

## RECORD OF THE SENATE

WEDNESDAY, MARCH 15, 2000

### OPENING OF THE SESSION

*At 3:45 p.m., Hon. Vicente C. Sotto III, acting as the presiding officer, called the session to order.*

**The Presiding Officer [Senator Sotto].** The 73rd session of the Second Regular Session of the Eleventh Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Teofisto T. Guingona Jr.

*Everybody rose for the prayer.*

### PRAYER

**Senator Guingona.**

Dear God in Heaven,

Words without meaning do not to Heaven go. Let us, therefore, sincerely pray for guidance, for strength, for courage, to resolutely change the things that should be changed, to accept with dignity the things that cannot be changed, and to have the humility to know the difference.

Amen.

**The Presiding Officer [Senator Sotto].** The Secretary will please call the roll.

### ROLL CALL

**The Secretary, reading:**

Senator Teresa Aquino-Oreta .....	**
Senator Robert Z. Barbers .....	Present
Senator Rodolfo G. Biazon .....	Present
Senator Renato L. Compañero Cayetano ..	Present
Senator Anna Dominique M.L. Coseteng ..	Present
Senator Franklin M. Drilon .....	Present
Senator Juan Ponce Enrile .....	Present
Senator Juan M. Flavie .....	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 John Henry R. Osmeña .....	Present*

Senator Sergio R. Osmeña III .....	Present
Senator Aquilino Q. Pimentel Jr. ....	Present***
Senator Ramon B. Revilla .....	Present*
Senator Raul S. Roco .....	Present*
Senator Miriam Defensor Santiago .....	**
Senator Vicente C. Sotto III .....	Present
Senator Francisco S. Tatad .....	Present*
The President .....	**

**The Presiding Officer [Senator Sotto].** With 14 senators present, the Chair declares the presence of a quorum.

The Majority Leader is recognized.

### THE JOURNAL

**Senator Drilon.** Mr. President, I move that we dispense with the reading of the *Journal* of the previous session and consider it approved.

**The Presiding Officer [Senator Sotto].** Is there any objection? [*Silence*] There being none, the motion is approved.

### MOTION OF SENATOR DRILON (To Reconsider the Referral of Communications to the Archives and that the same be Referred to the Rules Committee)

**Senator Drilon.** Mr. President, before we proceed to the Reference of Business,—in fact, this is also related to the Reference of Business—may I say that during our session on Wednesday, March 8, 2000, there was a communication, specifically a letter from Executive Secretary Ronaldo B. Zamora of the Office of the President, transmitting the letter of His Excellency, the President of the Republic, addressed to the Secretary General of the House of Representatives, returning a number of bills which were passed during the previous Congress but which were actually sent to the Office of the President during this Congress since the Presiding Officers at that time did not sign the enrolled copies of the bill.

This communication returned these bills to the House of Representatives, as they are bills of local application. The position that was taken by the Executive Secretary and the Office of the President is that these bills should have been submitted to the previous presidency for appropriate action and not to the present administration. This was referred to the Archives.

\* Arrived after the roll call

\*\* On official mission

\*\*\* On official mission but arrived after the roll call

**BILL ON SECOND READING**  
**S. No. 1902—E-Commerce Law**  
*(Continuation)*

**Senator Drilon.** Mr. President, I move that we resume consideration of Senate Bill No. 1902 under Committee Report No. 179, the proposed measure providing for an Electronic Commerce Law in the Philippines.

**The Presiding Officer [Sen. Sotto].** Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 1902 is now in order.

**Senator Drilon.** Mr. President, we are now in the period of amendments, but before this Chamber could formally act on the amendments presented by the committee, there are still a few questions which the Minority Leader wishes to ask of the sponsor.

With that, may I ask the Chair to recognize the principal sponsor, Sen. Ramon B. Magsaysay Jr., for the period of amendments.

**The Presiding Officer [Sen. Sotto].** Senator Magsaysay is recognized.

**Senator Drilon.** To raise questions and interpellate on the proposed amendments, Sen. Teofisto T. Guingona wishes to be recognized.

