



LEGISLATIVE RESEARCH SERVICE
KEY POINTS OF PLENARY PROCEEDINGS
Second Regular Session, 19th Congress

Session No. 27
Tuesday, 26 September 2023

1. Proposed Senate Resolution No. 803

Resolution Congratulating and Commending the Jesus is Lord Church Worldwide for 45 Remarkable Years of Successful Transformational Ministry in Luzon, Visayas, Mindanao, and in More Than 70 Nations Worldwide

Sponsor	:	Sen. Sonny Angara
Cosponsor	:	Sen. Maria Lourdes Nancy Binay Sen. Christopher Lawrence T. Go Sen. Win Gatchalian Sen. Ronald "Bato" Dela Rosa Sen. Joseph Victor "JV" G. Ejercito Sen. Jinggoy Ejercito Estrada Sen. Grace Poe Sen. Loren Legarda Sen. Pia S. Cayetano Sen. Francis "Tol" N. Tolentino Sen. Alan Peter S. Cayetano

Sponsorship speech of Senator Angara

Senator Angara congratulated the Jesus is Lord (JIL) Church for the 45 remarkable years of successful transformational ministry in the country and worldwide. He commended JIL's disaster response activities; poverty-alleviation efforts; scholarship programs; adopt-a-family program; medical mission; livelihood training; caring for the prisoners through food, medical, and financial assistance; and counseling, and labor and migration assistance to overseas Filipino workers and migrants, among others.

Manifestation of Senator Villanueva that the cosponsorship speeches of Senators Binay, Go, and Gatchalian be inserted into the Record

Cosponsorship speech of Senator Dela Rosa

Senator Dela Rosa stated that 45 years was no easy feat to maintain the commitment to be like the Savior Jesus Christ, help the needy and lost, mourn with those who mourn, and stand with those who are in need of comfort. He said it would take more than just a miracle to strive and help one another to be better individuals and Filipinos.

Manifestation of Senator Villanueva that the cosponsorship speech of Senator Ejercito be inserted into the *Record*

Cosponsorship Speech of Senator Revilla

Senator Revilla lauded the JIL Worldwide for its unwavering commitment to shepherd its “flock towards the living God.” He said that the church has been doing its good work for the past 45 years.

Manifestation of Senator Villanueva that the cosponsorship speeches of Senators Estrada, Tolentino, and Poe be inserted into the *Record*

Cosponsorship Speech of Senator Cayetano (P)

Senator Cayetano thanked the JIL for sharing the gospel all over the world. She added that her speech was not about Senator Villanueva per se but about the way he was raised by his parents, and the values inculcated in him.

Cosponsorship Speech of Senator Padilla

Senator Padilla stated that the Christians were closest to the Moslems, according to the Islam teaching. He cited that when the Moslems were being persecuted by the pagans, the Christians were the ones who helped them.

Manifestation of Senator Villanueva that the cosponsorship speech of Senator Legarda be inserted into the *Record*

Cosponsorship Speech of Senator Tolentino

Senator Tolentino acknowledged the selfless dedication and tireless efforts of the JIL leaders in nurturing a strong and vibrant community where the teaching of Jesus were not just words, but a way of life.

Cosponsorship Speech of Senator Cayetano (A)

Senator Cayetano stated that Bro. Eddie Villanueva is a prophet to many people because he has to say things that are from God. He said that the times when Bro. Eddie spoke out on issues such as corruptions, which words were not his, but the words of God.

Adopted, subject to style—Resolution No. 90

Motion of Senator Villanueva that all members of the Senate be made coauthors

2. Proposed Senate Resolution No. 812

Resolution Congratulating and Commending the University of the Philippines President Edgardo J. Angara (UP PEJA) Fellowship Awardees

Sponsor : Sen. Joel Villanueva

Sponsorship Speech of Senator Villanueva

Senator Villanueva congratulated and commended the 23 UP PEJA Fellowship Awardees. The UP PEJA Fellowship was established by the UP Board of Regents on September 29, 2008. Aimed to promote high-level policy discussions and research that address national development goals and initiatives, the UP PEJA was relaunched in 2023 to support the mandate of the Second Congressional Commission on Education (EDCOM 2)—to examine the education sector and recommend reforms to improve the quality of education.

For the relaunch of the award, the 23 UPPEJA Fellows would write 19 research studies on priority areas identified by EDCOM II. The UP PEJA Fellowship Award is given to members of the academe, researchers, and scholars, in the Philippines or abroad, who are distinguished in policy research, and have leadership potential, experience, and commitment to improve the education sector.

Cosponsorship Speech of Senator Cayetano (P)

Senator Cayetano made a rundown of Sen. Edgardo Angara's accomplishments to stress the importance of the UP PEJA Fellowship Award. She highlighted the importance of the role of the fellows who were luminaries in their field in finding solutions to the education problems, urging them to use their own lessons, experiences, and skills to find solutions to the education problems.

Manifestation of Senator Angara

Senator expressed his appreciation of the impassioned and complimentary speeches for his late father. He also thanked UP President Angelo Jimenez for fast-tracking the revival of the fellowship which lay dormant for eight years. He stated that the task was not just about research for its own sake but also research to help the country solve its most pressing and urgent problems.

