



Senate of the Philippines

Pasay City



UPDATES
ON THE
IMPLEMENTATION
OF LAWS



Fifteenth Congress

As of July 28, 2014



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PREFACE

A law that successfully hurdles the legislative mill is a great achievement. But for all the tedious work that goes into the act of legislation, a law passed by Congress is rendered meaningless if it remains nothing more than a signed document on paper. In other words, if the law is not fully and faithfully implemented, it becomes a “dead letter law.”

There is therefore a need to continuously monitor and review the implementation of laws. It is in the interest of the citizens to check whether concerned agencies of the government have complied with the requirements, and if the corresponding Implementing Rules and Regulations have been issued. This is to ensure that stakeholders are able to maximize the benefits that these laws were originally designed to provide.

This handbook contains a report on the implementation of laws passed in the First, Second and Third Regular Sessions of the Fifteenth Congress. It aims to provide reference materials for Senators, Senate officials and other interested parties about the laws being implemented by different government departments, including their instrumentalities and agencies. It seeks to shed light on the reasons why some laws are not being fully carried out, as well as the problems encountered by the government agencies concerned in their implementation.

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

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FIFTEENTH CONGRESS

(July 26, 2010 – June 6, 2013)

AGRICULTURE AND FOOD

R. A. No. **AN ACT AMENDING REPUBLIC ACT NO. 9296,**
10536 **OTHERWISE KNOWN AS “THE MEAT INSPECTION**
 CODE OF THE PHILIPPINES” (S. NO. 3388/H. NO.
 5490) (Signed Into Law MAY 15, 2013)

Features: *This act defines “hot meat” as the carcass or parts of carcass or food animals which were slaughtered from unregistered/unaccredited meat establishments and have not undergone the required inspection. Undocumented, illegally shipped, and unregistered carcass, parts of carcass and meat products from other countries are also classified as such.*

This law amends the composition of the National Meat Inspection Service (NMIS). Headed by an executive director, a deputy executive director and regional technical directors, NMIS shall be composed of 12 divisions: Plant Operation and Inspection, Accreditation and Registration, Enforcement and Food Defense, Meat Import and Export Assistance and Inspection, Meat Science and Technology, Laboratory Services, Consumer Information, Education and Assistance, Legal Affairs, Planning, Monitoring and Evaluation, Engineering and Climate Change, Administrative, and Finance. Existing regional offices of the NMIS shall consist of meat laboratories, technical, administrative and finance services.

A Meat Inspection Service Development Trust Fund is also established for the continued upgrading of laboratory equipment, establishment of training facilities, research and development, accreditation and food safety, and

provision of other forms of assistance and support to local government units (LGUs), among others.

R. A. No. 10593 **AN ACT AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NO. 8048, ENTITLED "AN ACT PROVIDING FOR THE REGULATION OF THE CUTTING OF COCONUT TREES, ITS REPLENISHMENT, PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES" (S. NO. 3366 / H. NO. 6131) (Signed Into Law MAY 29, 2013)**

Features *This law prohibits the cutting of coconut trees except in the following circumstances:*

- *When the tree is 60 years old in the case of tall varieties, and at least 40 years old for dwarf varieties;*
- *When the tree is no longer economically productive;*
- *When the tree is severely disease-infested and beyond rehabilitation;*
- *When the tree is severely damaged by typhoon or lightning;*
- *When the agricultural land devoted to coconut production is legally rezoned;*
- *When the land devoted to coconut production is converted into other agricultural uses or other agriculture-related activities subject to certain conditions; and*
- *When the tree would cause hazard to life and property.*

RA 10593 vests the Philippine Coconut Authority (PCA) with police powers for the proper performance of its functions under this law, to wit:

- *Investigate suspected violations of this Act;*

- *Arrest and apprehend offenders;*
- *Search and seize a moving vehicle with illegally cut, gathered, collected or removed coconut lumber, provided that probable cause has been established;*
- *Stop the transport and/or shipment of coconut lumber without authority or without legal documents;*
- *Confiscate and forfeit in favor of the government the illegally cut, gathered, collected, removed, possessed or abandoned coconut lumber, as well as the machinery, equipment, implements and tools illegally used in the commission of the offense and to dispose of the same; and*
- *Seek the assistance of other law enforcement agencies for the efficient and effective implementation of this act.*

Status: PCA Administrator Euclides G. Forbes reported to the Senate that the Implementing Rules and Regulations (IRR) of this law were published in the Manila Times on October 4, 2013. A copy of the IRR was submitted to the University of the Philippines Law Center on the same date.

The agency is currently formulating the proper guidelines on the implementation of its newly vested police powers.

BANKS, FINANCIAL INSTITUTIONS AND CURRENCIES

**R. A. No.
10167**

AN ACT TO FURTHER STRENGTHEN THE ANTI-MONEY LAUNDERING LAW, AMENDING FOR THE PURPOSE SECTIONS 10 AND 11 OF REPUBLIC ACT

NO. 9160, OTHERWISE KNOWN AS THE “ANTI-MONEY LAUNDERING ACT OF 2001”, AS AMENDED, AND FOR OTHER PURPOSES (S. NO. 3009/H. NO. 4275) (Signed Into Law JUNE 18, 2012)

Features:

This law allows the Court of Appeals to issue a freeze order on a monetary instrument or property upon verified ex parte petition by the Anti-Money Laundering Council (AMLC) and after determination of probable cause. The freeze order shall be for a period of 20 days unless extended by the court. The court should act on the petition within 24 hours upon filing. A person whose account has been frozen may file a motion to lift the freeze order, and the court must resolve this motion before the end of the 20-day period. Only the Supreme Court may issue a temporary restraining order or a writ of injunction against any freeze order.

RA 10167 also allows the AMLC to inquire into or examine any particular deposit or investment upon order of any competent court subject to certain qualifications. The Court of Appeals shall act on the application to inquire into or examine any deposit or investment with any banking (or related) institution within 24 hours from filing of the application. However, a court order is not required for predicate crimes involving kidnapping for ransom, drug-related cases, hijacking, destructive arson, murder and acts of terrorism, felonies of a similar nature that are punishable under the penal laws of other countries, and for terrorism and conspiracy to commit terrorism under RA 9372.

Meanwhile, the Bangko Sentral ng Pilipinas is allowed to check the compliance of a covered institution in the course of a periodic or special examination.

Status:

Mr. Richard David C. Funk II, Officer-in-Charge of the AMLC, reported to the Senate that this law took effect on July 6, 2012 following its publication on June 21, 2012 in the Philippine Daily Inquirer and Philippine

Star, while its implementing rules and regulations (IRR) took effect on September 15, 2012.

Mr. Funk stated that the Financial Action Task Force (FATF), in its June 2013 plenary held in Oslo, Norway, commended the Philippines for its significant progress in addressing previously identified deficiencies in its anti-money laundering/combating the financing of terrorism (AML/CFT) regime. With the enactment of RA 10167 and RA 10365, it said the Philippines has established the legal and regulatory framework to meet its commitment in its action plan regarding its deficiencies. This resulted in the removal of the Philippines from the list of jurisdictions subject to FATF's monitoring process, sparing the country from being blacklisted and possibly from being at the receiving end of countermeasures from other jurisdictions.

The AMLC also noted a decrease in the number of pending petitions for issuance of freeze order before the Court of Appeals. Mr. Funk attributed this to the law's requirement to the Court of Appeals to act on such petitions within 24 hours from filing.

Other issues and concerns

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

In a letter dated June 28, 2013, FATF president Bjorn S. Aamo revealed that the FATF requested the APG to continue to apply enhanced monitoring to the Philippines until the casino sector is covered under the Philippines' AML/CFT regime. On February 10, 2014, the AMLC filed in the House of Representatives a proposed bill covering the casino sector under the

AML/CFT regime (House Bill No. 3876). This bill seeks to establish an AML/CFT regulatory framework that would preserve the integrity of the gaming sector. Mr. Funk stressed that the casino sector must be protected and be subject to a comprehensive regulatory and supervisory regime as soon as possible.

R. A. No. 10168 **AN ACT DEFINING THE CRIME OF FINANCING OF TERRORISM, PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES (S. NO. 3127/H. NO. 5015) (Signed Into Law JUNE 18, 2012)**

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

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

Status: On August 6, 2012, the Anti-Money Laundering Council (AMLC) approved and promulgated the Implementing Rules and Regulations (IRR) of R.A. 10168. It took effect on August 26, 2012 after its publication in a newspaper of general circulation (Philippine Star).

Pursuant to Section 3, 8 and 11 of R.A. 10168, in relation to Rules 22.a, and 22.b of the IRR, the AMLC issued Resolution Nos. TF-1 and 2 which direct, among others, the immediate freezing of property or funds,

including related accounts, of individuals and entities designated as terrorists in the Al-Qaeda Sanctions List and the Taliban 1988 Sanction List.

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

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

So far, the AMLC has not encountered any problem in the implementation of R.A. 10168. In the February 22, 2013 statement of the Financial Action Task Force (FATF), it noted the significant progress that the Philippines has made in its Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT) regime, to wit:

"...the Philippines has made significant progress to improve its AML/CFT regime and has largely addressed its action plan, including by enacting legislation to adequately criminalize money laundering and terrorist financing; implementing adequate procedures to identify and freeze terrorist assets and confiscate funds related to money laundering; enhancing financial transparency; ensuring capacity and financial resources for competent authorities; and extending the coverage of reporting entities to include all financial institutions and some of the designated non-financial businesses and professions."

(As of May 31, 2013)

**R. A. No.
10365**

AN ACT FURTHER STRENGTHENING THE ANTI-MONEY LAUNDERING LAW, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9160, OTHERWISE KNOWN AS THE "ANTI-MONEY LAUNDERING ACT OF 2001", AS AMENDED (S. NO. 3123/H. NO. 6565) (Signed into Law FEBRUARY 15, 2013)

Features:

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

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

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

Status:

Mr. Richard David C. Funk II, Officer-in-Charge of the AMLC reported to the Senate that this law took effect on March 7, 2013 following its publication on February 20, 2013 in Manila Bulletin and Philippine Star.

Mr. Funk stated that the Financial Action Task Force (FATF), in its June 2013 plenary held in Oslo, Norway, commended the Philippines for its significant progress in addressing previously identified deficiencies in its anti-money laundering/combating the financing of terrorism

(AML/CFT) regime. With the enactment of RA 10167 and RA 10365, it said the Philippines has established the legal and regulatory framework to meet its commitment in its action plan regarding its deficiencies. This resulted in the removal of the Philippines from the list of jurisdictions subject to FATF's monitoring process, sparing the country from being blacklisted and from (possibly) being subjected to countermeasures by other jurisdictions.

Other issues and concerns

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

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

**R. A. No.
10374**

AN ACT EXTENDING THE LIFE OF THE LAND BANK OF THE PHILIPPINES, FURTHER AMENDING REPUBLIC ACT NO. 3844, OTHERWISE KNOWN AS THE "AGRICULTURAL LAND REFORM CODE", AS AMENDED (S. NO. 2944 / H. NO. 5461) (Signed into Law MARCH 5, 2013)

Features:

This law extends the life of the Land Bank of the Philippines by another 50 years from the expiration of its

original term on August 8, 2013.

Status: Self executory.

**R. A. No.
10574** **AN ACT ALLOWING THE INFUSION OF FOREIGN EQUITY IN THE CAPITAL OF RURAL BANKS, AMENDING REPUBLIC ACT NO. 7353, OTHERWISE KNOWN AS “THE RURAL BANK ACT OF 1992”, AS AMENDED, AND FOR OTHER PURPOSES (S. NO. 3282/H. NO. 5360) (Signed into Law MAY 24, 2013)**

Features: *This Act amends Section 4 of RA 7353 to allow non-Filipinos to own, acquire or purchase up to 60 percent of the voting stocks in a rural bank. The percentage of foreign-owned voting stocks shall be determined by the citizenship of the individual or corporate stockholders of the rural bank. It amends Section 5 of R.A. 7353 to allow non-Filipinos to become members of the Board of Directors of a rural bank, but their participation shall be limited to the proportionate share in the equity of the rural bank provided that at least one independent director shall be elected to the Board.*

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

Mr. Elmore O. Capule, General Counsel of the Bangko Sentral ng Pilipinas (BSP), reported to the Senate that BSP issued Circular No. 809 dated August 23, 2013 to

implement this law. The circular was published in the Manila Times on August 29, 2013.

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

Meanwhile, Director Judith E. Sungsaï of the BSP Office of Supervisory Policy Development reported to the Senate the following concerns regarding the implementation of this law:

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

CIVIL SERVICE AND GOVERNMENT REORGANIZATION

**R. A. No.
10154** **AN ACT REQUIRING ALL CONCERNED GOVERNMENT AGENCIES TO ENSURE THE EARLY RELEASE OF THE RETIREMENT PAY, PENSIONS, GRATUITIES AND OTHER BENEFITS OF RETIRING GOVERNMENT EMPLOYEES (S. No. 2748/H. No. 3862) (Signed Into Law JULY 15, 2011)**

Features: *This Act mandates the release of retirement pay, pensions, gratuities and other benefits of a retiring government employee within thirty (30) days from the date of actual retirement provided that all requirements are submitted to concerned agency at least ninety (90) days prior to retirement. In the case of Government Service Insurance System (GSIS), it shall pay retirement benefits on the employee's last day of government service pursuant to the GSIS charter.*

For retiring government employees with pending cases and whose retirement benefits are being lawfully withheld, the head of agency where the case is pending must ensure case termination/resolution within three (3) months from retirement date of concerned employee. Retirement benefits should be immediately released if concerned agency fails to terminate/resolve case within said period without any justifiable reason/s, except when delay is deliberately caused by the retiring employee.

This Act covers all branches and agencies of government excluding the Armed Forces of the Philippines, and shall be applicable both to applications for compulsory retirement. Failing to comply shall be a ground for filing of administrative disciplinary action against erring party/ies, resulting in suspension without pay from six (6) to twelve (12) months. This penalty does not apply if release of retirement benefits could not be accomplished due to force majeure and other impossible causes. In such cases, the

agency has up to thirty (30) days to comply from the time such events cease to exist.

Status: After a series of consultations with government agencies concerned, the Implementing Rules and Regulations (IRR) were finally promulgated by the Civil Service Commission through CSC Resolution No. 1300237 dated January 30, 2013. Congress had been promptly informed about this through the Chairpersons of the Committees on Civil Service in both houses, Senator Antonio F. Trillanes IV and Representative Andres D. Salvacion, Jr. The IRR was published in The Manila Times on March 2, 2013 and became effective on March 17, 2013. A copy of the same is also accessible through the CSC website www.csc.gov.ph.

Retiring public servants must not be made to wait for they have spent the best years of their lives serving the public and the government, thus, the state ensures the prompt release of their retirement benefits which are due them under the law.

The IRR cites the responsibilities of retiring government employees, employer-agencies and all concerned government agencies, the period of release of retirement benefits and all other relevant provisions.

The guidelines state that the period for release of retirement benefits must be within thirty (30) days from the actual retirement date of the concerned employee. The employer-agency or the government agency where the employee shall retire must submit all requirements at least ninety (90) days prior to the effectivity date of retirement. Retirement benefits under the Government Service Insurance Act must be released to retirees on his/her last day of service in government provided that all Government Service Insurance System (GSIS) requirements are duly complied with.

However, retirement benefits may be withheld if the employee has been suspended due to pending

administrative case or pecuniary liabilities.

(As of May 31, 2013)

R. A. No. 10156 **AN ACT CONFERRING UPON MEMBERS OF THE SANGGUNIANG BAYAN, SANGGUNIANG PANLUNGSOD AND SANGGUNIANG PANLALAWIGAN, THE APPROPRIATE CIVIL SERVICE ELIGIBILITY UNDER CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES (S. NO. 2946/H. NO. 4357) (Signed Into Law DECEMBER 20, 2011)**

Features: *This Act confers Career Service Professional Eligibility upon a member of the Sangguniang Bayan, Sangguniang Panlungsod and the Sangguniang Panlalawigan who has served for an aggregate period of nine (9) years in office, provided that such member has a bachelor's degree. Those who served for an aggregate period of six (6) years will be granted Career Service Sub-Professional Eligibility provided that this eligibility is appropriate for second and first level positions in the career service, except those that require qualifications in skills or trade test and/or board examinations and other special eligibilities.*

The Act covers all members of the Sangguniang Bayan, Sangguniang Panlungsod and Sangguniang Panlalawigan who have been elected after the passage of the 1991 Local Government Code.

Status: This law, in effect, expands the coverage of the grant of civil service eligibility to local officials. As may be recalled, R.A. 7160 or the Local Government Code of 1991 (Chapter IV, Sec. 393) grants the appropriate civil service eligibility to the *Punong Barangay, Sangguniang Barangay members, Barangay Treasurer, and Barangay Secretary* pursuant to the rules and regulations issued by the CSC.

With the passage of R.A. 10156, elected members of the *Sangguniang Bayan*, *Sangguniang Panlungsod* and *Sangguniang Panlalawigan* who are carrying out broader and extensive duties and responsibilities, now have the same eligibility privilege (appropriate to their qualifications) as that enjoyed by *barangay officials*. Consequently, the law will promote efficiency and will strengthen the morale of said local elective officials.

The drafting of the IRR of R.A. 10156 underwent the same rigorous and thorough process as that of R.A. 10154. The CSC promulgated the IRR through CSC Resolution No. 1300486 dated March 6, 2013.

(As of March 31, 2013).

R. A. No. 10166	AN ACT REGULATING THE PRACTICE OF GEOLOGY IN THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBERED FOUR THOUSAND TWO HUNDRED NINE (R. A. NO. 4209), OTHERWISE KNOWN AS "GEOLOGY PROFESSION ACT OF THE PHILIPPINES" AND FOR OTHER PURPOSES (S. NO. 2941/H. NO. 5640) (Signed Into Law JUNE 11, 2012)
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Features: *Known as the "Geology Profession Act of 2012," the Act creates the Professional Regulatory Board of Geology under the administrative control and supervision of the Professional Regulation Commission (PRC), to be constituted not later than six (6) months from the effectivity of this Act. It also sets rules for licensure examination and registration, and the practice of geology. All geologists possessing valid certificates of registration issued under RA 4209 shall register with the Board and be issued certificates as geologists to replace their original certificates upon payment of required fees. Faculty members teaching major geology subjects shall not be allowed to continue teaching after five (5) years from the approval of this Act unless they have become registered*

geologists with valid certificates of registration and valid professional ID cards. The incumbent chairman and members of the Board shall continue to function as interim Board until a new Board is constituted.

Status: According to Hon. Teresita R. Manzala, Chairperson of the Professional Regulation Commission, in her letter to the Senate dated February 7, 2013, the Implementing Rules and Regulations (IRR) of R.A. 10166, issued by the Professional Regulatory Board of Geology, were approved by the Commission on October 24, 2012 through Resolution No. 03, Series of 2012. It was published in the Official Gazette on December 3, 2012 and took effect on December 18, 2012. The appropriation for the implementation of the law will be included in the General Appropriations Act of the Commission for the Fiscal Year 2013.

The Professional Regulatory Board of Geology has not encountered any problem regarding its implementation. The new law is fairly comprehensive in its definition of the scope of the practice of geology and is attuned to current developments in the Science of Geology and its application.

(As of May 31, 2013)

**R. A. No.
10350** **AN ACT TO REGULATE AND MODERNIZE THE PRACTICE OF THE INTERIOR DESIGN IN THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBERED 8534, OTHERWISE KNOWN AS "AN ACT REGULATING THE PRACTICE OF INTERIOR DESIGN IN THE PHILIPPINES", APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES (S. NO. 3139 / H. NO. 4323) (Signed into Law DECEMBER 17, 2012)**

Features: *This Act seeks to promote the development of professional*

interior designers. It provides for and governs the examination, registration and licensure of professional interior designers; supervision, control and regulation of the practice of interior design; professional education; and integration of the interior design profession. It defines the scope of the practice of Interior Design and creates a Professional Regulatory Board of Interior Design under the administrative supervision and control of the Professional Regulation Commission. The board has the power to promulgate, administer and enforce rules and regulations, among others.

Status: The Professional Regulatory Board of Interior Design is still in the process of conducting dialogue and consultation with concerned stakeholders in the preparation of the Implementing Rules and Regulations (IRR) of the law.

(As of May 31, 2013)

R. A. No. 10524 **AN ACT EXPANDING THE POSITIONS RESERVED FOR PERSONS WITH DISABILITY, AMENDING FOR THE PURPOSE ACT NO. 7277, AS AMENDED, OTHERWISE KNOWN AS THE MAGNA CARTA FOR PERSONS WITH DISABILITY (S. NO. 3371 / H. NO. 5475) (Signed into Law APRIL 23, 2013)**

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

Status: Ms. Cielo Cabalatungan, Officer-in-Charge of the Bureau of Workers with Special Concerns of the Department of Labor and Employment (DOLE) reported to the Senate that the agency spearheaded the formulation of the initial draft of the Implementing Rules and Regulations (IRR) of this law. In November and December 2013, DOLE conducted a series of consultations with various government agencies, private companies and persons with disability to review this draft. The results of the consultations were incorporated in the revised version of the draft IRR, which is still being reviewed by the relevant authorities.

R. A. No. 10535 **AN ACT TO SET THE PHILIPPINE STANDARD TIME (PST) IN ALL OFFICIAL SOURCES THROUGHOUT THE COUNTRY, TO PROVIDE FUNDS FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF SYNCHRONIZED TIME DEVICES TO BE DISPLAYED IN KEY PUBLIC PLACES AND TO DECLARE THE FIRST WEEK OF EVERY YEAR AS NATIONAL TIME CONSCIOUSNESS WEEK (S. NO. 3284/H. NO. 164) (Signed Into Law MAY 15, 2013)**

Features: *Known as “The Philippine Standard Time (PST) Act of 2013”, this law requires all national and local government offices to display the PST on their official time devices, in accordance with the official time being provided by the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA). PAGASA’s Time Service Unit, in coordination with the Department of Science and Technology (DOST) shall be tasked to monitor, maintain and disseminate the PST throughout the country. Equipment necessary for the automatic dissemination of time with global positioning system (GPS) shall be procured by DOST in accordance with RA 9184 (Procurement Act). Meanwhile, the National Telecommunications Commission (NTC) shall require the participation of all government and private TV and radio stations to ensure synchronization, even in the most remote parts of the country. This law also institutionalizes the “National Time Consciousness Week” to be celebrated*

every first week of the year.

Status: No update available.

**R. A. No.
10558** **AN ACT INCREASING THE NUMBER OF PLANTILLA POSITIONS FOR THE WEST VISAYAS STATE UNIVERSITY ASSIGNED TO STAFF THE WEST VISAYAS STATE UNIVERSITY MEDICAL CENTER IN ORDER TO MEET THE STANDARD NUMBER OF STAFFING POSITIONS FOR A THREE HUNDRED (300)-BED MEDICAL CENTER AND APPROPRIATING FUNDS THEREFORE (H. NO. 4989) (Signed Into Law MAY 15, 2013)**

Features: *This law increases the number of assigned plantilla positions for the West Visayas State University (WVSU) Medical Center to meet the standard number of staff positions for a 300-bed medical center. WVSU and the Department of Budget and Management (DBM) shall determine the additional plantilla positions to be created pursuant to this law. The amount necessary for the implementation of this measure shall be included in the annual General Appropriations Act and/or funded by the internally generated income of WVSU.*

Status: In a memorandum dated December 18, 2013, Department of Budget and Management (DBM) Secretary Florencio B. Abad approved the creation of 513 additional positions for WVSU Medical Center. Dr. Giovanni A. De Los Reyes, WVSU Vice President for Medical and Allied Sciences reported to the Senate that the university is now processing the requirements for the release of the budget for these positions by the DBM. The university hopes to start filling up the positions within the year. Meanwhile, the remaining 148 positions shall be requested in the 2015 budget.

**R. A. No.
10587**

AN ACT REGULATING THE PRACTICE OF ENVIRONMENTAL PLANNING, REPEALING FOR THE PURPOSE PRESIDENTIAL DECREE NUMBERED ONE THOUSAND THREE HUNDRED AND EIGHT, ENTITLED "LAW REGULATING THE ENVIRONMENTAL PLANNING PROFESSION IN THE PHILIPPINES", AND FOR OTHER PURPOSES (S. NO. 3138 / H. NO. 4692) (Signed Into Law MAY 27, 2013)

Features: *Known as the “Environmental Planning Act of 2013”, this law sets out regulations with respect to the following aspects of the environmental planning profession:*

- *Examination, registration and licensure of environmental planners;*
- *Supervision, control and regulation of the practice of environmental planning;*
- *Development, upgrading and updating of the curriculum of the environmental planning profession; and*
- *Development and improvement of the professional competence and practice of environmental planners through, among others, continuing professional education and development.*

It creates a Professional Regulatory Board of Environmental Planning composed of a Chairperson and two members under the administrative control and supervision of the Professional Regulation Commission (PRC). They shall be appointed by the President of the Philippines from a list of three recommendees for each position. It prevents any person from practicing or offering to practice environmental planning in the Philippines without having obtained from the board and the PRC a Certificate of Registration and a Professional Identification Card or a temporary/special permit. All applicants for registration for the practice of environmental planning shall be required to pass the professional licensure examination.

The Civil Service Commission (CSC) is mandated to create

positions and set qualification standards for environmental planners at various levels in the government service, including government-owned and -controlled corporations and other entities. After the lapse of five years from the effectivity of this law, only registered and licensed environmental planners shall be appointed to positions requiring the knowledge, skills and competence and qualifications of registered and licensed environmental planners. Within a period of three years from the effectivity of this act, local government units may continue to issue appointments to persons who are not registered and licensed environmental planners to local planning and development posts in a temporary or acting capacity. Moreover, the incumbent chairperson and members of the board shall, in an interim capacity, continue to carry out their functions under the provisions of this act without need for new appointments until constitution or organization of the new board, as stipulated by this law.

Status: Ms. Josefina M. Ramos, chairperson of the Board of Environmental Planning stated that several consultations and technical working group meetings have been conducted since June 2013 for the Implementing Rules and Regulations (IRR) of this law. The IRR is still being finalized as of May 2014.

Meanwhile, Assistant Commissioner Ariel G. Ronquillo of the Civil Service Commission (CSC) told the Senate that the CSC is concerned about Article V, Section 34 of the law which states that:

The CSC shall create positions and set qualification standards for environmental planners at various levels in government service, including government-owned and – controlled corporations and other entities.

Assistant Commissioner Ronquillo noted that the creation of positions is not within the mandate of the CSC; rather, it is the responsibility of the agencies concerned. Agencies create positions, subject to Department of Budget and Management approval, or in compliance with statutory regulations.

Afterwards, they recommend qualification standards for the positions created, subject to the review and approval of the CSC. In view of this, he said there may be a need to amend Section 34 of this law. Further, according to Assistant Commissioner Ronquillo, the CSC was never involved in the legislative mill. CSC did not receive any request for comment or any invitation to public/committee hearings from either house of Congress; neither did it receive any request for comment from the legislative office of the Office of the President. As a result, CSC is coordinating with the Board of Environmental Planning to bring clarity to this matter.

CONSTITUTIONAL AMENDMENTS, REVISION OF CODES AND LAWS

**R. A. No.
10153** **AN ACT PROVIDING FOR THE SYNCHRONIZATION OF THE ELECTIONS IN THE AUTONOMOUS REGION IN MUSLIM MINDANAO (ARMM) WITH THE NATIONAL AND LOCAL ELECTIONS, AND FOR OTHER PURPOSES (H. NO. 4146) (Signed Into Law JUNE 30, 2011)**

Features: *This Act sets the regular elections for the Regional Governor, Regional Vice-Governor and members of the Regional Legislative Assembly of ARMM on the second Monday of May 2013. Succeeding regular elections will be held on the same day every three years thereafter.*

In the meantime, Officers-in-Charge will be appointed by the President through a screening committee for the Office of the Regional Governor, Regional Vice-Governor and members of the Regional Legislative Assembly. The Officer-in-Charge must comply with the qualifications for Regional Governor, Regional Vice Governor or members of the Regional Legislative Assembly as provided in RA 6734 (An Act Providing for an Organic Act for the ARMM) as

amended by RA 9054 (An Act to Strengthen and Expand the Organic Act for the ARMM, Amending for the Purpose RA 6734). The appointed members of the Regional Legislative Assembly will conduct a study and review of RA 9054 and submit recommendations to Congress within six months from their assumption to office.

Status: The Commission on Elections (COMELEC) promulgated Resolution No. 9385 dated April 3, 2012 containing the Calendar of Activities and Periods of Certain Prohibited Acts in connection with the May 13, 2013 National and Local Elections, where it is provided that the activities for the ARMM Regional Elections are already included and synchronized with the May 13, 2013 Elections.

JOINT RES. NO. 3 **JOINT RESOLUTION ANNULING THE BOOK OF VOTERS OF THE MUNICIPALITIES/ CITIES IN THE AUTONOMOUS REGION OF MUSLIM MINDANAO, DIRECTING THE COMMISSION ON ELECTIONS TO IMMEDIATELY CONDUCT A NEW GENERAL REGISTRATION OF VOTERS IN THE REGION, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES (S. JT. RES. NO. 17/H. JT. RES. NO. 31) (June 11, 2012)**

Features: *Joint Resolution No. 3 annuls the book of voters in the Autonomous Region of Muslim Mindanao (ARMM) and orders the Commission on Elections (COMELEC) to immediately conduct a new general registration of voters in the region. It suspends the registration of voters in non-ARMM regions until August 31, 2012 to enable Comelec to deploy sufficient personnel and equipment for the operations. It also authorizes Comelec to resort to direct contracting and other alternative methods of procurement under R.A. No. 9184. Funding will be charged to Comelec savings, as well as the contingent fund authorized under R.A. No. 10155 or the 2012 General Appropriations Act.*

It cited the following reasons for the annulment:

- a. *Bloated population figures as noted by the National Statistics Office, which indicates padding;*
- b. *Comelec acknowledgement of the presence of a significant number of illegal and fictitious registrants;*
- c. *Checkered electoral history of ARMM;*
- d. *Local and national impact of irregularities in the ARMM elections;*
- e. *Support of the Executive branch for a new general registration of voters.*

Status: The COMELEC conducted a new general registration of voters in the region from July 9 to 19, 2012 (10 days). The Commission on Elections found 61,416 multiple registrants during the 10-day general registration in ARMM.

The discovery came as voter applications in the region were subjected to a “cleansing process” using the automated fingerprint identification system.

Comelec Resolution No. 9520, promulgated on September 13, noted the anomaly in the registration turnout and ruled that the names of the questionable voter applications be deleted. During the 10-day general registration in the ARMM, the poll body received 1,567,409 voter applications.

The Comelec resolution did not provide sanctions for those engaged in multiple registration in the ARMM.

During the 2010 general elections, the region had some 1.8 million voters. The number plunged to 1.5 million after the July registration. (*Philippine Daily Inquirer*, September 25, 2012)

The Special General Registration for Sultan Naga Dimaporo, Region 10-Lanao del Sur was scheduled on October 22-28, 2012.

(As of May 31, 2013)

ECONOMIC AFFAIRS

R. A. No. 10625 **AN ACT REORGANIZING THE PHILIPPINE STATISTICAL SYSTEM, REPEALING FOR THE PURPOSE EXECUTIVE ORDER NUMBERED ONE HUNDRED TWENTY-ONE, ENTITLED REORGANIZING AND STRENGTHENING THE PHILIPPINE STATISTICAL SYSTEM AND FOR OTHER PURPOSES (H. NO. 6229) (Signed Into Law SEPTEMBER 12, 2013)**

Features: *Known as the “Philippine Statistical Act of 2013”, this law reorganizes the Philippine Statistical System (PSS) into a decentralized but cohesive system.*

It creates the Philippine Statistics Authority (PSA) to serve as the highest policymaking body on statistical matters. Data produced by the PSA shall be the official and controlling statistics of the government.

Attached to the National Economic and Development Authority (NEDA) and headed by a National Statistician, the PSA shall be primarily responsible for all national censuses and surveys, sectoral statistics, consolidation of selected administrative recording systems and compilation of the national accounts. The PSA shall be constituted from among the existing personnel of the major statistical agencies engaged in primary data collection and compilation of secondary data, namely the National Statistics Office, the Department of Agriculture-Bureau of Agricultural Statistics, the Department of Labor and Employment-Bureau of Labor and Employment Statistics, and the National Statistical Coordination Board.

RA 10625 also creates the Philippine Statistical Research and Training Institute, which is tasked with providing training programs, conducting research and providing assistance (including scholarships) in building statistical manpower, enhancing training and improving statistical

research and development. It will also be attached to the NEDA.

Status: Socioeconomic Planning Secretary Arsenio M. Balisacan, as Chair of the Philippine Statistics Authority (PSA) board, approved the Implementing Rules and Regulations (IRR) of the law on December 11, 2013. Ms. Lina V. Castro, Assistant Secretary General of the National Statistical Coordination Board was thereafter appointed as Interim National Statistician. She held the post until April 21, 2014, when President Benigno S. Aquino III appointed Dr. Lisa Grace S. Bersales, former dean of the University of the Philippines School of Statistics, as National Statistician.

A Change Management Team was assembled to facilitate the transition. It consisted of five working groups: (1) communication and advocacy; (2) equipment, properties and records; (3) Finance; (4) human resource/capacity building; and (5) physical layout and planning. A Placement Committee and a Merit Selection Committee were also created. The organizational structure of the PSA has already been approved by both Sec. Balisacan and Ms. Bersales, while the staffing pattern is expected to be approved by June 2014. There was no change in the number of positions under the revised staffing pattern. The PSA is expected to be fully operational by July 2014.

The PSA has submitted to the Department of Budget and Management its proposed budget for 2015. The proposal included funding request for the construction of a building complex to house all PSA staff, which are currently scattered across different offices and locations, as well as the acquisition of new hardware and software. Meanwhile, the consolidation of records, archives, and properties/assets of affected agencies is ongoing.

EDUCATION, ARTS AND CULTURE

R. A. No. 10157 **AN ACT INSTITUTIONALIZING THE KINDERGARTEN EDUCATION INTO THE BASIC EDUCATION SYSTEM AND APPROPRIATING FUNDS THEREFOR (H. NO. 3826) (Signed Into Law JANUARY 20, 2012)**

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

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

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

- a. Oversee and supervise the organization, operation and implementation of the program;*
- b. Develop the curriculum for kindergarten education in line with universally accepted norms and standards;*
- c. Develop teaching strategies for the unique feature of*

the mother tongue-based multilingual education (MTB-MLE);

- d. Develop and implement a continuing professional development program for kindergarten teachers;*
- e. Prescribe qualifications for the hiring and accreditation of teachers;*
- f. Exercise authority over the creation of private kindergarten institutions;*
- g. Supervise establishment of various venues for early childhood education;*
- h. Introduce innovative programs that include educational technologies, whenever applicable.*

Status: According to Ms. Marilyn D. Dimaano, Schools Division Superintendent and Officer-In-Charge, Bureau of Elementary Education, Department of Education, the Implementing Rules and Regulations (IRR) of the law were published in two (2) newspapers of general circulation namely: Manila Standard Today dated May 26, 2012 and the Business Mirror dated May 27, 2012. The IRR was issued to all DepEd concerned offices through DepEd Order No. 32, Series of 2012 dated April 17, 2012.