**The Presiding Officer [Sen. Sotto].** The Minority Leader, Senator Guingona, is recognized.

**Senator Guingona.** Thank you, Mr. President.

Will the distinguished sponsor yield for some questions?

**Senator Magsaysay.** Certainly, Mr. President.

**Senator Guingona.** I understand that the Supreme Court is drafting some sort of amended rules and procedure to precisely allow electronic trading, e-commerce, for the safety of the public.

Does the distinguished sponsor have an update on the progress of that move by the Supreme Court?

**Senator Magsaysay.** The feedback, Mr. President, is that the Supreme Court is still studying the developments because the developments on e-commerce are so fast. It is looking at legal measures such as what we are doing that will be used as the basis in making its decision.

So, this measure, once passed into law, will be a large basis on how the Supreme Court will proceed.

**Senator Guingona.** Thank you for that, Mr. President. But on the same basis, since the technological progress is very fast, we may have to face a situation where we would be amending the proposed measure to keep up with the fast pace of electronic commerce technology.

**Senator Magsaysay.** Mr. President, that is a good concern of the senator from Cagayan de Oro. However, this bill is what we call "technology neutral." Meaning, however fast and how rapid the developments and changes of technology, we still have to have the legal framework to enable us to use the electronic documents generated in transactions as admissible in court.

**Senator Guingona.** On page 2, before the amended proposed amendments, the addressee is "a person who is intended to receive the data message, but does not include a person acting as an intermediary with respect to that data message."

**Senator Magsaysay.** That is correct.

**Senator Guingona.** Who then does this refer to?

**Senator Magsaysay.** The addressee is the person who is intended by the originator to receive the data message. That is the one receiving the message.

**Senator Guingona.** If there is a purchaser of a book, for example, is it not the buyer?

**Senator Magsaysay.** Yes, this is the buyer.

**Senator Guingona.** And who is the intermediary referred to here?

**Senator Magsaysay.** The intermediary would be the ISP, the service provider, the Internet service provider or any other similar third party. It is like—this is the highway—the intermediary.

**Senator Guingona.** Yes. The intermediary is agreed upon by both parties?

**Senator Magsaysay.** That is correct.

**Senator Guingona.** I see. In the definition of "computer," it is a long-winded definition. It is very hard to understand. However, it ends up by the phrase "INCLUDING TWO OR MORE COMPUTERS, CARRYING ONE OR MORE OF THOSE FUNCTIONS IN COMBINATION OR IN SUCCESSION OR OTHERWISE HOWSOEVER CONJOINTLY WHICH SHALL BE TREATED AS A SINGLE COMPUTER." Does this mean that the computer on one side of the ocean say, the United States, and the computer here shall be considered as one?

**Senator Magsaysay.** No, Mr. President.

**Senator Guingona.** In the purchase of a book, for example, the computer in the United States selling and the computer here will not be considered as one?

**Senator Magsaysay.** No, they are not considered as one.

**Senator Guingona.** So may we know the meaning of that phrase?

**Senator Magsaysay.** The phrase simply means that whether we have a single computer or two or more, if it is two or more—this must be a bank of computers including servers—this can be treated as a single entity or a single computer. Because when we say “computer,” it is a generic term meaning, one single unit or a bank of many computers which is considered as one entity.

**Senator Guingona.** I was under the impression that this was equivalent to one document. Because in the ordinary course, when there is a purchase and sale, there has to be one document which would embody all the terms, all the conditions and all the items of agreement between the buyer and the seller.

**Senator Magsaysay.** At the end of the day, yes. At the end of the exercise, we have a single document from one point.

**Senator Guingona.** But here, there are two or more computers, and as the distinguished sponsor says, this does not mean a single computer. It does not mean to be treated as a single computer. Because the way I understand it, when there is a purchase order, the supplier sends back to the purchaser the terms and conditions. If they are accepted, then they are relayed back. And after the needed verification as to signature, as to payment is made, then the deed of sale is consummated.

