

RECORD OF THE SENATE

WEDNESDAY, AUGUST 30, 2000

OPENING OF THE SESSION

At 3:30 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.

The President. The 17th session of the Third Regular Session of the Eleventh Congress is hereby called to order.

We shall be led in prayer by Sen. Sergio R. Osmeña III.

Everybody rose for the prayer.

PRAYER

Senator Osmeña III.

Lord God Almighty, source of our life and all that is good within us,

We long for Your soothing presence in our soul because our world is now overcome by the destructive effects of rapaciousness and greed.

We thirst for Your compassion because we see so many innocent lives fall victim to the violence of men's hatred and vengeful passions.

We pine for Your justice because all around us the meek and the humble are downtrodden by those who wield power and might with their wealth and their high positions.

We hunger for Your love because we see around us so much of self-interest and self-aggrandizement in the affairs of men who are out only to enrich or perpetuate themselves in power.

When O Lord, will the righteous triumph over the unjust?

When will there be an end to the dishonesty, corruption and wholesale thievery in our government?

When will we learn to appreciate our roles of servanthood so that we may serve our people with unselfish dedication and sincerity?

When will we see Your peace reign over our land?

With full trust in Your wisdom, and in Your divine providence, we deliver ourselves and our country into Your hands.

O Lord, hear our prayer.

Amen.

ROLL CALL

The President. The Secretary will please call the roll.

The Acting Secretary [Atty. Reyes], reading:

Senator Teresa Aquino-Oreta	Present
Senator Robert Z. Barbers	Present*
Senator Rodolfo G. Biazon	Present
Senator Renato L. Compañero Cayetano	Present
Senator Anna Dominique M.L. Coseteng	Present
Senator Miriam Defensor Santiago	Present
Senator Juan Ponce Enrile	Present*
Senator Juan M. Flavier	Present*
Senator Teofisto T. Guingona Jr.	Present
Senator Gregorio B. Honasan	Present*
Senator Robert S. Jaworski	Present
Senator Loren B. Legarda-Leviste	Present
Senator Ramon B. Magsaysay Jr.	Present
Senator Blas F. Ople	Present
Senator John Henry R. Osmeña	Absent**
Senator Sergio R. Osmeña III	Present
Senator Aquilino Q. Pimentel Jr.	Present
Senator Ramon B. Revilla	Present
Senator Raul S. Roco	Present*
Senator Vicente C. Sotto III	Present
Senator Francisco S. Tatad	Present*
The President	Present

The President. With 15 senators present, there is a quorum. The Majority Leader is recognized.

THE JOURNAL

Senator Sotto. Mr. President, I move that we dispense with the reading of the *Journal* of Session No. 16, Monday and Tuesday, August 28 and 29, 2000 and consider it approved.

The President. Is there any objection? [*Silence*] There being none, the motion is approved.

* On official mission

** On account of illness

Senator Sotto. Mr. President, I move that we proceed with the Reference of Business.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

The Secretary will read the Reference of Business.

REFERENCE OF BUSINESS

BILLS ON FIRST READING

The Acting Secretary [Atty. Reyes]. Senate Bill No. 2136, entitled

AN ACT CONVERTING THE PROJECT MANAGEMENT OFFICE FOR TRAFFIC ENGINEERING AND MANAGEMENT OF THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH) INTO THE NATIONAL TRAFFIC ENGINEERING CENTER, DEFINING ITS FUNCTIONS, PROVIDING APPROPRIATION THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Barbers

The President. Referred to the Committees on Public Services; Public Works; and Finance

The Acting Secretary [Atty. Reyes]. Senate Bill No. 2137, entitled...

MOTION OF SENATOR DRILON (To Defer the Reading of the Reference of Business)

The President. With the concurrence of the Chamber, the Chair would like to defer the reading of the Reference of Business to give way to the consideration of the Bicameral Conference Committee Report on Senate Bill No. 2117 and House Bill No. 1422, given the presence of a number of senators in the hall, if there is no objection. *[There was none.]*

The Majority Leader is recognized.