The Bureau's on-going kindergarten program/projects and activities, directions towards FY 2015,¹ and budgetary requirements for FY 2013 were provided to the Senate, the highlights of which are as follows:

DIRECTIONS FOR KINDERGARTEN UNTIL 2015

- Universal coverage of Kindergarten Education as part of the Basic Education System
- Reach out to all children of the poorest households,

vulnerable, disadvantaged, and underserved areas

- Improve effectiveness of organized Kindergarten Education Programs in preparing children to be ready for grade 1
 - Strengthen the fine-tuning of Curriculum Standards to all kindergarten classes
 - Continuously provide competency-based standards for the kindergarten teachers.
 - Additional provision of basic instructional materials
 - Ensure provision of standards for physical facilities and equipment
- Intensify proper administration and utilization of the assessment tools: Early Childhood Care Development (ECCD) checklist and/or School Readiness Assessment (SReA)
- Ensure model kindergarten classes and *Aklat, Gabay, Aruga tungo sa Pag-angat at Pagbasa (AGAPP)* schools best practices for transfer of technology viable to other schools within their division-school level
- Improve readiness and foundational skills of 80% of the 5-year old children through:
 - Comprehensive medical and health interventions
 - Provision of assistive technology
 - Strengthening parent and community support system
- Exercise regulatory functions over the private kindergarten schools

- Inclusion of kindergarten guidelines in the Manual of Operations for Private Schools
- Accreditation of public and private kindergarten program

THRUSTS

- Millenium Development Goals 2015
 - Achieve universal primary education
 - Promote gender equality
- Philippine Education For All (EFA) 2015
 - Universal school participation and elimination of dropouts and repetition in the kindergarten until the first three grades
 - Universal completion of the full cycle of basic education schooling with satisfactory achievement by all, from kindergarten, every grade or year level
 - Total community commitment to kindergarten education services
- Desired outcome until 2015
 - 100% participation of 5-year old children to kindergarten education services until MDGs and EFA goal 2015
 - 80% of 5-year old children have acquired readiness and foundational skills
 - 100% completion of kindergarten program of 5-year old children
 - 2% reduction in the number of undernourished children per year

- Percentage of 5-year olds served by DepEd (SY 2011-2012)

5-Year Old Population FY 2011 = 2,325,061

Kindergarten (public) 1,770,90 (SY2011-2012)

Kindergarten (private) 435,574

Total coverage: 2,206,480

Percentage reached: 95%

- Strategy Access and Equity – continuously reach out to all children specially the poorest, vulnerable, disadvantaged, and underserved areas
- Improve Quality of Learning
 - Comprehensive training of kindergarten teachers on the utilization of the standard curriculum in partnership with United Nations Children’s Fund (UNICEF), Community of Learners Foundation (COLF) and Teacher’s Education Institution (TEIs)
 - Improve the standard curriculum teachers guide and assessment materials (in partnership with COLF and UNICEF)
 - Provision of instructional materials package to kindergarten teachers and classes
 - Provision of standard kindergarten classrooms with facilities
- Improve Quality and Efficiency
 - Continuously provide support for regions and divisions for the effective implementation of the kindergarten education program nationwide
- Plans for 2013
 - Universal coverage of 5-year old children

- Improve quality of learning
- Improve quality and efficiency

TOTAL BUDGET PROPOSAL FOR FY 2013

Programs and Projects	Physical Target	Financial Requirement
Kindergarten Education Program for All Children (BEE)	2,072,921	1,680,344,000
Support from other DepEd Offices: Human Resource Training & Development-OSEC (HRTD-OSEC)	750	17,000,000
Instructional Materials Council Secretariat (IMCS)	1,889,003 47,500	47,225,075 7,125,000
Information & Communication Technology (ICT)	200	10,000,000
Physical Facilities Schools & Engineering Division (PFSED)	8,898	8,070,018,720
Health & Nutrition Center	128,163	3,868,890
Madrasah Education Unit	9,000	c/o madrasah allocation

Office of the Planning Service	10,000 items	1,912,306,816
Total Support Offices		<u>10,067,544,501</u>
Total - BEE managed activities		1,680,344,000
GRAND TOTAL		<u>11,747,888,501</u>

Note: Budget requirement from DepEd support offices is subject to verification

(As of May 31, 2013)

R. A. No. 10229 **AN ACT CONVERTING THE CATANDUANES STATE COLLEGES IN THE PROVINCE OF CATANDUANES INTO A STATE UNIVERSITY TO BE KNOWN AS THE CATANDUANES STATE UNIVERSITY AND APPROPRIATING FUNDS THEREFOR (H. NO. 4170) (Signed into Law OCTOBER 19, 2012)**

Features: *This Act converts the Catanduanes State Colleges (CSC) in Catanduanes province composed of CSC Virac and CSC Panganiban into a state university to be known as the Catanduanes State University (CSU). The Board of Regents shall serve as the university's governing board and shall include the chairperson of the Commission on Higher Education, president of the university, chairpersons of relevant committees of both houses of Congress, as well as representatives from national government agencies, university-based associations and the private sector. The amount necessary to implement this law shall be charged against the current year's appropriations of CSC. Thereafter, funds for the operation and maintenance of CSU shall be included in the General Appropriations Act.*

Status: The proposed Implementing Rules and Regulations (IRR) was submitted to the Board of Regents on December 12, 2012 meeting. However it was deferred for further study to include all existing pertinent policies, rules and regulation of the university subject to submission to CHED Legal Services for review and evaluation in compliance with Sec. 25 of R. A. 10229.

For CY 2013 the budget requirements of the university is ₱273,890,286.00.

1. As a university, CSU can develop and offer comprehensive range of degree programs that will prepare its graduates to become more competitive in the global market.
2. Research and extension programs could be expanded to address local and global concerns.
3. As a university, expansion could be explored to tie-up with relevant educational resources and linkages worldwide that would ensure that CSU research undertaking complies with global standards.
4. As a university, its faculty members can participate and apply for professorial chairs and faculty exchange to strengthen their expertise and knowledge in multidisciplinary areas/disciplines that can produce new knowledge as evidenced by refereed publications, translated into programs.

The requirement under Section 21 will still be accomplished, hence, a University Development Plan and a revised organizational structure will be crafted for stakeholder's consultation scheduled in May, 2013.

(As of May 31, 2013)

**R. A. No.
10230** **AN ACT CONVERTING THE QUIRINO STATE COLLEGE (QSC) IN THE MUNICIPALITY OF DIFFUN, PROVINCE OF QUIRINO INTO A STATE UNIVERSITY TO BE KNOWN AS THE QUIRINO STATE UNIVERSITY (QSU), INTEGRATING THEREWITH THE QUIRINO POLYTECHNIC COLLEGE (QPC) IN THE MUNICIPALITY OF CABARROGUIS AND THE MADDELA INSTITUTE OF TECHNOLOGY (MIT) IN THE MUNICIPALITY OF MADDELA, ALL LOCATED IN THE PROVINCE OF QUIRINO AND APPROPRIATING FUNDS THEREFOR (H. NO. 4413) (Signed Into Law OCTOBER 19, 2012)**

Features: *This Act converts the Quirino State College in Diffun, Quirino into a state university to be known as the Quirino State University (QSU) integrating Quirino Polytechnic State College (QPC) in Cabarroguis and the Maddela Institute of Technology (MIT) in Maddela. The Board of Regents shall serve as the university's governing board and shall include the chairperson of the Commission on Higher Education, president of the university, chairpersons of relevant committees of both houses of Congress, as well as representatives from national government agencies, university-based associations and the private sector. The amount necessary to implement this law shall be charged against the current year's appropriations of QSC and MIT. The local government shall also continue to provide assistance to QPC until the full funding requirement of the integrated QPC is included in the General Appropriations Act (GAA). Thereafter, funds for the operation and maintenance of QSU shall be included in the GAA.*

Status: RA 10230 was published in two newspapers of general circulation, the Philippine Star and the Philippine Daily Inquirer on November 16, 2012.

- As to the Implementing Rules and Regulations, the university has initially forwarded a copy of its draft version to the Commission on Higher Education (CHED). The Board of Regents approved the IRR

during its first quarter meeting on March 21, 2013.

- With respect to the budgetary requirements, the university's main concern is the integration into the university system of the Personnel Services (PS) component of the local government-operated college that was integrated into the university. Using the current staffing pattern for universities issued by the Department of Budget and Management, absorption of personnel of the Cabarroguis campus has to be included in the PS component of the university's 2014 budget, which the university has already done. The regular annual budget of the Maddela campus will also be integrated in the university budget. The amount for PS alone for FY 2014 is PhP 101,225,000.
- The Maintenance and Other Operating Expenses (MOOE) will need to be increased to transform the institution into a fully functioning university. For FY 2014 alone, the university proposes a budget of about ₱ 15,995,000.00 to be able to cope with the basic curriculum needs and other basic operating expenditures such as for power and illumination, communication and other operating expenditures on supplies and materials. There will be much needed expenditures for supplies and materials for the institutional accreditation of all courses to AACCUP and/or to other recognized accrediting bodies.
- To be accredited at least into the third level, there are physical facilities and structures that need to be constructed, hence the necessity of Capital Outlay (CO) funding of ₱ 46,727,000 for the following:
 - Completion of RDET building for improved

and enhanced research, development and extension services;

- Road network improvement;
 - Transfer of the administration offices to a more appropriate structure;
 - More laboratory infrastructure is likewise needed to ensure better delivery of instruction, as well as better health care services.
- CHED regulations that impose mandatory requirements may not be met by the university due to budget constraints. This may affect the smooth implementation of the law.
 - RA 10230 provided a great opportunity for the youth of Quirino province to have access to tertiary education. The community also stands to benefit from the Community Laboratory, which is envisioned to host the latest technologies to assist in the socioeconomic development of the province.

(As of May 31, 2013)

R. A. No. 10410 AN ACT RECOGNIZING THE AGE FROM ZERO (0) TO EIGHT (8) YEARS AS THE FIRST CRUCIAL STAGE OF EDUCATIONAL DEVELOPMENT AND STRENGTHENING THE EARLY CHILDHOOD CARE AND DEVELOPMENT SYSTEM, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES (S. NO. 3206 / H. NO. 6694) (Signed into Law MARCH 26, 2013)

Features: *Known as the “Early Years Act of 2013”, this law seeks to institutionalize a national system for Early Childhood Care and Development (ECCD), which refers to the full range of health, nutrition, early education and social services*

development programs providing basic holistic needs of children aged zero to four. These programs are broadly divided into center-based programs such as the day care service (RA 6972), and home-based programs such as neighborhood-based play groups, family child care programs, parent education and home visiting programs. ECCD has the following components: curriculum, parent education and involvement/advocacy and mobilization of communities, human resource development and ECCD management.

The ECCD council shall take charge of implementing the national ECCD system. Its responsibilities include establishing national standards, developing and ensuring compliance with policies and programs, and providing technical assistance. The council is composed of the ECCD governing board chaired by the Education Secretary, as well as an ECCD Secretariat headed by an Executive Director.

Status: No updates available.

R. A. No. 10533	AN ACT ENHANCING THE PHILIPPINE BASIC EDUCATION SYSTEM BY STRENGTHENING ITS CURRICULUM AND INCREASING THE NUMBER OF YEARS FOR BASIC EDUCATION, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES (S. NO. 3286/H. NO. 6643) (Signed Into Law MAY 15, 2013)
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Features: *Under this law, the enhanced basic education program will encompass at least one year of kindergarten education, six years of elementary education, and six years of secondary education. Secondary education includes four years of junior high school and two years of senior high school. Basic education shall be delivered in language understood by the learners. For kindergarten and the first three years of elementary education, the language to be used shall be the*

regional or native language of the learners.

The Department of Education (DepEd) is tasked with formulating the design and details of the enhanced basic education curriculum, as well as working with the Commission on Higher Education (CHED) and the Technical Education and Skills Development Authority (TESDA) to craft harmonized basic and tertiary curricula and avoid duplication of basic education subjects. DepEd shall also undertake consultations with other agencies and stakeholders.

This law also creates a curriculum consultative committee chaired by the DepEd secretary or his/her representative with members composed of CHED, TESDA, Professional Regulation Commission (PRC), Department of Science and Technology (DOST), and a private sector representative, among others. The committee shall oversee the review and evaluation on the implementation of the basic education curriculum and recommend refinements to the curriculum.

Graduates of science, math, statistics, engineering, music and other degree courses who have not yet passed the licensure exam for teachers (LET) may be allowed to teach provided that they pass the LET within five years. However, part-time teachers possessing such qualifications may continue to teach without having to pass the LET. Graduates of technical-vocational courses are likewise allowed to teach in their specialized subjects in secondary education as long as they undergo appropriate in-service training. This privilege extends to faculty of higher education institutions (HEI) provided that he/she is a holder of a relevant bachelor's degree and must have satisfactorily served as a full-time HEI faculty.

Status: No updates available.

R. A. No. 10556 **AN ACT DECLARING EVERY 27TH DAY OF NOVEMBER AS “ARAW NG PAGBASA”, A REGULAR WORKING HOLIDAY (H. NO. 3877) (Signed Into Law MAY 15, 2013)**

Features: *This law declares November 27 of every year as “Araw ng Pagbasa” (Day of Reading), which shall be a regular working holiday, to be celebrated in all elementary and secondary schools in the country. It will be observed on the Friday of that week if the holiday falls on a weekend.*

Status: Self executory.

R. A. No. 10609 **AN ACT PROTECTING THE RIGHT OF STUDENTS ENROLLED IN COURSES REQUIRING PROFESSIONAL LICENSING EXAMINATIONS TO ENROLL IN REVIEW CENTERS OF THEIR CHOICE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF (H. NO. 3546)(Signed Into Law AUGUST 23, 2013)**

Features: *This law seeks to ensure the protection of students against possible abuses by Higher Educational Institutions (HEIs) in relation to the right of students to choose their review centers. The following acts, in particular, are considered unlawful:*

- *Compelling students enrolled in courses requiring professional examinations to take review classes, which are not part of the curriculum, in a review center of the HEI’s choice;*
- *Making review classes a prerequisite for graduation or completion of the course;*
- *Forcing students to enroll in a review center of the school’s choice, and to pay the corresponding fees that include transportation and board and lodging; and*

- *Withholding the transcript of scholastic records, diploma, certification or any essential document of the student to be used in support of the application for the professional licensure examinations so as to compel the students to attend in a review center of the HEI's choice.*

Status: Executive Director Julito T. Vitriolo of the Commission on Higher Education (CHED) informed the Senate that the commission approved the composition of the members of the technical working group (TWG) to formulate the Implementing Rules and Regulations (IRR) of this law on February 28, 2014. The designated members of the TWG are representatives from the Coordinating Council of Private Educational Associations, public and private higher education institutions, technical panels with the most number of examinees (i.e. engineering, nursing and teacher education) and CHED officials. The TWG convened for the first time on April 10, 2014 to set the parameters for the development of the IRR. The next TWG meeting was scheduled in June 2014.

ELECTORAL REFORMS AND PEOPLE'S PARTICIPATION

**R. A. No.
10366** **AN ACT AUTHORIZING THE COMMISSION ON ELECTIONS TO ESTABLISH PRECINCTS ASSIGNED TO ACCESSIBLE POLLING PLACES EXCLUSIVELY FOR PERSONS WITH DISABILITIES AND SENIOR CITIZENS (S. NO. 3287/H. NO. 5509) (Signed into Law FEBRUARY 15, 2013)**

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

restrictions via:

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

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

Status: On August 30, 2013, Comelec promulgated Resolution No. 9763 as the Implementing Rules and Regulations (IRR) of this law. The IRR was published in the Philippine Daily Inquirer on August 31, 2013 and took effect on September 7, 2013.

R. A. No. 10367 **AN ACT PROVIDING FOR MANDATORY BIOMETRICS VOTER REGISTRATION (S. NO. 1030 / H. NO. 3469) (Signed into Law FEBRUARY 15, 2013)**

Features: *This law requires registered voters whose biometrics has*

not been captured to submit themselves for validation to be conducted by the city or municipal election officer. Voters who fail to submit for validation on or before the last day of filing of application for registration for the May 2016 elections shall be deactivated. However, those deactivated may apply for reactivation after the May 2016 elections following the procedure provided in Section 28 of Republic Act No. 8189. The database generated by biometric registration shall be secured by the Commission on Elections (Comelec) and shall not be used, under any circumstance, for any purpose other than for electoral exercises. A mandatory biometrics registration system for new voters shall also be implemented by Comelec.

Status: The Comelec issued/promulgated on February 19, 2014 the rules and regulations to govern the resumption of the system of continuing registration of voters, validation and updating of registration records for the May 9, 2016 synchronized national, local and Autonomous Region of Muslim Mindanao regional elections. It also contained other registration policies. It was published in the Philippine Daily Inquirer on February 22, 2014.

R. A. No. 10380 **AN ACT PROVIDING FOR LOCAL ABSENTEE VOTING FOR MEDIA (S. NO. 1198 / H. NO. 4241) (Signed into Law MARCH 14, 2013)**

Features: *This law allows media practitioners and their support crew and staff to vote ahead of the May 13, 2013 midterm national and local elections.*

Media practitioners can only vote candidate for the positions of president, vice-president, senators and party-list representatives.

To avail themselves of the absentee voting privilege, members of the media must be accredited with the COMELEC upon the recommendation of their media

companies.

Status: The COMELEC is yet to issue the Implementing Rules and Regulations (IRR) of the law.

(As of May 31, 2013)

ENERGY

**R. A. No.
10150** **AN ACT EXTENDING THE IMPLEMENTATION OF THE LIFELINE RATE, AMENDING FOR THE PURPOSE SECTION 73 OF REPUBLIC ACT NUMBERED NINETY-ONE THIRTY-SIX, OTHERWISE KNOWN AS THE "ELECTRIC POWER INDUSTRY REFORM ACT OF 2001" (S. NO. 2846/H. NO. 4169) (Signed Into Law JUNE 21, 2011)**

Features: *R.A. 9236 empowers the Energy Regulatory Commission to set a lifeline rate for marginalized end-users, which will be exempted from cross-subsidy payout for 10 years or until June 2011. RA 10150 extends the implementation of the lifeline rate to 20 years or until June 2021.*

Status: According to Ms. Floresinda Digal, Head of Regulatory Operation, Energy Regulatory Commission, there was an initial coordination meeting with the Department of Energy (DOE) and Department of Social Welfare and Development (DSWD) this July, 2012. Initial talks were made to identify the poorest area as their starting data base.

(As of May 31, 2013)

R. A. No. 10531 **AN ACT STRENGTHENING THE NATIONAL ELECTRIFICATION ADMINISTRATION, FURTHER AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 269, AS AMENDED, OTHERWISE KNOWN AS THE “NATIONAL ELECTRIFICATION ADMINISTRATION DECREE” (S. NO. 3389/H. NO. 6214) (Signed Into Law MAY 7, 2013)**

Features: *Known as the “National Electrification Administration Reform Act of 2013”, this law seeks to establish a framework for introducing structural reforms in the National Electrification Administration (NEA) and the electric cooperatives.*

In particular, this law gives NEA the power to supervise the management and operations of all electric cooperatives, exercise step-in rights i.e. take over from the board the operations of ailing electric cooperatives, and enforce institutional and governance standards for the efficient operation of electric cooperatives, among others. It also refines guidelines with respect to the appointment of board members of electric cooperatives.

Status: The Implementing Rules and Regulations (IRR) of RA 10531 were issued by the Department of Energy on July 26, 2013 (Department Circular No. 2013-07-0015). It was published in the Philippine Daily Inquirer on July 29, 2013 and took effect on August 13, 2013.

JOINT RES. NO. 1 **JOINT RESOLUTION EXTENDING THE PERIOD OF EXISTENCE OF THE JOINT CONGRESSIONAL POWER COMMISSION (S. JT. RES. NO. 9/H. JT. RES. NO. 14) (June 21, 2011)**

Features: *Joint Resolution No. 1 extends the life of the Joint Congressional Power Commission (JCPC) by another ten (10) years. The Commission was originally set to expire on June 26, 2011 or ten (10) years after the effectivity of the*

Electric Power Industry Reform Act (EPIRA). The Joint Resolution noted the key structural changes introduced in the EPIRA that have yet to be carried out, and that the JCPC was also tasked to exercise oversight powers over the implementation of R.A. No. 9513 or the “Renewable Energy Act of 2008” in justifying JCPC’s extension.

The JCPC is composed of fourteen (14) members with the Chairmen of the Committee on Energy of the Senate and the House of Representatives and six (6) additional members from each House designated by the Senate President and the Speaker of the House of Representatives.

Status: Implemented.

ENVIRONMENT AND NATURAL RESOURCES

**R. A. No.
10174** **AN ACT ESTABLISHING THE PEOPLE’S SURVIVAL FUND TO PROVIDE LONG-TERM FINANCE STREAMS TO ENABLE THE GOVERNMENT TO EFFECTIVELY ADDRESS THE PROBLEM OF CLIMATE CHANGE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9729, OTHERWISE KNOWN AS THE “CLIMATE CHANGE ACT OF 2009”, AND FOR OTHER PURPOSES (S. NO. 2811/H. NO. 6235) (Signed Into Law AUGUST 16, 2012)**

Features: *R.A. No. 10174 amended some key provisions of R.A. No. 9729. Major changes include designating the Climate Change Commission as the lead (not the sole) policymaking body of government in ensuring mainstreaming of climate change, adding representatives from the Department of Finance (DOF), National Youth Commission (NYC) and the Sangguniang Kabataan (SK) to the Commission’s advisory board, and setting board meetings to every first or last*

Monday of every third month or as often as necessary. It also outlined the roles of the DOF, Department of Budget and Management and Department of Science and Technology in implementing the National Strategic Framework on Climate Change.

The Act creates the People's Survival Fund (PSF) to finance adaptation programs and projects based on the national strategic framework. The PSF Board will provide overall guidance in managing and using the fund while the Commission shall evaluate and review project proposals. ₱1 Billion will be allocated under the General Appropriations Act (GAA) as opening balance of the PSF. The PSF must not fall below this amount in succeeding years and may even be increased, if needed. The Commission is mandated to submit to DBM and Congress a semi-annual report on the use of PSF.

Status: According to Mr. Sherwin delos Santos, Assistant Legal Officer, Legal Division of the Climate Change Commission, an internal meeting was led by Commissioner Mary Ann Lucille Sering, Vice Chairperson, Climate Change Commission on the passage of R.A. 10174 vis-à-vis R.A. 9729. In 2011, there was a proposal to revise the Implementing Rules and Regulations (IRR) of R.A. 9729 but it was held in abeyance because of R.A. 10174.

The Commission will hold various stakeholders meeting for two (2) to three (3) weeks for the consolidation of the IRR of the two (2) laws.

The target date for the revised IRR will be on the second week of November through Commission Resolution or Administrative Order.

As regards the status of the Implementing Rules and Regulations (IRR) of the law, the original IRR for R.A. 9729 was issued on January 20, 2010. Due to the amendments introduced by R.A. No. 10174, the Revised IRR was crafted. The three (3) Commissioners had affixed their signatures on Commission Resolution No. 4

containing the Revised Implementing Rules and Regulations during the Commission's Regular Quarterly Meeting held on March 25, 2013. Pursuant to Section 6 of the Climate Change Act of 2009, as amended, the said resolution was forwarded to the Office of the President for the Chairperson's signature. The R-IRR was approved upon consultation with government agencies, local government units, private sector, non-government organizations and civil society.

The Commission has completed the drafting of the National Strategic Framework on Climate Change (NSFCC) and the National Climate Change Action Plan (NCCAP). The President officially adopted the action plan on November 22, 2011.

The NCCAP will be implemented in the field level through the establishment of ecologically stable and economically resilient towns or ecotowns. Among the pilot sites for the demonstration of the ecotown framework are selected municipalities in Siargao Island, Surigao del Norte, Municipality of San Vicente in Palawan, selected municipalities in Eastern Samar, selected municipalities in Batanes, and the Upper Marikina River Basin.

Ecotowns are planning units composed of municipalities or a group of municipalities located within and around boundaries of critical key biodiversity areas, which are at high risk to climate change, and built around protected areas and key biodiversity areas, using ecosystem based approach that will scale up best practices.

The subcomponents of the ecotown framework are the following: natural resources assessment, vulnerability assessment, environment and natural resources accounting, identification of adaptation measures, establishment of Climate Adaptation Support Strategy (CASS), financial assistance for the implementation of adaptation measures, and the enhancement and climate proofing of the Comprehensive Land Use Plan (CLUP).

One of the major obstacles in the smooth implementation

of the law in the local level is scarcity of financial resources. The timely establishment of the People's Survival Fund (PSF) under R.A. 10174 answered this difficulty. The fund aims to incentivize early actions of local government units in planning for climate change adaptation.

The executive branch recognizes that the PSF is *sui generis* and therefore its implementation somehow deviates from the usual government budgeting and accounting rules and regulations especially since the fund is allocated through the General Appropriations Act (GAA) with no specific source of funding. As a consequence, it was included only in the unprogrammed fund for the 2013 GAA.

The law does not expressly provide for the inclusion of the PSF in the annual budget of the CCC. By interpretation, the CCC will include the PSF in its budget proposal for 2014. However, under the Online Submission of Budget Proposal System of the Department of Budget and Management (DBM) starting the 2014 Budget Cycle, a fixed budget ceiling is pre-determined. With this set up, it will be a great challenge for CCC to include the PSF of at least ₱ 1 Billion in its regular agency budget which is a very big leap from its average annual budget of only ₱ 100 Million.

(Letter to the Senate dated April 12, 2013 of Sec. Mary Ann Lucille L. Sering, Vice Chairperson and Executive Director, Climate Change Commission)

(As of May 31, 2013)

**R. A. No.
10176**

AN ACT REVIVING THE OBSERVANCE OF ARBOR DAY BY AUTHORIZING THE LOCAL GOVERNMENT UNITS THE RESPONSIBILITIES FOR CELEBRATING THE DAY FOR TREE PLANTING AS AN ANNUAL EVENT (S. NO. 3146/H. NO. 4330) (Signed Into Law

SEPTEMBER 12, 2012)

Features: *Known as the Arbor Day Act of 2012, this law requires all local government units (LGUs) with their component barangays to revive, by appropriate proclamation of their respective local chief executives, an Arbor Day at an appropriate fixed date every calendar year. An Arbor Day Celebration Committee shall be created in every province, city and municipality, the composition of which shall be selected by the concerned local chief executive. The committee shall specify the area within the LGU to be planted or reforested. Barangay (village) officials and deputized non-government organizations will take charge of maintaining the trees.*

For information and monitoring purposes, all LGUs are required to submit to the Department of Interior and Local Government (DILG) the actual date of the Arbor Day celebration in their respective localities. Meanwhile, the Bureau of Plant Industry (BPI) in coordination with the Philippine Coconut Authority is mandated to supply and distribute the seedlings to the LGUs for the tree planting program. All able-bodied Filipino citizens at least 12 years old are required to plant one (1) tree every year.

Status: Director Clarito M. Barron of BPI reported to the Senate that 3,068 assorted fruit tree seedlings have been requested by and given to LGUs from 2012 to February 2014, with a total budgetary requirement of PhP 46,020.

Number of assorted fruit tree seedlings requested by LGUs		
Year	Accomplishment (pieces)	Budgetary Requirement (PhP)
2012	1,418	21,270
2013	1,500	22,500
2014 (Jan-Feb)	150	2,250
TOTAL	3,068	46,020

According to Ms. Woodrose Kwan, Local Government Operations Officer-II at the DILG National Barangay Operations Office, the Implementing Rules and Regulations of the law were approved by the concerned cabinet secretaries on July 19, 2013. She also reported that out of all the LGUs covered, only 89 have so far informed DILG about the date of their Arbor Day celebration.

R. A. No. 10452 **AN ACT REFORESTING 3,000 HECTARES OF PUBLIC LAND IN CAGAYAN DE ORO CITY AND APPROPRIATING FUNDS THEREFORE (H. NO. 1398) (Signed Into Law APRIL 8, 2013)**

Features: *This law mandates the reforestation of 3,000 hectares of public land in Cagayan de Oro City as identified by the Department of Environment and Natural Resources (DENR). The implementation of this act shall be included in DENR's program, the funding of which shall be included in the General Appropriations Act.*

Status: The DENR through Undersecretary Analiza Rebuelta-Teh reported to the Senate that the Implementing Rules and Regulations (IRR) of this law are still being reviewed by the agency. However, DENR Secretary Ramon Jesus P. Paje has issued Sub-Allotment Advice No. R10-101-2013-09-704 (dated September 11, 2013) amounting to PhP 37.024 million for the implementation of this law.

Meanwhile, assessment of the 3,000 hectares located in six hinterland barangays has been conducted by the Community Environment and Natural Resources Office (CENRO) in Initiao, Cagayan de Oro City led by its officer-in-charge Mr. Aldrich Resma. CENRO Initiao also held meetings and consultations with stakeholders (including indigenous groups) and prepared an action plan in coordination with the local government unit.

R. A. No. 10629 **AN ACT PROVIDING FOR THE RETENTION BY THE PROTECTED AREA MANAGEMENT BOARD OF SEVENTY-FIVE PERCENT (75%) OF THE REVENUES ACCRUING TO THE INTEGRATED PROTECTED AREAS FUND (IPAF), AMENDING FOR THE PURPOSE SECTION 16 OF REPUBLIC ACT NO. 7586, OTHERWISE KNOWN AS THE NATIONAL INTEGRATED PROTECTED AREAS SYSTEM ACT OF 1992 (H. NO. 5996) (Signed Into Law SEPTEMBER 26, 2013)**

Features: *This law amends Republic Act No. 7586 to allow retention by the Protected Area Management Board of 75 percent of funds accruing to the Integrated Protected Areas Fund (IPAF). These incomes shall be derived from:*

- *Taxes from the permitted sale and export of flora and fauna and other resources from protected areas;*
- *Proceeds from lease of multiple-use areas;*
- *Contributions from industries and facilities directly benefiting from the protected area; and*
- *Such other fees and incomes derived from the operation of the protected area.*

Status: According to Director Theresa Mundita Lim of the Protected Areas and Wildlife Bureau (PAWB), an agency attached to the Department of Environment and Natural Resources (DENR), the law is relevant considering the need for sustainable financing for the operations and management of protected areas. But the concerned agencies are constrained from fully implementing the law due to President Benigno S. Aquino III's veto provision in Republic Act No. 10633 or the General Appropriations Act of 2014 under Special Provision, Item III.

While the DENR is authorized to retain 75 percent of income from its operation or management of wild flora and fauna, it is subject to joint guidelines to be issued by DENR and the Department of Budget and Management

(DBM). PAWB was advised by the DBM that implementation of the IPAF remains in status quo pending issuance of these guidelines

DENR has already produced a draft of the joint guidelines and has held a series of meetings and consultations with DBM and Bureau of Treasury. The document is currently being reviewed by the DBM. Further, a special budget request has been submitted to DBM for the release of funds to protected areas out of the IPAF, but up to now no Special Allotment Release Order has been issued.

R. A. No. 10631 **AN ACT AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NO. 8485, OTHERWISE KNOWN AS THE ANIMAL WELFARE ACT OF 1998 (S. NO. 3329 / H. NO. 6893) (Signed Into Law OCTOBER 3, 2013)**

Features: *This law defines “animal welfare” as “the physical and psychological well-being of animals. It includes, but not limited to, the avoidance of abuse, maltreatment, cruelty and exploitation of animals by humans by maintaining appropriate standards of accommodation, feeding and general care, the prevention and treatment of disease and the assurance of freedom from fear, distress, harassment, and unnecessary discomfort and pain, and allowing animals to express normal behavior”.*

RA 10631 deems unlawful the torture, neglect or maltreatment of any animal, as well as using them in experiments not authorized by the Committee on Animal Welfare. It also deletes crocodiles and deer from the original list of animals that may be killed.

Animal welfare enforcement officers from nongovernment organizations, citizens groups, community organizations and other volunteers who have undergone the necessary training shall be deputized by the Agriculture secretary. Meanwhile, animal welfare enforcement officers who have the authority to seize and rescue illegally traded and

maltreated animals and to arrest violators shall be designated by the Philippine National Police, the National Bureau of Investigation and other law enforcement agencies.

Status: Rubina O. Cresencio, Acting Director of the Bureau of Animal Industry (BAI) under the Department of Agriculture, told the Senate that there was some confusion with respect to the deletion of crocodiles and deer from the list of animals that may be killed. She noted that while deer and crocodile were deleted from the original enumeration in paragraph 2 section 6 of RA 8485 (amended via section 2 of RA 10631), the animals were not deleted in paragraph 3 section 6 of RA 8485. It has created doubts as to whether or not crocodile farmers can legally slaughter crocodiles for export of their skins to other countries. The agency is hoping to clarify this through the Implementing Rules and Regulations (IRR), which it expects to release by July 2014.

FINANCE

R. A. No. 10147 **GENERAL APPROPRIATIONS ACT OF 2011 (Signed Into Law DECEMBER 27, 2010)**

Status: **SUMMARY OF FY 2011 APPROPRIATIONS**
(Amount In Thousand Pesos)

I.	Congress of the Philippines	₱ 8,491,338
II.	Office of the President	4,025,507
III.	Office of the Vice President	185,107
IV.	DAR	16,365,513

V.	DA	34,757,973
VI.	DBM	753,279
VII.	DepEd	192,312,856
VIII.	State Colleges & Universities	22,035,085
IX.	DOE	930,064
X.	DENR	12,276,450
XI.	DOF	10,601,965
XII.	DFA	11,035,684
XIII.	DOH	32,427,444
XIV.	DILG	86,853,516
XV.	DOJ	7,152,031
XVI.	DOLE	6,390,368
XVII.	DND	104,504,921
XVIII.	DPWH	100,826,083
XIX.	DOST	5,989,859
XX.	DSWD	34,254,658
XXI.	DOT	1,431,532
XXII.	DTI	2,488,626
XXIII.	DOTC	31,185,088
XXIV.	NEDA	2,180,550
XXV.	Presidential Communications Operation Office	929,598
XXVI.	Other Executive Offices	4,410,446
XXVII.	ARMM	11,179,638
XXVIII.	Joint Legislative- Executive Councils	2,185
XXIX.	The Judiciary	13,621,518
XXX.	CSC	666,852
XXXI.	COA	4,149,634,
XXXII.	COMELEC	2,255,445
XXXIII.	Office of the Ombudsman	1,031,901
XXXIV.	CHR	266,900
XXXV.	Budgetary Support to Government Corporations	10,689,907
XXXVI.	Allocations to Local Government Units	13,257,391

XXXVII.	Calamity Fund	5,000,000
XXXVIII.	Contingent Fund	1,000,000
XXXIX.	DepEd-School Building Program	1,000,000
XL.	E-Government Fund	1,190,000
XLI.	International Commitments Fund	3,174,820
XLII.	Miscellaneous Personnel Benefits Fund	70,657,540
XLIII.	Retirement Benefits Fund (Pension & Gratuity Fund)	35,000,000
XLIV.	Priority Development Assistance Fund	24,620,000
XLV.	Unprogrammed Fund	66,908,492
TOTAL APPROPRIATIONS		1,000,387,764

R. A. No. 10155 GENERAL APPROPRIATIONS ACT OF 2012 (Signed Into Law DECEMBER 15, 2011)

Status: The ₱1.816 Trillion national budget for 2012 was signed by the President on December 15, 2011. The national budget is 10.4 % bigger than the ₱1.645 Trillion budget for 2011. The President said the appropriations were “results-focused” and prioritized the administrations “social contract with the Filipino people.” The budget would address the people’s basic needs from food and education to health.

