center.

### *Issues and Concerns*

- During the FY 2018 and FY 2019 budget consultations, agency regional offices (AROs) were requested to include in their proposed annual investment programs the provision for the establishment of a regional office in the proposed MIMAROPA regional government center as required under RA 10879. Since then, only the Department of Agriculture was added to the list of agencies that have established regional satellite offices in Calapan City.
- The following AROs are not yet separated into CALABARZON and MIMAROPA:
  - Civil Service Commission (CSC)
  - Cooperative Development Authority (CDA)
  - Housing and Land Use Regulatory Board (HLURB)
  - Land Transportation Franchising and Regulatory Board (LTFRB)
  - Maritime Industry Authority (MARINA)
  - National Commission on Indigenous People (NCIP)
  - National Intelligence Coordinating Agency (NICA)
  - Philippine Fiber Industry Development Authority (PhilFIDA)
- The IRR provides that by May 2018, all RGOs shall have established their offices in Calapan City. This will allow for more effective coordination of government activities and ensure delivery of services. However, considering that the proposed CY 2018 budgets of AROs were not considered and may not have allotted funds for the transfer of MIMAROPA RGOs, the transfer by May 2018 did not materialize. This will necessitate an amendment of the IRR to be issued by NEDA and DILG.

*Agencies that have established regional offices in Calapan City:*

### *Fully transferred RGOs*

- Philippine Statistics Authority (PSA)
- Philippine National Police (PNP)
- National Economic and Development Authority (NEDA)
- Technical Education and Skills Development Authority (TESDA)
- Bureau of Fisheries and Aquatic Resources (BFAR)
- Department of Labor and Employment (DOLE)
- Land Registration Authority (LRA)

- National Bureau of Investigation (NBI)
- Philippine Drug Enforcement Agency (PDEA)
- Regional Tripartite Wages and Productivity Board (RTWPB)
- National Irrigation Administration (NIA)
- Land Transportation Office (LTO)
- Department of Agriculture (DA)

Satellite offices

- Department of Information and Communications Technology (DICT)
- Philippine Coconut Authority (PCA)
- Office of the Civil Defense (OCD)

**RA 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

H. No. 3785, Approved on 17-Jul-16

**Description**

Under this law, credits extended to agrarian reform beneficiaries (ARBs) shall be based on the feasibility of the project and their paying capacity, their estimated production, and/or securities they can provide as well as assets as may be acquired by them from the proceeds of the loan.

Credit under this special socialized credit facility shall be extended through the following conduits:

- (a) Farmers' and fisherfolk's cooperatives;
- (b) Farmers' and fisherfolk's organizations or associations;
- (c) Nonagricultural cooperatives (credit and multipurpose);
- (d) Cooperative banks;
- (e) Rural banks;
- (f) Thrift banks;
- (g) Agri-business firms or anchor firms providing credit support to ARBs, and small farmers and fisherfolk; and

(h)Duly accredited microfinance nongovernment organizations by the Microfinance NGO Regulatory Council.

The Bangko Sentral ng Pilipinas (BSP, in consultation with the Land Bank of the Philippines (LBP) shall oversee the implementation of this law.

### **Update**

Mr. Elmer Capule, Assistant Governor and General Counsel of BSP informed the Senate that it is working closely with LBP to finalize the IRR. The latest draft was issued on 25 June 2018, and is pending LBP's final comments.

## **RA 10870**

### **AN ACT REGULATING THE PHILIPPINE CREDIT CARD INDUSTRY**

H. No. 5417, Approved on 17-Jul-16

### **Description**

This Act sets minimum requirements for the issuance of credit cards, as well as the risk management system of credit card issuers. It sets standards on information disclosure, imposition of finance charges and fees, complaints, and collections (including the use of third-party agents).

### **Update**

Atty. Elmer Capule, Assistant Governor and General Counsel of Bangko Sentral ng Pilipinas (BSP) reported to the Senate that BSP released Circular No. 1003 dated 16 May 2018, called Guidelines on the Establishment and Operations of Credit Card Issuers to Implement RA 10870 or the Philippine Credit Card Industry Regulation Law. These guidelines were developed after extensive consultations with members of the credit card industry and relevant stakeholders. They took effect on 6 June 2018.

The circular seeks to make consumer credit readily available under conditions of safe, sound, efficient and fair business conduct aligned with global best practices. It provides the framework for the entry of new players in the credit card business and addresses key customer concerns regarding credit cards, particularly with respect to transparency and manner of computing charges and fees, safeguards against unfair collection practices, immediate posting of payments, confidentiality of consumer data, and expeditious resolution of complaints and disputed transactions, among others. BSP also updated reporting templates to align with the requirements of the law.

Atty. Capule suggested revisiting the licensing processes of credit card issuers in view of the requirements outlined under RA 11032 or the Ease of Doing Business Act, which was approved on 28 May 2018.

### **RA 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

H. No. 772, Approved on 17-Jul-16

#### **Description**

This Act allows mentally incapacitated children of retired personnel of the Armed Forces of the Philippines (AFP) to continue receiving their parents' retirement benefits even upon reaching age 21.

The law mandates the Secretary of the Department of National Defense and the AFP Chief of Staff to oversee the effective and efficient implementation of the law.

#### **Update**

Undersecretary Ricardo A. David, Jr. of the Department of National Defense informed the Senate that the IRR was approved on 30 May 2018. It was later distributed to all units within DND via Department Circular No. 14 dated 3 July 2018. The National Printing Office published the IRR on 23 July 2018.

### **RA 10866**

AN ACT DECLARING THE PROVINCE OF BATANES AS A RESPONSIBLE, COMMUNITY-BASED CULTURAL HERITAGE AND ECOTOURISM ZONE

H. No. 6152, Approved on 23-Jun-16

#### **Description**

This law seeks to achieve the following:

- (a) Develop and promote responsible, community-based ecological-cultural tourism;
- (b) Ensure the conservation of the biodiversity and the preservation of the unique heritage and culture of the Province;
- (c) Develop tourism products and programs that will generate employment and livelihood for the local residents;
- (d) Guarantee that the financial and economic benefits of the tourism industry are equitably shared by and distributed among the Ivatans and local residents;
- (e) Ensure that the quality of local tourism programs and activities are educational and enriching for tourists and visitors; and
- (f) Guarantee that in the development and promotion of the local tourism industry, the LGUs shall ensure that the needs of local residents and communities in the areas of water supply, food, energy and local construction materials are first secured and met.

It calls for the creation of a Provincial Tourism Development Plan to ensure the preservation of the natural sites, the cultural and historic significance of identified tourist attractions, and respect for Ivatan culture and traditions.

The Department of Tourism (DOT), Department of Environment and Natural Resources (DENR), National Commission on Indigenous Peoples (NCIP), and the National Commission for Culture and the Arts (NCCA) are mandated to oversee the implementation of this law.

## **Update**

DOT's legislative liaison unit reported to the Senate that the IRR of this law is still pending. DOT central office is coordinating with the regional office overseeing Batanes province for upcoming meetings/consultations on the drafting of the IRR.



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