CONFERENCE COMMITTEE REPORT ON S. NO. 2117/H. NO. 1422 (Providing Guidelines for Expropriation Proceedings)

Senator Sotto. Yes, Mr. President. We are glad that the Chair reminded us.

Mr. President, I move that we consider the Bicameral

Conference Committee Report on the disagreeing provisions of Senate Bill No. 2117 and House Bill No. 1422.

Mr. President, I ask that the principal sponsor, Sen. Renato L. Compañero Cayetano, be recognized.

The President. Under the *Rules*, consideration of the Conference Committee Report is always in order. The same having been filed, the consideration of Conference Committee Report on Senate Bill No. 2117 and House Bill No. 1422 is in order.

To present the report, Sen. Renato L. Compañero Cayetano is recognized.

REPORT OF SENATOR CAYETANO

Senator Cayetano. Thank you, Mr. President.

Mr. President, the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2117 and House Bill No. 1422 was discussed last night. I am pleased to report to the Chamber that we have arrived at a reconciled version of these two bills. With the permission of the Chamber, I shall report the highlights of the reconciled bill.

We started with the Senate version as the working draft. The Senate version of the *Declaration of Policy* with little amendment, as a matter of style, was adopted, and that is Section 1.

The definition in Section 2 of what constitutes "National Government Projects", Mr. President, was taken out from the reconciled bill that we approved yesterday on Senate Bill No. 2038 and House Bill No. 898 to be consistent, since the bill that was discussed last night is a companion bill of these former two bills that I mentioned.

On the *Modes of Acquiring Real Property*, Mr. President, the same remained practically as the Senate version.

Section 4 which is the *Guidelines for Expropriation Proceedings*, the basic changes consist of the following:

In the Senate version, the amount that should be paid to the landowner, Mr. President, is 110 percent of the value as determined by the zonal valuation of the BIR. It was agreed that we would scale it down to 100 percent in order not to falsely bring home the message that the bill itself is providing a higher minimum to be paid to the landowner on the basis of the zonal valuation.

The other change, Mr. President, is that before the writ of possession is issued by the court, a certificate of availability

of funds should be presented by the government official concerned. Actually, this is already in the Senate version, but this is just restyled in the process. And this now becomes Section 4 of the reconciled bill.

On the word "must" between the words "court" and "consider" found in Section 5 which is the standard for the assessment of the value of the land subject of expropriation was deleted and instead the word "MAY" was used in order to ensure that this bill is not dictating on the court what should be the standard because as we all know, Mr. President, jurisprudence shows that only the court may determine what constitutes just compensation. So, as far as standards are concerned, they may be used by the court where the expropriation proceeding is pending.

With respect to guidelines for negotiated sale, Mr. President, again, it was just subjected to style and the version of the Senate was adopted.

There was added also, again as a matter of style, the ecological and environmental concern which was found in Section 8 of the Senate version. This was somewhat changed to include the provision that the environmental laws and land use ordinance and other provisions of Republic Act No. 7160 or the Local Government Code of 1991 should be included. Those are all the changes there, Mr. President.

In Section 9, *Squatter Relocation*, there has been no substantial change of the same, using the Senate version. The rest remain the same as found in the Senate version except a new section which is now found as Section 12 of the reconciled version which is the rules and regulations that would be adopted to implement this Act. Here, a committee composed of the secretary of the Department of Public Works and Highways as chairperson and the secretaries of the Department of Transportation and Communications, the Department of Energy, the Department of Justice, and the presidents of the Leagues of Provinces, Cities and Municipalities as members shall prepare the necessary regulations.

Those, Mr. President, are the highlights of the reconciled version and explanation of the Conference Committee on the disagreeing provisions of Senate Bill No. 2117 and House Bill No. 1422.

Finally, the reconciled title of the bill is now "AN ACT TO FACILITATE ACQUISITION OF RIGHT-OF-WAY, SITE OR LOCATION FOR NATIONAL GOVERNMENT INFRASTRUCTURE PROJECTS AND FOR OTHER PURPOSES."

Thank you, Mr. President.

The President. Does the Chair hear a motion for the approval of the report?

APPROVAL OF CONFERENCE COMMITTEE REPORT
ON S. NO. 2117/H. NO. 1422

Senator Cayetano. Mr. President, I move that we approve the Bicameral Conference Committee Report.