A ₱39.5 B is set aside for the conditional cash transfer (CCT) program for 3 million of the poorest households in the country. The ₱21.3 B allocated for the program in 2011 covers 2.3 million poor families.

The program provides poor families a monthly cash

allowance of up to ₱1,400 (₱500 per household and ₱300 per child for up to 3 children) in exchange for ensuring that children aged 6 to 14 attend school and avail themselves of vaccination and other medical benefits.

Poor people, who are at least 75 years old, will get ₱500 a month under the Social Pension for Indigent Senior Filipino Citizens, which has been allotted ₱1.2 B.

₱568.6 B for 2012 GAA was allotted for social services.

Basic education was the biggest recipient of the 2012 national budget with DepEd getting ₱238.8 B, “the biggest budget of all departments.” Through this budget, the government will hire 13,000 new teachers, build and rehabilitate more than 43,000 classrooms. Funds for state colleges and universities have increased.

The Department of Health gets ₱44.4 B. The amount would provide health insurance subsidy to 5.2 million poor people; employ an additional 13,000 doctors, nurses and midwives in the countryside; build birthing facilities in rural areas; and offer other health services.

₱255.2 B was allocated for infrastructure and capital outlays – roads and bridges, airports, ports, irrigation systems and other agrarian infrastructure, flood and landslide-control projects and others.

The Department of Agriculture has ₱533 B for rice production.

R. A. No. 10352 **GENERAL APPROPRIATIONS ACT OF 2013 (Signed into Law DECEMBER 19, 2012)**

Status: The budget consists of new general appropriations of ₱1.250 trillion and automatic appropriations of ₱755 billion.

Education, health, agriculture and a cash-transfer scheme for the poor are the key priorities of the appropriations, which are 10.5 percent higher than the 2012 national budget.

The budget sets aside ₱44.2 billion for “conditional cash transfer,” up to 12 percent from 2012.

The budget measure, adopted without any line being vetoed, includes an ₱8.4 billion allocation for projects proposed by local government units.

The Senate and the House of Representatives separately ratified the General Appropriations Act on December 5, 2012.

The budget is broken down into ₱640.18 billion (personal services), ₱1.040 trillion (Maintenance and Other Operating Expenses or MOOE) and ₱325.50 billion (capital outlay).

The MOOE is divided into ₱333.90 billion (interest payments), ₱302.30 billion (Internal Revenue Allotment), and ₱404.02 billion (regular MOOE requirement).

Congress has a total budget of ₱10.4 billion, broken down into Senate’s ₱3.2 billion, and House of Representatives’ ₱6.3 billion.

The Office of the President has a budget of ₱2.7 billion; the Office of the Vice President, ₱416 million.

The Department of Education (DepEd) gets ₱232.6 billion; Department of Social Welfare and Development, ₱56.3 billion; and Department of Health, ₱51.1 billion.

Economic development would be backstopped by the ₱325.5 billion capital outlay, up by 17.3 percent from the 2012 budget, and the infrastructure program of the Department of Public Works and Highways, which is

allotted ₱155.5 billion.

The Department of Agrarian Reform has an allocation of ₱21 billion; Department of Agriculture, ₱64.4 billion; DBM, ₱962 million; State Colleges and Universities, ₱32 billion; Department of Energy, ₱3.2 billion; Department of Environment and Natural Resources, ₱23.1 billion; Department of Finance, ₱11.7 billion; Department of Foreign Affairs, ₱11.6 billion; Department of the Interior and Local Government, ₱91.1 billion; Department of Justice, ₱10.1 billion; Department of Labor and Employment, ₱7.8 billion; Department of National Defense, ₱80 billion;

Department of Science and Technology, ₱9.9 billion; Department of Tourism, ₱2.7 billion; and Department of Trade and Industry, ₱3.5 billion; Department of Transportation and Communications, ₱34 billion.

Budgetary support to government corporations, ₱44.6 billion; allocations to LGUs, ₱17.5 billion; Calamity Fund, ₱7.5 billion; DepEd Schoolbuilding Program, ₱1 billion; E-Government Fund, ₱1 billion; Pension and Gratuity Fund, ₱98.7 billion; and Priority Development Assistance Fund, ₱24.7 billion.

The budget law included ₱44.2 billion for conditional cash transfer.

(Philippine Daily Inquirer, December 20, 2012, page A13)

**JOINT RES.
NO. 2**

JOINT RESOLUTION INCREASING THE FY 2011 CORPORATE OPERATING BUDGET OF THE NATIONAL POWER CORPORATION FROM SEVEN BILLION FIVE HUNDRED SEVENTY FIVE MILLION ONE HUNDRED EIGHTY FOUR THOUSAND PESOS (₱7,575,184,000.00) TO THIRTEEN BILLION NINE HUNDRED SIXTY EIGHT MILLION SIX HUNDRED TWO THOUSAND PESOS (₱13,968,602,000.00) (S.

JT. RES. NO. 13/H. JT. RES. NO. 27) (December 23, 2011)

Features: *Joint Resolution No. 2 increases the budget of the National Power Corporation (NPC) to ₱13,968,602,000.00 to cover fuel, purchase power, rental of generating sets, new power providers' subsidy, related input value added tax, debt service and capital expenditures for 2011. As of September 2011, NPC only had a corporate operating budget of ₱503,281.00 out of its ₱7,575,184,000.00.*

Financing will come from subsidy from the National Government, expected additional Universal Charge for Missionary Electrification-True Up as a result of the provisional authority granted by Energy Regulatory Commission, and expected partial reimbursement from the Power Sector Assets and Liabilities Management Corporation. NPC will submit to Department of Budget and Management, House Committee on Appropriations and the Senate Committee on Finance the utilization and actual funding sources of both original and supplemental corporate operating budget.

Status: *The Department of Budget and Management (DBM) has released to the National Power Corporation the funds for the above purpose under Special Allotment Release Order (SARO) No. BMBF 11-0034851 and NCA No. BMBF 11-23891 dated December 28, 2011, both in the amount of ₱3 Billion. The corresponding cash allocation was released to NAPOCOR upon submission by the agency of the monthly cash program for the purpose. (Source: Ms. Aracel dela Cruz, Bureau Chief, Bureau F, Department of Budget and Management)*

GOVERNMENT CORPORATIONS AND PUBLIC ENTERPRISES

**R. A. No.
10149**

AN ACT TO PROMOTE FINANCIAL VIABILITY AND FISCAL DISCIPLINE IN GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS AND TO STRENGTHEN THE ROLE OF THE STATE IN ITS GOVERNANCE AND MANAGEMENT TO MAKE THEM MORE RESPONSIVE TO THE NEEDS OF PUBLIC INTEREST AND FOR OTHER PURPOSES (S. NO. 2640/H. NO. 4063) (Signed Into Law JUNE 6, 2011)

Features:

This law creates the Governance Commission for Government-Owned or Controlled Corporations (GCG) to serve as the central advisory, monitoring and oversight body of government-owned and controlled corporations, government financial institutions and other government corporate bodies excluding the Bangko Sentral ng Pilipinas, state universities and colleges, cooperatives, local water districts, economic zone authorities and research institutions.

Attached to the Office of the President, the GCG is mandated to:

- a. Evaluate the performance and relevance of GOCCs and implement reorganization, merger or streamlining if necessary;*
- b. Classify GOCCs into developmental/social corporations; proprietary commercial corporations; government financial, investment and trust institutions; corporations with regulatory functions; and others as may be classified by GCG;*
- c. Adopt within 180 days from its constitution an ownership and operations manual and government corporate standards governing GOCCs;*

- d. Recommend suspension of any member of the Board of Directors or Trustees who will violate the ownership manual;*
- e. Prescribe qualifications for appointive directors and recommend to the President a shortlist of suitable candidates;*
- f. Establish performance evaluation systems;*
- g. Conduct periodic performance assessment of GOCCs;*
- h. Develop and recommend to the President a compensation and position classification system governing GOCCs based on prior compensation studies;*
- i. Ensure alignment and consistency of GOCC operations with national development policies and programs;*
- j. Review functions and recommend privatization of GOCCs, if necessary.*

The Act outlines policies governing the compensation and position classification system; board of directors, trustees and officers; disclosure; and creation and acquisition of GOCCs

Status: On August 16, 2012 Chairman Cesar L. Villanueva of the Governance Commission for Government Owned or Controlled Corporation (GCG) submitted to the Office of the Senate President the First 200 Days Report of the Commission.

The Report provides a brief historical background of the reform movement in the GOCC sector that culminated in the enactment of R.A. No. 10149, details the activities undertaken and the progress achieved by the Commission in pursuit of its mandates under the Act

during the first 200 days after its formal constitution on 20 October 2011, and provides for historical and financial perspectives of the GOCC sector as the baseline survey from whence the Commission shall be moving forward in pursuit of its mandates.

Republic Act No. 10149 laid down the State policy that recognizes GOCCs as significant tools for economic development through the exercise of the State of its ownership rights to promote growth by ensuring that the operations of GOCCs are rationalized and monitored centrally to be consistent with national development policies and programs. Among the public corporate governance principles institutionalized under R.A. No. 10149 are the following:

- Directors and officers are constituted as *fiduciaries* and *trustees* of the State;
- Imposing the highest standard of *extraordinary diligence* on the fiduciary duties of directors and officers;
- Mandating one (1) year term of office for appointive directors;
- Clear accountability of the CEO/Management to the Governing Board of the GOCC and refocusing command responsibility for the operations of GOCCs to the respective Governing Boards;
- Uniform Compensation and Position Classification System (CPCS) for the GOCC sector.

A significant feature of R.A. No. 10149 is the constitution of the Governance Commission for GOCCs (GCG) as the “central advisory, monitoring, and oversight body with authority to formulate, implement and coordinate policies” over the GOCC sector. In the short period of six months from its formal constitution

last 20 October 2011, the GCG has rapidly moved to pursue its mandates under R.A. No. 10149, which include, among others:

- To guide itself in exercising its powers and functions, the GCG undertook a detailed inventory taking exercise of the GOCC sector (Memorandum Circular No. 2012-01) and classified the GOCCs into various sectors;
- In consultation with supervising and service-wide agencies and with the GOCCs themselves, formally adopted for approval of the President the following organic documents to govern the GOCC sector:
 - Fit and Proper Rule
 - Ownership and Operations Manual for the GOCC Sector
 - Code of Corporate Governance for GOCCs
- Ruled on nearly sixty GOCC applications covering the *per diem* entitlements of members of the Boards of Directors/Trustees pursuant to the rules and classifications provided under Executive Order No. 24 (s. 2011), and issued/re-issued Memorandum Circular No. 2012-02 providing for the formal rules governing the *per diems* and other allowable compensation of members of the Governing Boards of GOCCs covered by R.A. No. 10149;
- Created a Special Task Force on GOCC Rationalization Plans with the Department of Budget and Management (DBM);
- Coordinated with the Civil Service Commission (CSC) towards harmonizing the development of the CPCS under R.A. No. 10149 with Civil Service laws,

rules and regulations;

- Consulted with the Commission on Audit (COA) on fiscal issues and the operational management of specific GOCCs, development of a Uniform Chart of Accounts, clarification of the process for restitution under R.A. No. 10149, and improvement in the timeliness of GOCCs in complying with COA requirements for the purpose of the Audit Report;
- Coordinated with the Privatization and Management Office (PMO) on the monitoring of GOCCs under PMO's care and the initial mechanics of the transfer of PMO's privatization functions over GOCCs;
- Coordinated with the Presidential Commission on Good Government (PCGG) regarding surrendered corporations under GCG coverage.

R.A. No. 10149 expressly excluded from its coverage the following GOCCs:

- Bangko Sentral ng Pilipinas (BSP)
- Local Water Districts (LWDs)
- State Universities and Colleges (SUCs)
- Economic Zone Authorities
- Research Institutions

According to the report, the remaining covered GOCCs, initially around 148, have the following profile:

Total Assets : ₱5 Trillion or over US\$116 Billion

Total Liabilities : From ₱3.2 Trillion in 2009 to ₱3.46 Trillion in 2010

Net Worth : From ₱1.369 Trillion in 2009 and increased to ₱1.476 Trillion

in 2010

Equity	: Increased by 58% from ₱1.359 Billion in 2009 to ₱2.149 Billion in 2010
Subsidies	: An increase in 493% from ₱9.064 Billion in 2000 to ₱53.705 Billion in 2011
Net Lending	: Almost doubled from ₱9.258 Billion in 2010 to ₱18.055 Billion in 2011
Net Income	: ₱123 Billion in 2010, a decline of 6.8% from ₱132,6 Billion in 2009
Dividends	: Increased by an average of 33.5% in the last five years (includes BSP). A record ₱28.7 Billion in dividends paid in 2011

The GCG has every intention of improving the figures for the GOCC sector in the coming years, and transforming it to become an important tool for the government in promoting inclusive growth and economic development in our country.

The creation of the GCG addresses the fundamental problems facing the government corporate sector, such as: (a) weak regulatory framework; (b) lack of a clear entity that exercises ownership functions; (c) poor oversight mechanism; (d) the need for institutional rationalization and fiscal discipline to stop the drain on government finances; and (e) the absence of a central monitoring and policy coordinating body.

The GOCC Government Act of 2011 is the cornerstone in the government's resolute march to initiate and institutionalize a paradigm shift in the governance of GOCCs:

- **Directors and Officers Constituted as Fiduciaries and Trustees of the State.**

R.A. No. 10149 makes explicit that members of the Board of Directors/Trustees and the officers of GOCCs are fiduciaries of the State. Accordingly, they have the legal obligation and duty to always act in the best interest of the GOCC, with utmost good faith and with extraordinary diligence in all its dealings with the property and monies of the GOCC.

- **Imposing the Highest Standard of Extraordinary Diligence on the Fiduciary Duties of Directors and Officers.**

In line with the fiduciary character of the relationship between the Board of Directors/Trustees and officers of GOCCs and the State, R.A. No. 10149 imposes upon the former the obligation to exercise extraordinary diligence in the conduct of the business and in dealing with the properties of GOCCs. The standard of extraordinary diligence is higher than that required of the Board of Directors and officers of private corporations, which is merely the diligence of a good father of a family. The higher standard embodied in R.A. No. 10149 is in recognition of the public interest inherent in GOCCs, in contrast to private corporations, and demands the same recognition and adherence from the Board of Directors/Trustees and officers of GOCCs.

- **Mandating a One (1) Year Term of Office for Appointive Directors.**

In the past, the term of office of the members of the Board of Directors/Trustees of GOCCs would vary depending on the Charter or Articles of Incorporation of the GOCC. The determination of the term of office was mainly political rather than the result of a system with specific policy considerations in mind. With the enactment of R.A. No. 10149, all members of the Board

of Directors/Trustees and CEOs of GOCCs now have a fixed term of only one (1) year. In contrast to the old regime where Directors or Trustees, regardless of performance, were assured of their positions up to the end of their terms provided for in the various GOCC Charters (in some cases, as long as six (6) years), they must now continuously earn their keep in line with the principles of good governance and may be reappointed by the President only if they obtain a performance score of at least above average or its equivalent in the immediately preceding year of tenure as Appointive Director.

- **Clear Accountability of the CEO/Management to the Board and Refocusing Command Responsibility for the Operations of GOCCs to the Respective Governing Boards.**

Under R.A. No. 10149, the CEO of a GOCC shall be elected annually by the members of the Board from among its ranks. The CEO shall be subject to the disciplinary powers of the Board and may be removed by the Board for cause. Hence, unlike before when CEOs were appointed directly by the President (creating the mistaken notion that the CEOs had their own mandate from the President independent of the Board), under R.A. No. 10149, the CEO's election by the Board of Directors from among their ranks refocuses the center of power and command responsibility to the governing Boards. This clarifies the role of the CEO as an agent of the Board elected to implement their decisions and directly accountable to the Board. The Board, in turn, is directly accountable to the President, as the representative of the State.

- **Uniform Compensation and Position Classification System (CPCS) for the GOCC Sector.**

Recognizing the dichotomy in the bureaucracy brought

about by an incoherent policy framework in creating GOCCs and determining the compensation systems of GOCCs, R.A. No. 10149 reigns in all GOCCs under its coverage into one uniform and standard compensation and position classification system. The last sentence of Section 5 of R.A. No. 10149 provides in clear terms: “Any law to the contrary notwithstanding, no GOCC shall be exempt from the coverage of the Compensation and Position Classification System developed by the GCG under this Act.” This brings to an end the disparity between the compensation and position structure of GOCCs on account of coverage or exemption from the Salary Standardization Law (SSL). This also provides the necessary policy environment for balancing the goals of fiscal prudence and strengthening the overall governance and management of GOCCs by, among others, attracting and motivating a corps of competent professionals, from the Board of Directors/Trustees to the rank-and-file.

The GCG is composed of five (5) members. The Chairman with the rank of Cabinet Secretary and two (2) members with the rank of Undersecretary are appointed by the President. The Secretaries of the Department of Budget and Management and the Department of Finance sit as *ex officio* members. The GCG is attached to the Office of the President.

Not included in the FY 2012 appropriations under the Contingent Fund since approval of this Act was only in June 6, 2011.

(As of May 31, 2013)

HEALTH AND DEMOGRAPHY

R. A. No. 10152 **AN ACT PROVIDING FOR MANDATORY BASIC IMMUNIZATION SERVICES FOR INFANTS AND CHILDREN, REPEALING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 996, AS AMENDED (S. NO. 138/H. NO. 4393) (Signed into Law JUNE 21, 2011)**

Features: *This Act mandates basic immunization for all infants and children up to five years old, to be given for free in any government hospital or health center, for various diseases, including:*

- A. Tuberculosis*
- B. Diphtheria, tetanus and pertussis*
- C. Poliomyelitis*
- D. Measles*
- E. Mumps*
- F. Rubella or German Measles*
- G. Hepatitis-B*
- H. Influenza type B*
- I. Other types as may be determined by the Health Secretary in a department circular*

The Hepatitis-B vaccine will be administered by licensed physician, nurse or midwife to all infants born in public and private health facilities with obstetrical and pediatric services within twenty-four (24) hours after birth. For infants born elsewhere, the health professional that delivers or assists in the delivery of the newborn is responsible for administering the vaccine. If delivery was assisted by non-health professional, infant should be immunized against Hepatitis-B within one (1) to seven (7) days after birth. Subsequent doses of the vaccine must be completed according to the recommended schedule as may be provided in the implementing rules and regulations to be issued by the Department of Health

(DOH).

An education and information campaign on the importance of basic immunization services as well as any possible side effects of immunization will be launched. Health professionals are obligated to inform the parents or legal guardian of the newborn of the availability, nature and benefits of immunization. All health personnel will also undergo continuing education and training.

The Philippine Health Insurance Corporation is mandated to include basic immunization services in its benefit package.

Status: The amount necessary to carry out the implementation of this Act shall be charged against the current year's appropriation for expanded program on immunization of the DOH. Consequently, for FY 2011 and 2012, an appropriation of ₱2,462,938,000 and ₱1,874,792,000, respectively, were provided in the GAA/NEP for immunization of 2,635,039 children.

(As of May 31, 2013)

**R. A. No.
10345** **AN ACT INCREASING THE BED CAPACITY OF THE QUIRINO MEMORIAL MEDICAL CENTER FROM THREE HUNDRED FIFTY (350) TO FIVE HUNDRED (500) BEDS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8313, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES (H. NO. 5622) (Signed Into Law December 4, 2012)**

Features: *This law increases the bed capacity of Quirino Memorial Medical Center from 350 to 500. The implementation of this act shall be included in the Department of Health's (DOH) programs to be funded via the annual General Appropriations Act.*

Status: The draft Implementing Rules and Regulations (IRR) of this law were forwarded to the Office of the Health Secretary on March 28, 2014. It is still being evaluated as of June 2014.

R. A. No. 10354 **AN ACT PROVIDING FOR A NATIONAL POLICY ON RESPONSIBLE PARENTHOOD AND REPRODUCTIVE HEALTH (S. NO. 2865 / H. NO. 4244) (Signed into Law DECEMBER 21, 2012)**

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

The Department of Health (DOH) shall procure, distribute to local government units and monitor the usage of family planning supplies for the whole country. It shall coordinate with all appropriate local government bodies to plan and implement this procurement and distribution program. And as the lead implementer of this act, it shall integrate in its regular operations the following functions:

- *Fully and efficiently implement the reproductive health care program;*
- *Ensure people’s access to medically safe, non-abortionifacient, legal, quality and affordable reproductive health goods and services;*
- *Perform such other functions necessary to attain the*

purposes of this Act.

The state is also mandated to provide age- and development-appropriate reproductive health education.

RA 10354 creates a Congressional Oversight Committee composed of five members each from the Senate and the House of Representatives to monitor and ensure the effective implementation of this Act, recommend the necessary remedial legislation or administrative measures, and conduct a review of this Act every five years from its effectivity.

Status: On April 18, 2014, the Supreme Court lifted the status quo ante order it issued on July 16, 2013 suspending the implementation of this law, “insofar as the provisions of the law which have been declared as constitutional”. In other words, the government may now implement the portions of the law that the Supreme Court declared to be constitutional.

The Court declared that the law was “not unconstitutional”, but struck down eight provisions for being unconstitutional.

In a decision penned by Associate Justice Catral Mendoza, the Court said it did not find the law unconstitutional insofar as it seeks to “provide access to medically safe, non-abortifacient, effective, legal, affordable quality reproductive health care services, methods, devices and supplies”.

The eight provisions (and the provisions in the law’s Implementing Rules and Regulations) that were declared unconstitutional by the high court were the following:

1. Section 7, which (a) requires private health facilities and non-maternity specialty hospital, and hospitals owned and operated by a religious group to refer patients not in an emergency or life-threatening case, as defined under Republic Act No. 8344, to another health facility which is conveniently accessible; and

(b) allows minor-parents or minors who have suffered a miscarriage access to modern methods of family planning without written consent from their parents or guardians;

2. Section 23 (a)(1) as it punishes any healthcare provider who fails or refuses to disseminate information regarding programs and services on reproductive health regardless of his or her religious beliefs;
3. Section 23 (a)(2)(i) as it allows a married individual not in an emergency or life-threatening case as defined under RA 8344 to undergo reproductive health procedures without the consent of the spouse;
4. Section 23 (a)(3) as it punishes any health care provider who fails and/or refuses to refer a patient not in an emergency or life-threatening case , as defined under RA 8344, to another healthcare service provider within the same facility or one which is conveniently accessible regardless of his or her religious beliefs;
5. Section 23 (b) as it punishes any public officer who refuses to support reproductive health programs or shall do any act that hinders the full implementation of a reproductive health program , regardless of his or her religious beliefs;
6. Section 17, which renders pro bono reproductive health services, insofar as they affect the conscientious objector in securing Philhealth accreditation;
7. Section 3.01 (a) and (j) as they use the qualifier *primarily* for contravening Section 4 (a) of this law

and violating Section 12, Article II of the Constitution; and

8. Section 23 (a)(2)(ii) as it penalizes a health service provider who will require parental consent from the minor in non-emergency situations

R. A. No. 10355 **AN ACT INCREASING THE BED CAPACITY OF JOSE B. LINGAD MEMORIAL GENERAL HOSPITAL IN SAN FERNANDO CITY, PAMPANGA FROM TWO HUNDRED FIFTY (250) TO FIVE HUNDRED (500), UPGRADING ITS SERVICES AND FACILITIES AND PROFESSIONAL HEALTH CARE, AUTHORIZING THE INCREASE OF ITS MEDICAL PERSONNEL AND APPROPRIATING FUNDS THEREFORE (H. NO. 3331) (Signed into Law JANUARY 9, 2013)**

Features: *This law increases the bed capacity of Jose B. Lingad Memorial General Hospital from 250 to 500. It mandates the upgrading of existing facilities and professional health care services of the hospital, as well as the expansion of its workforce.*

The implementation of this act shall be included in the Department of Health's (DOH) programs to be funded via the annual General Appropriations Act.

Status: The draft implementing rules and regulations (IRR) of this law were forwarded to the Office of the Health Secretary on March 20, 2014. It is still being evaluated as of June 2014.

R. A. No. 10532 **AN ACT INSTITUTIONALIZING THE PHILIPPINE NATIONAL HEALTH RESEARCH SYSTEM (S. NO. 3399/H. NO. 6735) (Signed into Law MAY 7, 2013)**

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

Features:

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

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

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

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

The council shall be supported by a secretariat, a steering committee and technical working committees aligned

with research themes which are based on the country's health needs and the six building blocks of the World Health Organization to attain universal health care.

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

Status: The DOST-Philippine Council for Health Research and Development, Department of Health, Commission on Higher Education, and University of the Philippines-National Institutes of Health issued Joint Administrative Order (AO) No. 1 on July 30, 2013. This AO served as the Implementing Rules and Regulations (IRR) of RA 10532.

R. A. No. 10606 **AN ACT AMENDING REPUBLIC ACT NO. 7875, OTHERWISE KNOWN AS THE "NATIONAL HEALTH INSURANCE ACT OF 1995", AS AMENDED, AND FOR OTHER (S. NO. 2849 / H. NO. 6048) (Signed Into Law JUNE 19, 2013)**

Features: *Known as the “National Health Insurance Act of 2013”, this law makes the National Health Insurance Program (NHIP) compulsory in all provinces, cities and municipalities nationwide. It defines the categories of beneficiaries, recognizes members belonging to the informal economy, and allows access of members to NHIP benefits or services even if they do not have their health insurance ID card with them. Premium contributions for indigent members shall be fully shouldered by the Department of Health under the General Appropriations Act. Under this law, healthcare providers existing for less than three years may now be accredited subject to certain criteria, and provider payment mechanisms have been expanded.*

Meanwhile, membership to the Board of Directors of the Philippine Health Insurance Corporation (Philhealth) now includes sectoral representatives as well as additional representatives from the government sector. This law also allows the Investment Reserve Fund to be invested in debt securities and corporate bond issuances, and in bonds, securities, promissory notes or other evidences of indebtedness of accredited and financially sound medical institutions (in addition to the previously allowed investments).

Status: Philhealth reported that contributions in CY 2014 were adjusted across all membership categories with PhP 2,400 as the lowest premium rate to:

- Ensure financial sustainability and viability; and
- Sustain and further enhance the NHIP benefits of members.

Transitory provisions were established to provide members with enough time to adjust to the new premium increases:

- Philhealth Circular No. 27, S-2013: CY 2014 Philhealth Premium Contribution for the Employed Sector (Published in the Philippine Daily Inquirer on October 10, 2013);
- Philhealth Circular No. 24, S-2013: Premium Rate for the Individual Paying Program (IPP) Effective CY 2014 (Published in the Philippine Daily Inquirer on October 10, 2013);
- Philhealth Circular No. 25, S-2013: Implementation of the OWP Premium and Payment Schemes Effective CY 2014 (Published in Manila Bulletin on October 5, 2013); and

- Philhealth Circular No. 23, S-2013: Premium Contribution Under the Sponsored Program Effective CY 2014 (Published in Philippine Daily Inquirer on October 10, 2013).

Selected Statistics from Philhealth

A. 2013 NHIP Enrollment (in millions)

Membership Category	Registered Members	Members and Dependents
Government-employed	2.07	5.91
Private-employed	10.30	20.43
Non-poor informal (IPP)	5.38	11.99
OFW	3.14	5.86
Lifetime	0.77	1.32
Sponsored-NHTS	5.16	21.07
Sponsored-Local Government	4.45	10.37
Total	31.27	76.90

R. A. No. 10613

AN ACT INCREASING THE MINIMUM BED CAPACITY OF THE ZAMBOANGA CITY MEDICAL CENTER FROM TWO HUNDRED FIFTY (250) TO FIVE HUNDRED (500), AMENDING FOR THE PURPOSE SECTION 2 OF REPUBLIC ACT NO. 7272 (H. NO. 425) (Signed Into Law AUGUST 28, 2013)

Features:

This law increases the bed capacity of Zamboanga City Medical Center from 250 to 500. The implementation of this act shall be included in the Department of Health's (DOH) programs to be funded via the annual General Appropriations Act.

Status: The draft Implementing Rules and Regulations (IRR) of this law were forwarded to the Office of the Health Secretary on March 27, 2014. It is still being evaluated as of June 2014.

R. A. No. 10614 **AN ACT INCREASING THE BED CAPACITY OF REGION 1 MEDICAL CENTER IN DAGUPAN CITY, PANGASINAN FROM THREE HUNDRED (300) TO SIX HUNDRED (600), AUTHORIZING THE INCREASE OF ITS MEDICAL PERSONNEL, UPGRADING ITS SERVICES, FACILITIES AND PROFESSIONAL HEALTH CARE AND APPROPRIATING FUNDS THEREFORE (H. NO. 3840) (Signed Into Law AUGUST 28, 2013)**

Features: *This law increases the bed capacity of Region 1 Medical Center from 300 to 600. It mandates the upgrading of existing facilities and professional health care services of the hospital, as well as the expansion of its workforce.*

The implementation of this act shall be included in the Department of Health's (DOH) programs to be funded via the annual General Appropriations Act.

Status: The draft Implementing Rules and Regulations (IRR) of this law were forwarded to the Office of the Health Secretary on March 20, 2014. It is still being evaluated as of June 2014.

JUSTICE AND HUMAN RIGHTS

R. A. No. 10158 **AN ACT DECRIMINALIZING VAGRANCY AMENDING FOR THIS PURPOSE ARTICLE 202 OF ACT NO.**

**3815, AS AMENDED, OTHERWISE KNOWN AS THE
REVISED PENAL CODE (S. NO. 2726/H. NO. 4936)
(Signed into Law MARCH 27, 2012)**

Features: *This Act removes penalties for vagrants. All pending cases shall be dismissed upon effectivity of this Act. All persons serving sentence for vagrancy shall be immediately released provided that they are not serving sentence or detained for any other offense or felony.*

Status: Self-executory.

**R. A. No.
10159** **AN ACT AMENDING ARTICLE 39 OF ACT NO. 3815,
AS AMENDED, OTHERWISE KNOWN AS THE
REVISED PENAL CODE (S. NO. 2808/H. NO. 600)
(Signed Into Law APRIL 11, 2012)**

Features: *This Act changes subsidiary personal liability, from a rate of one (1) day for each eight (8) pesos to one (1) day for each amount equivalent to the highest minimum wage rate prevailing in the Philippines at the time of rendition of judgment of conviction by the trial court.*

Status: Self-executory.

**R. A. No.
10162** **AN ACT CREATING TWO (2) ADDITIONAL
REGIONAL TRIAL COURT BRANCHES IN THE
PROVINCE OF LAGUNA TO BE STATIONED AT STA.
ROSA CITY, AMENDING FOR THE PURPOSE
SECTION 14, PARAGRAPH (E) OF BATAS
PAMBANSA BLG. 129, OTHERWISE KNOWN AS
"THE JUDICIARY REORGANIZATION ACT OF 1980",
AS AMENDED, AND APPROPRIATING FUNDS
THEREFOR (H. NO. 4488) (Signed Into Law APRIL
17, 2012)**

Status: Court Administrator Jose Midas P. Marquez reported to the Senate that the Supreme Court issued Administrative Matter No. 12-11-244-RTC dated December 11, 2012 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

R. A. No. 10172 **AN ACT FURTHER AUTHORIZING THE CITY OR MUNICIPAL CIVIL REGISTRAR OR THE CONSUL GENERAL TO CORRECT CLERICAL OR TYPOGRAPHICAL ERRORS IN THE DAY AND MONTH IN THE DATE OF BIRTH OR SEX OF A PERSON APPEARING IN THE CIVIL REGISTER WITHOUT NEED OF A JUDICIAL ORDER, AMENDING FOR THIS PURPOSE REPUBLIC ACT NUMBERED NINETY FORTY-EIGHT (S. NO. 3113/H. NO. 4530) (Signed Into Law AUGUST 15, 2012)**

Features: *This Act allows city or municipal civil registrar or the consul general to correct clerical or typographical errors in the civil register even without a judicial order.*

Status: According to Carmencita N. Ericta, Administrator of National Statistics Office (NSO), the NSO-Office of Civil Registrar General (OCRG) is currently in the process of drafting the Administrative Order that will contain the rules and regulations for its effective implementation. Once finalized, it will be published in a newspaper of general circulation.