**Senator Magsaysay.** I can understand the question of the distinguished gentleman in the sense that when we have two parties doing a transaction,—one party being the supplier and the other being the consumer or buyer—the consumer is equivalent to one computer, while the supplier or the business supplying the consumer can be one computer or a thousand computers. The supplier may be receiving hundreds and thousands of queries every day. So he must have a band of computers and other sophisticated paraphernalia, but these are considered as one computer.

**Senator Guingona.** All right. In case of breach or dispute, where is the reference to determine who is the guilty party?

**Senator Magsaysay.** In terms of dispute, Mr. President, the basis of the transaction will be the terms of agreement of the

transaction. This is the so-called electronic document that the consumer or the buyer will read and agree to, and which he will finally receive.

**Senator Guingona.** Will it be in the verifier?

**Senator Magsaysay.** There is a level of verification in the sense that when the buyer orders certain goods and puts his payment, let us say, he gives his credit card number, the supplier or the other party, the other computer, usually verifies by asking the buyer through an e-mail this question: “Do you have an e-mail address?” So within 24 hours or even earlier, within the hour, the supplier asks the buyer if it is true that he has ordered such and such goods and that he has already given his credit card number. Then this transaction will proceed.

So there is a basis of verification. The communications loop is closed by the supplier sending an e-mail to the buyer who ordered the goods and the terms of agreement. If the buyer does not answer, it means that it is all right. The transaction will proceed.

**Senator Guingona.** He does not answer or... I thought that there was a needed click to indicate assent.

**Senator Magsaysay.** Yes, the buyer may confirm.

**Senator Guingona.** Because the answer of the sponsor—if the buyer does not answer—is a little dangerous and subject to a lot of interpretation.

**Senator Magsaysay.** Yes, Mr. President, it has to be confirmed.

**Senator Guingona.** Going now to the amendment regarding cracking which refers to unauthorized access into a computer. Who authorizes access?

**Senator Magsaysay.** If a company authorizes one of its own computer experts or an outside contractor to try to change and with its knowledge, that is authorized access. So, it has to be authorized by the owner of the software or the system.

**Senator Guingona.** The operator of a number of computers for a company is authorized.

**Senator Magsaysay.** That is correct, Mr. President.

**Senator Guingona.** And his authority is clear, specific, or is that general authority only?

**Senator Magsaysay.** It has to be specific because if the company or the computer entity authorizes a hacker to get into

the system to work out a problem or to try to challenge the security of the system, it is for the purpose of improving the system's security and integrity. It has to authorize that entity to do certain specific functions.

**Senator Guingona.** The experiences in the United States regarding cracking have been cited to allege that e-commerce is still not a safe manner of transacting business. Would cracking be an exception rather than the rule or the rule in many cases?

**Senator Magsaysay.** The unauthorized hacking or cracking is more of an exception.

**Senator Guingona.** Is there substantial difference between hacking and cracking?

**Senator Magsaysay.** As far as the public is concerned, Mr. President, both are defined as unauthorized access into a computer system.

**Senator Guingona.** I would like to thank the sponsor for that answer, Mr. President.

May I now go to the proposed amendment on electronic signature.

**Senator Magsaysay.** Yes, Mr. President.

**Senator Guingona.** I just wanted to verify again the meaning of "sound"—"REFERS TO ANY DISTINCTIVE MARK, CHARACTERISTIC OR SOUND". How can this be equivalent to a signature?

**Senator Magsaysay.** Mr. President, the term "sound" means the voice print. We all know about the science of audio engineering. Each person has his own distinctive sound imprint just like a fingerprint or a DNA for that matter which is now the latest to identify a certain individual. This is simply that each sound or each person has his own unique characteristic.