Adopted, subject to style—Resolution No. 92

Manifestation of Senator Villanueva that all members of the Senate be made coauthors

3. Proposed Senate Resolution No.724 taking into consideration Proposed Senate Resolution Nos. 741, 779, 782, 792, 805, and 808

Resolution Honoring and Commending the Awardees of the Metrobank Foundation Outstanding Filipinos of 2023

Sponsor	:	Sen. Jinggoy Ejercito Estrada
Cosponsors	:	Sen. Francis G. Escudero
		Sen. Christopher Lawrence T. Go
		Sen. Maria Lourdes Nancy Binay
		Sen. Win Gatchalian
		Sen. Ronald "Bato" Dela Rosa
		Sen. Loren Legarda
		Sen. Sonny Angara
		Sen. Joel Villanueva

Sponsorship Speech of Senator Estrada

Senator Estrada stated that this year's awardees had dedicated their lives to serving the country in various fields. Calling the 2023 Metrobank Foundation Outstanding Filipinos as no ordinary individuals, Senator Estrada said each one of them had made significant contributions that touched the lives of countless individuals, families, and communities.

Senator Estrada said that in times when trust in government institutions may waver, these dedicated civil servants were the pillars that upheld the foundations of democracy and good governance. They exemplified what public service should be—a selfless commitment to the welfare of the people they serve.

Manifestation of Senator Villanueva that his cosponsorship speech and the cosponsorship speeches of Senators Escudero, Go, Binay, Gatchalian, Dela Rosa, Legarda, and Angara be inserted into the *Record*

Manifestation of Senator Cayetano (P)

Senator Cayetano commended the Metrobank awardees as well as the Metrobank Foundation and expressed the want for leaders that would shine by example.

Manifestation of Senator Villanueva that the cosponsorship speech of Senator Revilla be inserted into the *Record*

Adopted, subject to style—Resolution No. 91

Manifestation of Senator Villanueva that all members of the Senate be made coauthors

4. Senate Bill No. 2449 under Committee Report No. 137

An Act Providing Organizational Reforms in the Philippine National Police, Amending for the Purpose Republic Act No. 6975, Otherwise Known as the "Department of the Interior and Local Government Act Of 1990", as Amended, and for Other Purposes

Sponsorship Speech of Senator Dela Rosa

Senator Dela Rosa highlighted the features of the bill that seeks to institute transformative organizational reforms within the Philippine National Police (PNP). These transformative reforms include: (a) institutionalizing the offices created by the National Police Commission (NAPOLCOM)—Directorial Staff, Area Police Command, Special Offices, and strengthening the National Administrative and Operational Support Units; (b) transferring the power to designate Chiefs of Police from mayors and governors to the PNP Chief to safeguard the integrity of the appointments; (c) granting the cadets the prestigious title of police cadets, endowed with salaries, benefits, and emoluments commensurate with police executive master sergeant; (d) aligning the compulsory age of retirement for the PNP with that of the Armed Forces of the Philippines (AFP), setting it at fifty-seven (57) years of age; and (e) ordering immediately the preventive confinement of erring PNP

personnel by the Chief of PNP, Area Police Commanders, Regional Directors, Provincial Directors, District Directors, and concerned Chiefs of Police.

Motion of Senator Villanueva that the cosponsorship speeches of Senators Revilla and Ejercito be inserted into the *Record*

5. Senate Bill No. 2432 under Committee Report No. 118

An Act Defining the Crimes of Agricultural Economic Sabotage, Providing Penalties Therefor, Creating the Anti-Agricultural Economic Sabotage Council, Repealing Republic Act No. 10845 or the Anti-Agricultural Smuggling Act of 2016, and For Other Purposes

Sponsor : Sen. Cynthia A. Villar

Amendments of Senator Villar

- a. On page 2,
 - i. line 19 after the word “beef”, insert the phrase AND OTHER RUMINANTS.
 - ii. line 20, Section 3, after the word “carrots”, insert the words OTHER VEGETABLES,.
 - iii. lines 20 to 21, delete the words “cruciferous vegetables”.
 - iv. line 22, after the word “market”, insert the phrase WITHIN THE PRIMARY AND POST HARVEST STAGES OF THE FOOD SUPPLY CHAIN.
- b. On page 3,
 - i. delete lines 1 to 2 starting with the word “daily” and insert the following: MONITORING AND PUBLISHING/ BROADCASTING THE PREVAILING RETAIL PRICES OF AGRICULTURAL AND FISHERY PRODUCTS IN ALL REGIONS OF THE COUNTRY.
 - ii. delete line 3 [subparagraph (d)] and reletter the succeeding definitions under Section 3.
 - iii. line 6, delete the words “UNDERPAYMENT” and replace with UNDERPAYING.
 - iv. delete lines 22 to 23.
- c. On page 4,
 - i. delete lines 27 to 28 starting with the words “is not” and replace with the following:
 - (I) IS NOT REGISTERED WITH THE BUREAU OF INTERNAL REVENUE (BIR),
 - (II) DOES NOT BEAR THE GRAPHIC HEALTH WARNINGS, OR
 - (III) DOES NOT BEAR GENUINE BIR TAX STAMPS.
 - ii. between lines 28 and 29, insert another definition which shall read: *(M) TRADE REGULATORY AGENCIES REFER TO THE BUREAU OF PLANT INDUSTRY (BPI), BUREAU OF ANIMAL INDUSTRY (BAI), BUREAU OF FISHERIES AND AQUATIC RESOURCES (BFAR), NATIONAL MEAT INSPECTION SERVICE*

(NMIS), SUGAR REGULATORY ADMINISTRATION (SRA), AND THE NATIONAL TOBACCO ADMINISTRATION (NTA); AND.