(As of May 31, 2013)

**R. A. No.
10243** **AN ACT CREATING THREE (3) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT TO BE STATIONED AT THE CITY OF DAVAO, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (L) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 2958/H. NO. 4512) (Signed Into Law NOVEMBER 8, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-4-65-RTC dated June 4, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10244** **AN ACT CREATING TWO (2) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE PROVINCE OF LEYTE TO BE STATIONED AT THE CITY OF TACLOBAN, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (I) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS "THE JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4473) (Signed Into Law NOVEMBER 8, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-4-62-RTC dated April 16, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10245** **AN ACT CREATING TWO (2) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT TO BE STATIONED AT THE MUNICIPALITY OF BAROTAC VIEJO, PROVINCE OF ILOILO, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (G) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4474) (Signed Into Law NOVEMBER 8, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-8-176-RTC dated September 3, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10246** **AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT TO BE STATIONED AT THE CITY OF BISLIG, PROVINCE OF SURIGAO DEL SUR, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (L) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED BY REPUBLIC ACT NO. 7154, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4475) (Signed Into Law NOVEMBER 8, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-5-73-RTC dated June 10, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10247** **AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT TO BE STATIONED AT THE CITY OF SAGAY, PROVINCE OF NEGROS OCCIDENTAL, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (G) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4479) (Signed Into Law NOVEMBER 8, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-8-183-RTC dated September 3, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10248** **AN ACT CREATING AN ADDITIONAL REGIONAL TRIAL COURT BRANCH IN THE PROVINCE OF ILOILO TO BE STATIONED AT THE MUNICIPALITY OF GUIMBAL, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (G) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4493) (Signed Into Law NOVEMBER 8, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-8-177-RTC dated September 3, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10249** **AN ACT CREATING AN ADDITIONAL REGIONAL TRIAL COURT BRANCH IN THE PROVINCE OF CAVITE TO BE STATIONED AT THE MUNICIPALITY OF CARMONA, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (E) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4494) (Signed Into Law NOVEMBER 8, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-9-205-RTC dated September 17, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10250** **AN ACT CREATING TWO (2) ADDITIONAL REGIONAL TRIAL COURT BRANCHES IN THE PROVINCE OF NEGROS OCCIDENTAL TO BE STATIONED AT THE CITIES OF LA CARLOTA AND BAGO, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (G) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4495) (Signed Into Law NOVEMBER 8, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-9-215-RTC dated October 1, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

R. A. No. 10251 **AN ACT CREATING FIVE (5) ADDITIONAL METROPOLITAN TRIAL COURT BRANCHES IN MUNTINLUPA CITY, METRO MANILA, AMENDING FOR THE PURPOSE SECTION 27 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4497) (Signed Into Law NOVEMBER 8, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-3-25-MeTC dated April 11, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

R. A. No. 10252 **AN ACT CREATING TWO (2) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT TO BE STATIONED AT THE MUNICIPALITIES OF COMPOSTELA AND MABINI, COMPOSTELA VALLEY PROVINCE, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (L) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4521) (Signed Into Law NOVEMBER 8, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-5-74-RTC dated June 10, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10253** **AN ACT CREATING TWO (2) ADDITIONAL BRANCHES OF THE MUNICIPAL TRIAL COURT IN CITIES IN THE PROVINCE OF PALAWAN TO BE STATIONED AT PUERTO PRINCESA CITY, AMENDING FOR THE PURPOSE SECTION 29 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4489) (Signed Into Law NOVEMBER 8, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-9-85-MTCC dated October 1, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10254** **AN ACT CREATING TWO (2) ADDITIONAL BRANCHES OF THE MUNICIPAL TRIAL COURT IN CITIES IN THE PROVINCE OF MISAMIS ORIENTAL WITH SEATS AT CAGAYAN DE ORO CITY, AMENDING FOR THE PURPOSE SECTION 29 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4490) (Signed Into Law NOVEMBER 8, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-5-40-MTCC dated June 10, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10298** **AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT TO BE STATIONED AT THE MUNICIPALITY OF LUBUAGAN, PROVINCE OF KALINGA, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (B) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4469) (Signed Into Law NOVEMBER 15, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-11-251-RTC dated December 10, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10299** **AN ACT CREATING THREE (3) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT AND TWO (2) ADDITIONAL BRANCHES OF THE METROPOLITAN TRIAL COURT TO BE STATIONED AT THE CITY OF NAVOTAS, METRO MANILA, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (D) AND SECTION 27 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4471) (Signed Into Law NOVEMBER 15, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-7-140-RTC dated July 23, 2013 and November 19, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10300** **AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT TO BE STATIONED AT THE MUNICIPALITY OF CAJIDIOCAN, ISLAND OF SIBUYAN, PROVINCE OF ROMBLON, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (E) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4472) (Signed Into Law NOVEMBER 15, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-7-144-RTC dated July 30, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10300** **AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT TO BE STATIONED AT THE MUNICIPALITY OF CAJIDIOCAN, ISLAND OF SIBUYAN, PROVINCE OF ROMBLON, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (E) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4472) (Signed Into Law NOVEMBER 15, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-7-144-RTC dated July 30, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10301** **AN ACT CREATING FOUR (4) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE NINTH JUDICIAL REGION TO BE STATIONED AT ZAMBOANGA CITY, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (J) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4491) (Signed Into Law NOVEMBER 15, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-7-152-RTC dated August 13, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10302** **AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE PROVINCE OF BATANGAS TO BE STATIONED AT THE CITY OF TANAUAN, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (E) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4522) (Signed Into Law NOVEMBER 15, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-4-66-RTC dated June 4, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10303** **AN ACT CREATING A REGIONAL TRIAL COURT BRANCH IN THE PROVINCE OF AURORA TO BE STATIONED AT THE MUNICIPALITY OF CASIGURAN, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (E) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4744) (Signed Into Law NOVEMBER 15, 2012)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10339** **AN ACT CREATING FIVE (5) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT TO BE STATIONED AT THE CITY OF CALAMBA AND THE MUNICIPALITIES OF LOS BANOS AND CABUYAO, ALL IN THE PROVINCE OF LAGUNA, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (E) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS "THE JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4476) (Signed Into Law NOVEMBER 21, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-11-243 dated December 3, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10340** **AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT TO BE STATIONED**

AT THE CITY OF BOGO, PROVINCE OF CEBU, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (H) OF BATAS PAMBANSA BLG. 129, AS AMENDED, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4511) (Signed Into Law NOVEMBER 21, 2012)

Status: The Supreme Court issued Administrative Matter No. 13-9-209-RTC dated September 17, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

R. A. No. 10341 **AN ACT CREATING TWO (2) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT AND SIX (6) ADDITIONAL BRANCHES OF THE METROPOLITAN TRIAL COURT TO BE STATIONED AT THE CITY OF VALENZUELA, METRO MANILA, AMENDING FOR THE PURPOSE SECTION 14 (D) AND SECTION 27 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980 , AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 4513) (Signed Into Law NOVEMBER 21, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-3-55-RTC dated April 2, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

R.A. No. 10344 **AN ACT PENALIZING THE UNAUTHORIZED TAKING, STEALING, KEEPING OR TAMPERING OF**

**GOVERNMENT RISK REDUCTION AND
PREPAREDNESS EQUIPMENT, ACCESSORIES AND
SIMILAR FACILITIES (H. NO. 5932) (Signed into
Law DECEMBER 4, 2012)**

Features: *This law prohibits and penalizes the stealing, taking, possessing, selling, buying and tampering of disaster preparedness equipment. Attempting to commit or benefiting from such acts are also prohibited. The Department of Science and Technology (DOST) shall, in coordination with the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA), the Philippine Institute of Volcanology and Seismology (PHIVOLCS) and the National Disaster Risk Reduction and Management Council (NDRRMC), provide a list of all government risk reduction and preparedness equipment, accessories and other vital facility items. This list shall be provided jointly by the DOST and the NDRRMC to government agencies engaged in disaster preparedness and must be regularly updated. RA 10344 also mandates DOST and the NDRRMC, in coordination with local government units and nongovernment organizations or people's organizations, to disseminate information and conduct continuing education on the provisions of this Act.*

Status: Assistant Secretary Oswaldo C. Santos of the Department of Science and Technology reported to the Senate that the Implementing Rules and Regulations of this law were promulgated on June 25, 2013. So far, the agency has not received any reports of pilferage or tampering of equipment. However, achieving zero incidences of pilferage and/or tampering continues to be a challenge as a number of the agency's equipment such as automated weather stations and automated rain gauges are unmanned and situated in crime-prone areas.

Continuing public education on the ill effects of stealing and/or tampering of equipment has been incorporated in most of the public information campaigns and training programs of the Philippine Atmospheric, Geophysical and Astronomical Services Administration.

R. A. No. 10348 **AN ACT CREATING TWO (2) BRANCHES OF THE REGIONAL TRIAL COURT IN THE PROVINCE OF CEBU TO BE STATIONED AT THE CITIES OF NAGA AND CARCAR, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (H) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS "THE JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED, AND APPROPRIATING FUNDS THEREFOR (H. NO. 4492) (Signed into Law DECEMBER 6, 2012)**

Status: The Supreme Court issued Administrative Matter No. 13-9-214-RTC dated September 24, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

R. A. No. 10353 **AN ACT DEFINING AND PENALIZING ENFORCED OR INVOLUNTARY DISAPPEARANCE (S. NO. 2817 / H. NO. 98) (Signed into Law DECEMBER 21, 2012)**

Features: *Known as the Anti-Enforced or Involuntary Disappearance Act of 2012, this law defines enforced or involuntary disappearance as “the arrest, detention, abduction or any other form of deprivation of liberty committed by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which places such person outside the protection of the law”.*

RA 10353 mandates any person, except for a principal, accomplice or accessory, who has information on victims of enforced or involuntary disappearance to report to authorities in writing the circumstances and whereabouts of the victim. Meanwhile, authorities who receive inquiries

from a victim's family member, relative or lawyer, as well as representative of a human rights organization or a member of the media, are required to immediately issue a certification in writing to the inquiring person or entity on the presence or absence and/or information on the whereabouts of the disappeared person.

All government agencies concerned shall submit an updated inventory or list of all officially recognized and controlled detention or confinement facilities, and the list of detainees or persons deprived of liberty under their respective jurisdictions to the Commission on Human Rights (CHR). Victims who surface alive shall be entitled to monetary compensation, rehabilitation and restitution of honor and reputation, including immediate expunging or rectification of any derogatory record, information or public declaration/statement on his or her person, personal circumstances, status, and/or organizational affiliation by the appropriate government or private agency or agencies concerned.

This law appropriates ₱10 million to the CHR for its initial implementation. Subsequent funds for continuing implementation shall be included in the respective budgets of the CHR and the Department of Justice (DOJ) in the annual General Appropriations Act.

(Note: Below report consolidates the reports submitted by the CHR and DOJ to the Senate)

Status: Following the passage of the law, CHR, DOJ, Department of Social Welfare and Development, (DSWD) and certain non-government organizations such as Families Against Enforced or Involuntary Disappearance and *Desaparecidos* constituted themselves as the Anti-Enforced Disappearance Implementing Rules and Regulations Committee (IRRC). On February 12, 2013, the IRRC promulgated the Anti-Enforced or Involuntary Disappearance Implementing Rules and Regulations (IRR) through a symbolic signing ceremony.

The PhP 10 million budget for CHR has not yet been

released

Ms. Gemma Parojinog, a lawyer at CHR's Legal and Investigation Office, reported that the PhP 10 million initial appropriations to the commission have not yet been given. In the meantime, the IRRC is trying its best to disseminate the law in spite of financial constraints. For now it has received some financial support from the DOJ and is in the process of requesting funding from the EU-Philippines Justice Support Programme (EPJUST II). If granted, the money will be used for the information and education campaign of the law and IRR. In this light, the CHR is requesting for the Senate's assistance in the release of the PhP 10 million initial appropriations.

IEC essential to the law's full and effective implementation

Financial issues aside, Ms. Parojinog noted that the IRRC is very optimistic that the effective implementation of the law and its IRR will be in full swing once it is popularized, especially with the backing of various non-government organizations advocating for the cause of the disappeared. The objective of the information, education and communication (IEC) project is to contribute to the institutionalization and sustainability of mechanisms to guarantee access to justice for victims of enforced or involuntary disappearance (EID) and contribute to the decrease or the elimination of enforced disappearance cases through the following:

- a. Increasing public awareness;
- b. Strengthening the government's institutional capacity for the monitoring and prevention of EID by carrying out its overall national human rights protection and promotion system;
- c. Ensuring access to justice and effective remedy for the victims of enforced disappearance and their families;
- d. Enhancing partnerships between and among stakeholders such as but not limited to public

authorities, CSOs/NGOs, the academe, local communities, private persons whether juridical or natural; and

- e. Achieving change in the mindset, behavior, attitude and practice among public officers, law enforcement, the security sector, media and the public at large.

CHR proposes MOA with other government bodies for the implementation of provisions on monetary compensation, rehabilitation and restitution of honor and reputation of victims who surface alive. Discussions among the agencies involved are ongoing

The CHR said that to give further spirit to the intent of the declaration of policy and the subject concern (i.e. monetary compensation, rehabilitation and restitution of honor and reputation) , victims shall be interpreted to mean not only those who surface alive but also those who continue to be disappeared or are found dead subsequent to the passage of this law.

The CHR proposes to enter into a Memorandum of Agreement (MOA) with concerned government agencies for the implementation of the above entitlements on the part of the victims of EID. The MOA basically implements the said provision of law, in a way most consistent with the intention of the law and most effective and convenient for the victims to be reintegrated into the mainstream of society and towards the process of development.

The IRR specified the following documents as basis for entitlement to monetary compensation of the victims, (with the exception of an official list of EID victims subsequently issued by the government):

- a. National Prosecution Service (NPS) Resolution;
- b. CHR Resolution;
- c. Records of the National Historical Institute or

- Bantayog ng mga Bayani Memorial Center; and
- d. Writ of Amparo, Habeas Corpus and Habeas Data, or Court Order.

Since the entitlement to monetary compensation was mentioned along with the entitlement to rehabilitation and restitution of honor and reputation, the implementation of the provision of rehabilitation and restitution of honor and reputation by the State should also be based on the same documents.

According to CHR, the NPS and CHR Resolutions, in particular, will be issued as a result of an extensive process of fact finding investigation purposely to determine probable cause and to determine the existence of human rights violation/s. On the part of the victim, entitlement to rehabilitation and restitution of honor and reputation need not undergo a more extensive investigation other than those done by the NPS and the CHR. The case would have been different if the State intends to impose penalty to an accused individual, because in that instance, the law requires a more stringent determination of guilt beyond reasonable doubt by the courts of law and not just any other agency of government.

Ms. Parojinog concluded that provision of entitlement of the victims to restitution, compensation and rehabilitation by the State should therefore not require any more than what is necessary to determine the existence of enforced disappearance committed against the victims, regardless of whether or not the accused or any suspects have already been adjudged guilty of the commission thereof, and with the proviso that the entitlement of the victim to compensation, restitution and rehabilitation shall not affect the process of determining the existence of guilt on the part of the accused by the courts of law.

CHR believes that the declared policy of this law mandates that the State should give high priority to the enactment of measures for the enhancement of right of all people to human dignity, **and compensation and**

rehabilitation for victims and their families, particularly with respect to the use of torture, force, violence, threat, intimidation or any other means which vitiate the free will of persons abducted, arrested, detained, disappeared or otherwise removed from the effective protection of the law (Declaration of Policy, RA 10353; emphasis supplied by CHR). Hence, this law specifically declares that restitution of honor and reputation shall include immediate expunging or rectification of any derogatory record, information or public declaration/ statement on his or her person, personal circumstances, status, and/or organizational affiliation by the appropriate government or private agency or agencies concerned.

This law also mandates CHR, in coordination with the Department of Health (DOH), the DSWD and concerned non-government organizations, to formulate a comprehensive rehabilitation program to include, but shall not limited to, psychosocial, medical care, and livelihood services. CHR noted that the restitution of honor and reputation is “definitely” also a component of a comprehensive rehabilitation program, as it aims to reintegrate into the mainstream of society and in the process of development the victims of EID and/or their immediate relatives within the fourth civil degree of consanguinity or affinity.

Incidentally, the CHR as a constitutional body has the power to extend appropriate legal measures for the protection of human rights of all persons. The commission noted that it cannot be denied that aside from providing relief to the victims of EID, the restitution of honor and reputation also provides protection to the victims who, otherwise would constantly be in a state of fear from reprisals coming from the perpetrators or discrimination from among the members of the community to which he belongs.

CHR therefore believes that it is within the ambit of the powers of the commission to authorize the restitution of honor and reputation of victims of EID by expunging or

rectification of any derogatory record, information against them. CHR may also require a public declaration/ statement on the part of appropriate government or private agency or agencies concerned to rectify any public information issued that is derogatory against the victims.

Further, CHR sees the need to enter into a dialogue with the Supreme Court, as an independent constitutional body, on how to properly implement this provision of law on restitution of honor and reputation of the victim of EID, in cases where there exists derogatory records against the victims before any courts of law. Necessarily, all derogatory record that will be subject of this MOA will pertain to those that are in the records of the agencies-parties of this MOA and have not yet been filed in court as the same are under the control of the courts to which the case is filed.

Since the law did not define the definition of derogatory records that should be subject to expunging or rectification, implementation should also depend on the general definition of derogatory record as perceived by the public in general.

CHR likewise recognizes the right of the victims to avail of the protection benefits of the special Writs provided for by the Courts. One is the Writ of Habeas Data, which is a remedy available to any person whose right to privacy in life, liberty or security is violated or threatened by an unlawful act or omission of a public official or employee, or of a private individual or entity engaged in the gathering, collecting or storing of data or information regarding the person, family, home and correspondence of the aggrieved party. The victim may avail of the Writ of Amparo, a remedy provided when the right to life, liberty and security is violated or threatened with violation by an unlawful act or omission of a public official or employee, or of a private individual or entity.

These remedies are provided for pursuant to the rule making authority of the Supreme Court. The CHR

believes that the law on Anti-Enforced or Involuntary Disappearance is a different mechanism altogether and therefore requires a different mode of implementation. Hence, the victims may, aside from availing the remedy proposed under the MOA, he or she may also opt to file a Petition for a Writ of Habeas Data or Amparo, as maybe necessary.

The above proposal has been the subject of consultation with concerned agencies such as the National Bureau of Investigation, DOJ, Philippine National Police, Armed Forces of the Philippines, Department of Interior and Local Government and the Department of National Defense. However, CHR reported that the agencies involved have yet to agree on the matter.

DOJ concerned about the compensation, rehabilitation and restitution provisions

Undersecretary Leah C. Tanodra-Armamento of the DOJ reported that the members of the Board of Claims, who are also prosecutors of the agency, have expressed their reservations on the compensation provisions due to the absence of a law expressly amending Republic Act No. 7309 (Act Creating a Board of Claims). Without any law expanding the coverage of RA 7309, they noted that the board cannot unilaterally expand its mandate by including claims under RA 10353.

With respect to the expunging or rectification of derogatory records, the agencies involved in the drafting of the above-mentioned MOA are still working on some issues regarding the effect of this provision on their agencies' document classification systems – in particular, the security sector's insistence on a more specific definition of the term "derogatory record". The CHR and representatives of the families of the disappeared, on the other hand, believe that "derogatory record" should mean all forms of document, classified or otherwise, which provides derogatory information against the victim. Discussions on the matter are ongoing.

DOJ noted that the law may be tilted against agents of the State as it attaches criminal responsibility only to them. Absence of oversight body may also impede implementation

Usec. Armamento, who is also the chairperson of the IRRC, noted that reality and experience supports the observation that non-state actors (NSAs) also engage in the commission of EID. While it is understood that the definition of EID is substantially derived from the United Nations (UN) International Convention for the Protection of All Persons from Enforced Disappearance, a convention the Philippines is not yet a signatory to, she said there is valid cause for concern that this gap may increase impunity on the part of the NSAs. Another unfavorable effect would be the denial of access to legal remedies and reparations of victims of EID committed by these NSAs.

To address this issue, the DOJ, represented by Assistant Secretary Zabedin Azis, endorsed in June 2013 a copy of the draft amendments to RA 10353, particularly the inclusion of NSAs as perpetrators, to the Presidential Legislative Liaison Office (PLLO) for the purpose of finding a legislator who will sponsor the amendments. The DOJ has not yet received an update from the PLLO.

On the part of the CHR, it is calling on the government to ratify the UN convention, both to help ensure the rights of victims, as well as serve as an indicator of the Philippine government's seriousness in its commitment to uphold and respect human rights.

Meanwhile, another concern of the DOJ is the absence of an oversight body that will monitor the implementation of the law. In the meantime, the IRRC has expanded its functions, albeit in an ad hoc manner, to include the responsibility of overseeing the implementation of the law and its IRR. The proposed bill that the DOJ forwarded to PLLO also seeks to address this.

The lack of exceptions to the right to information on the person and whereabouts of the disappeared deviates from UN convention, according to DOJ

The UN International Convention for the Protection of All Persons from Enforced Disappearance provides:

Only where a person is **under the protection of the law and the deprivation of liberty is subject to judicial control** may the right to information referred to in article 18 be restricted, on an exceptional basis, where strictly necessary and where provided for by law, **and if the transmission of information would adversely affect the privacy or safety of the person, hinder a criminal investigation, or for other equivalent reasons** in accordance with the law, and in conformity with applicable international law and with the objectives of this convention.
(Art. 20.1, *emphasis supplied by DOJ*)

In contrast, according to Usec. Armamento, the law states that records on the physical, mental and psychological condition of *persons deprived of liberty* (which may include lawfully detained individuals, not just the disappeared) must be accessible to any person *with legitimate interests* without considering the need to assess whether it is for the best interest of the person. She added that the law should have been as expansive as the UN convention which recognizes other valid instances i.e. national security that may justify restriction of access to information.

Further, under article 17 of the UN convention from which RA 10353 is based, the State party should:

...establish the conditions under which orders of deprivation of liberty may be given; indicate those authorities authorized

to order the deprivation of liberty; and guarantee that any person deprived of liberty shall be held solely in officially recognized and supervised places of deprivation of liberty.

This suggests that per se, deprivation of liberty is not entirely illegal, noted Usec. Armamento. However, the law is silent on such conditions that allow for *orders of deprivation of liberty*.

Finally, unlike the UN convention, this law is also silent on aggravating circumstances such as when the disappeared is a child or a pregnant woman, unlike the UN convention.

An inter-agency committee created by the President is also helping address the problem of enforced or involuntary disappearance

One month prior to the approval of this law, President Benigno S. Aquino III through Administrative Order (AO) No. 35 already created an Inter-agency Committee (IAC) on Extra-Legal Killings, Enforced Disappearances, Torture and Other Grave Violations of the Right to Life, Liberty and Security of Persons. The DOJ noted that this was an important step towards engendering an investigative environment that will benefit greatly from the legal knowledge, experience and leadership of a prosecutor to ensure an airtight investigation and successful prosecution of a greater number of cases.

Usec. Armamento added that the DOJ continues to strategically identify other possible modalities within which to further institutionalize the “marriage” between investigation and prosecution at the level of evidence-gathering. The AO 35 Operational Guidelines, signed into effect on April 18, 2013, seeks to establish the application of the composite team approach to include crimes or offenses of extrajudicial killings, enforced disappearance, torture and all forms of violations to the right to life, liberty and security of persons. The

guidelines are an important tool to train the composite teams of investigators and prosecutors all over the country. Through these guidelines, DOJ hopes to encourage its prosecutors to take a more pro-active approach at the investigation level, as well as to ensure a higher conviction rate on cases involving egregious human rights violations.

The IAC has already appointed members of the Special Oversight Teams for new, existing and current cases, as well as unsolved cases. In addition, the DOJ through Department Order No. 726 has designated 394 prosecutors as AO 35 prosecutors handling the investigation and prosecution of all AO 35 cases within their respective jurisdictions.

The AO 35 Technical Working Group is currently finalizing preparations for a series of intensive seminar-workshops for AO 35 prosecutors to orient them on the processes involved in relevant cases. It is also meant to sharpen their knowledge of specialized concepts such as “extra-judicial” killing, enforced disappearance and torture.

**R. A. No.
10362**

AN ACT CREATING AN ADDITIONAL REGIONAL TRIAL COURT BRANCH TO BE STATIONED IN THE MUNICIPALITY OF TRENTO, PROVINCE OF AGUSAN DEL SUR, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (K) OF BATAS PAMBANSA BLG. 129, AS AMENDED, OTHERWISE KNOWN AS "THE JUDICIARY REORGANIZATION ACT OF 1980", AND PROVIDING FUNDS THEREFOR (H. NO. 5739) (Signed into Law JANUARY 23, 2013)

Status:

The Supreme Court issued Administrative Matter No. 13-5-71-RTC dated June 4, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management

releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

R. A. No. 10363 **AN ACT CREATING SEVEN (7) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE SEVENTH JUDICIAL REGION TO BE STATIONED AT THE CITY OF MANDAUE, PROVINCE OF CEBU, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS "THE JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED, AND APPROPRIATING FUNDS THEREFOR (S. NO. 3034 / H. NO. 5737) (Signed into Law JANUARY 28, 2013)**

Status: The Supreme Court issued Administrative Matter No. 13-9-219-RTC dated October 1, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

R. A. No. 10368 **AN ACT PROVIDING FOR REPARATION AND RECOGNITION OF VICTIMS OF HUMAN RIGHTS VIOLATIONS DURING THE MARCOS REGIME, DOCUMENTATION OF SAID VIOLATIONS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES (S. NO. 3334 / H. NO. 5990) (Signed into Law FEBRUARY 25, 2013)**

Features: *Known as the "Human Rights Victims Reparation and Recognition Act of 2013", this law seeks to recognize the heroism and sacrifices of all Filipinos who were victims of summary execution, torture, enforced or involuntary disappearance and other gross human rights violations committed during the regime of former President Ferdinand E. Marcos. Human rights violations victims are*

those whose human rights were violated by persons acting in an official capacity and/or agents of the state, including members of the former Philippine Constabulary, the former Integrated National Police, the Armed Forces of the Philippines, the Civilian Home Defense Force and others in the civil service. Under this law, victims are qualified to receive tax-free reparation from the state. Nonmonetary reparation may also be provided by the Department of Health, the Department of Social Welfare and Development, the Department of Education, the Commission on Higher Education, the Technical Education and Skills Development Authority and others. The principal source of funds is the PhP 10 billion plus accrued interest which form part of the funds transferred to the government of the Republic of the Philippines by virtue of the December 10, 1997 order of the Swiss Federal Supreme Court.

RA 10368 also creates an independent and quasi-judicial body to be known as the Human Rights Victims' Claims Board attached to the Commission on Human Rights. It is empowered to receive, evaluate, process and investigate applications for claims, issue subpoenas, conduct independent administrative proceedings, and resolve disputes over claims and promulgate related rules, among others. The President shall have the power to appoint the chairperson and the other eight members of the board. The board shall be assisted by a secretariat which may come from the existing personnel of the CHR without prejudice to the hiring of additional personnel. The operating budget of the board shall be funded from the PhP 10 billion fund, with PhP 10 million as its initial operating budget provided that it shall not exceed PhP 50 million. The board shall complete its work within two years from the effectivity of the Implementing Rules and Regulations promulgated by it. After which it shall become functus officio.

Status: While waiting for the Implementing Rules and Regulations (IRR), the following activities were undertaken by the Marcos Law Files project (MLF

project) in relation to RA 10368.

A. Public Information, Education and Advocacy Campaign

1. Conducted media briefings/interviews on the importance of the law held on the following dates:
 - February 25, 2013, PTV 4 Newslife interview on reparation and recognition of martial law victims;
 - Chaiperson's interview on "Human Face: Etta's Valedictory: Farewell to a Dark Night" published on February 27, 2013;
 - February 27, 2013, 10:00 am at CHR Conference Room; and
 - March 12, 2013, University Hotel, UP Diliman, Quezon City.
2. Small group discussion on proposals for the formulation of the IRR by the Human Rights Claims Board held on March 19, 2013 at the CHR Multi-Purpose Hall in cooperation with CSOs HR Network.
3. CHR Unification Conference on RA 10368 at CHR Multi-Purpose Hall on March 1, 2013, live streamed to 15 regions.
4. Reviewed the Distribution Claims of Compensations awarded to Hawaii Class Suit for lessons applicable for lessons applicable to the implementation of RA 10368.
5. Developed information materials for wide dissemination on the localization of RA 10368 targeting various stakeholders.
6. Organized and participated in various fora and

symposia on the salient features of RA 10368 and its implication to ending the culture of impunity.

7. Developed a martial law website, facebook page and youtube channel to disseminate information on martial law.

B. Research and Documentation

1. Retrieval, organization, inventory, archiving and data banking of martial law files and cases.
 - Inventory of preliminary files turned over by DND-ISAFP. Ongoing coordination for more documents from the security sector to have files transferred or shared to CHR;
 - Inventory of files turned over by private groups and individual victims;
 - Inventory of files shared by other members of the human rights network (CSOs, NGOs, national government agencies, academe and local government units); and
 - Inventory of files from regional and national offices of the commission. The master list containing 6,090 docketed cases is now being processed and validated.
2. Developed geographical mapping of martial law human rights violations victims.
3. Developed list of publications/bibliographic entries for martial law library holdings.
4. Mapping of martial law artifacts/future collections and memorabilia for the martial law

museum.

5. Completed the first 20 profiles of martial law heroes and martyrs and uploaded this on website.

The Commission on Human Rights has promulgated the "Guidelines and Procedures in the Investigation and Monitoring of Human Rights Violations and Abuses, and the Provisions of CHR Assistance" in April 2012. (www.chr.gov.ph)

(As of May 31, 2013)

**R. A. No.
10370** **AN ACT ESTABLISHING A SEPARATE MUNICIPAL CIRCUIT TRIAL COURT COMPRISING THE MUNICIPALITIES OF BUENAVISTA AND SAN LORENZO IN THE PROVINCE OF GUIMARAS AND APPROPRIATING FUNDS THEREFOR (H. NO. 2821) (Signed into Law FEBRUARY 28, 2013)**

Status: The Supreme Court issued Administrative Matter No. 13-11-111-MCTC dated December 10, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10371** **AN ACT CREATING AN ADDITIONAL REGIONAL TRIAL COURT BRANCH TO BE STATIONED IN THE CITY OF SIPALAY, PROVINCE OF NEGROS OCCIDENTAL, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (G) OF BATAS PAMBANSA BLG. 129, AS AMENDED, OTHERWISE KNOWN AS "THE JUDICIARY REORGANIZATION ACT OF 1980", AND PROVIDING FUNDS THEREFOR (H. NO. 5740) (Signed into Law FEBRUARY 28,**

2013)

Status: The Supreme Court issued Administrative Matter No. 13-11-250-RTC dated December 10, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

R. A. No. 10381 **AN ACT CREATING THREE (3) ADDITIONAL BRANCHES OF THE METROPOLITAN TRIAL COURTS OF THE NATIONAL CAPITAL REGION TO BE STATIONED AT TAGUIG CITY, METRO MANILA, AMENDING FOR THE PURPOSE SECTION 27 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (H. NO. 5731) (Signed Into Law MARCH 14, 2013)**

Status: The Supreme Court issued Administrative Matter No. 13-6-48-RTC dated July 9, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

R. A. No. 10389 **AN ACT INSTITUTIONALIZING RECOGNIZANCE AS A MODE OF GRANTING THE RELEASE OF AN INDIGENT PERSON IN CUSTODY AS AN ACCUSED IN A CRIMINAL CASE AND FOR OTHER PURPOSES (H. NO. 5395) (Signed into Law MARCH 14, 2013)**

Features: *Known as the “Recognizance Act of 2012”, this law defines recognizance as a mode of securing the release of any person in custody for committing an offense who is unable to post bail due to abject poverty. This excludes offenses*

punishable by death, reclusion perpetua or life imprisonment. The court may order the release of the detained person on recognizance to a qualified custodian subject to the following requirements:

- *Sworn declaration by person in custody of indigency or incapacity to post bail;*
- *Certification of indigency issued by the head of the social welfare and development office in the city or municipality where the accused resides;*
- *Person in custody has been arraigned;*
- *Court has notified the city or municipal sanggunian where the accused resides of the application for recognizance.*

The custodian shall guarantee the appearance of the accused whenever required by court. He/she may be imprisoned for six months to two years if the accused is not produced or delivered before the court without justifiable reason. A custodian must possess the following qualifications:

- *Person of good repute and probity;*
- *Resident of barangay (village) where applicant resides;*
- *Must not be a relative of the applicant within the fourth degree of consanguinity; and*
- *Must belong to sectors and institutions identified by this law, including church, academe, social welfare and charitable organizations.*

Meanwhile, the probation officer is tasked with monitoring and evaluating the activities of the person on recognizance.

Status: Self executory.

R. A. No. 10392 **AN ACT CREATING AN ADDITIONAL REGIONAL TRIAL COURT BRANCH IN THE SIXTH JUDICIAL REGION TO BE STATIONED IN THE MUNICIPALITY OF JANUAY, PROVINCE OF ILOILO, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (G) OF BATAS PAMBANSA BLG. 129, AS AMENDED, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AND PROVIDING FUNDS THEREFORE (H. NO. 5717) (Signed Into Law MARCH 14, 2013)**

Status: The Supreme Court issued Administrative Matter No. 13-11-242-RTC dated December 3, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

R. A. No. 10393 **AN ACT CREATING FOUR ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE ELEVENTH JUDICIAL REGION TO BE STATIONED AT THE CITY OF GENERAL SANTOS, PROVINCE OF SOUTH COTABATO, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3022/H. NO. 5730) (Signed Into Law MARCH 14, 2013)**

Status: The Supreme Court issued Administrative Matter No. 13-6-107-RTC dated July 9, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10454** **AN ACT CREATING TWENTY-SEVEN (27) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT AND EIGHT (8) ADDITIONAL BRANCHES OF THE MUNICIPAL TRIAL COURT IN THE FOURTH JUDICIAL REGION TO BE STATIONED AT VARIOUS MUNICIPALITIES AND CITIES IN THE PROVINCE OF CAVITE, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 2539/H. NO. 5741) (Signed Into Law APRIL 8, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10480** **AN ACT CREATING TWENTY-TWO (22) ADDITIONAL BRANCHES OF THE METROPOLITAN TRIAL COURT IN THE NATIONAL CAPITAL JUDICIAL REGION TO BE STATIONED AT THE CITY OF QUEZON, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3013/H. NO. 6767) (Signed Into Law APRIL 16, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10517** **AN ACT CREATING THREE ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE FOURTH JUDICIAL REGION TO BE STATIONED AT THE MUNICIPALITY OF SAN PEDRO, PROVINCE OF**

LAGUNA, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3048/H. NO. 5896) (Signed Into Law APRIL 23, 2013)

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10518** **AN ACT CREATING TWO ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE FOURTH JUDICIAL REGION TO BE STATIONED AT THE CITY OF LUCENA, PROVINCE OF QUEZON, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3046/H. NO. 6778) (Signed Into Law APRIL 23, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10519** **AN ACT CREATING TWO ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE SEVENTH JUDICIAL REGION TO BE STATIONED AT THE CITY OF TOLEDO, PROVINCE OF CEBU, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3032/H. NO. 6844) (Signed Into Law APRIL 23, 2013)**

Status: The Supreme Court is yet to issue the relevant court

resolution.

**R. A. No.
10520**

AN ACT CREATING AN ADDITIONAL BRANCH OF THE METROPOLITAN TRIAL COURT AND FIVE (5) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE NATIONAL CAPITAL REGION TO BE STATIONED AT THE CITY OF MALABON, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3059/H. NO. 6774) (Signed Into Law APRIL 23, 2013)

Status:

The Supreme Court issued Administrative Matter No. 13-6-101-RTC dated July 9, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10521**

AN ACT CREATING THREE (3) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE THIRD JUDICIAL REGION TO BE STATIONED AT THE CITY OF MALOLOS, PROVINCE OF BULACAN, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3057/H. NO. 6848) (Signed Into Law APRIL 23, 2013)

Status:

The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10522** **AN ACT CREATING FOUR (4) ADDITIONAL BRANCHES OF THE METROPOLITAN TRIAL COURT IN THE NATIONAL CAPITAL JUDICIAL REGION TO BE STATIONED AT THE CITY OF LAS PINAS, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3016/H. NO. 5732) (Signed Into Law APRIL 23, 2013)**

Status: The Supreme Court issued Administrative Matter No. 13-6-52-MeTC dated July 30, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10523** **AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE FOURTH JUDICIAL REGION TO BE STATIONED AT THE MUNICIPALITY OF SINILOAN, PROVINCE OF LAGUNA, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3047/H. NO. 6866) (Signed Into Law APRIL 23, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10530** **AN ACT DEFINING THE USE AND PROTECTION OF THE RED CROSS, RED CRESCENT, AND RED CRYSTAL EMBLEMS, PROVIDING PENALTIES FOR**

**VIOLATIONS THEREOF AND FOR OTHER PURPOSES
(S. NO. 3209/H. NO. 4314) (Signed Into Law MAY 7,
2013)**

Features: *Known as “The Red Cross and Other Emblems Act of 2013”, this law sets guidelines on the use of the Red Cross emblem by the medical service and religious personnel of the Armed Forces of the Philippines, hospitals and other civilian medical units and transports, and the Philippine Red Cross and the International Organizations of the International Red Cross and Red Crescent Movement. The Departments of National Defense (DND), Health (DOH), and Trade and Industry (DTI) are mandated to ensure strict compliance with the rules governing the use of the emblems of the Red Cross, Red Crescent and Red Crystal. Meanwhile, the Philippine Red Cross shall cooperate with DND, DOH and DTI to prevent and discourage misuse. Violators shall be punished by arresto mayor, or a fine of not less than PhP 50,000.*

Status: Self executory.