**Senator Guingona.** Is this subject to verification?

**Senator Magsaysay.** Yes, it is subject to verification.

**Senator Guingona.** And the verification is also through distinctive marks, characteristics or sound?

**Senator Magsaysay.** Yes, Mr. President. This is like a unique print. Like a thumbmark.

**Senator Guingona.** It says here on page 3A: "IN THE INTERPRETATION OF QUESTIONS CONCERNING

MATTERS GOVERNED BY THIS ACT,... Regard is to be had to its international origin..." What is the international origin referred to?

**Senator Magsaysay.** This is the UNCITRAL model, Mr. President.

**Senator Guingona.** "...and to the need to promote uniformity..."

**Senator Magsaysay.** This would also be based on the standard that is set by the model.

**Senator Guingona.** Is there such a model here?

**Senator Magsaysay.** This is the basis of this bill—the UNCITRAL law, the content of which is about 80 percent of this measure.

**Senator Guingona.** The general principles are all embodied here?

**Senator Magsaysay.** That is correct, Mr. President.

If I may add, Mr. President. On the UNCITRAL model, Article III, Interpretation, it states:

It is intended to provide guidance for interpretation of the model law by courts and other national or local authorities.

**Senator Guingona.** On the legal recognition of data messages, information shall not be denied legal effect on the ground that it is in the form of a data message. Is the data message without verification or without signature?

**Senator Magsaysay.** This is the crux of the measure that this may either be verified or not verified, but it will not be denied legal effect. There is no discrimination.

**Senator Guingona.** Our main concern here is that the e-commerce will be safe and will safeguard the public, especially those who are still relatively new in the trade. What safeguards are embodied in these proposed amendments that would ensure the security and safety of electronic commerce transactions?

**Senator Magsaysay.** We can turn to the March 7 version of our bill, with amendments on page 5, Section 12—AUTHENTICATION OF DATA MESSAGES.

**Senator Guingona.** This is subject to Supreme Court amending its rules. Is that correct?

**Senator Magsaysay.** That is true, Mr. President. This will be looked at by the Supreme Court—to guide it in its own appropriate rules. So this will serve as an interim part of the rules of the transactions.

**Senator Guingona.** On pages 5 and 5a, it says: "THE ELECTRONIC SIGNATURE SHALL BE AUTHENTICATED BY PROOF THAT A LETTER, CHARACTER, NUMBER OR OTHER SYMBOL IN ELECTRONIC FORM REPRESENTING THE NOMINATED PERSONS AND ATTACHED TO OR LOGICALLY ASSOCIATED WITH A DATA MESSAGE ELECTRONIC WRITING, OR THAT THE METHODOLOGY OR PROCEDURES WAS EMPLOYED OR ADOPTED BY A PERSON AND EXECUTED OR ADOPTED BY SUCH PERSON, WITH THE INTENTION OF AUTHENTICATING OR APPROVING AN ELECTRONIC DOCUMENT;"

How do we prove that intention?

**Senator Magsaysay.** As we saw this morning, Mr. President, each party has his own private key or digital signature, and it is only that party who knows this digital signature which is composed of symbols, numbers or characters.

**Senator Guingona.** Yes, but how does one prove the intent?

**Senator Magsaysay.** How the signature is...?

**Senator Guingona.** It says here on page 5A, line 15: "...ADOPTED BY SUCH PERSON, WITH THE INTENTION OF AUTHENTICATING OR APPROVING AN ELECTRONIC DOCUMENT;"

**Senator Magsaysay.** If we can compare it to a person who has a particular way of signing his physical signature and he has adopted that as his own unique signature representing him in any legal document or personal document, that same person will now adopt a digital signature that he has put together, using marks, characters, numbers or passwords. "Pin code," they call it, a digital certificate that he has adopted such set of digital signature as his own signature. Whenever he uses this, he has, in effect, signed that transaction or that document.

This is like the Chinese chop. Before, the Chinese had a chop. When the emperor puts his chop that this is a royal decree, that is his signature. He does not have to put his own penmanship, signature.