The President. Is there any objection? *[Silence]* There being none, the report of the Conference Committee on the disagreeing provisions of Senate Bill No. 2117 and House Bill No. 1422 is hereby approved.

Senator Cayetano. Mr. President, in addition, I would like to thank the members of the Senate panel, Sen. Aquilino Q. Pimentel Jr. and Sen. Robert S. Jaworski who, together with this representation, participated in last night's conference.

Thank you, Mr. President.

The President. The Chair directs the Secretariat to reflect verbatim into the *Record* and the *Journal* of the Senate the report of the Bicameral Conference Committee as submitted by Sen. Renato L. Compañero Cayetano so that the report will be in its entirety reflected in the *Record* and the *Journal*.

The following is the whole text of the conference committee report:

JOINT EXPLANATION OF THE CONFERENCE
COMMITTEE ON THE DISAGREEING PROVISIONS OF
SENATE BILL NO. 2117 AND HOUSE BILL NO. 1422

The Conference Committee on the disagreeing provisions of Senate Bill No. 2117 and House Bill No. 1422, after having met and fully discussed the subject matter in a conference on August 29, 2000, hereby report to their respective Houses the following:

1. The Senate version was adopted as the working draft.

2. The conferees agreed to amend Section 1 (Declaration of Policy) of the Senate version to read as follows:

"SECTION 1. *Declaration of Policy.* - Article III, Section 9 of the Constitution states that private property shall not be taken for public use without just compensation. Towards this end,

the State shall ensure that owners of real property acquired for national government infrastructure projects are promptly paid just compensation."

and to adopt the same as Section 1 of the reconciled version.

3. Section 2 of the definition of "National Government Projects" was copied from the definition of the aforementioned term with modifications found in the reconciled version of Senate Bill No. 2038 and House Bill No. 898 and was adopted as Section 2 of the reconciled version.

4. Section 3 (Modes of Acquiring Real Property) was adopted from an amended version of Senate Bill No. 2117 and which shall read:

"SEC. 3. *Modes of Acquiring Real Property.*

- The Government may acquire real property needed as right-of-way, site or location for any national government infrastructure project through donation, negotiated sale, expropriation or any other mode of acquisition as provided by law."

5. Section 4 (Guidelines for Expropriation Proceedings) of the Senate version was amended to read as follows:

"SEC. 4. *Guidelines for Expropriation Proceedings.* - Whenever it is necessary to acquire real property for the right-of-way, site or location for any national government infrastructure project through expropriation, the appropriate implementing agency shall initiate the expropriation proceedings before the proper court under the following guidelines:

A) Upon the filing of the complaint, and after due notice to the defendant, the implementing agency shall immediately pay the owner of the property the amount equivalent to the sum of (1) one hundred percent (100%) of the value of the property based on the current relevant zonal valuation of the Bureau of Internal Revenue (BIR); and (2) the value of the improvements and/or structures as determined under Section 7 hereof;

B) In provinces, cities, municipalities and other areas where there is no zonal valuation, the BIR is hereby mandated within the period of sixty (60) days from the date of filing of the expropriation

case, to come up with a zonal valuation for said area; and

C) In case the completion of a government infrastructure project is of utmost urgency and importance, and there is no existing valuation of the area concerned, the implementing agency shall immediately pay the owner of the property its proffered value taking into consideration the standards prescribed in Section 5 hereof.

Upon compliance with the guidelines abovementioned, the court shall immediately issue to the implementing agency an order to take possession of the property and start the implementation of the project.

Before the court can issue a Writ of Possession, the implementing agency shall present to the court a certificate of availability of funds from the proper official concerned.

In the event that the owner of the property contests the implementing agency's proffered value, the court shall determine the just compensation to be paid the owner within sixty (60) days from the date of filing of the expropriation case. When the decision of the court becomes final and executory, the implementing agency shall pay the owner the difference between the amount already paid and the just compensation as determined by the court."

and was adopted as Section 4 of the reconciled version.