**R. A. No.
10537** **AN ACT CREATING FIVE (5) ADDITIONAL METROPOLITAN TRIAL COURT BRANCHES IN THE NATIONAL CAPITAL JUDICIAL REGION TO BE STATIONED IN MAKATI CITY, METRO MANILA, AMENDING FOR THE PURPOSE SECTION 27 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3015/H. NO. 6773) (Signed Into Law MAY 15, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10538** **AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE SECOND JUDICIAL REGION TO BE STATIONED AT THE CITY OF CAUAYAN, PROVINCE OF ISABELA, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3021/H. NO. 6779) (Signed Into Law MAY 15, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10539** **AN ACT CREATING TWO ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE FOURTH JUDICIAL REGION TO BE STATIONED AT THE MUNICIPALITY OF GUMACA, PROVINCE OF QUEZON, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3045/H. NO. 6846) (Signed Into Law MAY 15, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10540** **AN ACT CREATING FOUR ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE SEVENTH JUDICIAL REGION TO BE STATIONED AT THE MUNICIPALITY OF BARILI, PROVINCE OF CEBU, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980,**

**AS AMENDED, AND APPROPRIATING FUNDS
THEREFORE (S. NO. 3030/H. NO. 6863) (Signed
Into Law MAY 15, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10541** **AN ACT CREATING AN ADDITIONAL BRANCH OF
THE REGIONAL TRIAL COURT IN THE EIGHT
JUDICIAL REGION TO BE STATIONED AT THE CITY
OF ORMOC, PROVINCE OF LEYTE, FURTHER
AMENDING FOR THE PURPOSE BATAS PAMBANSA
BILANG 129, OTHERWISE KNOWN AS THE
JUDICIARY REORGANIZATION ACT OF 1980, AS
AMENDED, AND APPROPRIATING FUNDS
THEREFORE (S. NO. 3028/H. NO. 6780) (Signed
Into Law MAY 15, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10542** **AN ACT CREATING AN ADDITIONAL BRANCH OF
THE REGIONAL TRIAL COURT IN THE TWELFTH
JUDICIAL REGION TO BE STATIONED AT THE
MUNICIPALITY OF MIDSAYAP, PROVINCE OF
NORTH COTABATO, FURTHER AMENDING FOR THE
PURPOSE BATAS PAMBANSA BILANG 129,
OTHERWISE KNOWN AS THE JUDICIARY
REORGANIZATION ACT OF 1980, AS AMENDED,
AND APPROPRIATING FUNDS THEREFORE (S. NO.
3017/H. NO. 6845) (Signed Into Law MAY 15,
2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10543** **AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE FOURTH JUDICIAL REGION TO BE STATIONED AT THE MUNICIPALITY OF STA. CRUZ, PROVINCE OF LAGUNA, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3049/H. NO. 6864) (Signed Into Law MAY 15, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10544** **AN ACT CREATING TWO ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE SEVENTH JUDICIAL REGION TO BE STATIONED AT THE MUNICIPALITY OF ARGAO, PROVINCE OF CEBU, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3031/H. NO. 6862) (Signed Into Law MAY 15, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10545** **AN ACT CREATING THREE ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE SEVENTH JUDICIAL REGION TO BE STATIONED AT THE CITY OF DANAOG, PROVINCE OF CEBU, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS**

**AMENDED, AND APPROPRIATING FUNDS
THEREFORE (S. NO. 3033/H. NO. 6800) (Signed
Into Law MAY 15, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10546** **AN ACT CREATING AN ADDITIONAL BRANCH OF THE
REGIONAL TRIAL COURT IN THE TWELFTH JUDICIAL
REGION TO BE STATIONED AT THE CITY OF
COTABATO, PROVINCE OF MAGUINDANAO, FURTHER
AMENDING FOR THE PURPOSE BATAS PAMBANSA
BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY
REORGANIZATION ACT OF 1980, AS AMENDED, AND
APPROPRIATING FUNDS THEREFORE (S. NO.
3019/H. NO. 5910) (Signed Into Law MAY 15, 2013)**

Status: The Supreme Court Office of Administrative Services, Office of the Court Administrator is still working on the staffing pattern report.

**R. A. No.
10547** **AN ACT CREATING THREE ADDITIONAL BRANCHES
OF THE REGIONAL TRIAL COURT IN THE FOURTH
JUDICIAL REGION TO BE STATIONED AT THE CITY
OF PUERTO PRINCESA, PROVINCE OF PALAWAN,
FURTHER AMENDING FOR THE PURPOSE BATAS
PAMBANSA BILANG 129, OTHERWISE KNOWN AS
THE JUDICIARY REORGANIZATION ACT OF 1980,
AS AMENDED, AND APPROPRIATING FUNDS
THEREFORE (S. NO. 3040/H. NO. 6865) (Signed
Into Law MAY 15, 2013)**

Status: The Supreme Court issued Administrative Matter No. 13-11-233-RTC dated December 3, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and

Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10562** **AN ACT CREATING FOUR (4) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE THIRD JUDICIAL REGION TO BE STATIONED AT THE MUNICIPALITY OF PANIQUE, PROVINCE OF TARLAC, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3053/H. NO. 6753) (Signed Into Law MAY 22, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10563** **AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE THIRD JUDICIAL REGION TO BE STATIONED AT THE MUNICIPALITY OF CAPAS, PROVINCE OF TARLAC, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3054/H. NO. 6753) (Signed Into Law MAY 22, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10564** **AN ACT CREATING FOUR (4) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN**

THE THIRD JUDICIAL REGION TO BE STATIONED AT THE CITY OF TARLAC, AND THE MUNICIPALITIES OF CAMILING AND CONCEPCION, ALL IN THE PROVINCE OF TARLAC, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3055/H. NO. 6753) (Signed Into Law MAY 22, 2013)

Status: The Supreme Court is yet to issue the relevant court resolution.

R. A. No. 10565 **AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE ELEVENTH JUDICIAL REGION TO BE STATIONED AT THE CITY OF DIGOS, PROVINCE OF DAVAO DEL SUR, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3023/H. NO. 6847) (Signed Into Law MAY 22, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

R. A. No. 10566 **AN ACT CREATING TWELVE (12) ADDITIONAL BRANCHES OF THE METROPOLITAN TRIAL COURT IN THE NATIONAL CAPITAL JUDICIAL REGION TO BE STATIONED AT THE CITY OF PASIG, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS**

THEREFORE (S. NO. 3014/H. NO. 5558) (Signed Into Law MAY 22, 2013)

Status: The Supreme Court is yet to issue the relevant court resolution.

R. A. No. 10567 **AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE FIRST JUDICIAL REGION TO BE STATIONED AT URDANETA CITY, PROVINCE OF PANGASINAN, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3058/H. NO. 5659) (Signed Into Law MAY 22, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

R. A. No. 10568 **AN ACT CREATING AN ADDITIONAL BRANCH OF THE MUNICIPAL TRIAL COURT IN CITIES AND FIFTEEN (15) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE FOURTH JUDICIAL REGION TO BE STATIONED AT THE CITY OF ANTIPOLLO, PROVINCE OF RIZAL, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3043/H. NO. 6855) (Signed Into Law MAY 22, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10569** **AN ACT CREATING SIX (6) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE FOURTH JUDICIAL REGION TO BE STATIONED AT THE CITY OF BINAN, PROVINCE OF LAGUNA, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3050/H. NO. 5895) (Signed Into Law MAY 22, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10570** **AN ACT CREATING SIX (6) ADDITIONAL BRANCHES OF THE MUNICIPAL TRIAL COURT IN CITIES AND AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE SEVENTH JUDICIAL REGION TO BE STATIONED AT THE CITY OF CEBU, PROVINCE OF CEBU, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3036/H. NO. 6857) (Signed Into Law MAY 22, 2013)**

Status: The Supreme Court issued Administrative Matter No. 13-11-234-RTC dated December 10, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10571** **AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE SEVENTH JUDICIAL REGION TO BE STATIONED AT THE CITY OF BAIS, PROVINCE OF NEGROS ORIENTAL, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3029/H. NO. 6869) (Signed Into Law MAY 22, 2013)**

Status: The Supreme Court issued Administrative Matter No. 13-8-164-RTC dated August 13, 2013 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10575** **AN ACT STRENGTHENING THE BUREAU OF CORRECTIONS (BuCor) AND PROVIDING FUNDS THEREFOR (S. NO. 3335/H. NO. 6887) (Signed into Law MAY 24, 2013)**

Features: *Known as the “Bureau of Corrections Act of 2013”, this Act outlines the four mandates of the Bureau of Corrections (BuCor):*

- *Safekeeping of national inmates;*
- *Reformation of national inmates;*
- *Health and welfare program; and*
- *Behavior modification program.*

The bureau shall be organized into directorates. The Directorate for Reception and Diagnostics shall undertake reception of inmates; the Security and Operations Directorates shall provide basic needs and security; Reformation Directorates shall take charge of reformation programs; and the Directorate for External Relations will

prepare inmates for reintegration to mainstream society.

The BuCor will continue to function as a line bureau and constituent unit of the Department of Justice. The head of the BuCor, with rank of undersecretary, shall have the position and title of Director General of Corrections.

This Act increases the manpower of BuCor to maintain the custodial personnel-to-inmate ratio of 1:7 and reformation personnel-to-inmate ratio of 1:24. It also professionalizes and upgrades qualification standards in the appointment of BuCor personnel. Policies on attrition, promotion, base pay and retirement are likewise spelled out. Funds required for the implementation of this Act including personnel benefits shall be taken from the BuCor budget for the current fiscal year, as well as from fees collected, income from institutional projects and other incomes. Thereafter, funding shall be included in the General Appropriations Act.

Status: Director Franklin Jesus B. Bucayu of the Bureau of Corrections reported to the Senate that on January 17, 2014, the agency submitted to Senate President Franklin M. Drilon and House Speaker Feliciano R. Belmonte, Jr. its first annual report, in compliance with Section 25 of the law. The report cited key events that transpired in 2013, including the submission of the draft Implementing Rules and Regulations (IRR) to Justice Secretary Leila M. De Lima in December 2013. It was also agreed in January 2014 that a technical working group composed of representatives from the Department of Justice, Department of Budget and Management, Department of Finance, BUCOR and the Civil Service Commission will be formed to improve coordination.

Secretary De Lima on July 4, 2013 submitted to the DBM the supplemental budget estimates for FY 2014 for the implementation of this law amounting to PhP2,306,808,643 broken down as:

Personal services: PhP 1,101,765,870

Capital outlay: PhP 1,205,042,773

Unfortunately, this proposal was not included by the DBM in the FY 2014 budget. However, with the support of the Asian Development Bank, the agency is currently preparing its five-year modernization plan in anticipation of the approval of the IRR.

On February 26 to 28, 2014, key BUCOR officials met at Stotsenberg Hotel in Clark, Pampanga to determine possible mechanisms and budget requirements for the law's implementation. Other concerns such as functional overlaps, lack of technology and lack of training are also being addressed by the agency.

To date, total population of inmates under the BUCOR has reached 39,075.

**R. A. No.
10576** **AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE TWELFTH JUDICIAL REGION TO BE STATIONED AT THE CITY OF KIDAPAWAN, PROVINCE OF NORTH COTABATO, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3018/H. NO. 6852) (Signed Into Law MAY 24, 2013)**

Status: The Supreme Court issued Administrative Matter No. 14-1-02-RTC dated January 21, 2014 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10577** **AN ACT CREATING TWO (2) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE NINTH JUDICIAL REGION TO BE STATIONED AT THE MUNICIPALITY OF IPIL, PROVINCE OF ZAMBOANGA SIBUGAY, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3027/H. NO. 6858) (Signed Into Law MAY 24, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10578** **AN ACT CREATING TWO (2) ADDITIONAL BRANCHES OF THE MUNICIPAL TRIAL COURT IN CITIES AND SEVEN (7) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE SEVENTH JUDICIAL REGION TO BE STATIONED AT THE CITY OF LAPU-LAPU, PROVINCE OF CEBU, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3035/H. NO. 5744) (Signed Into Law MAY 24, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10579** **AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE SEVENTH JUDICIAL REGION TO BE STATIONED AT THE MUNICIPALITY OF TALIBON, PROVINCE OF BOHOL, FURTHER AMENDING FOR THE PURPOSE BATAS**

PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3037/H. NO. 6849) (Signed Into Law MAY 24, 2013)

Status: The Supreme Court is yet to issue the relevant court resolution.

R. A. No. 10580 **AN ACT CREATING FIVE (5) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE FOURTH JUDICIAL REGION TO BE STATIONED AT THE MUNICIPALITY OF MORONG, PROVINCE OF RIZAL, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3041/H. NO. 6856) (Signed Into Law MAY 24, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

R. A. No. 10581 **AN ACT CREATING FOUR (4) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE THIRD JUDICIAL REGION TO BE STATIONED AT THE CITY OF OLONGAPO, PROVINCE OF ZAMBALES, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3052/H. NO. 5531) (Signed Into Law MAY 24, 2013)**

Status: The Supreme Court is yet to issue the relevant court

resolution.

**R. A. No.
10582**

AN ACT CREATING SIX (6) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE THIRD JUDICIAL REGION TO BE STATIONED AT THE CITY OF ANGELES, PROVINCE OF PAMPANGA, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3056/H. NO. 6853) (Signed Into Law MAY 24, 2013)

Status:

The Supreme Court issued Administrative Matter No. 13-12-266-RTC dated March 18, 2014 to implement this law. However, organization of this court is on hold until such time that the Department of Budget and Management releases the relevant Supplemental Allotment Release Order and Notice of Cash Allocation.

**R. A. No.
10592**

AN ACT AMENDING ARTICLES 29, 94, 97, 98 AND 99 OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE (S. NO. 3064 / H. NO. 417) (Signed into Law MAY 29, 2013)

Features:

This law defines exceptions in the crediting of preventive imprisonment in the service of the sentence of offenders or accused party, specifically:

- *When they are recidivists, or have been convicted previously twice or more times of any crime; and*
- *When upon being summoned for the execution of their sentence they have failed to surrender voluntarily.*

Offenders or accused who are not exempted from this provision must agree voluntarily, in writing, after being informed of the effects of this law, and with the assistance of counsel, to abide by the same disciplinary rules imposed upon convicted prisoners. If the prisoner does not agree,

four-fifths of the time during which he has undergone preventive imprisonment shall be credited in the service of his or her sentence. Credit for preventive imprisonment for the penalty of reclusion perpetua shall be deducted from 30 years.

Meanwhile, those who have undergone preventive imprisonment for a period equal to the possible maximum imprisonment of the offense charged to which he or she may be sentenced, and his or her case is not yet terminated, shall be released immediately without prejudice to the continuation of the trial or the proceeding on appeal, subject to certain provisions. Further, criminal liability is extinguished partially via the following:

- *Conditional pardon;*
- *Commutation of the sentence; and*
- *For good conduct allowances which the culprit may earn while he/she is undergoing preventive imprisonment or serving his/her sentence.*

RA 10592 also defines allowance for good conduct. Allowance is likewise given for loyalty i.e. prisoners who were able to evade preventive imprisonment or the service of his or her sentence under the circumstances mentioned in Article 158 gives himself or herself up to the authorities within 48 hours following the issuance of a proclamation announcing the end of the calamity or catastrophe referred to in said article.

Status: The Implementing Rules and Regulations (IRR) of the law were issued by the Department of Justice and the Department of Interior and Local Government on March 26, 2014. It was published in the Philippine Daily Inquirer, a newspaper of general circulation on April 3, 2014.

**R. A. No.
10602** **AN ACT CREATING FOUR (4) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE TENTH JUDICIAL REGION TO BE STATIONED AT THE CITY OF MALAYBALAY, PROVINCE OF BUKIDNON, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3026/H. NO. 5341) (Signed Into Law JUNE 11, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10603** **AN ACT CREATING TWO (2) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE FOURTH JUDICIAL REGION TO BE STATIONED AT THE MUNICIPALITY OF SAN MATEO, PROVINCE OF RIZAL, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3042/H. NO. 6856) (Signed Into Law JUNE 11, 2013)**

Status: The Supreme Court is yet to issue the relevant court resolution.

**R. A. No.
10608** **AN ACT CREATING TWO (2) ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE ELEVENTH JUDICIAL REGION TO BE STATIONED AT THE MUNICIPALITY OF POLOMOLOK, PROVINCE OF SOUTH COTABATO, FURTHER AMENDING FOR THE PURPOSE BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS “THE JUDICIARY REORGANIZATION ACT**

OF 1980", AS AMENDED, AND APPROPRIATING FUNDS THEREFORE (S. NO. 3020/H. NO. 6743) (Signed Into Law AUGUST 22, 2013)

Status: The Supreme Court is yet to issue the relevant court resolution.

**LABOR, EMPLOYMENT AND
HUMAN RESOURCES DEVELOPMENT**

**R. A. No.
10151** **AN ACT ALLOWING THE EMPLOYMENT OF NIGHT WORKERS, THEREBY REPEALING ARTICLES 130 AND 131 OF PRESIDENTIAL DECREE NUMBER FOUR HUNDRED FORTY-TWO, AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES (S. NO. 2701/H. NO. 4276) (Signed Into Law JUNE 21, 2011)**

Features: *This Act defines 'night' workers as any employee whose work requires performance of substantial number of hours of night work exceeding a limit to be specified by the Labor Secretary after consulting with stakeholders. It gives workers the right to undergo free health assessment if requested, requires employers to provide first-aid facilities and other support facilities such as sleeping quarters and transportation, provides an avenue for the transfer of unfit night workers to another job for which they are fit to work, makes available alternatives to night work for women workers with pregnancy, childbirth or childcare needs, and calls on the Department of Labor and Employment to promulgate regulations in addition to existing ones to ensure the safety and protection of night workers. Violators will be penalized with fines ranging from ₱30,000 to ₱50,000, or at least six (6) months'*

imprisonment, or both.

Status: According to Assistant Secretary and DLLO Joji V. Aragon in her letter to the Senate dated September 5, 2012, the Rules Implementing R.A. No. 10151 (Department Order No. 119-12) was issued by DOLE-Secretary Rosalinda Dimapilis-Baldoz on January 20, 2012. The same was published in the Philippine Star on January 28, 2012.

As of September 5, 2012, the DOLE has not received any complaint or information on non-compliance of the provisions of the said law and its Implementing Rules and Regulations (IRR). Moreover, the DOLE wanted to underscore that it has included in its Learning Sessions under its Labor and Employment Education Program, information on the said law and its IRR so that the public is properly informed on the matter. The DOLE has been invited by the stakeholders (employer and workers) in their seminars to discuss and enlighten them of the provisions of the law.

(As of May 31, 2013)

R. A. No. 10361	AN ACT INSTITUTING POLICIES FOR THE PROTECTION AND WELFARE OF DOMESTIC WORKERS (S. NO. 78 / H. NO. 6144) (Signed into Law JANUARY 18, 2013)
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Features: *The “Domestic Workers Act” defines a domestic worker or “kasambahay” as any person engaged in domestic work within an employment relationship except those who perform domestic work only occasionally or sporadically and not on an occupational basis.*

RA 10361 outlines the rights and privileges of domestic workers, which include board, lodging and medical

attendance; privacy; access to outside communication; and training and education. It sets the minimum rest period, extent of duty, and the minimum wage of workers, which shall not be less than PhP 2,500 for those working in Metro Manila. Domestic workers are also entitled to leave, social security and other benefits subject to certain conditions. Meanwhile, private employment agencies shall be regulated by the Department of Labor and Employment (DOLE) to ensure the protection of domestic workers hired through these agencies.

Status:

Acting Director Ahmma Charisma Lobrin-Satumba of the DOLE Bureau of Workers with Special Concerns (BWSC) reported to the Senate that the agency led the preparation of the Implementing Rules and Regulations (IRR) in coordination with partner agencies. The IRR was signed on May 9, 2013 and became effective on June 4, 2013. Pursuant to DOLE Administrative Order No. 207-13, BWSC has undertaken various advocacy activities and meetings with partner agencies such as the Social Security System (SSS), PAG-IBIG Fund, Philhealth, Department of Interior and Local Government (DILG) and other DOLE offices involved in the implementation of this law. Below is a summary of DOLE activities related to the implementation of RA 10361:

Area of concern		Status of implementation
1	Compliance with labor standards	As of December 31, 2013, requests for assistance filed by <i>kasambahay</i> (domestic worker) at the National Conciliation and Mediation Board (NCMB) Central Office and in six regions totaled 57. 32 cases were settled and 16 cases were withdrawn. 27

		<p>workers received monetary benefits totaling PhP 371,301.</p> <p>Single entry desk officers were oriented on the features of the law to improve handling of requests for assistance involving domestic workers.</p>
2	Safety and health standards	The occupational safety and health guidelines for <i>kasambahay</i> have been drafted. These guidelines were produced in consultation with stakeholders and are awaiting the approval of the DOLE secretary.
3	Licensing and regulation with private employment agencies	The revised guidelines on private recruitment and placement agencies have been submitted to the DOLE Secretary for review and approval.
4	National certificate on household services customized for local hired <i>kasambahay</i>	Training regulation was reviewed and consultation with relevant non-government organizations was conducted. Meanwhile, amendment of HSW NC II (training program) was promulgated by the board of the Technical Education and Skills Development Authority on December 17, 2013 per Resolution No. 15-2013.
5	Adjustment of the	A review of the current

	monthly minimum wages for <i>kasambahay</i>	minimum wage and criteria was undertaken, while a policy framework and draft guidelines for determining minimum wage were developed. Guidelines on competency-based pay for domestic workers were also developed.
6	Information dissemination on the provisions of the IRR	Information is continuously being disseminated and regional action plans are being prepared
7	Designation of <i>kasambahay</i> desk officers in all regional offices	All regional offices already have designated desk officers
8	Oversight on the implementation of the law through the Tripartite Industrial Peace Council (TIPC)	Resolution No. 9 Series of 2013 approved on October 10, 2013
9	<i>Kasambahay</i> unified registration system	<p>A joint memorandum order on the guidelines and procedures on the unified registration system was issued in February 2014 i.e. registration in one agency means registration in all three (SSS, PAG-IBIG and Philhealth). The system will be fully operational in December 2014.</p> <p>So far: 116,500 registered with SSS (as of April 14, 2014); 23,071 registered with PAG-IBIG (as of</p>

		December 2013); 41,235 registered with Philhealth (as of September 2013)
10	Barangay registration	DILG reported a total of 982 barangay with 8,744 registered <i>kasambahay</i> as of November 12, 2013
11	Rescue and rehabilitation of abused <i>kasambahay</i>	<p>The draft protocol on rescue and rehabilitation of abused <i>kasambahay</i> has undergone seven consultation meetings with concerned agencies and will soon be subject to a wider consultation involving local government units, homeowner associations, public employment agencies and <i>kasambahay</i> associations.</p> <p>A press release on the rescue and rehabilitation of abused <i>kasambahay</i> (as well as the unified registration system) has been published in the Philippine Daily Inquirer</p>

**R. A. No.
10395**

AN ACT STRENGTHENING TRIPARTISM, AMENDING FOR THE PURPOSE ARTICLE 275 OF PRESIDENTIAL DECREE NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE "LABOR CODE OF THE PHILIPPINES" (S. NO. 2921 / H. NO. 6685) (Signed into Law MARCH 14, 2013)

Features:

This law establishes a National Tripartite Industrial Peace Council (TIPC), which will monitor the

implementation and compliance of concerned sectors with the provisions of all tripartite instruments, as well as review existing labor, economic and social policies and evaluate local and international developments affecting them, among others. TIPC's shall be established at the regional or industry level and shall be composed of representatives from government, workers and industry.

Status: According to the Department of Labor and Employment (DOLE), the draft Implementing Rules and Regulations of the law were subject for discussion of the Tripartite Executive Committee (TEC) and subsequently of the Tripartite Industrial Peace Council (TIPC) in May 2013. There are existing IRRs in Department Order forms and the same are being reviewed in light of this new legislation.

The bill was developed, processed and endorsed with support from the tripartite partners – labor, employer and government – of the TIPC and its TEC. As such, the Department of Labor and Employment does not foresee any problem with regard to its implementation.

According to the DOLE, taking into account the administration's thrust to "work with the private and labor sector to strengthen tripartite cooperation and promote industrial peace", and to "reform arbitration and adjudication systems by streamlining procedures, removing red tape, and at the same time restore integrity in the system", the department believes that the passage of the Tripartism Law will reinforce the commitment to engage all relevant partners in decision and policy-making processes within the purview of existing tripartite mechanisms and rationalize the processes of dispute settlement for all labor cases.

(As of May 31, 2013)

**R. A. No.
10396**

AN ACT STRENGTHENING CONCILIATION-MEDIATION AS A VOLUNTARY MODE OF DISPUTE SETTLEMENT FOR ALL LABOR CASES, AMENDING FOR THIS PURPOSE ARTICLE 228 OF PRESIDENTIAL DECREE NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE “LABOR CODE OF THE PHILIPPINES” (S. NO. 2918 / H. NO. 6686) (Signed into Law MARCH 14, 2013)

Features:

This law promotes conciliation-mediation by requiring it in all issues arising from labor and employment. Any or both parties involved in the dispute may pre-terminate the proceedings and request referral or endorsement to the appropriate Department of Labor and Employment agency or office which has jurisdiction over the dispute, or if both parties so agree, refer the unresolved issues to voluntary arbitration.

Status:

According to the Department of Labor and Employment (DOLE), the draft Implementing Rules and Regulations of the law were subject for discussion of the Tripartite Executive Committee (TEC) and subsequently of the Tripartite Industrial Peace Council (TIPC) in May 2013. There are existing IRRs in Department Order forms and the same are being reviewed in the light of this new legislation.

The bill was developed, processed and endorsed with support from the tripartite partners – labor, employer and government – of the TIPC and its TEC. As such, the Department of Labor and Employment does not foresee any problem with regard to its implementation.

According to the DOLE, taking into account the administration’s thrust to “work with the private and labor sector to strengthen tripartite cooperation and promote industrial peace”, and to “reform arbitration and adjudication systems by streamlining procedures, removing red tape, and at the same time restore integrity in the system”, the department

believes that the passage of the Conciliation-Mediation Law will reinforce the commitment to engage all relevant partners in decision and policy-making processes within the purview of existing tripartite mechanisms and rationalize the processes of dispute settlement for all labor cases.

(As of May 31, 2013)

LOCAL GOVERNMENT

R. A. No. 10160 **AN ACT CONVERTING THE MUNICIPALITY OF BACOR IN THE PROVINCE OF CAVITE INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF BACOR (H. NO. 4730) (Signed Into Law APRIL 11, 2012)**

Features: *This Act outlines the corporate and general powers of the city, as well as the jurisdiction, city officials, city mayor and vice mayor, Sangguniang Panlungsod, legislation process, disqualification and succession of elective city officials, appointive officials and other offices.*

The city shall acquire corporate existence upon ratification by a majority of votes cast by qualified voters in the present Municipality of Bacor within thirty (30) days from approval of this Act. The Commission on Elections shall conduct and supervise such plebiscite, but the expenses will be borne by the municipality. Present elective officials shall continue to exercise their powers and functions until a new election is held and the duly-elected officials have already qualified and assumed their offices. Appointive officials and employees will likewise continue exercising their functions and duties and they shall be automatically absorbed by the city government of Bacor. The city is prohibited from

increasing local tax rates within five (5) years from its acquisition of corporate existence.

Status: Date of plebiscite: June 23, 2012

Affirmative votes: 36,226

Negative votes: 3,854

Ratified and approved.

R. A. No. **AN ACT CONVERTING THE MUNICIPALITY OF**
10161 **IMUS IN THE PROVINCE OF CAVITE INTO A**
 COMPONENT CITY TO BE KNOWN AS THE CITY
 OF IMUS (Signed Into Law APRIL 11, 2012)

Features: *This Act outlines the corporate and general powers of the city, as well as the jurisdiction, city officials, city mayor and vice mayor, Sangguniang Panlungsod, legislation process, disqualification and succession of elective city officials, appointive officials and other offices.*

The city shall acquire corporate existence upon ratification by a majority of votes cast by qualified voters in the present Municipality of Imus within thirty (30) days from approval of this Act. The Commission on Elections shall conduct and supervise such plebiscite, but the expenses will be borne by the municipality. Present elective officials shall continue to exercise their powers and functions until a new election is held and the duly-elected officials have already qualified and assumed their offices. Appointive officials and employees will likewise continue exercising their functions and duties and they shall be automatically absorbed by the city government of Imus. The city is prohibited from increasing local tax rates within five (5) years from its acquisition of corporate existence.

Status: Date of plebiscite: June 30, 2012

Affirmative votes: 20,438

Negative votes: 2,304

Ratified and approved.

**R. A. No.
10163** **AN ACT CONVERTING THE MUNICIPALITY OF
CABUYAO IN THE PROVINCE OF LAGUNA INTO A
COMPONENT CITY TO BE KNOWN AS THE CITY
OF CABUYAO (H. NO. 4259) (Signed Into Law
MAY 16, 2012)**

Features: *This Act outlines the corporate and general powers of the city, as well as the jurisdiction, city officials, city mayor and vice mayor, Sangguniang Panlungsod, legislation process, disqualification and succession of elective city officials, appointive officials and other offices.*

The city shall acquire corporate existence upon ratification by a majority of votes cast by qualified voters in the present Municipality of Cabuyao within thirty (30) days from approval of this Act. The Commission on Elections shall conduct and supervise such plebiscite, but the expenses will be borne by the municipality. Present elective officials shall continue to exercise their powers and functions until a new election is held and the duly-elected officials have already qualified and assumed their offices. Appointive officials and employees will likewise continue exercising their functions and duties and they shall be automatically absorbed by the City Government of Cabuyao. The city is prohibited from increasing local tax rates within five (5) years from its acquisition of corporate existence.

Status: Date of plebiscite: August 4, 2012

Affirmative votes: 22,132

Negative votes: 2,538

Ratified and approved.

R. A. No. 10164 **AN ACT CONVERTING THE MUNICIPALITY OF MABALACAT IN THE PROVINCE OF PAMPANGA INTO A COMPONENT CITY TO BE KNOWN AS MABALACAT CITY (H. NO. 4736) (Signed Into Law MAY 15, 2012)**

Features: *This Act outlines the corporate and general powers of the city, as well as the jurisdiction, city officials, city mayor and vice mayor, Sangguniang Panlungsod, legislation process, disqualification and succession of elective city officials, appointive officials and other offices.*

The city shall acquire corporate existence upon ratification by a majority of votes cast by qualified voters in the present Municipality of Mabalacat within thirty (30) days from approval of this Act. The Commission on Elections shall conduct and supervise such plebiscite, but the expenses will be borne by the municipality.

Present elective officials shall continue to exercise their powers and functions until a new election is held and the duly-elected officials have already qualified and assumed their offices. Appointive officials and employees will likewise continue exercising their functions and duties and they shall be automatically absorbed by the City Government of Mabalacat. The city is prohibited from increasing local tax rates within five (5) years from its acquisition of corporate existence.

Status: Date of plebiscite: July 21, 2012

Affirmative votes: 14,078

Negative votes: 5,389

Ratified and approved.

R. A. No. 10169 **AN ACT CONVERTING THE MUNICIPALITY OF ILAGAN IN THE PROVINCE OF ISABELA INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF ILAGAN (Signed Into Law JUNE 21, 2012)**

Features: *This Act outlines the corporate and general powers of the city, as well as the jurisdiction, city officials, city mayor and vice mayor, Sangguniang Panlungsod, legislation process, disqualification and succession of elective city officials, appointive officials and other offices.*

The city shall acquire corporate existence upon ratification by a majority of votes cast by qualified voters in the present Municipality of Ilagan within thirty (30) days from approval of this Act. The Commission on Elections shall conduct and supervise such plebiscite, but the expenses will be borne by the municipality.

Present elective officials shall continue to exercise their powers and functions until a new election is held and the duly-elected officials have already qualified and assumed their offices. Appointive officials and employees will likewise continue exercising their functions and duties and they shall be automatically absorbed by the City Government of Ilagan. The city is prohibited from increasing local tax rates within five (5) years from its acquisition of corporate existence.

Status: Date of plebiscite: August 11, 2012

Total number of registered voters: 83,511

Total number of voters who actually
voted: 57,075

Affirmative votes: 54,512

Negative votes: 2,386

Ratified and approved.

R. A. No. **AN ACT REAPPORTIONING THE SECOND (2ND)**
10170 **LEGISLATIVE DISTRICT OF QUEZON CITY,**
 THEREBY CREATING TWO (2) ADDITIONAL
 LEGISLATIVE DISTRICTS AND TWELVE (12)
 SANGGUNIANG PANLUNGSOD SEATS FROM SUCH
 REAPPORTIONMENT (H. NO. 4245) (Signed Into
 Law JULY 2, 2012)

Features: *This Act reapportions the Second (2nd) Legislative District of Quezon City into the fifth (5th) Legislative District, Sixth (6th) Legislative District and Second (2nd) Legislative District. After the effectivity of the Act, six (6) regular Sangguniang Panlungsod members representing each of the 5th and 6th Districts shall be elected in the next national and local elections. Incumbent 2nd District Representative and Sangguniang Panlungsod members shall continue to hold office until the new officials have been elected and qualified. The Commission on Elections is tasked with issuing the implementing rules and regulations of this Act.*

Status: COMELEC issued Minute Resolution No. 12-0889 dated October 9, 2012 which approved the recommendation of Deputy Executive Director for Operations Bartolome J. Sinocruz that the newly created district in Quezon City shall remain under the administrative and

operational supervision of the district where it came from, and COMELEC Minute Resolution No. 12-0901 dated October 16, 2012 which granted the request of NCR Director Jubil S. Surmieda for authority to make representations with the local government units concerned on the provision of office space and utilities; Provided, that for all practical purposes the office space shall be adjacent to the respective offices of the Election Officer, with instruction to submit report thereon to the Commission en banc, and to direct Director Surmieda to assign two (2) Election Assistants for Districts 5 and 6 of Quezon City, both under the supervision of the Election Officer of District 2, said city.

R. A. No. 10171 **AN ACT REAPPORTIONING THE PROVINCE OF PALAWAN INTO THREE (3) LEGISLATIVE (H. NO. 5608) (Signed Into Law JULY 19, 2012)**

Features: *This Act reapportions the Province of Palawan into three (3) legislative districts beginning in the next national and local elections after the effectivity of the Act.*

Incumbent representatives of the province shall continue to represent their respective districts until the new representatives have been elected and qualified. The Commission on Elections shall issue the rules and regulations of the Act.