- d. On page 5, delete lines 1-8 or the entire Section 4, and replace with the following: SEC. 4. *AGRICULTURAL SMUGGLING AS ECONOMIC SABOTAGE*. THE CRIME OF AGRICULTURAL SMUGGLING AS ECONOMIC SABOTAGE IS COMMITTED WHEN THE VALUE OF EACH, OR A COMBINATION OF, AGRICULTURAL AND FISHERY PRODUCTS INVOLVED IN THE CRIME IS AT LEAST ONE MILLION PESOS (P1,000,000.00), USING THE DAILY PRICE INDEX, UNDER SECTION 20 OF THIS ACT, COMPUTED AT THE TIME THE CRIME WAS COMMITTED.

SEC. 4A. *AGRICULTURAL HOARDING, PROFITEERING, AND CARTEL AS ECONOMIC SABOTAGE*. - THE CRIMES OF AGRICULTURAL HOARDING, PROFITEERING, AND CARTEL AS ECONOMIC SABOTAGE ARE COMMITTED WHEN THE VALUE OF EACH AGRICULTURAL AND FISHERY PRODUCT INVOLVED IN THE CRIME IS AT LEAST ONE MILLION PESOS (P1,000,000.00), USING THE DAILY PRICE INDEX, COMPUTED AT THE TIME THE CRIME WAS COMMITTED.

THE PROVISION OF EXISTING LAW TO THE CONTRARY NOTWITHSTANDING, ALL VIOLATIONS REFERRED TO HEREIN SHALL BE UNDER THE EXCLUSIVE JURISDICTION OF THE COURT OF TAX APPEALS.

Senator Villar (C) stated that the last paragraph of the amendment was proposed by Senator Tolentino.

- e. On page 6,
- i. line 3, after the word “products” insert the phrase WHICH HAVE BEEN THE SUBJECT OF SMUGGLING.
 - ii. line 6, after the word “areas” delete the comma(,) and the phrase IMPORTED THROUGH ANY OF THE ACTS HEREIN ENUMERATED.
 - iii. line 7, after the word “violation”, delete the comma (,) and the phrase starting from the word “and” until the word “violators” on line 10.
 - iv. between lines 10 and 11, insert the following: UPON EXISTENCE AND ON THE BASIS OF *PRIMA FACIE* VIOLATION, THE ENFORCEMENT GROUP, WITH THE AUTHORITY OF THE COUNCIL, SHALL PROCEED, ENTER AREAS WHERE THE AGRICULTURAL AND FISHERY PRODUCTS ARE LOCATED, AND CONFISCATE THE PRODUCTS AND PROPERTIES USED IN SMUGGLING, AND EFFECT ARREST OF VIOLATORS.

- v. lines 11 to 13 starting from the word “That”, insert the following:

THAT ANY PROVISION OF THE CUSTOMS MODERNIZATION AND TARIFF ACT TO THE CONTRARY NOTWITHSTANDING:

- (1) THE LODGING OF PROVISIONAL GOODS DECLARATION AND AMENDMENT OF GOODS DECLARATION ARE HEREBY DISALLOWED;
- (2) THE ASSESSMENT OF DUTIES AND TAXES OF THE AGRICULTURAL AND FISHERY PRODUCTS SHALL BE BASED ON THE CLASSIFICATION ENTERED IN THE IMPORT ENTRY DECLARATION AS SUPPORTED BY THE IMPORT CLEARANCE AND INVOICE/PURCHASE RECEIPTS OF THE IMPORTER; AND
- (3) THE ASSESSMENT AND READJUSTMENT OF APPRAISAL OF THE AGRICULTURAL AND FISHERY PRODUCTS, INSOFAR AS ALLOWING THE BOC TO ADJUST AND SETTLE THE FINAL ASSESSMENT, ARE HEREBY DISALLOWED.

UPON THE DISCOVERY OF MISCLASSIFICATION, MISDECLARATION, OR UNDERVALUATION, THE BOC OR THE TRADE REGULATORY AGENCY SHALL IMMEDIATELY NOTIFY THE COUNCIL OF SUCH VIOLATION AND TRANSFER JURISDICTION OF THE CASE AND CUSTODY OF THE AGRICULTURAL AND FISHERY PRODUCTS AND THE PROPERTIES USED IN THE COMMISSION THEREOF, TO ANY MEMBER, OR A COMBINATION OF MEMBERS, OF THE ENFORCEMENT GROUP. THE BOC SHALL MAINTAIN CLOSE COORDINATION WITH THE ENFORCEMENT GROUP ON ALL AGRICULTURAL ECONOMIC SABOTAGE MATTERS.

FAILURE IN THE IMPLEMENTATION OF THE IMMEDIATELY PRECEDING PARAGRAPH SHALL RENDER THE HEAD OF CONCERNED OFFICE OF BOC LIABLE TO ADMINISTRATIVE AND CRIMINAL PROSECUTION IN ACCORDANCE WITH APPLICABLE LAWS AND REGULATIONS.

- vi. after line 16, insert the following: *PROVIDED, FURTHERMORE,* THAT FAILURE TO IMPLEMENT THE NSW SHALL RENDER THE HEAD OF THE CONCERNED OFFICE OF BOC AND OTHER TRADE REGULATORY AGENCIES LIABLE TO ADMINISTRATIVE AND CRIMINAL PROSECUTION IN ACCORDANCE WITH APPLICABLE LAWS AND REGULATIONS:

PROVIDED, FINALLY, THAT UPON THE EFFECTIVITY OF THIS ACT AND UNTIL THE FULL IMPLEMENTATION OF THE NSW, THE BOC AND TRADE REGULATORY AGENCIES CONCERNED

SHALL IMMEDIATELY FURNISH THE ANTI-AGRICULTURAL ECONOMIC SABOTAGE COUNCIL WITH ELECTRONIC COPIES OF -

- (A) ALL IMPORT APPLICATIONS CONTAINING RELEVANT INFORMATION OF THE IMPORTER(S), CONSIGNEES, AND BROKERS;
- (B) ALL IMPORT ORDERS AND IMPORT CLEARANCES;
- (C) NAME AND OTHER RELEVANT INFORMATION OF THE EXPORTER(S);
- (D) ALL CERTIFICATES ISSUED IN THE COUNTRY OF ORIGIN PROVING COMPLIANCE WITH THE CONDITIONS SET IN THE IMPORT CLEARANCE;
- (E) OTHER EQUIVALENT DOCUMENTS ISSUED TO OR SUBMITTED BY IMPORTERS OF AGRICULTURAL AND FISHERY PRODUCTS; AND
- (F) SUCH OTHER RELEVANT DOCUMENTS AS MAY BE REQUIRED BY THE ANTI-AGRICULTURAL ECONOMIC SABOTAGE COUNCIL PURSUANT TO THE IMPLEMENTATION OF THIS ACT.

FAILURE TO FURNISH THE COUNCIL WITH THE ABOVE ENUMERATED DOCUMENTS SHALL RENDER THE HEAD OF THE CONCERNED OFFICE OF BOC AND TRADE REGULATORY AGENCIES LIABLE TO ADMINISTRATIVE AND CRIMINAL PROSECUTION IN ACCORDANCE WITH APPLICABLE LAWS AND REGULATIONS.

- vii. On page 6, line 23, delete the phrase “products thirty percent (30%) higher than his usual inventory” and insert AGRICULTURE AND FISHERY PRODUCTS, EXCEPT RICE, THIRTY PERCENT (30%) HIGHER THAN HIS USUAL INVENTORY AND UNREASONABLY LIMITS, REFUSES, OR FAILS TO SELL THE SAME TO THE GENERAL PUBLIC AT THE TIME OF DISCOVERY OF THE STOCKS.
- viii. after line 27, insert the following: THERE SHALL BE *PRIMA FACIE* EVIDENCE OF HOARDING OF RICE WHEN A RICE MILLER HAS STOCKS FIFTY PERCENT (50%) HIGHER THAN THE TOTAL RICE INVENTORY DURING HARVEST MONTHS AND THIRTY PERCENT (30%) HIGHER DURING LEAN MONTHS, ONE (1) YEAR PRECEDING THE TIME OF DISCOVERY OF THE STOCKS AND UNREASONABLY LIMITS, REFUSES, OR FAILS TO SELL THE SAME TO THE GENERAL PUBLIC AT THE TIME OF DISCOVERY OF THE STOCKS.
- ix. delete lines 28 to 31, and replace with the following paragraph:
UPON EXISTENCE AND ON THE BASIS OF *PRIMA FACIE*

VIOLATION, THE ENFORCEMENT GROUP, WITH THE AUTHORITY OF THE COUNCIL, SHALL PROCEED, ENTER AREAS WHERE THE AGRICULTURAL AND FISHERY PRODUCTS ARE LOCATED, AND CONFISCATE THE PRODUCTS AND PROPERTIES USED IN HOARDING, AND EFFECT ARREST OF VIOLATORS.

- f. On page 7,
- i. delete lines 1 to 16, starting from the semi-colon (;) and replace with the following: - AGRICULTURAL PROFITEERING AS USED IN THIS ACT IS THE SALE OR OFFERING FOR SALE OF THE AGRICULTURAL AND FISHERY PRODUCTS AT A PRICE GROSSLY IN EXCESS OF THE DAILY PRICE INDEX, IN THE FACE OF EXISTING SHORTAGE AS DECLARED BY THE COUNCIL, EMERGENCY, OR STATE OF CALAMITY.

THERE SHALL BE PRIMA FACIE EVIDENCE OF PROFITEERING WHENEVER A PRODUCT IS BEING SOLD OR OFFERED FOR SALE BY MORE THAN TEN PERCENT (10%) OF THE DAILY PRICE INDEX THIRTY (30) DAYS PRIOR.

UPON EXISTENCE AND ON THE BASIS OF *PRIMA FACIE* VIOLATION, THE ENFORCEMENT GROUP, WITH THE AUTHORITY OF THE COUNCIL, SHALL PROCEED, ENTER AREAS WHERE THE AGRICULTURAL AND FISHERY PRODUCTS ARE LOCATED, AND CONFISCATE THE PRODUCTS AND PROPERTIES USED IN PROFITEERING, AND EFFECT ARREST OF VIOLATORS.

- ii. line 17, delete the phrase “Cartel; How Committed” and replace it with ENGAGING IN CARTEL.
- iii. line 18, after the word “persons”, insert a comma and the phrase EACH WITH INVENTORY OF AGRICULTURAL AND FISHERY PRODUCTS VALUED AT LEAST ONE MILLON PESOS (P1,000,000.00) USING THE DAILY PRICE INDEX.
- iv. line 21, after the word “price”, replace the comma with a period, and delete starting with the word “involving” up to line 24.

- g. On page 8,
- i. delete lines 3 to 10, starting from the words “perform uniform” and replace with the following: PERFORM UNIFORM, SIMULTANEOUS, OR COMPLEMENTARY ACTS AMONG THEMSELVES THEREBY STIFLING COMPETITION, WHICH TENDS TO BRING ABOUT ARTIFICIAL AND UNREASONABLE INCREASE IN THE PRICE OF SUCH PRODUCTS TO THE

DETRIMENT OF CONSUMERS, OR THE DECREASE IN FARMGATE PRICES OF SUCH PRODUCTS.

UPON EXISTENCE AND ON THE BASIS OF *PRIMA FACIE* VIOLATION, THE ENFORCEMENT GROUP, WITH THE AUTHORITY OF THE COUNCIL, SHALL PROCEED, ENTER AREAS WHERE THE AGRICULTURAL AND FISHERY PRODUCTS ARE LOCATED, AND CONFISCATE THE PRODUCTS AND PROPERTIES USED IN CARTEL, AND EFFECT ARREST OF VIOLATORS.

- ii. between lines 10 and 11, insert another New Section which shall read: SEC. 9. *FINANCING AGRICULTURAL ECONOMIC SABOTAGE CRIMES*. - ANY PERSON WHO DIRECTLY OR INDIRECTLY, WILLFULLY AND WITHOUT LAWFUL EXCUSE, POSSESSES, PROVIDES, COLLECTS, USES, OR MAKES AVAILABLE PROPERTY, FUNDS, FINANCIAL SERVICE OR OTHER RELATED SERVICES, OR FUNDS THE CREATION OF DUMMY OR FICTITIOUS ENTITIES, WITH THE WILLFUL INTENTION THAT THEY SHOULD BE USED, IN FULL OR IN PART, TO CARRY OUT OR FACILITATE THE COMMISSION OF ANY OF THE CRIMES OF AGRICULTURAL ECONOMIC SABOTAGE SHALL SUFFER THE PENALTY PROVIDED UNDER SECTION 12 OF THIS ACT.
- iii. line 12, after the word “facilities”, insert the phrase INTENDED FOR AGRICULTURAL AND FISHERY PRODUCTS.
- iv. delete lines 18 to 20 and replace with the following: SEC. 11. *RECORD KEEPING*. - EVERY PERSON BEING INVESTIGATED OF ANY OF THE CRIMES UNDER THIS ACT WHO FAILS TO.
- h. On page 9,
 - i. line 6, after the word “section,” insert the phrase WITHOUT ENTITLEMENT TO COMMUTATION OF SENTENCE.
 - ii. delete lines 12 to 13, starting with the word “Section” and replace with: SECTIONS 4 AND 4A OF THIS ACT MAY BE CONSIDERED BY THE COURT AS AN INDICATION IN DETERMINING THE NON-BAILABILITY OF THE OFFENSE.
- i. On page 10,
 - i. line 1, delete the phrase “Creation/Establishment of the”.
 - ii. line 7, delete “Department of Trade and Industry (DTI)” and re-letter the succeeding enumeration.
 - iii. after line 21, insert the following: *PROVIDED*, THAT THE REPRESENTATIVES OF THE MEMBER AGENCIES SHALL BE AT LEAST AN UNDERSECRETARY LEVEL;

- iv. after line 27, insert the following: *PROVIDED, FURTHER, THAT ONE-THIRD OF THE MEMBERS, WITH THE CHAIR OR HIS DESIGNATED PERMANENT REPRESENTATIVE PRESENT, SHALL CONSTITUTE A QUORUM;*

PROVIDED, FINALLY, THAT MEMBERS OF THE COUNCIL SHALL BE DULY NOTIFIED OF ANY MEETING AT LEAST THREE (3) DAYS PRIOR TO THE SCHEDULED MEETING.

- j. On page 11,
 - i. delete lines 3 to 4 and reletter the succeeding subparagraphs of Section 13.
 - ii. delete lines 7 to 10.
 - iii. delete lines 18 to 20.
 - iv. line 21, before the word “Enlist”, insert the words “Coordinate and”.
 - v. line 23, after the word “units” insert the phrase AS WELL AS THE BUSINESS SECTOR AND NON-GOVERNMENT ORGANIZATIONS.
 - vi. after line 25, insert the following:

(H) EXERCISE POLICE AUTHORITY BY ISSUING LETTERS OF AUTHORITY (LOAs) AND MISSION ORDERS AUTHORIZING ANY MEMBER OR A COMBINATION OF MEMBERS OF THE ENFORCEMENT GROUP TO EFFECT SEARCH, SEIZURE, AND ARREST;

(I) AUTHORIZE THE INSPECTION AND VISITATION BY ANY MEMBER OR A COMBINATION OF MEMBERS OF THE ENFORCEMENT GROUP OF AREAS WHERE AGRICULTURAL AND FISHERY PRODUCTS COVERED BY THIS ACT ARE STORED OR KEPT.

- vii. line 26, after the word “determine”, insert the words “and declare”, and on line 27, delete “6 and”.
- viii. delete lines 28 to 29.

- k. On page 12,
 - i. line 3, add AND PROPERTIES USED IN THE COMMISSION OF THE CRIME OF ECONOMIC SABOTAGE.
 - ii. line 9, after the word “emoluments”, delete the word “who” and insert the phrase “majority of whom”.
 - iii. line 11, after the word “Council”, add the phrase CONSISTENT WITH CIVIL SERVICE LAW, RULES AND REGULATIONS; AND
 - iv. delete lines 12 to 13.

- v. line 29, after the word “the”, insert the phrase ANTI-AGRICULTURAL ECONOMIC SABOTAGE.
- 1. On page 13,
 - i. line 16, after the word “Group”, insert the phrase WITH AUTHORITY FROM THE COUNCIL and on the same line delete the word “powers” and replace with DUTIES.
 - ii. line 20, delete the phrase “confiscated, seized or surrendered”.
 - iii. line 20, after the word “products”, insert the phrase AND PROPERTIES USED IN THE COMMISSION OF THE CRIME OF ECONOMIC SABOTAGE.
 - iv. line 21, after the word “stored”, insert the words ARE KEPT, and delete the succeeding phrase “to ensure that such commodities are not being ferreted out or removed without proper documentation; and”, ending in line 22.
 - v. delete lines 23 to 28 and on the following page 14, delete lines 1-3, and replace with the following: SECURE COPIES OF DOCUMENTS PERTAINING, BUT NOT LIMITED, TO THE RECORDS OF BUSINESS TRANSACTIONS ON, AND THE NATURE AND PARTICULARS OF, THE AGRICULTURAL AND FISHERY PRODUCTS SUBJECT OF SMUGGLING, HOARDING, PROFITEERING, AND CARTEL; AND.
 - m. On page 14,
 - i. line 4, insert the words VEHICLE, VESSEL, AIRCRAFT.
 - ii. replace the title of the Section to read: *CUSTODY OF CONFISCATED, SEIZED OR SURRENDERED AGRICULTURAL AND FISHERY PRODUCTS AND PROPERTIES USED IN THE COMMISSION OF THE CRIME OF ECONOMIC SABOTAGE; DESTRUCTION OF SMUGGLED PRODUCTS; DISPOSITION OR DONATION OF LOCALLY-SOURCED PRODUCTS.*-
 - iii. line 25, delete the word “accused” and replace with OCCUPANT.
 - iv. line delete lines 25 to 27, starting with the word “accused” and ending with the word “official”, and replace with the phrase OCCUPANT OR IN THEIR ABSENCE, ANY DISINTERESTED PERSON.
 - v. lines 27 to 28, delete the words “or the media”.
 - n. On page 15,
 - i. lines 22 to 23, delete starting with the word “suffer” and replace with the phrase BE ADMINISTRATIVELY LIABLE.
 - o. On page 16,
 - i. delete lines 9, starting with the word “or” up to line 11 with the word “priority”.
 - ii. line 18, delete the phrase “Citizen’s Suit/Action; Who Shall File” and replace with CITIZEN’S SUIT.

- iii. line 18, delete starting with the words “A member” up to line 21 with the word “sector” and replace with ANY PERSON.
 - iv. line 27, replace the word “Department” with DA.
- p. On page 17,
- i. delete lines 1 to 3.
 - ii. line 7, delete the phrase “Department, and the other government agencies cited herein”.
 - iii. line 9, insert the following: THE DEPARTMENT OF BUDGET AND MANAGEMENT SHALL ALLOCATE THE FUNDING NECESSARY FOR THE IMPLEMENTATION OF THE DAILY PRICE INDEX.
 - iv. line 14, after the word “laws”, insert the phrase SHALL BE TRANSFERRED TO THE COURT OF TAX APPEALS AND.
 - v. delete lines 1 to 5, starting with the word “The” and ending with the word “Act” and replace with the following: THE INITIAL AMOUNT OF FIVE HUNDRED MILLION PESOS (PHP500,000,000.00) IS HEREBY APPROPRIATED UNDER THE OFFICE OF THE PRESIDENT FOR THE IMPLEMENTATION OF THIS ACT. THEREAFTER, SUCH AMOUNT NECESSARY TO CARRY OUT THE PROVISIONS OF THIS ACT SHALL BE APPROPRIATED IN THE ANNUAL GENERAL APPROPRIATIONS ACT.

Amendments of Senator Dela Rosa

- a. On page 14, lines 25 to 28, and page 15, lines 1 to 4, under Section 16, subparagraph (a), after the word “same”, delete the following “in the presence of the accused or the persons from whom such items were confiscated or seized, or their representative or counsel, with the elected public official and a representative of the National Prosecution Service or the media who shall be required to sign the copies of the inventory and be given a copy thereof. Provided, that the physical inventory and valuation by the authorized representative of the counsel and taking of video recording and/or photograph shall be conducted at the place where the agricultural and fishery products are found.”
- b. On page 15, lines 9 to 10, after the word “photograph”, delete the following: “the persons mentioned in the above subparagraph” and replace it with A REPRESENTATIVE OF THE COUNCIL.

Amendment of Senator Villanueva

Section 13 on the powers and functions of the Anti-Agricultural Economic Sabotage Council. Mr. President, on page 11, between lines 14 and 15, insert a new item, letter (f) which shall read:

(F) ESTABLISH A COMPREHENSIVE TRACKING AND TRACING SYSTEM TO OVERSEE THE VALUE CHAIN OF AGRICULTURAL COMMODITIES AND COLLECT AND REPORT REAL TIME DATA ON

PRODUCTION, PROCESSING, TRANSPORTATION, STORAGE, SALE, IMPORT AND EXPORT DOCUMENTATION.

Amendments of Senator Hontiveros

- a. On page 6, line 10 (clean copy as of September 23, insert the new sentence SALE OF AGRICULTURAL AND FISHERY PRODUCTS THIRTY percent (30%) BELOW THE DAILY PRICE INDEX SHALL ALSO RAISE THE PRESUMPTION THAT ACTS OF SMUGGLING HAVE BEEN COMMITTED.
- b. On the old page 6, lines 18 to 19, delete the phrase “in the face of existing shortage of products, artificial or real, referred to in Section 4 of this Act.”
- c. On page 9,
 - i. line 6, after the word “suspect”, insert the phrase OR COMMITS ANY OF THE CORRUPT PRACTICES UNDER SECTION 3 OF REPUBLIC ACT NO. 3019 FOR THE PURPOSE OF FACILITATING AGRICULTURAL ECONOMIC SABOTAGE.
 - ii. line 9, after the word “benefits”, insert the new sentence DIRECT PECUNIARY OR MATERIAL BENEFIT IS NOT NECESSARY IN ORDER TO PROVE THAT A GOVERNMENT OFFICER OR EMPLOYEE HAS AIDED AND ABETTED THE COMMISSION OF THE CRIME.
- d. On the old page 15, line 28, to the old page 16, lines 1 to 4, delete the phrase “donated by the Council to the *Katuwang sa Diwa at Gawa para sa Masaganang Ani at Mataas na Kita* (KADIWA) or succeeding similar program of the Department for sale in its markets, the profits of which shall be used in support of its programs and projects for the small farmers and fisherfolk”, and replace it with DISPOSED BY THE COUNCIL, OR DONATED TO THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT OR LOCAL GOVERNMENT UNITS.

6. Senate Bill No. 2426 under Committee Report No. 107

An Act Mandating the Formulation, Funding, Implementation, Monitoring, and Evaluation of a Comprehensive and Multi-Year “Tatak Pinoy” (Proudly Filipino) Strategy, Establishing a Tatak Pinoy Council, Appropriating Funds Therefor, and For Other Purposes

Sponsor : Sen. Sonny Angara

Approved on Second Reading

Manifestation of Senator Angara

Senator Angara expressed his gratitude to everyone who helped craft the bill.

7. Senate Bill No. 2439 under Committee Report No. 120

An Act Institutionalizing the Philippine Ecosystem and Natural Capital Accounting System, Mandating its Use in Policy and Decision Making, Designating

the Agencies Responsible for its Implementation, Providing Institutional Arrangements among Responsible Agencies, and Appropriating Funds Therefor

Sponsor : Sen. Loren Legarda

Interpellation of Senator Pimentel

In response to Senator Pimentel's query on the reason the natural capital accounting idea never took off as a concept and practice, Senator Legarda pointed out that the Philippines was among the first countries in Southeast Asia to conduct national capital accounting, which started in the 1990s and continued in the early 2000s. She mentioned several initiatives:

- Environmental Natural Resources Project (ENRAP) led by the Department of Environment and Natural Resources (DENR) under the United States Agency for International Development (USAID);
- Philippine Economic Environmental and Natural Resources Accounting (PEENRA) project implemented by the National Statistical Coordination Board (NSCB) and used the System of Environment Economic Accounting (SEEA) framework with financial and technical assistance from the United Nations;
- Issuance of Executive Order No.406 in 1997 to institutionalize the PEENRA system and mandated the DENR, the National Economic and Development Authority (NEDA), and the NSCB, along with the Department of Agriculture (DA) and the Department of Trade Industry (DTI), to create units within their organizational structures to support the Environmental and Natural Resources (ENR) accounting system;
- Her filing of Senate Bill No. 1896 in 2000 to institutionalize the PEENRA system; and
- Adoption of the Environmental Economic Accounting Framework under the World Bank-led Wealth Accounting and Valuation of Ecosystem (WAVES) project in 2014.

As for the need for a law on environmental and natural resources accounting, Senator Legarda said there was a need to institutionalize what was already being done for decades as it was ad hoc and did not have support.

To give an idea of Philippine Ecosystem and Natural Capital Accounting System (PENCAS), Senator Legarda explained that there would be an output matrix called Supply and Use Tables, which would be drawn from various statistical surveys like environmental protection expenditures, forest inventory, and the like. The Philippine Statistics Authority (PSA) would be in charge of PENCAS. She added that PENCAS would enable both the private sector and the legislators to evaluate and communicate reliance on nature to offer a clear perspective to align sustainable investment choices.

The Sponsor said that, on the government side, the disclosure of the private sector's dependence on nature would allow primarily financial institutions to mobilize private capital for environmental sustainability that would yield returns on investments and additional co-benefits.

Senator Pimentel then asked if, through PENCAS, the Philippine Reclamation Authority (PRA) would have information on the value of the ecosystem in and around the Manila Bay area needed before decision-making. On this, Senator Legarda answered in the affirmative, explaining that with the use of PENCAS tools, the environmental impact assessment (EIA) needed for an environmental compliance certificate (ECC) would be more detailed. She added that the EIA through PENCAS tools would be more quantifiable to measure the impact of land reclamation, of tree cutting, and of cutting mountains, among others.

Senator Legarda concurred with Senator Pimentel that the tools, tests, or standards used by DENR for the issuance of EIAs or ECC are lenient compared with the proposed PENCAS. She said that since the present tools did not measure the cost of the nature that was affected or extracted, PENCAS would be supplementary to EIA.