6. The word "must" between the words "court" and "consider" found in Section 5 (Standards for the Assessment of the Value of the Land Subject of Expropriation Proceedings or Negotiated Sale) of Senate Bill No. 2117 was deleted and replaced with the word "may". As amended, the said section of the Senate bill was adopted as Section 5 of the reconciled version.

7. Section 6 (Guidelines for Negotiated Sale) of the Senate bill No. 2117 was amended to read as follows:

"SEC. 6. *Guidelines for Negotiated Sale.* - Should the implementing agency and the owner of the property agree on a negotiated sale for the acquisition of right-of-way, site or location for any

national government infrastructure project, the standards prescribed under Section 5 hereof shall be used to determine the fair market value of the property, subject to review and approval by the head of the agency or department concerned."

and was adopted as Section 6 of the reconciled bill.

8. Section 7 (Valuation of Improvements and/or Structures) of Senate Bill No. 2117 was amended to read as follows:

"SEC. 7. *Valuation of Improvements and/or Structures.* - The Department of Public Works and Highways and other implementing agencies concerned, in coordination with the local government units concerned in the acquisition of right-of-way, site or location for any national government infrastructure project, are hereby mandated to adopt within sixty (60) days upon approval of this Act, the necessary implementing rules and regulations for the equitable valuation of the improvements and/or structures on the land to be expropriated."

and was adopted as Section 7 of the reconciled bill.

9. Section 8 (Ecological and Environmental Concerns) of Senate Bill No. 2117 was amended to read as follows:

"SEC. 8. *Ecological and Environmental Concerns.* - In cases involving the acquisition of right-of-way, site or location for any national government infrastructure project, the implementing agency shall take into account the ecological and environmental impact of the project. Before any national government project could be undertaken, the agency shall consider environmental laws, land use ordinances and all pertinent provisions of Republic Act No. 7160, as amended, otherwise known as the Local Government Code of 1991."

and was adopted as Section 8 of the reconciled bill.

10. Section 9 (Squatter Relocation) of the reconciled bill is a consolidation of Section 9 of the Senate version and Section 4 of the House version which shall read as follows:

"SEC. 9. *Squatter Relocation.* - The Government through the National Housing

Authority, in coordination with the local government units and implementing agencies concerned, shall establish and develop squatter relocation sites, including the provision of adequate utilities and services, in anticipation of squatters that have to be removed from the right-of-way or site of future infrastructure projects. Whenever applicable, the concerned local government units shall provide and administer the relocation sites.

In case the expropriated land is occupied by squatters, the court shall issue the necessary "Writ of Demolition" for the purpose of dismantling any and all structures found within the subject property. The implementing agency shall take into account and observe diligently the procedure provided for in Sections 28 and 29 of Republic Act No. 7279, otherwise known as the Urban Developing and Housing Act of 1992.

Funds for the relocation sites shall come from appropriations for the purpose under the General Appropriations Act, as well as from appropriate infrastructure projects funds of the implementing agency concerned."

11. Section 10 of the Senate version was amended to read as follows:

"SEC. 10. *Appropriations for Acquisition of Right-of-Way, Site or Location for Any National Government Infrastructure Project in Advance of Project Implementation.* - The Government shall provide adequate appropriations that will allow the concerned implementing agencies to acquire the required right-of-way, site or location for any national government infrastructure project."

and was adopted as Section 10 of the reconciled bill.

12. Section 7 (Sanctions) of House Bill No. 1422 was amended to read as follows:

"SEC. 11. *Sanctions.* - Violation of any provision of this Act shall subject the government official or employee concerned to appropriate administrative, civil and/or criminal sanctions, including suspension and/or dismissal from the government service and forfeiture of benefits."

and was adopted as Section 11 of the reconciled bill.

13. Section 8 (Rules and Regulations) of House Bill No. 898 was amended to read as follows:

"SEC. 12. *Rules and Regulations.* - A committee composed of the Secretary of the Department of Public Works and Highways as chairperson, and the Secretaries of the Department of Transportation and Communications, the Department of Energy, and the Department of Justice, and the Presidents of the Leagues of Provinces, Cities and Municipalities as members shall prepare the necessary rules and regulations for the proper implementation of this Act within sixty (60) days from its approval."

and was adopted as Section 12 of the reconciled bill.