Status: The Commission on Elections (COMELEC) provided the Senate with its Minute Resolution No. 12-0753 dated 29 August 2012, entitled “*In the Matter of the Letter of Mayor Edward S. Hagedorn, Puerto Princesa City, Palawan, Re Publication and Effectivity of Republic Act No. 10171 entitled “An Act Reapportioning the Province of Palawan Into Three (3) Legislative Districts.”*”

The letter of Mayor Hagedorn addressed to Chairman Sixto S. Brillantes, Jr. reads:

*“May I respectfully inform your Honor that **Republic Act No. 10171** entitled ‘**AN ACT REAPPORTIONING THE PROVINCE OF PALAWAN INTO THREE (3) LEGISLATIVE DISTRICTS**’ was published on July 24, 2012 and will take effect fifteen (15) days after its publication in any newspaper of general circulation or on August 8, 2012.*

In view of the proximity of the deadline for filing of certificates of candidacy, may I respectfully request to take appropriate action to include the newly created legislative district pursuant to the mandate under Section 3 of the said law.

*Attached are photocopies of **Republic Act No. 10171** and pertinent page of Philippine Star.*

Hoping for your usual prompt action on this matter.”

The dispositive portion of the COMELEC Minute Resolution states:

“The Commission RESOLVED, as it hereby RESOLVES, as follows:

1. To note the foregoing matter; and
2. To direct the departments/offices concerned to consider R.A. No. 10171 in the preparations for the May 2013 Elections.

(As of May 31, 2013)

R. A. No. 10177 **AN ACT REAPPORTIONING THE PROVINCE OF COTABATO INTO THREE (3) LEGISLATIVE DISTRICTS (H. NO. 4111) (Signed into Law SEPTEMBER 14, 2012)**

Status: The law has been fully implemented and was already in place for the May 13, 2013 National and Local Elections.

RESOLUTION NO. 9525

“X X X

WHEREAS, pursuant to Department Order No. 23-08 of the Bureau of Local Government Finance (DOF) dated July 29, 2008, Cotabato is classified as first class province, hence, entitled to ten (10) seats for the *Sangguniang Panlalawigan*; and based on the 2010 census, the population of the province of Cotabato for the First, Second and Third *Sangguniang* Districts with the corresponding number of seats are as follows:

<i>Sangguniang</i> District	Population	Number of Seats
First	445,013	4
Second	361,163	3
Third	420,332	3

NOW, THEREFORE, pursuant to Section 3 of Republic Act No. 7166, the Commission *En Banc* **RESOLVES**, as it hereby **RESOLVED**, to allocate seats for the *Sangguniang Panlalawigan* for the province of Cotabato, as follows:

First (1 st) Legislative District	Second (2 nd) Legislative Districts	Third (3 rd) Legislative Districts
First (1 st) <i>Sangguniang</i> District - 4 seats	Second (2 nd) <i>Sangguniang</i> District - 3 seats	Third (3 rd) <i>Sangguniang</i> District - 3 seats
1 Alamada	1 Antipas	1 Banisilan

2	Aleoson	2	Arakan	2	Carmen
3	Libungan	3	Magpet	3	Kabakan
4	Midsayap	4	Makilala	4	Matalam
5	Pigkawayan	5	President Roxas	5	M'lang
6	Pikit		<i>City of Kidapawan</i>	6	Tulunan

x x x . . .”

R. A. No. 10184 **AN ACT REAPPORTIONING THE PROVINCE OF BUKIDNON INTO FOUR (4) LEGISLATIVE DISTRICTS (H. NO. 5236) (Signed into Law SEPTEMBER 28, 2012)**

Status: The law has been fully implemented and was already in place for the May 13, 2013 National and Local Elections.

RESOLUTION NO. 9539

“x x x

WHEREAS, pursuant to Department Order No. 23-08 of the Bureau of Local Government Finance (DOF) dated July 29, 2008, Bukidnon is classified as a first class province, hence, entitled to ten (10) seats for the *Sangguniang Panlalawigan*; and based on the 2010 census, the population of the province of Bukidnon for the First, Second, Third, and Fourth *Sangguniang* Districts with the corresponding number of seats, are as follows:

Sangguniang Districts	Population	Number of Seats
First	278,958	2
Second	335,240	3
Third	414,816	3
Fourth	270,178	2

WHEREAS, the period for the filing of Certificate of Candidacy for purposes of the May 13, 2013 National Elections is from October 1-5, 2012;

NOW, THEREFORE, pursuant to Section 3 of Republic Act No. 7166, the *Commission En Banc* **RESOLVES**, as it hereby **RESOLVED**, to:

1. Allocate seats for the Member of House of Representatives and *Sangguniang Panglalawigan* for the province of Bukidnon, as follows:

First (1 st) Legislative District		Second (2 nd) Legislative District	
First (1 st) <i>Sangguniang</i> District - 2 seats		Second (2 nd) <i>Sangguniang</i> District - 3 seats	
1	Baungon	1	Cabanglasan
2	Libona	2	Impasug-ong
3	Malitbog	3	Lantapan
4	Manolo Fortich	4	San Fernando
5	Sumilao		<i>City of Malaybalay</i>
6	Talakag		<i>-nothing follows-</i>

Third (3 rd) Legislative District			
Third (3 rd) <i>Sangguniang</i> District - 3 seats			
1	Damulog	5	Kibawe
2	Dangcagan	6	Kitaotao
3	Don Carlos	7	Maramag
4	Kadingilan	8	Quezon

Fourth (4 th) Legislative District			
Fourth (4 th) <i>Sangguniang</i> District - 2 seats			
1	Kalilangan	2	Pangantucan
3 Valencia City			

2. To consider the candidates who filed their certificates of candidacies for Member, House of Representatives and *Sangguniang Panglalawigan*, respectively, as candidates of the District where they are registered voters, based on the new districting;

3. To adjust the total number of seats to be voted and the number of seats for the Members of the House of Representatives, for the May 13, 2013 National and Local Elections to wit:

Elective Position	From	To
Total Seats for the 2013 Elections	18,053	18,054
Members, House of Representatives	233	234

4. Matters not covered by this Resolution shall be submitted to the Commission en banc for its consideration.

x x x . . .”

R. A. No. 10360 **AN ACT CREATING THE PROVINCE OF DAVAO OCCIDENTAL (H. NO. 4451) (Signed into Law JANUARY 14, 2013)**

Features: *This law creates a new province from the present Province of Davao del Sur to be known as the Province of Davao Occidental, consisting of the municipalities of Sta. Maria, Malita (capital town and seat of government), Don Marcelino, Jose Abad Santos and Sarangani. It outlines the powers and functions of elective and appointive officials of the province, as well as the duties and responsibilities of the provincial fire station service, jail service, schools division and prosecution service. The province will be created upon approval by the majority of the votes cast by the voters of the affected areas in a plebiscite to be conducted and supervised by the Commission on Elections.*

Status: COMELEC issued Minute Resolution No. 13-0442 dated

March 27, 2013 which scheduled at another time after the May 13, 2013 Elections the conduct of the plebiscite to ratify the creation of the Province of Davao Occidental considering that the Commission was then in the thick of preparations for the May 13, 2013 National and Local Elections, and considering further that the Commission has adopted, as a general policy, to postpone all pending plebiscites until after the May 13, 2013 Elections.

On October 30, 2013, a plebiscite was held which ratified and approved the measure.

R. A. No. 10420 **AN ACT CONVERTING THE MUNICIPALITY OF SAN PEDRO IN THE PROVINCE OF LAGUNA INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF SAN PEDRO (H. NO. 5786) (Signed into Law MARCH 27, 2013)**

Features: *This law converts the Municipality of San Pedro into a component city to be known as the City of San Pedro, comprising the present territory of the Municipality of San Pedro, Province of Laguna. It outlines the powers and functions of elective and appointive officials of the city, as well as the duties and responsibilities of the city fire station service, jail service, schools division and prosecution service. The city will be created upon approval by the majority of the votes cast by the voters of the affected areas in a plebiscite to be conducted and supervised by the Commission on Elections.*

Status: A plebiscite was held on December 28, 2013, which ratified and approved the measure.

Total number of registered voters : 160,777
Number of actual votes : 17,783
Affirmative votes : 16,996
Negative votes : 869

NATIONAL DEFENSE AND SECURITY

**R. A. No.
10349**

**AN ACT AMENDING REPUBLIC ACT NO. 7898,
ESTABLISHING THE REVISED AFP
MODERNIZATION PROGRAM AND FOR OTHER
PURPOSES (S. NO. 3164/ H. NO. 6410) (Signed
into Law DECEMBER 11, 2012)**

Features:

This law states that the Armed Forces of the Philippines (AFP) modernization program must entail the development and employment of capabilities that can address assessed threats. The acquisition of air force, navy and army equipment and material shall be made in accordance with the need to develop AFP capabilities pursuant to its modernization objectives, and the acquisition of new equipment and weapons systems shall be synchronized with the phase-out of uneconomical and obsolete major equipment and weapons systems in the AFP inventory.

It bars the purchase of major equipment and weapons systems that are not being used by the armed forces in the country of origin or by the armed forces of at least two countries. Only offers from suppliers who are also manufacturers may be entertained, and only supply contracts with clear provisions for after-sales services and the availability of spare parts may be entered into. This law also outlines the objectives of human resource development and doctrines development.

This law amends Republic Act No. 7898 to include the following components of the Armed Forces of the Philippines (AFP) modernizations program: (1) capability, material and technology development, (2) human resource development, and (3) doctrines development. It also institutionalizes the Revised AFP Modernization Act Trust Fund.

The revised AFP modernization program will be

implemented within 15 years from this law's passage. However, payments for amortization of outstanding multi-year contract, obligations incurred under this law may extend beyond 15 years. Funding for the first five years of this program's implementation is set at ₱75 billion.

Status: Undersecretary Pio Lorenzo F. Batino of the Department of National Defense reported that the acquisition or upgrading of equipment shall be towards the development of AFP's capability to address both internal and external threats.

Acceleration of the procurement process of remaining projects for CY 2013-2014 were pursued with the issuance or revalidation of their respective Special Allotment Release Orders. The 24 projects under this program are being processed with majority of them undergoing advanced stages of procurement. Aside from the stringent procurement process under RA 9184, a rigorous screening and prioritization scheme based on the Defense System of Management process requires several levels of deliberation before approval at the department level. This is to ensure that equipment acquired is appropriate to fill AFP's capability gaps.

Revised AFP Modernization Program
(as of March 12, 2014)

Equipment	Quantity
Radio, HF 50 W (VEH)	60
Radio, 2-5W Handheld	1,446
Rocket Launcher Light	774
Night Fighting System	4,464
Shore-based Missile System	1 lot
Air Defense Surveillance Radar Systems	3
Close Air Support Aircraft	6
Combat Utility Helicopter	8
Fighter/Surface Attack/Lead-in Fighter Trainer Aircraft	12

Long-range Patrol Aircraft	2
Basing Support System (F/SA/LIFT)	2 lots
Basing Support System (Radar)	3 lots
Basing Support System (LRPA)	3 lots
Munitions	4 lots
Flight Simulator	1
Helicopter (Anti-submarine Warfare-capable)	2
Frigate	2
Multi-purpose Attack Craft (Mrk III)	3
Amphibious Assault Vehicle	8
MarFor Imagery Targeting and Support System (MITSS)	2 lots
Base Support and Logistics	10 lots
GHQ Light Utility Vehicle	46
AFP C4ISTAR System	2 phases
AFP Civil Engineering Equipment	Lots

Source: Department of National Defense

The Implementing Rules and Regulations of this law were issued on April 11, 2013.

PUBLIC INFORMATION AND MASS MEDIA

**R. A. No.
10390**

AN ACT AMENDING REPUBLIC ACT NO. 7306, ENTITLED “AN ACT PROVIDING FOR THE ESTABLISHMENT OF THE PEOPLE’S TELEVISION NETWORK, INCORPORATED, DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FOR ITS SOURCES OF FUNDING AND FOR OTHER PURPOSES” (S. NO. 3316/H. NO. 6703) (Signed into Law MARCH 14, 2013)

Features:

Known as “An Act Revitalizing the People’s Television Network, Incorporated”, this law allows the People’s

Television Network (PTV) to use blocktimers (limited to education, sports, tourism, quality entertainment programs, and programs that promote public interest), as well as to generate revenue from advertising and airtime sales. Gifts and donations to the network shall be exempt from donor's tax and the same shall be considered as an allowable deduction from the gross income of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended. It also requires PTV to provide subsidized airtime to legitimate people's organizations and nongovernment organizations (NGOs) in the promotion of their programs and projects.

Meanwhile, this law exempts positions considered as creative and artistic in nature from the Civil Service Code coverage of network employees. The network shall also have its own compensation and position classification system. Further, 90 days from the approval of this Act, the Board of Directors is directed to reorganize the network to make it more effective and innovative by abolishing or creating offices; transferring functions, equipment, properties, records and personnel; and instituting cost-cutting and other related measures.

R. A. 10390 increases the capital stock of the People's Television Network from ₱1B to ₱6B.

Status: Assistant Secretary Jess Anthony Q. Yu of the Presidential Communications Operations Office reported that after the passage of this law, the agency prepared and published its Implementing Rules and Regulations (IRR) after consulting with different stakeholders. The IRR was published in two newspapers of general circulation on August 3, 2013 and was thereafter submitted to the University of the Philippines Law Center.

After publication of the IRR, the Board of Directors authorized the PTV General Manager to start the process of reorganization pursuant to the provisions of

RA 10390. PTV management is currently working and consulting with concerned government agencies and stakeholders in the process of finalizing its reorganization plan for submission to the Governance Commission for GOCCs.

R. A. No. 10515 **AN ACT PROHIBITING AND PENALIZING UNAUTHORIZED INTERCEPTION, RECEPTION OR USE OF ANY SIGNAL OR SERVICE OVER A CABLE TELEVISION SYSTEM OR CABLE INTERNET SYSTEM AND/OR NETWORK, AND FOR OTHER PURPOSES (S. NO. 3345 / H. NO. 709) (Signed into Law APRIL 17, 2013)**

Features: *The “Anti-Cable Television and Cable Internet Tapping Act of 2013” prohibits the following:*

- *Intercepting or receiving, or assisting in intercepting or receiving, any signal offered over a cable television system or a cable internet system by tapping, making or causing to be made, any connection to an existing CATV or cable internet system/network without the authority of the concerned service provider;*
- *Unauthorized recording, reproducing, distributing, importing or selling any intercepted or received CATV system/network signals for commercial purposes without the authority of the concerned provider;*
- *Using or receiving any direct or indirect benefit, from any CATV or cable internet system/network with knowledge that it is a result of any of acts enumerated in paragraphs above; or*
- *Wantonly, maliciously and willfully damaging, destroying or removing CATV and/or cable internet facilities and accessories of authorized*

service providers.

Penalties range from two to five years imprisonment or a fine ranging from ₱50,000 to ₱100,000 or both.

Status: Commissioner Gamaliel A. Cordoba of the National Telecommunications Commission (NTC) informed the Senate that upon receiving a copy of the law, the NTC immediately drafted its Implementing Rules and Regulations (IRR). The draft IRR was sent to stakeholders for comment. The first public hearing was held on June 4, 2013 attended by officers and members of the Philippine Cable TV Association and Federation of International Cable Television Association of the Philippines, as well as other stakeholders. A second public hearing was held on September 12, 2013 to deliberate on the inputs and comments of stakeholders. After a thorough review of the draft guidelines, NTC approved the IRR on October 16, 2013 under NTC Memorandum Circular No. 04-10-2013. Copies of the guidelines were submitted to the University of the Philippines Law Center and published in the Philippine Star on October 18, 2013. The IRR finally took effect on November 2, 2013.

PUBLIC ORDER AND DANGEROUS DRUGS

**R. A. No.
10586** **AN ACT PENALIZING PERSONS DRIVING UNDER THE INFLUENCE OF ALCOHOL, DANGEROUS DRUGS, AND SIMILAR SUBSTANCES, AND FOR OTHER PURPOSES (S. NO. 3365 / H. NO. 4251) (Signed Into Law MAY 27, 2013)**

Features: *The “Anti-Drunk and Drugged Driving Act of 2013” seeks to*

penalize the act of driving under the influence of alcohol, dangerous drugs and other intoxicating substances, and to inculcate the standards of safe driving and the benefits that may be derived from it.

This law makes it unlawful for any person to drive a motor vehicle while under the influence of alcohol, dangerous drugs and/or other similar substances. A driver of a motor vehicle involved in a vehicular accident resulting in the loss of human life or physical injuries shall be subjected to chemical tests to determine the presence and/or concentration of alcohol, dangerous drugs and/or similar substances in the bloodstream or body. It also requires every applicant for a motor vehicle driver's license (including those applying for renewal) to complete a course of instruction that provides information on safe driving.

Within four months from effectivity of this law, the Land Transportation Office (LTO) and the Philippine National Police (PNP) shall acquire sufficient breath analyzers and drug-testing kits to be utilized by law enforcement officers and deputized local traffic enforcement officers nationwide. The LTO may deputize traffic enforcement officers of the PNP, the Metropolitan Manila Development Authority (MMDA) and cities and municipalities in order to enforce the provisions of this act.

Status: The Implementing Rules and Regulations (IRR) of the law were issued by the Department of Transportation and Communications, DILG, PNP and the Department of Health on April 28, 2014 and were published in the Philippine Daily Inquirer on May 16, 2014.

**R. A. No.
10591**

**AN ACT PROVIDING FOR A COMPREHENSIVE LAW
ON FIREARMS AND AMMUNITION AND PROVIDING
PENALTIES FOR VIOLATIONS THEREOF (S. NO.**

3397 / H. NO. 5484) (Signed into Law MAY 29, 2013)

Features: *This law sets the standards and requisites for issuing and obtaining a license to own and possess a firearm. The Chief of the Philippine National Police (PNP) through the Firearms and Explosive Office shall be authorized to issue licenses to qualified individuals and to cause the registration of firearms. Only small arms may be registered by licensed citizens or licensed juridical entities for ownership, possession and carrying of a concealed weapon. Only the AFP, the PNP and other law enforcement agencies may lawfully acquire or possess light weapons, as authorized by the President in the performance of their duties. Individuals or entities desiring to manufacture or deal in firearms and related items are subject to certain restrictions and qualifications.*

RA 10591 also defines and penalizes the unlawful acquisition or possession of firearms and ammunition, as well as the unlawful manufacture, importation, sale or disposition of firearms or ammunition or related items.

Status: The Implementing Rules and Regulations (IRR) of this law were published in the Philippine Daily Inquirer on December 7, 2013.

PUBLIC WORKS

**R. A. No.
10610** **AN ACT PROVIDING FOR THE CONSTRUCTION OF A FISH PORT IN THE MUNICIPALITY OF SAN VICENTE, PROVINCE OF NORTHERN SAMAR AND APPROPRIATING FUNDS THEREFORE (H. NO. 3080) (Signed Into Law AUGUST 23, 2013)**

Features: *This law mandates the construction of a fish port in San Vicente, Northern Samar, under the auspices of the Department of Agriculture (DA) through the Philippine Fisheries Development Authority (PFDA). Construction of the fish port shall be included in the DA's funding program under the General Appropriations Act, while the concerned local government unit (LGU) is mandated to set aside funds for its operationalization.*

Status: PFDA General Manager Eduardo M. Chu reported to the Senate that based on a preliminary appraisal on the proposed fish port facility in June 2011, it was found that the total marine fish production of the area amounted to 947 MT/year in 2010. This validates the need for the establishment of a fish port in the area. This site is currently included in PFDA's list of priority sites for further study.

R. A. No. 10615 **AN ACT PROVIDING FOR THE CONSTRUCTION OF A FISH PORT IN BARANGAY HAGNAYA, MUNICIPALITY OF SAN REMIGIO, PROVINCE OF CEBU AND APPROPRIATING FUNDS THEREFORE (H. NO. 3208) (Signed Into Law AUGUST 28, 2013)**

Features: *This law mandates the construction of a fish port in Barangay Hagnaya, San Remigio, Cebu, under the auspices of the Department of Agriculture (DA) through the Philippine Fisheries Development Authority (PFDA). Construction of the fish port shall be included in the DA's funding program under the General Appropriations Act, while the concerned local government unit (LGU) is mandated to set aside funds for its operationalization.*

Status: PFDA General Manager Eduardo M. Chu reported to the Senate that based on a preliminary appraisal on the proposed fish port facility in February 2013, it was found that the total marine fish production of the area

amounted to 8,560 MT/year in 2013. This validates the need for the establishment of a fish port in the area. This site is currently included in PFDA's list of priority sites for further study.

**R. A. No.
10616** **AN ACT PROVIDING FOR THE ESTABLISHMENT OF
A FISH PORT IN THE CITY OF DAGUPAN, PROVINCE
OF PANGASINAN AND APPROPRIATING FUNDS
THEREFORE (H. NO. 4445) (Signed Into Law
AUGUST 28, 2013)**

Features: *This law mandates the establishment of a fish port in Dagupan, Pangasinan, under the auspices of the Department of Agriculture (DA) through the Philippine Fisheries Development Authority (PFDA). Construction of the fish port shall be included in the DA's funding program under the General Appropriations Act, while the concerned local government unit (LGU) is mandated to set aside funds for its operationalization.*

Status: PFDA conducted a preliminary appraisal on the proposed improvement and rehabilitation of the Magsaysay Fish Market and Landing Center in April 2013, which found a significant fish unloading volume of about 86 MT per day. Further validation and engineering surveys/studies were then recommended.

The proposed fish port is already part of the PFDA pipeline for 2014 with a budgetary allocation of PhP 40 million under the DA's National Fish Port Development Program. Validation and engineering studies/surveys are expected to be carried out in the third quarter of 2014. The Implementing Rules and Regulations (IRR) of the law will be drafted in partnership with the LGU after completion of said studies/surveys.

**R. A. No.
10617** **AN ACT PROVIDING FOR THE ESTABLISHMENT OF
A FISH PORT AND COLD STORAGE FACILITY IN THE
MUNICIPALITY OF DAPA, PROVINCE OF SURIGAO
DEL NORTE AND APPROPRIATING FUNDS
THEREFORE (H. NO. 4697) (Signed Into Law
AUGUST 28, 2013)**

Features: *This law mandates the establishment of a fish port and cold storage facility in Sasmuan, Pampanga, under the auspices of the Department of Agriculture (DA) through the Philippine Fisheries Development Authority (PFDA). Construction of the fish port shall be included in the DA's funding program under the General Appropriations Act, while the concerned local government unit (LGU) is mandated to set aside funds for its operationalization.*

Status: PDFA conducted initial assessment and engineering surveys/studies in Dapa in October 2013. The project was found to be strategic and accessible due to the significant volume of fish production of about 5 MT per day, as well as the presence of a natural harbor. Discussions are underway with the Department of Budget and Management for the inclusion of funding for this project in the DA's 2015 appropriations. The implementing rules and regulations (IRR) of the law will be drafted in partnership with the LGU after completion of more detailed assessment and engineering surveys/studies.

**R. A. No.
10621** **AN ACT PROVIDING FOR THE ESTABLISHMENT OF
A FISH PORT AND COLD STORAGE FACILITY IN THE
MUNICIPALITY OF SASMUAN, PROVINCE OF
PAMPANGA AND APPROPRIATING FUNDS
THEREFORE (H. NO. 6171) (Signed into Law
SEPTEMBER 6, 2013)**

Features: *This law mandates the establishment of a fish port and cold storage facility in Sasmuan, Pampanga, under the*

auspices of the Department of Agriculture (DA) through the Philippine Fisheries Development Authority (PFDA). Construction of the fish port shall be included in the DA's funding program under the General Appropriations Act, while the concerned local government unit (LGU) is mandated to set aside funds for its operationalization.

Status: Initial validation and detailed engineering surveys/studies were conducted in Sasmuan in May 2011. Discussions are underway with the Department of Budget and Management for the inclusion of funding for this project in the DA's 2015 appropriations. The Implementing Rules and Regulations (IRR) of the law will be drafted in partnership with the LGU after completion of more detailed assessment and engineering surveys/studies.

R. A. No. 10624 **AN ACT PROVIDING FOR THE CONSTRUCTION OF A FISH PORT IN BARANGAY SABANG, MUNICIPALITY OF CALABANGA, PROVINCE OF CAMARINES SUR AND APPROPRIATING FUNDS THEREFORE (H. NO. 201) (Signed into Law SEPTEMBER 6, 2013)**

Features: *This law mandates the establishment of a fish port in Barangay Sabang, Calabanga, Camarines Sur, under the auspices of the Department of Agriculture (DA) through the Philippine Fisheries Development Authority (PFDA). Construction of the fish port shall be included in the DA's funding program under the General Appropriations Act, while the concerned local government unit (LGU) is mandated to set aside funds for its operationalization.*

Status: This project's feasibility study found that the volume of fish unloading in the project site is about 12 MT per day, which supports the construction of a fish port, repair of the existing breakwater and the establishment of support facilities such as an ice plant and cold storage facility.

Phase 1 of the project involves the construction of the municipal fish port and establishment of support facilities. On October 31, 2013, the Department of Budget and Management (DBM) transferred PhP 50 million to PFDA for the implementation of Phase 1. Public bidding was completed on February 19, 2014 and the contract was awarded on March 21, 2014.

Phase 2 of the project involves the repair and improvement of the breakwater, estimated to cost PhP 14 million. This amount was released to PFDA on February 18, 2014. However, implementation is still on hold pending clarification of whether the PFDA or Department of Public Works and Highways should be the implementing agency of this phase.

R. A. No. 10628 **AN ACT PROVIDING FOR THE CONSTRUCTION OF FISH PORTS IN THE MUNICIPALITIES OF TONGKIL, TAPUL, LUGUS, KALINGGALAN CALUANG AND SIASI, PROVINCE OF SULU AND APPROPRIATING FUNDS THEREFORE (H. NO. 5009) (Signed Into Law SEPTEMBER 26, 2013)**

Features: *This law mandates the establishment of fish ports and support facilities in Tongkil, Tapul, Lugus, Kalinggalan Caluang and Siasi, all in Sulu province, under the auspices of the Department of Agriculture (DA) through the Philippine Fisheries Development Authority (PFDA). Construction of the facilities shall be included in the DA's funding program under the General Appropriations Act, while the concerned local government unit (LGU) is mandated to set aside funds for their operationalization.*

Status: PFDA conducted preliminary appraisal on the proposed establishment of the municipal fish port with ice plant and cold storage facilities in Siasi in September 2013. The assessment found that the volume of fish unloading is 5.10 MT per day, which justifies the need for the fish port.

The demand for ice plant and cold storage facilities, however, was not determined due to insufficient information provided by the LGU. PFDA therefore recommended a validation survey/study to determine demand for the project and the viability of putting up such facilities in the municipality. This survey/study may be conducted in 2014 depending on manpower availability.

In Tongkil, a preliminary appraisal on the establishment of an ice plant in the municipality was conducted as early as September 2002. The PFDA has since requested for more information from the LGU, but the agency has not yet received a response. Meanwhile, the PFDA will request the LGUs of Tapul, Lugus, Kalinggalan and Calauang for more information regarding the agriculture and fishery sector in their respective localities.

RULES

R. A. No. 10572	AN ACT ESTABLISHING THE LIABILITY OF THE ABSOLUTE COMMUNITY OR CONJUGAL PARTNERSHIP FOR AN OBLIGATION OF A SPOUSE WHO PRACTICES A PROFESSION AND THE CAPABILITY OF EITHER SPOUSE TO DISPOSE OF AN EXCLUSIVE PROPERTY WITHOUT THE CONSENT OF THE OTHER SPOUSE, AMENDING FOR THE PURPOSE ARTICLES 73 AND 111 OF EXECUTIVE ORDER NO. 209, ALSO KNOWN AS THE FAMILY CODE OF THE PHILIPPINES (H. NO. 6307) (Signed into Law MAY 24, 2013)
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<i>Features:</i>	<i>This Act further amends Article 73 of the Family Code to allow either spouse to exercise any legitimate profession, occupation, business or activity without the consent of the other. The latter may object only on valid, serious, and moral grounds. It also further amends Article 111 of the Family Code, allowing either spouse to mortgage,</i>
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encumber, alienate or otherwise dispose of his or her exclusive property.

Status: Self executory.

SCIENCE AND TECHNOLOGY

**R. A. No.
10173** **AN ACT PROTECTING INDIVIDUAL PERSONAL INFORMATION IN INFORMATION AND COMMUNICATIONS SYSTEMS IN THE GOVERNMENT AND THE PRIVATE SECTOR, CREATING FOR THIS PURPOSE A NATIONAL PRIVACY COMMISSION, AND FOR OTHER PURPOSES (S. NO. 2965/H. NO. 4115) (Signed Into Law AUGUST 15, 2012)**

Features:

In its declaration of policy, this law states that, although the free flow of information promotes innovation and growth, it is essential that personal information in the governments and private sector's information and communications systems are secured and protected.

Personal information includes facts and figures about a person's race, ethnic origin, marital status, age, color and religious, philosophical and political affiliations.

The main features of the law are: the procedures to be followed in the collection, processing and handling of personal information; the rights of the data subjects; and the creation of National Privacy Commission.

The law requires information collectors, holders and processors to follow strict rules on transparency,

legitimacy and proportionality in the conduct of their activities. The collection should be conducted for specific and legitimate purposes determined before, or as soon as reasonably practicable after collection, and later processed in a way compatible with such declared, specified and legitimate purposes only.

Once collected, the information can be processed or used only if it is not prohibited by law and the person who provided the information has given his consent; if no such consent is given, the processing can still go on provided it meets the “necessary” test.

In case the data subject finds that the information stored in the information system is incomplete, outdated, false, unlawfully obtained, used for unauthorized purposes, or no longer necessary, he can demand its withdrawal, blocking or removal of the subject information. If the harm caused to him is grave, he can sue the erring parties for damages he may have sustained.

The law lists nine violations that can give rise to fines and prison terms.

Status: No updates available.

R. A. No. 10175 **AN ACT DEFINING CYBERCRIME, PROVIDING FOR PREVENTION, INVESTIGATION AND IMPOSITION OF PENALTIES THEREFOR AND FOR OTHER PURPOSES (S. NO. 2796/H. NO. 5808) (Signed Into Law SEPTEMBER 12, 2012)**

Features: *Known as the Cybercrime Prevention Act of 2012, this law specifies acts constituting cybercrime, broadly divided into the following categories:*

- *Offenses against the confidentiality, integrity and*

availability of computer data and systems e.g. illegal access and/or interception, data and/or system interference, device misuse, cyber-squatting;

- *Computer-related offenses i.e. fraud, forgery, identity theft;*
- *Content-related offenses i.e. cybersex, child pornography, unsolicited commercial communication, libel; and*
- *Other offenses i.e. aiding or abetting commission of cybercrime, and attempting to commit cybercrime.*

The National Bureau of Investigation and the Philippine National Police shall be responsible for the enforcement of this act. They shall organize a cybercrime unit or center manned by special investigators to exclusively handle cases involving violations of this law. This law creates an Office of Cybercrime in the Department of Justice (DOJ), as well as the inter-agency Cybercrime Investigation and Coordinating Center headed by the Executive Director of the Information and Communications Technology Office of the Department of Science and Technology.

Violators face imprisonment or fines depending on the gravity of the offense. Those found guilty of violating the law shall be imposed penalties one (1) degree higher if the crime is committed through a computer system. Regional Trial Courts are given jurisdiction over violations of this Act.

₱50 million shall be appropriated annually for the implementation of this law.

Status: The Supreme Court issued a Temporary Restraining Order on October 9, 2012 and set the oral arguments on January 15, 2013.

On February 6, 2013, the Supreme Court extended indefinitely the Temporary Restraining Order on the implementation of this law. On February 18, 2014, the high court finally ruled on the constitutionality of certain provisions in the cybercrime law that were questioned by 15 petitioners. The court had “partially granted” the relief sought by petitioners.

Of the 19 questioned provisions of the law, the court declared four unconstitutional:

- Section 4(c)(3) which penalizes the posting of unsolicited commercial communications (spam);
- Section 12 which authorizes the collection or recording of traffic data in real time;
- Section 19 which authorizes the DOJ to restrict or block access to suspected computer data; and
- Section 7 as far as it authorizes the prosecution of an offender under online libel and libel under the Revised Penal Code and also where it pertains to child pornography for being in violation of the prohibition against double jeopardy.

Further, the Supreme Court qualified that Section 5 of the law which penalizes anyone who aids or abets the commission of cybercrimes and anyone who attempts to commit cybercrimes was “not unconstitutional” with respect to the commission of the following: illegal access, illegal interception, data interference, system interference, misuse of devices, cybersquatting, computer-related fraud and identity theft, and cybersex. But this was deemed unconstitutional “only in relation to offenses punished by child pornography, unsolicited commercial communications and online libel”.

R. A. No. 10612 **AN ACT EXPANDING THE COVERAGE OF THE SCIENCE AND TECHNOLOGY (S&T) SCHOLARSHIP PROGRAM AND STRENGTHENING THE TEACHING OF SCIENCE AND MATHEMATICS IN SECONDARY SCHOOLS AND FOR OTHER PURPOSES (S. NO. 3400 / H. NO. 6860) (Signed into Law AUGUST 23, 2013)**

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

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

Status: Public consultations for the drafting of the Implementing Rules and Regulations (IRR) were scheduled in Davao City, Quezon City, Iloilo City and La Union in March to April 2014. An inter-agency technical working group writeshop for the final form of the IRR was also scheduled after the consultations. Meanwhile, test development for the Junior Level Scholarship Examination was scheduled in May 2014, pre-testing in July 2014, and examinations by September to October 2014.

No budget was given to the Science Education Institute (SEI) of the Department of Science and Technology for this law's implementation in 2014, but it expects funding to come in 2015 (estimated at PhP 86.5 million). If it pushes through, 1,000 scholarship slots shall be made available.

SEI Director Josette T. Biyo confirmed the timeliness and relevance of this law's passage, especially in the advent of the K-12 curriculum in basic education. For instance, scholar-graduates under this law are required to teach basic STEM subjects in grades 11 and 12 – the academic levels that are particularly content intensive. She also underscored the urgent need to create a pool of qualified and competent high school teachers who specialize in teaching STEM subjects.

TOURISM

R. A. No. 10409	AN ACT DECLARING THE PROVINCE OF BILIRAN AS A TOURISM DEVELOPMENT AREA (TDA) AND PROVIDING FUNDS THEREFORE (S. NO. 3252 / H. NOS. 3066-3071) (Signed into Law MARCH 19, 2013)
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Features: *This law declares Biliran as a TDA. It includes (but is not limited) to the following areas:*

- *Higatangan Island within the Municipality of Naval;*
- *Sambawan Island within the Municipality of Maripipi;*
- *Mangrove Area of Looc known as the Cabucgayan Boardwalk, within the Municipality of Cabucgayan;*
- *Casabangan Falls within the Municipality of Cabucgayan;*
- *Tinago Falls within the Municipality of Caibiran;*
and
- *Bagongbong Falls within the Municipality of Almeria.*

Meanwhile, a Tourism Development Plan for the

province shall be incorporated in the Department of Tourism's (DOT) overall National Tourism Development Plan and be jointly implemented with the local government and provincial tourism council. A trust fund known as the Biliran Tourism Development Trust Fund shall also be set up to finance projects that seek to enhance tourism in the province. It shall be managed by a Trust Fund Administrator under the provincial tourism council.

Status: According to Undersecretary Maria Victoria V. Jasmin of the Department of Tourism (DOT), the Implementing Rules and Regulations (IRR) of this law have already been drafted and are currently being reviewed by the DOT's Office of Tourism Planning and Development. Meanwhile, instructions were given to Director Karina Rosa S. Tiopes of DOT Region 8 to prepare the Terms of Reference for the Tourism Development Plan to be crafted for Biliran, which is a requirement under the law.

R. A. No. 10555 **AN ACT DECLARING THE JARO CATHEDRAL, MOLO CHURCH, THE ILOILO CITY CENTRAL BUSINESS DISTRICT, FORT SAN PEDRO, JARO PLAZA COMPLEX, MOLO PLAZA COMPLEX AND PLAZA LIBERTAD COMPLEX, ALL LOCATED IN THE CITY OF ILOILO, AS CULTURAL HERITAGE TOURISM ZONE (H. NO. 5495) (Signed Into Law MAY 15, 2013)**

Features: *This law declares the subject areas in Iloilo City as heritage and tourist spots to be accorded priority development by the Department of Tourism (DOT). A Tourism Development Plan for the sites shall be incorporated in DOT's National Tourism Development Plan and be jointly implemented with the local government, the Iloilo City Cultural Heritage*

Conservation Council, and the Tourism Infrastructure and Enterprise Zone Authority.

Status: According to Undersecretary Maria Victoria V. Jasmin of DOT, instructions have been given to concerned regional officials to draft the Implementing Rules and Regulations (IRR) of the law in consultation with various stakeholders.

R. A. No. 10560 **AN ACT DECLARING THE PROVINCE OF DAVAO ORIENTAL AS A TOURISM DEVELOPMENT AREA AND APPROPRIATING FUNDS THEREFORE (H. NO. 2141) (Signed Into Law MAY 17, 2013)**

Features: *This law declares unspecified tourist sites in the province of Davao Oriental as tourism development areas.*

A Tourism Development Plan for the province shall be incorporated in the Department of Tourism's (DOT) National Tourism Development Plan. It shall be jointly implemented with the local government and the provincial tourism council, as well as partner agencies such as the Tourism Infrastructure and Enterprise Zone Authority and the Department of Public Works and Highways.

Status: According to Undersecretary Maria Victoria V. Jasmin of DOT, instructions have been given to concerned regional officials to draft the Implementing Rules and Regulations (IRR) of the law in consultation with various stakeholders.

TRADE AND COMMERCE

**R. A. No.
10372**

AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 8293, OTHERWISE KNOWN AS THE “INTELLECTUAL PROPERTY CODE OF THE PHILIPPINES”, AND FOR OTHER PURPOSES (S. NO. 2842 / H. NO. 3841) (Signed into Law FEBRUARY 28, 2013)

Features:

This law grants visitorial powers and enforcement functions to the Intellectual Property Office (IPOPHIL), with the support of concerned agencies such as the Philippine National Police, the National Bureau of Investigation, the Bureau of Customs, the Optical Media Board, and the local government units (among others). It establishes the Bureau of Copyright and Other Related Rights, which is mandated to resolve disputes relating to licenses; accept, review and decide on applications for the accreditation of collective management organizations; and conduct studies and researches in the field of copyright and related rights.

RA 10372 clarifies the concept of copyright infringement by including contributory infringement (secondary liability), circumvention of technological measures and rights management information as aggravating circumstances, and the option to collect statutory damages instead of actual damages. It also formulates intellectual property policies within universities and colleges.

Status:

IPOPHIL Director General Ricardo R. Blancaflor reported to the Senate that on September 21, 2013, the agency issued Implementing Rules and Regulations (IRRs) on (1) *Accreditation of Collective Management Organizations*; (2) *Copyright Registration and Deposit*; (3) *Resolution of Disputes Relating to the Terms of a License Involving Author's Right to Public Performances or Other Communication of His Work*;

and (4) *The Exercise of Enforcement Functions and Visitorial Power of the Intellectual Property Office, and Creating Thereby an Intellectual Property Rights (IPR) Enforcement Office.*

The Proposed IPR Enforcement Office is envisioned to carry out IPOPHL's enforcement and visitation functions. IPOPHL has sent a request to the Department of Budget and Management (DBM) for the approval of additional regular plantilla positions for the IPR Enforcement Office. In the meantime, the agency has tasked law enforcement agencies with handling these functions. IPOPHL is also awaiting DBM approval of plantilla positions for the Bureau of Copyright and Other Related Rights. The twin requests were sent to the DBM on November 19, 2013, but IPOPHL is yet to receive a reply.

Meanwhile, counterfeiting, piracy and infringement of IP rights continue to pose a serious concern, but recent gains have been significant. IPOPHL reported that in 2013, some PhP 7.8 billion worth of counterfeit products (including medicines and optical media) were seized by law enforcement agencies, 49 percent higher than in 2012. This was accomplished in spite of the limited manpower and budgetary resources of member agencies of the National Committee on Intellectual Property Rights (NCIPR). Further, on April 28, 2014, the United States Trade Representative (USTR) removed the Philippines from its *Special 301 Watch List* of IPR violators, in time for President Barack Obama's visit to the country. The USTR cited the enactment of "a series of significant legislative and regulatory reforms to enhance the protection and enforcement of intellectual property rights" as well as key civil and administrative enforcement gains in its decision to remove the Philippines from the list. IPOPHL, in partnership with the Philippine Judicial Academy and the American Bar Association, also held four training sessions for special commercial court judges and select court attorneys of the Court of Appeals and the Supreme Court. Continuous capacity

building activities are likewise being done for investigators and prosecutors handling intellectual property cases.

To enhance these gains, IPOPHIL recommended the immediate approval of DBM of the proposed plantilla positions. It also called for the institutionalization of IP units in NCIPR member agencies, providing them with adequate permanent personnel and budgetary allocation.

R. A. No. 10557	AN ACT PROMOTING AND STRENGTHENING FILIPINO DESIGN, PROVIDING FOR THE PURPOSE A NATIONAL DESIGN POLICY AND RENAMING THE PRODUCT DEVELOPMENT AND DESIGN CENTER OF THE PHILIPPINES INTO THE DESIGN CENTER OF THE PHILIPPINES AND FOR OTHER PURPOSES (S. NO. 3071/H. NO. 6852) (Signed Into Law MAY 15, 2013)
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<i>Features:</i>	<i>The “Philippine Design Competitiveness Act of 2013” reengineers and renames the Product Development and Design Center of the Philippines into the Design Center of the Philippines (or simply Design Center). Attached to the Department of Trade and Industry, the Design Center is mandated to (among others) promote design as a creative tool for improving the quality, competitiveness and branding of Filipino products in the global market through research and development, training and extension, and events and exhibitions. It creates the Design Advisory Council to advise the Design Center on policy matters.</i>
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The state’s policy with respect to design shall be embodied in the National Design Policy, which shall be geared towards achieving the following goals:

- *Global competitiveness;*
- *Institutionalization and promotion of design*

culture nationwide;

- *Creation of an environment to cultivate a constant demand for good design;*
- *Design protection;*
- *Design education and professional development;*
and
- *Institutionalization of design as an effective problem-solving tool.*

Status: Ms. Myrna M. Sunico, Executive Director of the Design Center, stated that the drafting of the Implementing Rules and Regulations (IRR) of the law is still ongoing. As of February 2014, it has undergone the following process:

Step	Date
First meeting of the IRR drafting committee	August 12, 2013
Public consultation in Davao	August 23, 2013
Public consultation in Cebu	August 27, 2013
Public consultation in Pampanga	August 29, 2013
Public consultation in Makati	August 30, 2013
Second meeting of the IRR drafting committee	October 21, 2013

The Design Center is scheduled to request the amount of PhP 300 million for the pilot implementation of the new design law, in compliance with Section 11.

R. A. No. 10620 **AN ACT PROVIDING FOR TOY AND GAME SAFETY LABELING, APPROPRIATING FUNDS THEREFORE (S. NO. 3367 / H. NO. 6529) (Signed into Law September 3, 2013)**

Features: *Known as the “Toy and Game Safety Labeling Act of 2013”, this law requires toys and games, whether*

locally or internationally manufactured, that are imported, donated, distributed and sold in the Philippines, to comply with the appropriate provisions on safety labeling and manufacturer's markings found in the Philippine National Standards (PNS) for the safety of toys. This does not apply, however, to toys and games which are not intended for children including, but not limited to, memorabilia or collectibles. Meanwhile, products manufactured and packaged outside the country and directly shipped from the manufacturer to the consumer which do not bear the required statement provided under Section 5 of the law shall be admitted if other accompanying material shipped with the product bears such statement.

Status: Undersecretary Victorio Mario A. Dimagiba of the Department of Trade and Industry (DTI) reported that the agency convened a technical working group composed of different representatives from the bureaus/offices of DTI and the Food and Drug Administration to formulate the Implementing Rules and Regulations (IRR). A public hearing was scheduled on April 30, 2014 to solicit comments from stakeholders.

WAYS AND MEANS

R. A. No. 10351	AN ACT RESTRUCTURING THE EXCISE TAX ON ALCOHOL AND TOBACCO PRODUCTS BY AMENDING SECTIONS 141, 142, 143, 144, 145, 8, 131 AND 288 OF REPUBLIC ACT NO. 8424. OTHERWISE KNOWN AS THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED BY REPUBLIC ACT NO. 9334, AND FOR OTHER PURPOSES (S. NO. 3299 / H. NO. 5727) (Signed into Law DECEMBER 19, 2012)
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Features: *This law imposes an excise tax on distilled spirits: effective 2013, an ad valorem tax of 15 percent of net retail price per proof and a specific tax of ₱20 per proof liter. Effective 2015, the ad valorem tax increases to 20 percent and effective 2016, the specific tax increases by 4 percent annually. For wines, excise taxes are imposed depending on the net retail price of a 750 ml bottle, and in some cases also depending on alcohol content. Taxes on wines increase annually by 4 percent beginning 2014.*

For fermented liquors, excise taxes shall gradually rise from ₱15 to ₱20 per liter (depending on net retail price) effective 2013, to ₱23.50 per liter effective 2017 (regardless of net retail price). This amount increases further by 4 percent per annum from 2018 onwards. Meanwhile, excise taxes on cigarettes (both hand-packed and machine-packed) will gradually increase from 2013 until it reaches ₱30 per pack by 2017. This increases by 4 percent per annum from 2018 onwards.

Fifteen (15) percent of the incremental revenue collected from the excise tax on tobacco products under RA 8240 shall be allocated and divided among the burley and native tobacco producing provinces in accordance with the volume of tobacco leaf production. The fund shall be exclusively used for programs to promote economically viable alternatives for tobacco farmers and workers.

Meanwhile, after deducting the allocations under RA 7171 and 8240, 80 percent of the remaining balance of the incremental revenue derived from this law shall be allocated for the universal health care under the National Health Insurance Program, the attainment of the millennium development goals and health awareness programs; and 20 percent shall be allocated nationwide for medical assistance and enhancement of health facilities.

Status: The Administrator of the National Tobacco Administration (NTA) Mr. Edgardo D. Zaragoza reported to the Senate (via the Office of Undersecretary

Emerson U. Palad of the Department of Agriculture) that the Implementing Rules and Regulations (IRR) of Section 8 of this law, which covers the revenue allocation for burley and tobacco-producing provinces, has been signed by the cabinet secretaries/officials involved and issued as DOH-DBM-DOH-DA-BIR Joint Circular No. 001-2014. It was forwarded to the Office of President Benigno S. Aquino III through Executive Secretary Paquito N. Ochoa on February 10, 2014. The NTA is still awaiting the go-signal for its official release and publication.

In the meantime, the agency (along with representatives from the Department of Agriculture and the Department of Budget and Management) is in the process of formulating the implementing guidelines for Rules V, VII and VIII of the IRR. These guidelines seek to enable local government units (LGUs) to cope with the budget calendar. Further, NTA also started formulating a road map for the Philippine tobacco industry, which will provide the basis for the identification of programs and projects that will be funded by the shares of the beneficiary LGUs. This road map will be based on the results of a series of consultative conferences that the agency conducted with different stakeholders:

- Tobacco farmers (Bauang, La Union on February 8, 2014);
- Cigarette manufacturers, wholesale tobacco dealers and exporters (Quezon City, Metro Manila on February 11, 2014);
- Concerned congressional districts (Quezon City, Metro Manila on February 18, 2014);
- Beneficiary LGUs of RA 8240 (Rosales, Pangasinan on March 20, 2014);
- Beneficiary LGUs of RA 7171 (Candon, Ilocos Sur on February 22, 2014);
- Local government units of Ilocos Norte (Laoag, Ilocos Norte on March 14, 2014); and

- Local government units of Abra (Bangued, Abra on March 26, 2014).

The prioritized programs and projects and corresponding budget of the LGUs will be incorporated in the proposed General Appropriations Act for 2015.

**R. A. No.
10378**

AN ACT RECOGNIZING THE PRINCIPLE OF RECIPROCITY AS BASIS FOR THE GRANT OF INCOME TAX EXEMPTIONS TO INTERNATIONAL CARRIERS AND RATIONALIZING OTHER TAXES IMPOSED THEREON BY AMENDING SECTIONS 28(A)(3)(a), 109, 118 AND 236 OF THE NATIONAL INTERNAL REVENUE CODE (NIRC), AS AMENDED, AND FOR OTHER PURPOSES (S. NO. 3343 / H. NO. 6022) (Signed into Law MARCH 7, 2013)

Features:

*This law requires an international carrier doing business in the Philippines to pay a tax of 2.5 percent on its Gross Philippine Billings. For **international air carriers**, it is defined as the amount of gross revenue derived from carriage of persons, excess baggage, cargo, and mail originating from the Philippines in a continuous and uninterrupted flight, irrespective of the place of sale or issue and the place of payment of the ticket or passage document. For **international shipping**, it means gross revenue whether for passenger, cargo or mail originating from the Philippines up to final destination, regardless of the place of sale or payments of the passage or freight documents.*

Further, both international air carriers and international shipping carriers are required to pay a tax equivalent to 3 percent of their quarterly gross receipts derived from transport of cargo from the Philippines to another country.

RA 10378 likewise exempts the following transactions

from the value added tax:

- *Transport of passengers by international carriers;*
- *Sale, importation or lease of passenger or cargo vessels and aircraft, including engine, equipment and spare parts thereof for domestic or international transport operations;*
- *Importation of fuel, goods and supplies by persons engaged in international shipping or air transport operations;*
- *Services of bank, non-bank financial intermediaries performing quasi-banking functions, and other non-bank financial intermediaries; and*
- *Sale or lease of goods or properties or the performance of services other than the transactions mentioned in the preceding paragraphs, the gross annual sales and/or receipts do not exceed PhP 1.5 million.*

Bureau of Internal Revenue's (BIR) Revenue Regulations No. 15-2013 noted that "the policy behind the rationalization of taxes on international carriers is to improve the competitiveness of the Philippine Tourism Industry by encouraging more international carriers to maintain flight and shipping operations in the country and by the eventual reduction of international plane and ship fares. These are intended to facilitate the movement of goods and services and to attract more foreign tourists and investments".

Status: BIR issued Revenue Regulations No. 15-2013 on September 20, 2013 to operationalize this law.

Meanwhile, a preliminary meeting involving the Department of Finance (DOF), Bureau of Internal Revenue (BIR) and Department of Foreign Affairs (DFA) was held in October 2013 to discuss the

agencies' roles and nature of Exchange of Notes. On February 6, 2014, BIR sent to DFA the list of airlines and their countries of registration. DFA, on the other hand, is spearheading the preparation of the draft note verbale, for comments of BIR and DOF, which will serve as basis of Exchange of Notes. In the meantime, airlines may invoke Sec. 4.2 of Revenue Regulations No. 15-2013 to enjoy the privileges provided in the law while waiting for the Exchange of Notes.

Assistant Secretary Soledad Emilia J. Cruz of DOF expects the law to help boost the tourism industry, but noted that it is still too early to discern its impact.

YOUTH, WOMEN AND FAMILY RELATIONS

R. A. No. 10165	AN ACT TO STRENGTHEN AND PROPAGATE FOSTER CARE AND TO PROVIDE FUNDS THEREFOR (S. NO. 2486/H. NO. 4481) (Signed Into Law JUNE 11, 2012)
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Features: *The Foster Care Act of 2012 seeks to ensure the welfare of children who are neglected, abused, surrendered, dependent, abandoned, under sociocultural difficulties, or with special needs. It outlines the procedure for becoming foster parents and sets regulations with respect to adoption of a foster child, the parental authority of foster parents, and termination of placement, among others.*

This law provides incentives to both foster children and foster parents; foster children are entitled to subsidies and health insurance while foster parents are eligible for support care services, as well as additional tax exemption for dependents. Agencies (child-placing or child-caring institution licensed and accredited by the Department of Social Welfare and Development [DSWD] to implement the foster care program) as well as agencies' donors are

also entitled to certain tax exemptions.

PhP 25 million is allocated for the initial implementation of this law.

Status: Undersecretary Florita R. Villar of the DSWD reported that the Implementing Rules and Regulations (IRR) of this law were approved on November 19, 2012. Meanwhile, the work and financial plan of the agency for 2014 includes the ₱25 million allocation for the implementation of this act. It is under the item *Protective Services Fund-Foster Care*.

Key accomplishments

1. Statistical report

- a. Foster children served: A total of 774 foster children were served by DSWD-Reception and Study Center for Children (RSCC) and other DSWD centers, non-government organizations (NGOs), local government units (LGUs) and DSWD social welfare and development social workers as of December 2013. Out of the 774, 212 children received subsidies while the rest did not since the foster parents already had the capacity to provide for the needs of the children.
- b. Number of licensed foster parents: There were a total of 971 licensed foster families nationwide as of December 2013, of which 766 were with children under their care while the rest still awaited for placements. There were 126 foster parents who received a subsidy while 640 did not.

2. Activities conducted by the special operations office of DSWD Central Office

a. An orientation on RA 10165 and its IRR to various field offices (FOs) attended by social workers representing various stakeholders

- i. FO-X (July 14, 2013)
- ii. FO-I (June 21, 2013)
- iii. FO-III (July 12, 2013)
- iv. FO-IV (July 17, 2013)
- v. FO-V (July 26, 2013)
- vi. FO-VII (August 30, 2013)
- vii. FO-VIII (September 6, 2013)
- viii. FO-Caraga (September 13, 2013)
- ix. FO-XI (October 3, 2013)
- x. FO-XII (October 4, 2013)

b. Created a National Foster Care Committee for Inter-regional Matching at the DSWD Central Office level by virtue of Special Order No. 297, Series of 2014. The committee is composed of a lawyer, pediatrician, psychologist, NGO representative and a DSWD social worker.

c. The first inter-regional matching for foster care was conducted on February 12, 2014 at the conference room of the DSWD-Protective Service Bureau.

3. Advocacy campaign

a. DSWD Central Office

- i. Produced a copy of the primer for the act and its IRR and distributed it to FOs, stakeholders and target beneficiaries for their guidance and

reference

- ii. Special Operations Office collected several stories/testimonies of licensed foster parents/children in all FOs, one of which was included by the Social Marketing Department in an article titled DSWD Says Every Child Deserves a Family, Calls for More Foster Parents. It was posted on the agency's website on July 27, 2013.
- iii. The Special Operations Office in collaboration with other offices and agencies programmed and implemented various activities for this year's Adoption Consciousness Celebration on February 15 to 23, 2014, of which foster care was included in the advocacy.
- iv. Launching of the adoption/foster care dashboard (website) on February 18, 2014, an online filing of expression of interest for people interested to apply as prospective adoptive parent/s or foster parent/s.
- v. Setting up of adoption/foster care help desks at selected SM and Ayala malls (i.e. SM City, SM Fairview, SM Megamall, SM Marikina, SM North Edsa, SM Bicutan, SM Southmall, Greenbelt, Market! Market!, and Glorietta) on February 15 to 16, 2014.
- vi. Conducted publicity and advocacy

through TV/radio guestings and issuance of press releases on child placement services during this year's Adoption Consciousness Celebration.

b. Field Offices

FO	Activities Conducted
I	<p>Orientation on RA 10165 was conducted on June 21, 2013 and December 4, 2013. There were 50 local social welfare and development officers and 50 prospective adoptive/foster parents who attended the sessions.</p> <p>RA 10165 was regularly incorporated in the advocacy activities conducted by the Recovery and Reintegration Program for Trafficked Persons to intensify advocacy and raise people's awareness at the community level. Participants included day care workers, <i>Sangguniang Kabataan</i> officers, sectoral representatives, <i>barangay</i> captains, Department of Education staff and school heads. These events were held in various towns on:</p> <ul style="list-style-type: none"> • August 12, 2013 (Candon City, Ilocos Sur; 100 participants) • August 29, 2013 (Cabugao, Ilocos Sur; 100 participants) • October 30, 2013 (Bolinao, Pangasinan; 100 participants) • August 23, 2013 (Anda, Pangasinan; 150 participants) • November 6, 2013 (Alaminos City, Pangasinan; 100 participants) <p>The FO was able to intensify the</p>

	<p>implementation of this law through the reactivation of the Child Advocates Association. The group assists the FO in conducting activities like events of the Organization of Municipal/Provincial Chapter of Child Advocates to ensure the recruitment, identification and development of a pool of foster parents. As a result, 22 foster parent applicants have been assessed.</p> <p>Conducted a Family Day Celebration and Adoptive/Foster Parents and Children's Congress to provide positive bonding activity for the whole family.</p>
II	<p>Conducted regional orientation on the law and its IRR to municipal social welfare and development officers on November 20, 2013. Their role and functions towards foster care was reaffirmed and strengthened.</p>
III	<p>Conducted series of orientations on the law to 132 local social welfare and development officers, 30 staff of child caring agencies, 25 hospital staff, 23 academic staff and students, 196 barangay officials of Baliuag, Bulacan; and the cities of Angeles and Mabalacat.</p> <p>Angeles City signed Memorandum of Agreement with DSWD-Region III to implement foster care in the barangay via <i>Aruga at Kalinga ng mga Bata sa Barangay</i> on November 20, 2013. The implementation of the program is now in progress.</p> <p>Organized the <i>Central Luzon Association of Foster Families</i>, partner</p>

	civil society organization of the DSWD in the recruitment of foster families and advocacy programs on alternative placement. The group was registered at the Securities and Exchange Commission on November 28, 2013.
IV-B	Conducted orientation on the law and its IRR attended by social workers from LGUs and municipal social welfare and development officers in <i>MIMAROPA</i> provinces on July 17, 2013.
V	Conducted series of forums on foster care throughout the region attended by LGUs, NGOs and foster applicants per province with 20-25 participants from each province.
VI	Conducted regular forums on adoption and foster care in the provinces. Conducted TV and radio guestings as venue for advocacy.
VII	Setup of adoption and foster care help desk every February in Region VII provinces. TV guesting of DSWD field office staff to talk about foster care on October 10, 2013. Radio guestings at DYRC and DYSS on foster care and adoption concerns on February 21, 2013, January 24, 2013, January 29, 2014 and February 13, 2014. Conducted adoption and foster care forum for national government agencies on June 13, 2013 in Cebu City. Conducted adoption and foster care forum for midwives and staff of lying-in clinics on June 14, 2013 in

	<p>Tagbilaran City.</p> <p>Regional orientation on RA 10165 and its IRR for DSWD staff and LGU social workers on August 30, 2013.</p> <p>Held adoption and foster care forum-cum-orientation on RA 10165 and its IRR for social workers of child caring agencies on January 24, 2014.</p>
X	<p>Conducted an adoption and foster care forum on February 22, 2013 and June 7, 2013 participated in by prospective adoptive/foster parent applicants from different LGUs.</p> <p>Conducted an orientation on RA 10165 and its IRR on June 24, 2013 participated in by LGUs, child caring agencies and DSWD FO staff.</p> <p>Regular convening of Regional Foster Care Matching Committee.</p> <p>Provided monthly subsidy for children of DSWD RSCC as well as children from the community who were placed on foster care with their respective foster parents who were found eligible for subsidy.</p>
XI	<p>Held regional orientation on RA 10165 attended by LGUs, municipal social welfare and development officers, as well as representatives from the Bureau of Internal Revenue (BIR) and NGOs on October 3, 2013.</p> <p>Regional unveiling of the advocacy materials and launching of audiovisual presentation on the foster care program on February 13, 2014 in observance of Adoption Consciousness</p>

	<p>Week at SM Annex, Ecoland Drive, Davao City.</p> <p>Sustained advocacy activities on foster care program in all provinces of the region.</p> <p>Held quarterly regional meeting of foster parents to discuss issues and concerns encountered by foster families in dealing with foster children, as well as to help maintain/develop good working relationship among foster parents/families.</p> <p>Facilitated travel documents of a foster child who attended the Winter Host Program of the Inter-country Adoption Board on December 16, 2013 to January 19, 2014 in the United States.</p> <p>Strengthened relationship with foster parents/families who voluntarily shared their time, effort and resources for the interest of the abandoned and neglected children. The support and participation of the foster families for non-subsidized children has helped boost the program in the face of resource constraints.</p>
XII	Advocacy activities such as foster care forums and orientation on RA 10165 were successfully conducted in key cities and municipalities.
CARAGA	Held adoption forum and foster care forums in Q4 2013 and Q1 2014.
NCR	Conducted forum on foster care law and its IRR on May 22, 2013, attended by LGU social workers, child placing and caring agencies, foster parents and media representatives.

	<p>Held its first general assembly of foster parents on June 15, 2013, attended by 48 foster parents. It served as a venue for foster parents and children to bond with each other and discuss their experiences.</p> <p>In partnership with the Mandaluyong City Social Welfare Office and through the support of the city councilors, proposed local ordinance adopting the <i>Aruga at Kalinga sa mga Bata sa Barangay</i> in Mandaluyong City on August 27, 2013 and September 16, 2013. The measure with accompanying budget provision for local licensed foster families was eventually passed.</p>
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Problems/concerns and agency recommendations

FO	Problems/concerns	Recommendations
III	Absence of regular fund for program implementation	
V	Some LGUs refused to implement law due to budget constraint	National government may provide funding support to LGUs but according to law, priority must be given to third, fourth and fifth class municipalities
	Many willing and qualified foster families could not afford to provide all the needs of the child	Continue and even increase allocation for subsidy of foster children and parents
VII	Lack of foster families willing to	Establish center for children with

	accommodate children with special needs	special needs
	Inadequate funding for subsidy of foster families and children. Child caring agencies e.g. Norfil Foundation asking for financial support for operations	
X	Limited funding for advocacy	Additional funding for advocacy activities to increase public awareness on the law and to develop/recruit more foster parents
	Lack of funds from LGUs for implementation	Inclusion of foster care program in budget allocation of LGUs
	Absence of pool of foster parents in most LGUs	<p>LGUs should intensify recruitment of foster parents</p> <p>Select pilot LGU per region to implement <i>Aruga at Kalinga sa mga Bata sa Barangay</i> to serve as a model in the full implementation of the law. This would also encourage replication in other LGUs in the region.</p>
XI	Failure of some foster parents to	BIR and Philhealth must establish clear

	enjoy Philhealth and BIR benefits	guidelines on additional tax exemptions of licensed foster parents and benefits of foster children
CAR	Weak engagement with partners such as the local councils for the protection of children, hospitals and courts	Pursue engagement with local partners through innovative activities such as the inclusion of <i>number of licensed foster parents</i> as a criteria in the search for child-friendly LGUs, as well as holding a search for outstanding foster parents and foster children at the LGU level
CARAGA	Different interpretations by local Philhealth and BIR offices on regulations covering benefits for foster parents, citing absence of guidelines from their respective head offices	Clarify with Philhealth and BIR

Advantages and relevance of the law

- a. It supports and promotes the “de-institutionalization” policy of DSWD. According to studies, prolonged institutionalization of a child has negative effects on his/her psychosocial development. Thanks to advocacy efforts, many families now open their doors to the idea of

providing temporary care to disadvantaged children. This means that more children will be provided with one-on-one care and family life experience. Foster children also receive more stimulation from foster parents versus institutions;

- b. With the prevalence of children being cared for by either non-relatives or relatives, this law is an effective tool to protect and secure the child and the licensed foster families;
- c. It aids in eradicating child trafficking or illegal placement of children;
- d. It increases the level of awareness of the public about the benefits of foster care;
- e. It is relevant in light of the rising number of children needing special protection. Foster care is imperative as an alternative placement for children in need of substitute family care towards permanent placement. The challenge, however, is the full implementation of the law and its IRR particularly the provisions of Article VIII (Assistance and Incentives);
- f. There is positive response from the people who came to DSWD to inquire, and many of them were interested in attending foster care orientations and forums;
- g. It promotes the “essence” of a family. A child grows best in an environment where he/she is given individualized care and nurturing; and
- h. Incentives provided for in the law boost the

willingness of would-be foster parents to apply for a license.

**R. A. No.
10364**

AN ACT EXPANDING REPUBLIC ACT NO. 9208, ENTITLED “AN ACT TO INSTITUTE POLICIES TO ELIMINATE TRAFFICKING IN PERSONS ESPECIALLY WOMEN AND CHILDREN, ESTABLISHING THE NECESSARY INSTITUTIONAL MECHANISMS FOR THE PROTECTION AND SUPPORT OF TRAFFICKED PERSONS, PROVIDING PENALTIES FOR ITS VIOLATIONS AND FOR OTHER PURPOSES” (S. NO. 2625 / H. NO. 6339) (Signed into Law FEBRUARY 6, 2013)

Features:

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

This law mandates an interagency effort to address trafficking in persons covering prevention, protection and rehabilitation for victims.

- ***Department of Foreign Affairs*** shall make available its resources and facilities overseas for all trafficked persons and explore means to further enhance its assistance in eliminating trafficking activities through closer networking with

government agencies;

- ***Department of Social Welfare and Development*** shall implement rehabilitative and protective programs for trafficked persons;
- ***Department of Labor and Employment*** shall ensure the strict implementation and compliance with the rules and guidelines relative to the employment of persons locally and overseas, as well as monitor, document and report cases of trafficking in persons involving employers and labor recruiters;
- ***Department of Labor and Employment*** shall ensure the strict implementation and compliance with the rules and guidelines relative to the employment of persons locally and overseas, as well as monitor, document and report cases of trafficking in persons involving employers and labor recruiters;
- ***Department of Justice*** shall ensure the prosecution of persons accused of trafficking and designate and train special prosecutors who shall handle and prosecute cases of trafficking;
- ***Philippine Commission on Women*** shall actively participate and coordinate in the formulation and monitoring of policies addressing the issue of trafficking in persons in coordination with relevant government agencies;
- ***Bureau of Immigration*** shall strictly administer and enforce immigration and alien administration laws;

- ***Philippine National Police and National Bureau of Investigation*** shall be the primary law enforcement agencies to undertake surveillance, investigation and arrest of individuals or persons suspected to be engaged in trafficking;
- ***Philippine Overseas Employment Administration (POEA) and Overseas Workers and Welfare Administration*** shall implement pre-employment and pre-departure orientation seminars. POEA shall also create a blacklist of recruitment agencies, illegal recruiters and persons facing administrative, civil and criminal complaints for trafficking;
- ***Department of Interior and Local Government*** shall institute a systematic information and prevention campaign in coordination with pertinent agencies of government as provided for in this Act;
- ***Commission on Overseas Filipinos*** shall conduct pre-departure counseling services for Filipinos in intermarriages, as well as develop a system for accreditation of NGOs that may be mobilized for purposes of conducting pre-departure counseling services; and
- ***Local Government Units*** shall monitor and document cases of trafficking in persons in their areas of jurisdiction, effect the cancellation of licenses of establishments which violate the provisions of this Act and ensure effective prosecution of such cases.

Status: From a total of Thirty (30) convictions from 2005 to June 2010, the total number of convictions increased to eighty-one (81) from July 2010 to 2013. With an aggregate number of one hundred eleven (111) convictions, the speedy disposition of human trafficking cases was carried out with the help of Office of the Court Administrator (OCA) Circular No. 151-2010 and Department Circular No. 57 of 2010 by the Supreme Court and Department of Justice respectively.

(The Philippine Star, May 6, 2013, page 19)

(As of May 31, 2013)

TREATIES AND AGREEMENTS

SENATE ADOPTED RESOLUTION NO. 36

RESOLUTION CONCURRING IN THE RATIFICATION OF THE AGREEMENT ON TECHNICAL COOPERATION BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE GOVERNMENT OF JAPAN (PSR NO. 414) (ADOPTED ON MARCH 14, 2011)

Features: *This measure expresses the Senate's concurrence in the ratification of the Agreement on Technical Cooperation between the governments of the Philippines and Japan, which was signed on April 4, 2006 in Tokyo, Japan. This agreement provides, among others, the following:*

- 1. Forms of technical cooperation that will be carried out by the Japan International Cooperation Agency (JICA);*
 - a. Technical training to Philippine nationals in Japan;*
 - b. Dispatching experts to the Philippines;*

- c. *Dispatching Japanese missions to the Philippines to conduct surveys of economic and social development projects of the Republic of the Philippines;*
 - d. *Dispatching Japanese volunteers with a wide range of technical skills and abundant experience to the Philippines;*
 - e. *Providing the Government of the Philippines with equipment, machinery and materials; and*
 - f. *Providing the Government of the Philippines with other forms of technical cooperation as may be decided upon by mutual consent between the two governments.*
2. *Exemption of experts, members of the Missions, the Senior Volunteers and their families from certain taxes, fiscal charges, fees and other such privileges; exemptions and benefits that are no less favorable to those given to others performing a similar mission in the Philippines;*
 3. *Provision of local staff and Philippine counterparts to the Experts, the Missions and the Senior Volunteers; and*
 4. *That the Republic of the Philippines shall bear claims against the Experts, members of the Missions, the Senior Volunteers and the Japan Overseas Cooperation Volunteers (JOCV) resulting from or occurring in the course of the performance of their duties except arising from their gross negligence or willful misconduct.*

Status: Deputy Director General Rolando G. Tungpalan of the National Economic and Development Authority (NEDA) said that the Agreement on Technical Cooperation (ATC) serves as the framework for the implementation of Japan's technical cooperation (TC) program in the Philippines. Specifically, it covers Japan's TC program, development study, training programs, and dispatch of individual experts, JOCV and Senior

Volunteers.

Since the Senate's adoption of this measure, the ATC has provided the legal basis for agreements entered into between the two governments for projects and activities under the Japanese government's TC program. More specifically, this agreement addresses the issue pertaining to privileges and immunities accorded to experts dispatched by the Japanese government in relation to the implementation of TC projects in the Philippines. The implementation of this agreement also simplified the TC-related expert application and endorsement procedures of both the Philippine government (i.e. Department of Foreign Affairs, NEDA) and the Japanese government (i.e. JICA, Embassy of Japan).

As of January 2014, JICA has implemented about six TC projects and fifteen individual TC projects (i.e. dispatch of experts and conduct of training programs) under the ATC. This agreement has also served as the basis for the dispatch arrangements for 83 volunteers sent by the Japanese government under the JOCV program.

**SENATE
ADOPTED
RESOLUTION
NO. 57**

**RESOLUTION CONCURRING IN THE
RATIFICATION OF THE ROME STATUTE OF THE
INTERNATIONAL CRIMINAL COURT (PSR NO.
546) (ADOPTED ON AUGUST 23, 2011)**

Features:

This measure expresses the Senate's concurrence in the ratification of the Rome Statute, which provides for the establishment of the International Criminal Court (ICC). The ICC has the power to exercise jurisdiction over persons with respect to the following crimes:

- *Genocide;*
- *Crimes against humanity;*
- *War crimes; and*
- *Aggression.*

The Rome Statute recognizes the State's right to exercise jurisdiction over these crimes, and the ICC will only act if the State is unwilling or unable to carry out investigation and prosecution.

Status: No updates available

**SENATE
ADOPTED
RESOLUTION
NO. 77**

**RESOLUTION CONCURRING IN THE
RATIFICATION OF THE PROTOCOL ADDITIONAL
TO THE GENEVA CONVENTION OF 12 AUGUST
1949, AND RELATING TO THE PROTECTION OF
VICTIMS OF INTERNATIONAL ARMED CONFLICTS
(PROTOCOL I) (PSR NO. 663) (ADOPTED ON
MARCH 6, 2012)**

Features: *This measure expresses the Senate's concurrence in the ratification of the Protocol Additional to the Geneva Convention of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I).*

Protocol I and Protocol II supplement the Four Geneva Conventions in providing the civilian population protection from the direct effects of hostilities. The Philippines signed Protocol I in 1977 but was one of the few remaining States that have yet to ratify it prior to this Resolution.

Status: Undersecretary Pio Lorenzo F. Batino of the Department of National Defense, in a letter to the Senate, noted that Republic Act No. 9851 (An Act Defining and Penalizing Crimes Against International Humanitarian Law, Genocide and Other Crimes Against Humanity) embodies the rights covered in the Geneva Additional Protocol I. With this law as basis, the Armed Forces of the Philippines (AFP) continuously conducts an information campaign on various laws and regulations relating to human rights and international humanitarian law, specifically on the protection of rights of individuals affected by international and

non-international armed conflicts.

Undersecretary Batino also reported that the AFP regularly holds training sessions on the Program of Instructions relative to peacekeeping operations in various mission areas. The goal is to promote the responsiveness of AFP contingents to the situation in the operating environment, which may also involve dealing with individuals affected by armed conflict within the country or specific mission area.

**SENATE
ADOPTED
RESOLUTION
NO. 78**

**RESOLUTION CONCURRING IN THE ACCESSION
TO THE OPTIONAL PROTOCOL TO THE
CONVENTION AGAINST TORTURE AND OTHER
CRUEL, INHUMAN OR DEGRADING TREATMENT
OR PUNISHMENT (PSR NO. 664) (ADOPTED ON
MARCH 6, 2012)**

Features: *This measure expresses the Senate's concurrence in the ratification of the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was adopted on December 18, 2002 at the 57th Session of the United Nations (UN) General Assembly.*

The Optional Protocol places emphasis on preventing violations. It introduces a new system of monitoring compliance to the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT), to which the Philippines is also a signatory, by establishing international and national mechanisms that will conduct regular and periodic visits to places of detention for the purpose of monitoring the situation, proposing recommendations and working constructively with State Parties for their implementation. The Optional Protocol would also enable State Parties to benefit from the assistance that the international mechanism will offer such as advisory, technical and financial assistance in addressing institutional problems.

Status: Director Renante A. Basas, MD of the Commission on Human Rights (CHR) Assistance and Visitorial Office reported to the Senate that the commission had undertaken several activities to help ensure government compliance to Article 17 of the Optional Protocol requiring each State Party to maintain, designate or establish a National Preventive Mechanism (NPM) for the prevention of torture at the domestic level.

**SENATE
ADOPTED
RESOLUTION
NO. 79**

**RESOLUTION CONCURRENCE IN THE
RATIFICATION OF THE AGREEMENT BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF THE
PHILIPPINES AND THE INTERNATIONAL CENTER
FOR LIVING AQUATIC RESOURCES
MANAGEMENT (ICLARM) TO ESTABLISH AN
OFFICE IN THE WORLD FISH CENTER IN THE
PHILIPPINES (PSR No. 708) (Adopted On March
6, 2012)**

Features: *This measure expresses the Senate's concurrence in the ratification of the agreement between the Philippine Government and the International Center for Living Aquatic Resources Management to establish an office of the WorldFish Center in the Philippines. The office will undertake research and development of aquatic and maritime resources in the Philippines and nearby regions.*

Under this agreement, the office shall enjoy immunities and privileges accorded to an international organization of a universal character such as immunity from penal, civil and administrative proceedings and exemption from customs, visa and immigration requirements.

Status: The Philippine office of the WorldFish Center is currently housed in the SEARCA Building, University of the Philippines, Los Baños, Laguna.

**SENATE
ADOPTED
RESOLUTION
NO. 81**

**RESOLUTION CONCURRENCE IN THE
RATIFICATION OF THE TREATY ON MUTUAL
LEGAL ASSISTANCE IN CRIMINAL MATTERS
BETWEEN THE REPUBLIC OF THE PHILIPPINES
AND THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND (PSR NO. 732)
(ADOPTED ON MAY 8, 2012)**

Features: *This measure expresses the Senate's concurrence in the ratification of the Mutual Legal Assistance in Criminal Matters Treaty between the Philippines and the United Kingdom. The Treaty seeks to establish cooperation in investigating, prosecuting and suppressing criminal offenses, as well as in proceedings related to criminal matters. Specifically, this refers to the taking of testimony of witnesses, provision of documents and items of evidence, exchange of criminal records, execution of searches and seizures, location and identification of witnesses and tracing and confiscation of proceeds of crimes, as well as freezing of assets.*

Status: No updates available.

**SENATE
ADOPTED
RESOLUTION
NO. 82**

**RESOLUTION CONCURRENCE IN THE
RATIFICATION OF THE CONSULAR AGREEMENT
BETWEEN THE REPUBLIC OF THE PHILIPPINES
AND THE PEOPLE'S REPUBLIC OF CHINA (PSR
NO. 733) (ADOPTED ON MAY 8, 2012)**

Features: *This measure expresses the Senate's concurrence in the ratification of the Consular Agreement between the Philippines and China.*

Under this agreement, the consular post may be established with the consent of the receiving State and the determination of the seat of the consular post, its classification and its consular

district, as well as any related changes, shall be through consultation between the sending State and the receiving State. Both parties likewise agree to extend privileges and immunities to consular officers and their family.

This agreement applies to Mainland China, Hong Kong Special Administrative Region of the People's Republic of China, and the Macao Special Administrative Region of the People's Republic of China.

Status: No updates available.

**SENATE
ADOPTED
RESOLUTION
NO. 83**

**RESOLUTION CONCURRING IN THE
RATIFICATION OF THE TREATY BETWEEN THE
REPUBLIC OF THE PHILIPPINES AND THE
PEOPLE'S REPUBLIC OF CHINA CONCERNING
MUTUAL LEGAL ASSISTANCE IN CRIMINAL
MATTERS (PSR NO. 734) (ADOPTED ON MAY 8,
2012)**

Features: *This measure expresses the Senate's concurrence in the ratification of the Mutual Legal Assistance in Criminal Matters Treaty between the Philippines and China. The assistance made possible under this Treaty includes the taking of testimony of witnesses, provision of documents and items of evidence, exchange of criminal records, execution of searches and seizures, location and identification of witnesses and tracing and confiscation of proceeds of crimes, as well as freezing of assets. However, it does not apply to the extradition of any person and the execution of criminal judgments, verdicts or decisions tendered in the Requesting Party except to the extent permitted by the laws of the Requested Party and the Treaty.*

Status: No updates available.

**SENATE
ADOPTED
RESOLUTION
NO. 87**

**RESOLUTION CONCURRING IN THE
RATIFICATION OF THE CONVENTION ON SOCIAL
SECURITY BETWEEN THE REPUBLIC OF THE
PHILIPPINES AND THE KINGDOM OF SPAIN (PSR
NO. 751) (APPROVED ON MAY 15, 2012)**

Features: *This measure expresses the Senate's concurrence in the ratification of the new Convention on Social Security between the Republic of the Philippines and the Kingdom of Spain, which was signed in Manila on November 12, 2002. The new Convention expands the protection afforded by the original Convention by broadening its coverage to include public sector workers contributing to the Government Service Insurance System, in addition to the originally covered private sector workers contributing to the Social Security System (SSS). Certain provisions were also modified for greater clarity.*

Status: SSS Senior Vice President Judy Frances A. See provided the Senate with below statistical data on the number of claims processed of covered individuals who have benefited under the Convention for the years 2012-2013:

Total number of pensioners and amount of pensions paid in Spain and the Philippines

Type of benefit	2012		2013	
	No.	Amount	No.	Amount
Disability	-		1	13,088.12
Retirement	23	722,084.13	27	747,786.12
Death	9	352,621.15	9	381,257.76
Total	32	1,074,705.28	37	1,142,121.00

Number of pensioners and amount of pensions paid in Spain (with totalization of creditable insurance periods)

Type of benefit	2012		2013	
	No.	Amount	No.	Amount
Disability	-	-	-	-

Retirement	6	57,420.28	7	57,657.47
Death	-	-	-	-
Total	6	57,420.28	7	57,657.47

Number of pensioners and amount of pensions paid in Spain (no totalization)

Type of benefit	2012		2013	
	No.	Amount	No.	Amount
Disability	-	-	-	-
Retirement	2	73,110.16	2	42,618.16
Death	-	-	-	-
Total	2	73,110.16	7	42,618.16

Number of pensioners and amount of pensions paid in the Philippines (with totalization of creditable insurance periods)

Type of benefit	2012		2013	
	No.	Amount	No.	Amount
Disability	-	-	-	-
Retirement	1	10,570.56	2	4,695.83
Death	-	-	-	-
Total	1	10,570.56	2	4,695.83

Number of pensioners and amount of pensions paid in the Philippines (no totalization)

Type of benefit	2012		2013	
	No.	Amount	No.	Amount
Disability	-	-	1	13,077.12
Retirement	14	580,983.03	16	642,814.66
Death	9	352,621.15	9	381,257.76
Total	23	933,604.18	26	1,037,149.54

**SENATE
ADOPTED
RESOLUTION
NO. 100**

**RESOLUTION CONCURRING IN THE
RATIFICATION OF THE AGREEMENT BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF THE
PHILIPPINES AND THE GOVERNMENT OF
AUSTRALIA CONCERNING THE STATUS OF**

VISITING FORCES OF EACH STATE IN THE TERRITORY OF THE OTHER STATE (PSR NO. 788) (ADOPTED ON JULY 24, 2012)

Features: *This measure expresses the Senate's concurrence in the ratification of the Visiting Forces Agreement between the Philippines and Australia, which seeks to provide for a comprehensive legal framework that will govern the status of Armed Forces of the Philippines and Australian Defense Forces personnel who will participate in education, training, combined exercises, and humanitarian activities in each other's territories.*

This Agreement outlines the jurisdiction of parties over personnel who commit an offense while in the territory of the Receiving State, and establishes a Joint Committee to monitor the implementation of the provision of the Agreement as well as serve as a forum for consultations.

Status: Undersecretary Pio Lorenzo F. Batino reported to the Senate that under the SOVFA, a greater number of combined military training exercises have become possible, namely:

- Army-to-Army Exercises Dawn Caracha and Dusk Caracha;
- Navy-to-Navy Maritime Training Activities Lumbas and Kakadu; and
- Air Force Training Pitch Black.

Meanwhile, the following exercises have already been scheduled:

- Exercise Kakadu 2014 in Northern Australia on August 25, 2014 to September 12, 2014;
- Exercise Dawn Caracha at Southern Command Headquarters, Philippine Army, Fort Magsaysay, Palayan, Nueva Ecija on September 8, 2014 to September 19, 2014; and
- Exercise Dusk Caracha in Perth, Western Australia in

January 2015.

Educational exchanges have continued since 2012, with more than 100 AFP officers having attended , and some still attending various courses in Australian education and military institutions. From 2012 to 2014, 112 training slots have been reserved for selected officers from the army, air force, navy and general headquarters.

On the humanitarian front, in the aftermath of the recent typhoon Yolanda (Haiyan) calamity, the Australian naval vessel HMAS Tobruk (L50) arrived at Leyte Gulf on November 26, 2013 with 100 personnel to conduct humanitarian assistance and disaster response (HADR) operations i.e. road clearing and clearance diving at Ormoc City and the city pier. The Australian Navy contingent also brought AUD390,500 (PhP15.9 million) worth of emergency relief supplies – sleeping mats, blankets, mosquito nets and water containers – as well as AUD20 million (PhP 814 million) worth of relief goods. The Australian Armed Forces sent 557 troops (with a 70-member medical team) to conduct HADR operations in Ormoc, Tacloban, Northern Cebu, Guiuan and Manila, while the Australian Defense Force sent two Royal Australian Air Force aircraft (C-17 Globemaster and C-130J Hercules) with a medical team composed of 12 doctors, 14 nurses, 3 paramedics, a radiographer, a pharmacist and 6 logistics support staff to Tacloban.

The SOVFA is the existing legal framework on the treatment of visiting military personnel in each country's territory, and their entry and departure, as well as the use of areas and facilities during the conduct of combined training, exercises and other activities by defense forces of both countries. Prior to the SOVFA, a Memorandum of Understanding on Cooperative Activities between the Philippines and Australia served as the framework for educational exchanges and limited joint training exercises between the Armed Forces of the Philippines and the Australian Armed Forces.

**SENATE
ADOPTED
RESOLUTION
NO. 115**

**RESOLUTION CONCURRING IN THE
RATIFICATION OF CONVENTION 189,
CONVENTION CONCERNING DECENT WORK FOR
DOMESTIC WORKERS (PSR NO. 816) (ADOPTED
ON AUGUST 6, 2012)**

Features: *This measure expresses the Senate's concurrence in the ratification of International Labor Organization's (ILO) Convention 189: Convention Concerning Decent Work for Domestic Workers. Adopted in Geneva during ILO's 100th ILC session in Geneva, Switzerland. The convention sets the standard for decent work for domestic workers and guarantees minimum labor protections to them comparable with workers in the formal economy. It provides various avenues for the state to promote the rights of domestic workers, including elimination of child labor, right to information on terms of employment, fair treatment on working hours, and occupational safety and health, among others. President Benigno S. Aquino III ratified the convention on May 18, 2012.*

Status: The Department of Labor and Employment (DOLE) was at the forefront and consistently lobbied for the passage of *Republic Act No. 10361: An Act Instituting Policies for the Protection and Welfare of Domestic Workers* (approved on January 18, 2013). It conducted several technical working group and tripartite meetings/consultations, as well as prepared the Implementing Rules and Regulations (IRR) of this law, which was issued on May 8, 2013 and took effect on June 4, 2013. Draft Occupational Health and Safety Guidelines and draft revised guidelines on the Licensing and Regulations Governing Private Employment Agencies are also awaiting approval. The agency likewise prepared employment contract, payslip and certificate of employment templates for the benefit of both employers and *kasambahay* (domestic worker).

DOLE continuously coordinates with partner offices such as the Social Security System, Home Development Mutual Fund (PAG-IBIG) and Philippine Health Insurance Corporation (Philhealth) in the interest of institutionalizing and improving measures for domestic workers' protection. In partnership

with the Technical Education and Skills Development Authority, training regulations for household service workers were amended. The agency also put in place the Single Entry Approach mechanism for settling disputes between the employer and the *kasambahay*, while desk officers have been assigned in DOLE regional offices to handle concerns and complaints related to the welfare of the workers. Finally, registration of *kasambahay* in *barangays* (villages), as well as the drafting of the Protocol on Rescue and Rehabilitation of Abused Kasambahay, are ongoing.

For more information, please refer to the implementation report on RA 10361.

**SENATE
ADOPTED
RESOLUTION
NO. 118**

**RESOLUTION CONCURRENCE IN THE
RATIFICATION OF MARITIME LABOR
CONVENTION, 2006 (PSR NO. 829) (ADOPTED ON
AUGUST 13, 2012)**

Features: *This measure expresses the Senate's concurrence in the ratification of the Maritime Labor Convention (MLC), 2006, which was adopted by the International Labor Organization's (ILO) General Conference on February 23, 2006 in Geneva, Switzerland. Regarded as the Seafarers' Bill of Rights, this convention consolidates existing maritime labor instruments and brings these up to date to address current realities and conditions facing the seafaring industry.*

In particular, this convention requires each member state to respect the fundamental right of seafarers to:

- *Freedom of association and the effective recognition of the right to collective bargaining;*
- *Elimination of all forms of forced or compulsory labor;*
- *Effective abolition of child labor; and*
- *Elimination of discrimination in respect of employment*

and occupation.

It also sets out the following employment and social rights of seafarers:

- *Right to a safe and secure workplace that complies with safety standards;*
- *Right to fair terms of employment;*
- *Right to decent working and living conditions on board ship; and*
- *Right to health protection, medical care, welfare measures and other forms of social protection.*

President Benigno S. Aquino III ratified this convention on May 28, 2012.

Status:

Undersecretary Rebecca C. Chatto of the Department of Labor and Employment (DOLE) reported that the agency issued the following Orders to realize the rights of seafarers under this convention:

1. Department Order No. 129: Rules and Regulations Governing the Employment and Working Conditions of Seafarers Onboard Ships Engaged in Domestic Shipping (Issued: June 7, 2013/Effective: July 3, 2013);
2. Department Order No. 130: Rules and Regulations on the Employment of Filipino Seafarers Onboard Philippine-Registered Ships Engaged in International Voyage (Issued: June 7, 2013/Effective: July 3, 2013);
3. Department Order No. 130-A: Guidelines on the Authorization of Recognized Organizations to Conduct Inspection and Certification of Philippine-Registered Ships Engaged in International Voyages (Issued: July 5, 2013/Effective: July 19, 2013);
4. Department Order No. 132: Guidelines on Maritime

Occupational Safety and Health (Issued: August 8, 2013/Effective: TBD by date of publication in newspaper);

5. Labor Advisory No. 02-2013: Requirements for Compliance with MLC, 2006 (Issued: June 8, 2013); and

6. Labor Advisory No. 04-2013: Requirements on Medical Certificates, Certificates on Catering Services, and Certificate of Inspection of Crew Accommodation (Issued: August 13, 2013).

The necessary compliance forms have been issued and the certification process is ongoing.

DOLE also reported that it has partnered with nine recognized organizations to conduct inspection and certification of Philippine-registered ships engaged in international voyages and certify the ILO's Declaration of Maritime Labor Compliance Part II. These organizations are also authorized to issue the Maritime Labor Certificate on behalf of the Labor secretary as the competent authority on maritime labor standards.

In February 2014, a Memorandum of Agreement between DOLE and the Department of Transportation and Communications (DOTC) was reached. Given the unique characteristic of the Philippines as a flag State, a port State, and a labor supplying State under the convention, DOLE and DOTC recognized the need to harmonize all government interventions at operational, program and policy levels with the Maritime Industry Authority, the Philippine Coast Guard and other relevant government agencies having jurisdiction and supervision over compliance to the convention's provisions. This agreement details the responsibilities of each agency and establishes the DOLE-DOTC coordinating mechanism on the MLC (DCMM) at the national and regional levels. The DCMM is charged with effectively implementing this agreement, as well as formulating operational guidelines to ensure the country's implementation and compliance with MLC, 2006.

Further, several training were held to strengthen the capacity of implementers:

- Orientation/training on the MLC, 2006 for inspectors conducted by the ILO in Subic (2011);
- Orientation on procedure in the conduct of joint assessment onboard Philippine domestic ship by DOLE-NCR on March 28, 2014 for 24 Labor Law Compliance Officers (LLCO);
- Orientation on procedure in the conduct of joint assessment onboard Philippine domestic ship by DOLE-4A on April 15, 2014 for 29 Labor Law Compliance Officers (LLCO);
- LLCO orientation on the following:
 - MLC, 2006
 - Department Order Nos. 129, 130 and 132
 - Labor Laws Compliance System
 - MOA between DOLE and DOTC
 - Republic Act No. 10635 (new MARINA law)
 - Terms of Reference
 - Procedure in the conduct of joint assessment onboard Philippine domestic ship
 - Assessment checklist
 - Employment agreement of seafarers and sample computation;
 -
- Trainings related to maritime occupational safety and health standards (MOSH)
 - For maritime sector on October 16 to 18, 2013 covering 16 pax and 13 shipping companies
 - For maritime sector on March 24 to 28, 2013 covering 41 pax and 11 shipping companies
 - E-MOSH (ongoing as of May 2014) for 20 seafarers on board

- Regular MOSH (ongoing as of May 2014) for 10 seafarers.

Finally, as part of compliance with the convention, for year 2014, there are 783 domestic vessels to be assessed under Department Order No. 129 series of 2013, with the first batch of assessment scheduled in May 2014 in Metro Manila.

**SENATE
ADOPTED
RESOLUTION
NO. 139**

**RESOLUTION CONCURRING IN THE
RATIFICATION OF THE PROTOCOL AMENDING
THE AGREEMENT BETWEEN THE GOVERNMENT
OF THE REPUBLIC OF THE PHILIPPINES AND THE
GOVERNMENT OF THE FRENCH REPUBLIC FOR
THE AVOIDANCE OF DOUBLE TAXATION AND
THE PREVENTION OF FISCAL EVASION WITH
RESPECT TO TAXES ON INCOME (PSR NO. 919)
(ADOPTED ON JANUARY 22, 2013)**

Features: *This measure expresses the Senate's concurrence in the ratification of the amended Protocol Agreement between the Philippines and France for the avoidance of double taxation and the prevention of income tax evasion. The amended Protocol Agreement adds the following provisions to the original agreement:*

- *A Contracting State is obliged to obtain information needed by the requesting Party even if such information is not needed by the requested State for its own tax purposes; and*
- *A Contracting State will not decline to supply information solely because the information is held by the bank, other financial institution, nominee or person acting in an agency or a fiduciary capacity or because it relates to ownership interests in a person.*

Status: No updates available.

**SENATE
ADOPTED
RESOLUTION
NO. 140**

**RESOLUTION CONCURRENCE IN THE
RATIFICATION OF THE AGREEMENT BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF THE
PHILIPPINES AND THE GOVERNMENT OF THE
STATE OF QATAR FOR THE AVOIDANCE OF
DOUBLE TAXATION AND THE PREVENTION OF
FISCAL EVASION WITH RESPECT TO TAXES ON
INCOME (PSR NO. 920) (ADOPTED ON JANUARY
22, 2013)**

Features: *This measure expresses the Senate's concurrence in the ratification of the Agreement between the Philippines and Qatar for the avoidance of double taxation and the prevention of income tax evasion.*

The Agreement seeks to permit the Contracting States to better enforce their domestic laws in order to reduce tax evasion. It covers persons who are residents of one or both of the Contracting Parties with respect to the application of taxes on income imposed on behalf of a Contracting State or of any of its political subdivisions or local authorities, irrespective of the manner in which they are levied. This Agreement also seeks to eliminate or mitigate double taxation on income.

Status: No updates available.

**SENATE
ADOPTED
RESOLUTION
NO. 141**

**RESOLUTION CONCURRENCE IN THE
RATIFICATION OF THE CONVENTION BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF THE
PHILIPPINES AND THE GOVERNMENT OF THE
STATE OF KUWAIT FOR THE AVOIDANCE OF
DOUBLE TAXATION AND THE PREVENTION OF
FISCAL EVASION WITH RESPECT TO TAXES ON
INCOME (PSR NO. 921) (ADOPTED ON JANUARY
22, 2013)**

Features: *This measure expresses the Senate's concurrence in the ratification of the Agreement between the Philippines and Kuwait for the avoidance of double taxation and the prevention of income tax evasion.*

The Agreement seeks to promote international trade and investment by allocating taxing jurisdiction between the Contracting States to eliminate or mitigate double taxation on income. It also permits the Contracting States to better enforce their domestic laws in order to reduce tax evasion.

Status: No updates available.

**SENATE
ADOPTED
RESOLUTION
NO. 143**

**RESOLUTION CONCURRING IN THE
RATIFICATION OF THE AGREEMENT BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF THE
PHILIPPINES AND THE UNITED NATIONS
EDUCATIONAL, SCIENTIFIC AND CULTURAL
ORGANIZATION (UNESCO) CONCERNING THE
ESTABLISHMENT OF A SOUTHEAST ASIAN
CENTER FOR LIFELONG LEARNING FOR
SUSTAINABLE DEVELOPMENT IN THE REPUBLIC
OF THE PHILIPPINES AS A CATEGORY 2 CENTER
UNDER THE AUSPICES OF UNESCO (ADOPTED ON
JANUARY 29, 2013)**

Features: *This measure expresses the Senate's concurrence in the ratification of the Agreement between the Philippines and UNESCO regarding the establishment of a Southeast Asian Center for Lifelong Learning for Sustainable Development (SEA-CLLSD) in the Philippines. It was approved as a Category 2 Center under the auspices of UNESCO as recommended by its Executive Board in its 182nd Session.*

CLLSD is envisioned to be a service provider, standard setter, and research and resource management center for lifelong learning

for sustainable development in Southeast Asia. Specifically, the functions of the CLLSD under this agreement are as follows:

- *Undertake capacity building and training to reorient existing education programs towards sustainable development;*
- *Conduct research to improve the quality of basic education; and*
- *Carry out advocacy and social mobilization programs to develop public awareness and understanding of the role of education as a tool to promote sustainable development.*

Status: Assistant Secretary Oswaldo C. Santos of the Department of Science and Technology reported to the Senate the following activities held in 2012 and 2013 by the Southeast Asia CLLSD:

1. Learning for change: A preschool teacher training for Southeast Asia to promote the benefits of education for sustainable development (ESD)

This event was implemented in partnership with the Foundation for the Promotion of Science and Mathematics Education Research and UNESCO. The training was held at the National Institute of Science and Mathematics Education at the University of the Philippines Diliman on February 20 to March 2, 2012. A training module was produced through the event. Participants were also able to share experiences and programs that were related to their respective countries' early childhood care and development, as well as tackle future areas of cooperation.

2. Education in emergencies and disaster risk reduction for sustainable development: A workshop for education managers

The workshop was held in July 2012 with disaster risk reduction focal persons of the Department of Education in attendance. Delegates from different Southeast Asia countries like Indonesia, Cambodia and South Korea shared their

disaster risk reduction-related policies and programs, and shared insights on how to address these (as well as climate change-related) issues.

3. Education for sustainable development in Philippine world heritage sites

This workshop was undertaken by the UNESCO National Commission's Culture Committee and the Center for the Conservation of Cultural Property and Environment in the Tropics of the University of Santo Tomas, which developed the ESD modules used in the workshops. Held in Iloilo City in July 2012 and Nueva Vizcaya-Ifugao in October 2012, the participants included school teachers, local tourism officials and community stakeholders from World Heritage Sites. SEA participants included representatives from Thailand, Indonesia, Malaysia, Vietnam and Timor Leste.

4. Learning possibilities for ageing societies

Partnering with the Association of Asian Social Sciences Research Councils, SEA CLLSD invited and funded the participation of selected delegates from Lao PDR, Myanmar, Malaysia, Thailand and Vietnam to attend the conference on Aging in the Asia-Pacific: Balancing State and Family organized in Cebu City on April 4 to 6, 2013. South Korea also sent a delegation but their participation was not subsidized.

The conference featured 13 country reports/presentations on ongoing aging processes and demographic shifts in selected Asia-Pacific countries. It allowed participants to reflect on the health/medical and economic needs of the elderly as well as the implications of aging populations and longer life expectancies on educational practices and the learning needs and interests of the elderly.

5. Basic oral language documentation (BOLD)

This is a research-training project that CLLSD is undertaking in partnership with the Summer Institute of Linguistics (SIL). The research component began in June 2013 with SIL-trained community researchers documenting the Isanai language among the indigenous peoples of Nueva Vizcaya. BOLD is a

technique of collecting oral texts and well as preserving indigenous languages that are in danger of becoming extinct through the use of newer technologies.

6. Roundtable dialogue: Lifelong learning perspectives on social entrepreneurship in creative industries for youth and young adults.

Co-organized by the National Commission for Culture and the Arts and the UNESCO National Commission, this project was implemented by the CLLSD with the National Commission for Culture and the Arts-Department of Education Cultural Education Program. The event was held on June 27, 2014 at the Department of Foreign Affairs building in Pasay City with some 50 participants. Resource speakers from Indonesia, Cambodia, Thailand and the Philippines shared best practices and initiatives on lifelong learning and social entrepreneurship in the creative industries in their country for the youth. Meanwhile, speakers from local government and non-government organizations from provinces in the Philippine shared local best practice initiatives for youth entrepreneurship for local products, creative industries, crafts, traditional culinary specialties and the arts.

This event sought to address current perspectives and thinking on lifelong learning, with special attention on social entrepreneurship in creative industries for youth and young adults. It also sought to provide a platform and forum for stimulating wide-ranging discussions and learning exchange between educational leaders, practitioners, advocates and organizations engaged in social entrepreneurship for youth and young adults.

SIXTEENTH CONGRESS
(First Regular Session)
(July 22, 2013 – July 27, 2014)

FINANCE

R. A. No.
10633

AN ACT APPROPRIATING FUNDS FOR THE OPERATION OF THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES FROM JANUARY ONE TO DECEMBER THIRTY-ONE, TWO THOUSAND AND FOURTEEN, AND FOR OTHER PURPOSES (H. NO. 2630) (Signed Into Law DECEMBER 20, 2013)

Status:

The 2014 budget is higher than the 2013 national budget by PhP 258.7 billion. It includes PhP 113 billion for rehabilitation and reconstruction of areas devastated by “supertyphoon” Yolanda and other calamities, broken down as follows:

- PhP 13 billion calamity fund (renamed National Disaster Risk Reduction and Management Fund);
- PhP 20 billion rehabilitation reconstruction program; and
- PhP 80 billion for reconstruction projects under the Unprogrammed Fund.

By agency allocation, the top 10 are:

1. Education: PhP 309.43 billion
2. Public Works and Highways: PhP 219.91 billion
3. Interior and Local Government: PhP 136.19 billion

4. National Defense: PhP 123.19 billion
5. Health: PhP 90.77 billion
6. Social Welfare and Development: PhP 83.40 billion
7. Agriculture: PhP 80.03 billion
8. Transportation and Communications: PhP 48.89 billion
9. Environment and Natural Resources: PhP 23.92 billion
10. Agrarian Reform: PhP 20.38 billion

According to the Department of Budget and Management (DBM), the following budgetary allocation goes to:

- Social Services: PhP 841.8 billion
 - Conditional cash transfer program: ₱62.6 billion
 - Construction and repair of public school classrooms: ₱44.6 billion
 - National health insurance program: ₱35.3 billion
- Economic Services: PhP 591.3 billion
 - Allocation for paving national roads: ₱94.3 billion
 - Technical support services for farmers: ₱10.7 billion
 - Tourism promotion: ₱5.5 billion
- Debt burden: ₱377.6 billion
- General Public Services: ₱362.6 billion
- Defense: ₱89.5 billion

President Benigno S. Aquino III vetoed two provisions of this law:

1. The Department of Public Works and Highways' Office of the Secretary Special Provision No. 25 that allows the agency to use income derived from laboratory and testing fees and sub-soil exploration activities, for the repair, maintenance and procurement of research materials and sub-soil exploration equipment.

Without a separate substantive law authorizing this, the President said that this contravened Section 44, Chapter 5, Book 6 of Executive Order No. 292 (Administrative Code of 1987) mandating "all incomes of agencies should accrue to the general fund and deposited in the National Treasury or in a duly authorized depository bank, unless otherwise authorized by law". Moreover, all incomes of agencies already constitute an integral part of the revenue and financing sources of the national government for the year, which is the basis of the General Appropriations Act (GAA). Consequently, the insertion of this new use of income special provision will result in double programming of said income and reduce the financing sources of this year's GAA.

2. Special Provision No. 5 of the Unprogrammed Fund that would benefit the Securities and Exchange Commission (SEC)

The SEC is already authorized to retain income but only up to PhP 100 million, pursuant to Section 75 of Republic Act No. 8799 (Securities Regulation Act). Legally, it should not therefore be allowed to indirectly use income beyond the amount authorized by law through the Department of Finance-SEC Special Provision No. 2 on the "Use of Excess Income (page 391 of the budget)".

R. A. No. **AN ACT APPROPRIATING THE SUM OF**
10634 **FOURTEEN BILLION SIX HUNDRED MILLION**
 PESOS (P14,600,000,000.00) AS
 SUPPLEMENTAL APPROPRIATIONS FOR FY
 2013 AND FOR OTHER PURPOSES (H. NO. 3423)
 (Signed into Law DECEMBER 26, 2013)

Features: *This law appropriates PhP 14. 6 billion as supplemental appropriations to augment the Calamity Fund by PhP 11.2 billion and the Quick Response Fund of the Department of Social Welfare and Development by PhP 3.4 billion.*

The amounts shall be used for relief and rehabilitation services, and the repair, rehabilitation and reconstruction of permanent structures, including other capital expenditures for disaster operations and rehabilitation activities in areas affected by disasters and calamities, both natural and man-made including, but not limited to, the areas devastated by typhoons “Labuyo”, “Odette”, “Pablo”, “Sendong”, “Santi” and “Vinta”, the siege and unrest in Zamboanga City, the magnitude 7.2 earthquake in Bohol and Cebu, and the onslaught of super Typhoon “Yolanda” which severely hit the Central Philippines, including Leyte, Eastern Samar, Northern Samar, Capiz, Aklan, the northern part of Antique, the northern areas of Cebu, Iloilo, Palawan, Romblon, Biliran, Southern Leyte, Negros Occidental and Negros Oriental.

Status: No updates available.

LOCAL GOVERNMENT

**R. A. No.
10632** **AN ACT TO POSTPONE THE SANGGUNIANG
KABATAAN ELECTIONS ON OCTOBER 28, 2013,
AMENDING FOR THE PURPOSE REPUBLIC ACT
NO. 9340, AND FOR OTHER PURPOSES (S. NO.
1186 / H. NO. 2849; Signed into Law OCTOBER
3, 2013)**

Features: *This law indefinitely postpones the Sangguniang Kabataan (youth council) elections originally scheduled on October 28, 2013. All incumbent officials shall not remain in office after the expiration of their term on November 30, 2013. The positions shall remain vacant until a new set of officials have been duly elected and qualified. In the meantime, the Sangguniang Barangay (village council) shall use the Sangguniang Kabataan fund solely for youth development programs.*

Status: Self executory.