*At this juncture, the Presiding Officer, Sen. Vicente C. Sotto III, relinquished the Chair to President Pro Tempore John H. Osmeña.*

**Senator Guingona.** I hope the distinguished sponsor will have patience with me. How is an electronic signature authenticated?

**Senator Magsaysay.** How is the electronic signature authenticated? The electronic signature is authenticated by the issuer himself. There is a third party who issues the digital certificate. The third party may be the issuer of the certificate of authority or by the parties themselves together. So in the transaction between a supplier and a buyer, we can say that if both of them received that particular digital signature, the two of them, being the third party, will be the certifying authorities. Meaning, combined. There is an acceptance by both. Occasionally, there is a real third entity, like the issuer of the credit card of the buyer that becomes the certifying authority.

**Senator Guingona.** At the same time as the transaction?

**Senator Magsaysay.** That is correct, Mr. President, at the same time, within the period of transaction.

**Senator Guingona.** Since the intent is very hard to prove, why do we just not remove that and say, "adopted by a person and executed," or "authenticating or approving an electronic document." Because intent is difficult to prove in disputes that will come in.

**Senator Magsaysay.** Actually, Mr. President, if we run a comparison between a transaction, when a person goes to a restaurant and after finishing his meal, gives his credit card to his waiter and that credit card passes the credit card company, the credit card could be the certifying authority because he says, "Okay, go ahead, accept the charge." And when the person signs his John Hancock, his own penmanship, the transaction is consummated. That means the transaction is completed.

So, in the case of the electronic transaction, when the buyer—meaning the one who has just eaten—submits his credit card number and the credit card number passes the credit card company and says, "Go ahead, ship the goods," in this case the supplier, let us say, Amazon.com or Yahoo, will be the third party, because the two parties have accepted the order and the supplying. Or it could be the third party himself who can be the certifying authority. But in this case, it could also be the credit card company that says, "Go ahead, complete the transaction." So this is very similar to a person using his credit card after having eaten.

**Senator Guingona.** As long as the distinguished sponsor can assure us that this is the safe and secure procedure.

**Senator Magsaysay.** Much safer than the waiter handling

the distinguished gentleman's credit card. And he is trusting him because this is untouched by human hands. The electronic commerce is untouched by human hands.

**Senator Guingona.** I prefer human hands.

**Senator Magsaysay.** The waiter and the cashier can copy the credit card number and sometimes that happens.

**Senator Guingona.** Yes.

**Senator Magsaysay.** I have a nephew whose credit card was used, although he is already back in Manila. In Boston, his credit card was charged \$37,000, but he has been in Manila for over a year.

**Senator Guingona.** Especially if they are female hands, we prefer them.

I would like to thank the distinguished gentleman for his answers.

**Senator Magsaysay.** I also would like to thank the distinguished Minority Leader for his very profound questions. These are eye openers, Mr. President.

**Senator Drilon.** Mr. President.

**The President Pro Tempore.** The Majority Leader is recognized.

**Senator Drilon.** Sen. Aquilino Q. Pimentel Jr. wishes to raise some questions to the sponsor.

**The President Pro Tempore.** Sen. Aquilino Q. Pimentel Jr. is recognized.

**Senator Pimentel.** Thank you very much, Mr. President. I have just a few questions actually, because I am reserving the other points for possible amendments at the proper time.

**Senator Magsaysay.** Certainly, Mr. President.

**Senator Pimentel.** Using the e-commerce as described in this bill, Mr. President, would primarily target the sale of small items normally.

**Senator Magsaysay.** We have to look at the whole e-commerce activities as basically business to business. Meaning, a supplier-buyer over 80 percent. The small casual buyers like business to consumer is roughly about 20 percent. These are the buyers of books.

I think the senator from Cagayan de Oro has ordered quite a few through the Internet seeing him having on his desk his own laptop computer.

**Senator Pimentel.** It is only for impression purposes, Mr. President.

**Senator Magsaysay.** But it is a functioning computer, I hope.

**Senator Pimentel.** Certainly, it is.

Nonetheless, I would like to point out, for example, that indeed the distinguished sponsor mentioned Amazon. Normally, consumers would buy books from Amazon. They identify certain titles. They look for it and ship it after they have signed the agreement. Also, customers would go for direct buying through e-toys in the United States.