14. Section 13 of the reconciled bill is a standard *Separability Clause*.

15. Section 14 of the reconciled bill is a standard *Repealing Clause*.

16. Section 13 (*Effectivity Clause*) of the Senate version was adopted as Section 15 of the reconciled bill.

17. The title of the reconciled bill shall read as follows:

"AN ACT TO FACILITATE THE ACQUISITION OF RIGHT-OF-WAY, SITE OR LOCATION FOR NATIONAL GOVERNMENT INFRASTRUCTURE PROJECTS AND FOR OTHER PURPOSES"

In case of conflict between the statements/amendments stated in this Joint Explanation and that of the provisions of the consolidated bill in the accompanying Conference Committee Report, the provisions of the latter shall prevail.

(Sgd.) BERNARDO M. VERGARA
Chairman, House Panel

(Sgd.) RENATO L. COMPAÑERO CAYETANO
Chairman, Senate Panel

CONFERENCE COMMITTEE REPORT

The Conference Committee on the disagreeing provisions of Senate Bill No. 2117, entitled

AN ACT PROVIDING GUIDELINES FOR EXPROPRIATION PROCEEDINGS, AND FOR OTHER PURPOSES

and House Bill No. 1422, entitled

AN ACT PROVIDING FOR MEASURES TO FACILITATE THE ACQUISITION OF RIGHT-OF-WAY FOR INFRASTRUCTURE PROJECTS AND FOR OTHER PURPOSES,

after having met and discussed the subject matter in full and free conference, has agreed, and does hereby recommend to their respective Houses that Senate Bill No. 2117, in consolidation with House Bill No. 1422, be approved in accordance with the attached copy of the bill as reconciled and approved by the conferees.

Approved,

CONFEREES ON THE PART OF THE
HOUSE OF REPRESENTATIVES:

(Sgd.) BERNARDO M. VERGARA
Chairman, House Panel

FLORENCIO B. ABAD

(Sgd.) EDMUNDO O. REYES JR.

(Sgd.) SALACNIB F. BATERINA

(Sgd.) JOAQUIN M. CHIPECO JR.

GENEROSO DC. TULAGAN

(Sgd.) ALLAN PETER S. CAYETANO

(Sgd.) PACIFICO M. FAJARDO

EDUARDOR. GULLAS

(Sgd.) ERICO B. AUMENTADO

(Sgd.) FRANCIS JOSEPH G. ESCUDERO

FELICIANO R. BELMONTE JR.

SERGIO ANTONIO F. APOSTOL

RAUL M. GONZALES

CONFEREES ON THE PART OF THE SENATE:

(Sgd.) RENATO L. COMPAÑERO CAYETANO

(Sgd.) ROBERT S. JAWORSKI

(Sgd.) AQUILINO Q. PIMENTEL JR.

AN ACT TO FACILITATE THE ACQUISITION OF
RIGHT-OF-WAY, SITE OR LOCATION FOR
NATIONAL GOVERNMENT INFRASTRUCTURE
PROJECTS AND FOR OTHER PURPOSES

*Be it enacted by the Senate and House of
Representatives of the Philippines in Congress
assembled:*

SECTION 1. *Declaration of Policy.* - Article III, Section 9 of the Constitution states that private property shall not be taken for public use without just compensation. Towards this end, the State shall ensure that owners of real property acquired for national government infrastructure projects are promptly paid just compensation.

SEC. 2. *National Government Projects.* - The term "national government projects" shall refer to all national government infrastructure, engineering works and service contracts, including projects undertaken by government-owned and -controlled corporations, all projects covered by Republic Act No. 6957, as amended by Republic Act No. 7718, otherwise known as the Build-Operate-and-Transfer Law, and other related and necessary activities, such as site acquisition, supply and/or installation of equipment and materials, implementation, construction, completion, operation, maintenance, improvement, repair and rehabilitation, regardless of the source of funding.

SEC. 3. *Modes of Acquiring Real Property.* - The Government may acquire real property needed as right-of-way, site or location for any national government infrastructure project through donation, negotiated sale, expropriation or any other mode of acquisition as provided by law.

SEC. 4. *Guidelines for Expropriation Proceedings.* - Whenever it is necessary to acquire real property for the right-of-way, site or location for any national government infrastructure project through expropriation, the appropriate implementing agency

shall initiate the expropriation proceedings before the proper court under the following guidelines:

A) Upon the filing of the complaint, and after due notice to the defendant, the implementing agency shall immediately pay the owner of the property the amount equivalent to the sum of (1) one hundred percent (100%) of the value of the property based on the current relevant zonal valuation of the Bureau of Internal Revenue (BIR); and (2) the value of the improvements and/or structures as determined under Section 7 hereof;

B) In provinces, cities, municipalities and other areas where there is no zonal valuation, the BIR is hereby mandated within the period of sixty (60) days from the date of filing of the expropriation case, to come up with a zonal valuation for said area; and

C) In case the completion of a government infrastructure project is of utmost urgency and importance, and there is no existing valuation of the area concerned, the implementing agency shall immediately pay the owner of the property its proffered value taking into consideration the standards prescribed in Section 5 hereof.

Upon compliance with the guidelines abovementioned, the court shall immediately issue to the implementing agency an order to take possession of the property and start the implementation of the project.

Before the court can issue a Writ of Possession, the implementing agency shall present to the court a certificate of availability of funds from the proper official concerned.

In the event that the owner of the property contests the implementing agency's proffered value, the court shall determine the just compensation to be paid the owner within sixty (60) days from the date of filing of the expropriation case. When the decision of the court becomes final and executory, the implementing agency shall pay the owner the difference between the amount already paid and the just compensation as determined by the court.

SEC. 5. *Standards for the Assessment of the Value of the Land Subject of Expropriation Proceedings or Negotiated Sale.* - In order to facilitate the determination of just compensation, the court may

consider, among other well-established factors, the following relevant standards:

(A) The classification and use for which the property is suited;

(B) The developmental costs for improving the land;

(C) The value declared by the owners;

(D) The current selling price of similar lands in the vicinity;

(E) The reasonable disturbance compensation for the removal and/or demolition of certain improvements on the land and for the value of improvements thereon;

(F) The size, shape or location, tax declaration and zonal valuation of the land;

(G) The price of the land as manifested in the ocular findings, oral as well as documentary evidence presented; and

(H) Such facts and events as to enable the affected property owners to have sufficient funds to acquire similarly-situated lands of approximate areas as those required from them by the Government, and thereby rehabilitate themselves as early as possible.

SEC. 6. Guidelines for Negotiated Sale. - Should the implementing agency and the owner of the property agree on a negotiated sale for the acquisition of right-of-way, site or location for any national government infrastructure project, the standards prescribed under Section 5 hereof shall be used to determine the fair market value of the property, subject to review and approval by the head of the agency or department concerned.

SEC. 7. Valuation of Improvements and/or Structures. - The Department of Public Works and Highways and other implementing agencies concerned, in coordination with the local government units concerned in the acquisition of right-of-way, site or location for any national government infrastructure project, are hereby mandated to adopt within sixty (60) days upon approval of this Act, the necessary implementing rules and regulations for the equitable valuation of the improvements and/or structures on the land to be expropriated.

SEC. 8. Ecological and Environmental Concerns.

- In cases involving the acquisition of right-of-way, site or location for any national government infrastructure project, the implementing agency shall take into account the ecological and environmental impact of the project. Before any national government project could be undertaken, the agency shall consider environmental laws, land use ordinances and all pertinent provisions of Republic Act No. 7160, as amended, otherwise known as the Local Government Code of 1991.

SEC. 9. Squatter Relocation. - The Government through the National Housing Authority, in coordination with the local government units and implementing agencies concerned, shall establish and develop squatter relocation sites, including the provision of adequate utilities and services, in anticipation of squatters that have to be removed from the right-of-way or site of future infrastructure projects. Whenever applicable, the concerned local government units shall provide and administer the relocation sites.

In case the expropriated land is occupied by squatters, the court shall issue the necessary "Writ of Demolition" for the purpose of dismantling any and all structures found within the subject property. The implementing agency shall take into account and observe diligently the procedure provided for in Sections 28 and 29 of Republic Act No. 7279, otherwise known as the Urban Development and Housing Act of 1992.

Funds for the relocation sites shall come from appropriations for the purpose under the General Appropriations Act, as well as from appropriate infrastructure projects funds of the implementing agency concerned.

SEC. 10. Appropriations for Acquisition of Right-of-Way, Site or Location for Any National Government Infrastructure Project in Advance of Project Implementation. - The Government shall provide adequate appropriations that will allow the concerned implementing agencies to acquire the required right-of-way, site or location for any national government infrastructure project.

SEC. 11. Sanctions. - Violation of any provision of this Act shall subject the government official or employee concerned to appropriate administrative,

civil and/or criminal sanctions, including suspension and/or dismissal from the government service and forfeiture of benefits.

SEC. 12. - Rules and Regulations. - A committee composed of the Secretary of the Department of Public Works and Highways as chairperson, and the Secretaries of the Department of Transportation and Communications, the Department of Energy, and the Department of Justice, and the Presidents of the Leagues of Provinces, Cities and Municipalities as members shall prepare the necessary rules and regulations for the proper implementation of this Act within sixty (60) days from its approval.

SEC. 13. Separability Clause. - If any provision of this Act is declared unconstitutional or invalid, other parts or provisions hereof not affected thereby shall continue to be in full force and effect.

SEC. 14. Repealing Clause. - All laws, decrees, orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SEC. 15. Effectivity Clause. - This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,

The President. The Majority Leader is recognized.

CONFERENCE COMMITTEE REPORT ON
S. NO. 1404/H. NO. 10615
(Solo Parents Welfare Act)

Senator Sotto. Mr. President, we have another Bicameral Conference Committee Report. This time, it is the report on the disagreeing provisions of Senate Bill No. 1404 and House Bill No. 10615. For this report, Sen. Teresa S. Aquino-Oreta is the main sponsor. I ask that she be recognized.

The President. The consideration of the Conference Committee Report on the disagreeing provisions of Senate Bill No. 1404 and House Bill No. 10615 is in order.

Sen. Teresa S. Aquino-Oreta is recognized to submit the same to the Chamber.

REPORT OF SENATOR AQUINO-ORETA

Senator Aquino-Oreta. Thank you, Mr. President.

I hereby submit to the Body the Conference Committee Report on the disagreeing provisions of Senate Bill No. 1404 and House Bill No. 10615.

The Conference Committee on the disagreeing provisions of Senate Bill No. 1404 and House Bill No. 10615, after having met and fully discussed the subject matter in a conference on August 15, 2000, hereby report to this august Chamber the following:

1. Initially, the conferees, Mr. President, agreed to adopt the Senate version as the working draft. Since the provisions were identical, if not substantially the same, both Chambers compromised to adopt either the Senate or the House version. However, some provisions were then culled from one or the other for inclusion in the selected version and some were deleted from the bill *in toto*.

2. The "TITLE I - GENERAL PROVISIONS" was deleted.

3. On Section 1 (*Title*), the title of the House version was adopted to be Section 1 of the reconciled version.

4. On Section 2, the Senate version was adopted to be Section 2 of the reconciled version modifying the subtitle from "Purpose" to "DECLARATION OF POLICY" and changing the introductory phrase from "This Act aims" to "IT IS THE POLICY OF THE STATE".

5. On Section 3 (*Definition of Terms*), the Senate version was adopted as Section 3 of the reconciled version with modifications in certain subsections, to wit:

5.a. Section 3(a) (*Solo Parent*) of the Senate version was adopted as Section 3(a) of the reconciled version.

5.b. Section 3(a), item 1) of the Senate version was also adopted with some modifications to read as follows:

"1) A WOMAN WHO GIVES BIRTH AS A RESULT OF RAPE AND OTHER CRIMES AGAINST CHASTITY EVEN WITHOUT A FINAL CONVICTION OF THE OFFENDER: *PROVIDED*, THAT THE MOTHER KEEPS AND RAISES THE CHILD;"

5.c. Section 3(a), item 2) of the Senate version was adopted.