Manifestation of Senator Hontiveros

Senator Hontiveros stated that ongoing discussions with environmentalists about the different economic activities showed that it was time to strengthen the EIA system. She said that PENCAS would complement the EIA system and the other existing ecological instruments and policies.

Interpellation of Senator Pimentel

When asked if the DENR were using the PENCAS concept, Senator Legarda explained that while there was the “wish” to use the PENCAS approach, they would need the tools, the know-how, and the personnel. Related to Senator Legarda’s response, Senator Pimentel then inquired on the creation of plantilla positions. On this, Senator Legarda stated that there would be divisions for environmental accounts, ecosystems accounts, environmental statistics, and indicators division under the PSA for PENCAS if enacted into law. The current Environment and Natural Resource Account Division could be divided into three aforementioned proposed divisions. She also added that the DENR could be capacitated to have a division on PENCAS, along with the DA, Bureau of Fisheries and Aquatic Resources (BFAR), Bureau of Soil and Water Management (BSWM), and National Fisheries Research and Development Institute (NFRDI), but the PSA would be the lead agency.

As regards the budget, Senator Legarda stated there was no indicated amount but the initial budget provided by the PSA and DENR would be P888 million for personal services, maintenance and other operating system, capital outlay, regional office expenses, office space, and contingency, among others. She pointed out that the budgeting could be changed and that they could start small given that the division presently could operate with only a few personnel.

Senator Pimentel then sought clarification on the definition of the terms. On the matter, Senator Legarda explained the following terms that evolved since environmental natural accounting started in the Philippines:

- Natural capital accounting is a DENR-USAID-led initiative that started in the Philippines through the ENRAP.
- PEENRA started later than the ENRAP implemented by the NSCB and used a SEEA framework.

- Global partnership on World Bank-led WAVES implemented from 2013 to 2017 by eight developing countries to revitalize natural capital accounting.

To date, the Philippine Statistics Authority (PSA) is in partnership with the United Nations Statistics Division for another project for environmental-economic accounting focusing on the accounts under the SESA framework.

Senator Pimentel suggested that when the measure became law, PENCAS should be the term to be used when measuring nature's stock to avoid confusion, to which Senator Legarda concurred while pointing out that while different names were used, the concept of measuring nature's stock was consistent.

Senator Legarda explained that the adoption of the PENCAS concept and methodologies will be mainstreamed. She mentioned that the DENR, DA, BSWM, the Department of Science and Technology (DOST), and the local government units would be among the users.

Manifestation of Senator Angara

Senator Angara inquired about the most advanced country with respect to the adoption of PENCAS type of environmental accounting, and the use of PENCAS data. On this, Senator Legarda said that it would be Australia. She explained that each country would have sectors in the environment where PENCAS had been used. For instance, Australia is water-stressed, so they used PENCAS to measure water. The UK would be biodiversity. European countries would be carbon accounts. Environmental Economic Accounting (EEA) is being used in different sectors where the need arises.

Interpellation of Senator Pimentel

As for the required competencies and categories to be measured, Senator Legarda stated that since there was no law, there was hardly any support. To date, there are only nine categories but more can be developed into regional and subnational PENCAS. As for the categories to be used, Senator Legarda stated that sectors were being measured. For instance, Canada is measuring minerals, while Cordillera is measuring land, timber, and water. Thus, where there is stress, statistics knowledge and the EEA are being used.

When asked about the absence of a penal section, Senator Legarda said that there would be no penalties for violations but she opined that people would see the importance of PENCAS, and the concerned agencies would conduct consultative mechanisms, and mass collaboration measures to effectively popularize PENCAS and ensure wide comprehensibility and usage of the accounts. Moreover, she said that any citizen should have the standing to compel the performance of any of the mandates under the Act and to seek justification from any government agency that may have ignored or neglected PENCAS accounts and indicators in their policy or decision-making. She concurred with Senator Pimentel that any citizen can go to court to compel the use of PENCAS

As an example, Senator Legarda cited that if there was a bureau in the DENR that did not use the PENCAS tools to measure biodiversity, and was still using EIA only but not measuring the way biodiversity should be measured, a complaint could be lodged before the oversight function.

As for the legal provision in Section 11 of the bill that states: Nothing in this Act shall be construed to mean that nature has no inherent and intrinsic value, separate and distinct from its economic value, Senator Legarda explained the rights of nature provision are grounded on a recognition that humankind and nature share a fundamental: non-anthropocentric relationship given our shared existence in the planet and it creates guidance for action that respect this relationship. She added that what was a non-anthropocentric value was a value centered on something other than human beings. She cited some instances. Bangladesh, in 2019, recognized the river as a living entity with legal rights and held that the same would apply to all rivers in Bangladesh. In New Zealand, the Whanganui River was granted legal status as a person in 2017. She also expressed her intention to declare the Pasig River a person.

Manifestation of Senator Hontiveros

Senator Hontiveros thanked Senator Legarda for saying that she would file a rights of nature bill, saying that she also has a pending bill on the rights of nature. Senator Hontiveros asked if Senator Legarda would want to coauthor the bill, to which Senator Legarda agreed. Senator Legarda stated that she would be glad to include Section 11 in the PENCAS, which would serve as an introductory measure to Senator Hontiveros' full measure on the rights of nature.

Interpellation of Senator Pimentel

As a last point, Senator Pimentel suggested that the term, adjusted net savings, be defined.

The session was adjourned at 7:24 p.m.