**Senator Magsaysay.** Yes, e-flowers.

**Senator Pimentel.** Yes, all sorts of items that are sold in small volume or by retail, which brings me to the point.

How does the distinguished sponsor justify his stand against the abolition of retail trade? We are now actually allowing foreign small retailers—not necessarily big ones—to compete with our retail business here.

**Senator Magsaysay.** It is a good question, because media has been asking me about it and even our colleague, Sen. Serge Osmeña.

I would think that my stand on the retail trade bill, now a law signed by President Estrada, consists of the laws within our land. These are local bricks-and-mortars retailers within the land. E-commerce may either be within the land or outside the land. So these are two separate issues. My reason is, it is a stand that my late father made in 1954. Because of that legacy, I had to make the same stand. Because I believe in it.

**Senator Pimentel.** Mr. President, the whole concept of the Retail Trade Act was to protect the retailers of this country, and to allow retail through e-commerce will actually diminish further whatever little business is left to our local entrepreneurs.

I am sorry, Mr. President, but I do not see the distinction that the distinguished gentleman is trying to build, unless he would care to amplify probably.

**Senator Magsaysay.** The e-commerce bill, when it becomes a law, actually makes even the small players more

relevant in this global economy. They say that e-commerce is the great equalizer between the large companies and the small shops. The small shops can go global through e-commerce. We are looking at the retail trade as something that protects the small bricks and mortars or what we call the *tingi* vendors from the onslaught of a lot of our neighboring countries during the 1940s and 1950s.

**Senator Pimentel.** Mr. President, at the time when I first had the opportunity to raise some questions to the distinguished sponsor, he gave me the impression that he would not want e-commerce to be taxed. Is that correct?

**Senator Magsaysay.** Mr. President, the fact is, this measure does not add or deduct from any existing taxes. It is tax neutral because we are just focusing on the admissibility as evidence in court of the e-commerce documents. We are not here to deduct from any existing taxes. When the books come in, there is still tax in the customs area and this will remain so.

**Senator Pimentel.** Probably we can strengthen that aspect of the taxing powers, for example, of the local governments or of the central government at the proper time.

Mr. President, I would like to point out that just last night, I read on the Internet that the State of Virginia has already imposed the first sales tax on e-commerce. Probably that would be a good basis to follow. Several states in the United States are trying to find a way of precisely making it possible for these states to impose their own taxation systems on e-commerce.

**Senator Magsaysay.** Mr. President, I can understand the concern of the gentleman from Cagayan de Oro. But I strongly feel that the bill, as it is, should not have any provision on taxes. The gentleman is right that we should tackle it maybe in the near or far future.

The WTO resolved that taxation should be postponed indefinitely. While some say that we have to wait for three more years for e-commerce to take hold,—especially in less-developed countries like the Philippines where the bulk of our young people have no access to the Internet and the computer—maybe we should nurture it first before we start thinking of even taxing. But the existing taxes are there and we are not detracting from them.

**Senator Pimentel.** Mr. President, encouraging the young to dabble in computers is not directly related to taxing the e-commerce. These are two different things. Nonetheless, we respect the distinguished sponsor's views and we will raise these issues again at the proper time.

Thank you, Mr. President.

**Senator Magsaysay.** Thank you, Mr. President.

**The President Pro Tempore.** The Majority Leader is recognized.

**Senator Drilon.** Mr. President, that terminates the questions raised on the proposed committee amendments.

For purposes of proceeding with this measure, I move that we approve the committee amendments as indicated in the version with asterisk dated March 7, 2000 with the clear understanding that the approval of these proposed committee amendments is without prejudice and should not stop any member of the Chamber from proposing any individual amendments at the appropriate period.

**Senator Magsaysay.** Mr. President, before we move for the approval of the committee amendments, may I have some additional, very brief committee amendments.

#### SUSPENSION OF SESSION

**Senator Drilon.** Mr. President, I move that we suspend the session for one minute.

**The President Pro Tempore.** Is there any objection? *[Silence]* There being none, the session is suspended for one minute.

*It was 5:05 p.m.*

#### RESUMPTION OF SESSION

*At 5:06 p.m., the session was resumed.*

**The President Pro Tempore.** The session is resumed. The Majority Leader is recognized.

**Senator Drilon.** Mr. President, may I withdraw my previous motion in view of the additional amendments being proposed by the committee.

**Senator Magsaysay.** These are really very minute amendments, Mr. President.

On page 5, line 150, insert the word OR between the words "MESSAGES" and "ELECTRONIC".

**The President Pro Tempore.** Is there any objection? *[Silence]* There being none, the amendment is approved. Are we approving the amendments individually?

**Senator Drilon.** That is the problem, Mr. President. Because we have not even approved the amendments contained in line 15(o) and now we are proposing another amendment...

**Senator Magsaysay.** For that matter, Mr. President, maybe we can use this, add this as individual amendment to go through with the motion of the Majority Leader.

**The President Pro Tempore.** So we go back to the Majority Leader.

**Senator Magsaysay.** Yes, Mr. President. I will withdraw these amendments.

**The President Pro Tempore.** We already approved that amendment. Is the Majority Leader asking for a reconsideration?

**Senator Drilon.** No, we have not yet approved it.

I move for a reconsideration of that approval.

**The President Pro Tempore.** Is there any objection? *[Silence]* There being none, the approval of the committee amendments is considered.

**MOTION OF SENATOR DRILON**  
(Approval of Committee Amendments Contained in  
the March 7, 2000 Version of S. No. 1902)

**Senator Drilon.** May I go back to my previous motion that we now approve the proposed committee amendments contained in the version with asterisk dated March 7, 2000, so that these are properly reflected in the *Record of the Senate*. I so move, Mr. President.

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

**SUSPENSION OF CONSIDERATION OF S. NO. 1902**

**Senator Drilon.** I move that we suspend consideration of Senate Bill No. 1902.

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

**SUSPENSION OF SESSION**

**Senator Drilon.** I move that we suspend the session for one minute, Mr. President.

**The President Pro Tempore.** Is there any objection?

*[Silence]* There being none, the session is suspended for one minute.

*It was 5:08 p.m.*

**RESUMPTION OF SESSION**

*At 5:10 p.m., the session was resumed with Sen. Juan M. Flavio presiding.*

**The Presiding Officer [Sen. Flavio].** The session is resumed.

The Majority Leader is recognized.

**BILL ON SECOND READING**  
**S. No. 1943--Energy Regulatory Authority**

**Senator Drilon.** Mr. President, I move that we consider Senate Bill No. 1943 as reported out under Committee Report No. 196.

**The Presiding Officer [Sen. Flavio].** Is there any objection? *[Silence]* There being none, the motion is approved.

Consideration of Senate Bill No. 1943 is now in order. With the permission of the Body, the Secretary will read only the title of the bill without prejudice to inserting in the *Record* the whole text thereof.

**The Secretary.** Senate Bill No. 1943, entitled

AN ACT AMENDING CERTAIN PROVISIONS  
OF EXECUTIVE ORDER NO. 172, CREATING  
THE ENERGY REGULATORY BOARD, AS  
AMENDED BY REPUBLIC ACT NO. 8479

*The following is the whole text of the bill:*

Senate Bill No. 1943

AN ACT AMENDING CERTAIN PROVISIONS  
OF EXECUTIVE ORDER NO. 172, CREATING  
THE ENERGY REGULATORY BOARD, AS  
AMENDED BY REPUBLIC ACT NO. 8479

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

SEC. 1. Section 1 of Executive Order No. 172, creating the Energy Regulatory Board, as amended by Republic Act No. 8479, is hereby amended to read as follows: