

## RECORD OF THE SENATE

MONDAY, OCTOBER 4, 1999

### RESUMPTION OF THE SESSION

*At 10:34 a.m., the session was resumed with the Senate President, Hon. Blas F. Ople, presiding.*

**The President.** The session is resumed.

**Senator Drilon.** Mr. President.

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

### BILL ON SECOND READING

#### S. No. 153--Retail Trade Liberalization Act of 1998 (Continuation)

**Senator Drilon.** Mr. President, I move that we resume consideration of Senate Bill No. 153 as reported out under Committee Report No. 41.

**The President.** Is there any objection? [Silence] There being none, resumption of consideration of Senate Bill No. 153 is now in order.

**Senator Drilon.** Mr. President, we are still in the period of interpellations. May I ask the Chair to recognize the principal sponsor, Sen. Sergio Osmeña III.

**The President.** Sen. Sergio Osmeña III is recognized.

**Senator Drilon.** To continue his interpellation, may I ask that Sen. Teofisto T. Guingona Jr. be likewise recognized.

**The President.** Sen. Teofisto T. Guingona Jr. is recognized.

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

Will the distinguished sponsor please continue to answer some questions?

**Senator S. Osmeña III.** With pleasure, Mr. President.

**Senator Guingona.** Mr. President, may we know from the distinguished sponsor: Who largely determines the price of a commodity or product? Is it the manufacturer or the retailer?

**Senator S. Osmeña III.** Mr. President, that is a very broad question.

The manufacturer is the first determinant, then the

wholesaler, the distributor, the retailer, and lastly, the consumer. It is a complicated area wherein the consumer, for example, has to determine the elasticity of his demand for that particular product.

If it is, for example, rice, Mr. President, and the consumer is used to eating three cups of rice a day, he would be willing to pay much higher prices during periods of shortages than he would normally do.

On the other hand, the price of rice during harvest time is also a function of supply and demand at that specific point in the year, Mr. President. During those two or three periods of the year when farmers harvest their palay almost at the same time, we will see that the prices drop at the farmgate for several reasons:

1. The farmer has to pay his debt to the trader, to the five-sixer, to the bank, or to whomsoever he borrowed money from because he will continue to pay interest if he would not dispose of his harvest.

2. There is also the danger that he will be stuck with a palay supply that may spoil because he does not have sufficient drying facilities to store the palay at a minimum moisture content so that his palay will keep for a normal period of about six to nine months.

So there are too many factors. But at every step of the way, Mr. President, the prices are established and determined by both the buyer and the seller.

**Senator Guingona.** I thank the gentleman for that.

Let us go to more specific items which are, more or less, basic or more needed by the consumers.

In the case of petroleum products, for example, would it be safe to say that it is the producers, the processors, the manufacturers, and the big oil companies who determine the price of oil products and not the distributors or retailers?

**Senator S. Osmeña III.** Mr. President, let us take it step by step.

First is the producer. There are very few producers of oil in this world. The majority of our oil supply comes from the Middle East. America has also a substantial production of oil but it is not even sufficient for its own consumption that America imports about 30% of its oil needs. There is also a large field in the North Sea of Europe. We also have smaller oil production from countries like Venezuela. Mexico is a small producer, and also Brunei, Indonesia, Thailand. These countries determine what their well-head prices will be. Since the early '70s, they have banded



**Senator S. Osmeña III.** I agree, Mr. President. we will welcome that amendment.

**Senator Enrile.** The last thing I would like to find out, Mr. President, is, why did we remove the provision which would encourage foreign enterprises to offer a minimum of 30% of their equity should they become successful in their operation in the Philippines?

**Senator S. Osmeña III.** That was originally my idea, but the inputs I got from the DTI was, "*Walang kuwenta naman iyan sa mga retailers.*" As a matter of fact, if they go into partnership, for example, with Filipinos, this bill does not prohibit partnerships with Filipinos. It just says that if a foreign retailer wanted to own 100 percent, this bill will allow him to own 100 percent. But in many countries, about 30 percent to 40 percent of foreign retailers have opted to go into partnership with the locals.

**Senator Enrile.** Why do we not allow them to offer a portion of their equity to the public if they want to?

**Senator S. Osmeña III.** There is no prohibition for them offering, Mr. President.

**Senator Enrile.** So there is no prohibition.

**Senator S. Osmeña III.** No, Mr. President. In an earlier version of the bill, it was a requirement that they offer equity. That they go public.

**Senator Enrile.** It was a mandatory command.

**Senator S. Osmeña III.** After "x" number of years, they would have to go public. I still think it might be a good idea, Mr. President, to make it mandatory for them to offer some shares to the public. If we allow them 100 percent, then maybe in seven years, they should offer maybe 20 percent of their stock through an IPO.

**Senator Enrile.** Maybe, to give them enough time to enjoy the benefit of their risk-taking, we give them 10 years. After 10 years, they should at least unload 30 percent.

**Senator S. Osmeña III.** I agree, Mr. President, no problem.

**Senator Enrile.** Thank you very much, Mr. President.

**Senator S. Osmeña III.** Thank you very much, Mr. President. May I ask for a one-minute suspension of the session.

## SUSPENSION OF SESSION

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

**The Presiding Officer [Sen. Flavie].** The session is suspended for liquidity problems of Sen. Sergio R. Osmeña III, if there is no objection. *[There was none.]*

*It was 4:11 p.m.*

## RESUMPTION OF SESSION

*At 4:21 p.m., the session was resumed.*

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

**Senator Drilon.** Mr. President, there are still one or two of our colleagues who would wish to take the floor during the period of interpellations on the bill that we are now considering.

## SUSPENSION OF CONSIDERATION OF S. NO. 153

Considering that our colleagues are not available right now or are not yet ready, I therefore move that we suspend consideration of Senate Bill No. 153 under Committee Report No. 41.

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

## BILL ON SECOND READING

### S. No. 1271--Professional Regulation Commission Act (Continuation)

**Senator Drilon.** Mr. President, I move that we resume consideration of Senate Bill No. 1271 as reported out under Committee Report No. 25.

**The Presiding Officer [Sen. Flavie].** Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 1271 is now in order.

**Senator Drilon.** This is the proposed measure which would amend the existing law on the powers of the Professional Regulation Commission.

We are in the period of amendments. May I ask the Chair to recognize Sen. Anna Dominique M.L. Coseteng, the principal sponsor.



**The Presiding Officer** [Sen. Flavie]. Senator Coseteng is recognized.

## COMMITTEE AMENDMENTS

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

The first amendment proposed is in Section 2 of PD No. 223 renumbered as Section 3 in Senate Bill No. 1271.

On page 1, line 19, I propose that we delete the period (.) and add the following, and amended to read as follows: "SEC. 3. COMPOSITION.-- THE COMMISSION SHALL BE HEADED BY ONE FULL-TIME CHAIRMAN—in lieu of commissioner—AND TWO FULL-TIME COMMISSIONERS—deleting the word "associate"—ALL TO BE APPOINTED BY THE PRESIDENT FOR A TERM OF SEVEN (7)—in lieu of nine (9)—YEARS WITHOUT REAPPOINTMENT TO START FROM THE TIME THEY ASSUME OFFICE."

We delete, Mr. President, the comma (,) and the phrase "except the first two Associate Commissioners who shall be appointed, one for six (6) years and the other for three (3) years, and Thereafter, any vacancy in the Commission shall be filled for the unexpired term only with the most senior of the Associate Commissioner succeeding the Commissioner at the expiration of his term, resignation or renewal. In lieu of that phrase, Mr. President, the provision will read: APPOINTMENTS TO A VACANCY THAT OCCURS BEFORE THE EXPIRATION OF THE TERM OF A COMMISSIONER SHALL COVER ONLY THE UNEXPIRED TERM OF THE IMMEDIATE PREDECESSOR. AT THE EXPIRATION OF THE TERM OF THE CHAIRMAN, THE MOST SENIOR OF THE COMMISSIONERS SHALL TEMPORARILY ASSUME AND PERFORM THE DUTIES AND FUNCTIONS OF THE CHAIRMAN UNTIL A PERMANENT CHAIRMAN IS APPOINTED BY THE PRESIDENT.

**The Presiding Officer** [Sen. Flavie]. May we act on that now? That is one section, is it not?

**Senator Coseteng.** Yes, Mr. President. Actually, it is not yet done. There is still a second paragraph to that section.

**The Presiding Officer** [Sen. Flavie]. We can have a motion now to approve that particular amendment. Is there any objection? [Silence] There being none, the amendment is approved.

**Senator Guingona.** Mr. President.

**The Presiding Officer** [Sen. Flavie]. With the

permission of Senator Coseteng, there is a manifestation from Senator Guingona.

MOTION OF SENATOR GUINGONA  
(Reconsideration of Approval of the  
Previous Amendment)

**Senator Guingona.** Mr. President, if the amendment has already been approved, may we ask for its reconsideration. I will just ask some clarification.

**The Presiding Officer** [Sen. Flavie]. There is a motion to reconsider the approval of the previous amendment. Is there any objection? [Silence] There being none, the approval of the previous amendment is hereby reconsidered.

The Minority Leader may proceed.

**Senator Guingona.** Mr. President, will the distinguished sponsor yield for some clarificatory questions?

**Senator Coseteng.** Yes, Mr. President.

**Senator Guingona.** Mr. President, this amendment now seeks to equalize the term of the the chairman and the commissioners. Would that be correct?

**Senator Coseteng.** Yes, Mr. President.

**Senator Guingona.** The other commissions, including constitutional bodies, have staggered periods precisely to ensure that there is a continuity in the policies of the body because we cannot foresee the vacancies. But if the terms were staggered, then the continuity of established policies and practices would be more or less ensured. Are we abandoning this in this proposed amendment?

**Senator Coseteng.** That is not the case, Mr. President. The staggering has already been established and it is for seven years, five years, and three years.

**Senator Guingona.** So it is not for nine years?

**Senator Coseteng.** No, Mr. President. It was shortened from nine years to seven years.

**Senator Guingona.** So that has been changed. Precisely, this amendment is for nine, seven and five?

**Senator Coseteng.** That is right, Mr. President.

**Senator Guingona.** Then I withdraw my motion, Mr. President.



**The Presiding Officer** [Sen. Flavie]. It is so noted.

**Senator Coseteng.** May I now continue, Mr. President.

**The Presiding Officer** [Sen. Flavie]. Yes, please proceed.

**MOTION OF SENATOR DRILON  
(Approval of Amendment Previously Considered)**

**Senator Drilon.** Mr. President, there was a reconsideration of the approval of the amendment. May I now move that the amendment be again approved.

**The Presiding Officer** [Sen. Flavie]. What happened was Senator Guingona withdrew.

**Senator Drilon.** Yes, Mr. President. But previously, upon the motion of the Minority Leader, the approval of the amendment was reconsidered. Therefore, on record, the amendment has not been approved. With all due respect, I therefore move that it now be again approved.

**The Presiding Officer** [Sen. Flavie]. There is a motion to approve now the first amendment. Is there any objection? [Silence] There being none, the amendment is approved.

Please proceed.

**Senator Coseteng.** May I now continue, Mr. President, where it says, "No person shall be appointed chairman or..."

**The Presiding Officer** [Sen. Flavie]. In what section is the sponsor now?

**Senator Coseteng.** The continuation on page 2, the second paragraph.

**The Presiding Officer** [Sen. Flavie]. On what line? The second paragraph is in line 13.

**SUSPENSION OF SESSION**

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

**The Presiding Officer** [Sen. Flavie]. The session is suspended for one minute, if there is no objection. [There was none.]

*It was 4:29 p.m.*

**RESUMPTION OF SESSION**

*At 4:31 p.m. the session was resumed.*

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

The Majority Leader is recognized.

**Senator Drilon.** By way of explanation, the amendment would come after line 19 of page 1. The amendment would amend Section 3 of the existing law.

As we note, Mr. President, in line 18 of page 1, it simply says, "Section 2 of the same Decree is hereby renumbered as Sec. 3." However, during the interpellation of Sen. Miriam Defensor-Santiago, she has proposed that Section 2 of the present decree, which is now renumbered as Section 3, be likewise amended. That is the reason the sponsor would now have to read the existing law, incorporating the amendment as proposed during the interpellation of Senator Santiago.

So, with the permission of the Chair, we would now request the sponsor to read the second paragraph of Section 2 of the existing law, which is now renumbered as Section 3, incorporating therein the proposed amendment.

**The Presiding Officer** [Sen. Flavie]. Are we going to incorporate that into the bill as Section 3 of the present bill?

**Senator Drilon.** Yes, Mr. President.

**The Presiding Officer** [Sen. Flavie]. Please proceed with that clarification and understanding.

**Senator Coseteng.** I thank the Majority Leader, Mr. President.

This is now going to be the next paragraph: "No person shall be appointed chairman or"—and then to delete "member of the Commission" and in lieu thereof, replace it with—"COMMISSIONER, unless he is at least forty (40) years of age"—to add—"IS A PROFESSIONAL WITH A VALID CERTIFICATE OF REGISTRATION AND A VALID PROFESSIONAL LICENSE"—to continue with what is already there—"familiar with the principles and methods of professional regulation and/or licensing and has at least five (5) years of executive or management experience". And then to add this statement: "PROVIDED, THAT ONE OF THE COMMISSIONERS MUST BE A PAST CHAIRPERSON/MEMBER OF A PROFESSIONAL REGULATORY BOARD." That is the end of the paragraph.



**Senator Drilon.** Mr. President, for clarity, may we request the sponsor to read for the record how the present Section 2 of the decree will now read with the proposed amendment, which will be renumbered now as Section 3.

We would request that in the reading for the record, we already disregard the bracketed provisions of the existing law and just read the law as it is proposed to be amended.

**The Presiding Officer [Sen. Flavie].** Yes, please proceed.

**Senator Coseteng.** On page 1, line 19, we delete the period (.) and add the following, and this is now going to be the final version to appear in the bill, and amended to read as follows: "SEC. 3. *Composition.* -- The Commission shall be headed by one full-time CHAIRMAN and two full-time Commissioners, all to be appointed by the President for a term of SEVEN (7) years without reappointment to start from the time they assume office. APPOINTMENTS TO A VACANCY THAT OCCURS BEFORE THE EXPIRATION OF THE TERM OF A COMMISSIONER SHALL COVER ONLY THE UNEXPIRED TERM OF THE IMMEDIATE PREDECESSOR. AT THE EXPIRATION OF THE TERM OF THE CHAIRMAN, THE MOST SENIOR OF THE COMMISSIONERS SHALL TEMPORARILY ASSUME AND PERFORM THE DUTIES AND FUNCTIONS OF THE CHAIRMAN UNTIL A PERMANENT CHAIRMAN IS APPOINTED BY THE PRESIDENT."

No person shall be appointed chairman or COMMISSIONER unless he is at least forty (40) years of age, IS A PROFESSIONAL WITH A VALID CERTIFICATE OF REGISTRATION AND A VALID PROFESSIONAL LICENSE, familiar with the principles and methods of professional regulation and/or licensing, and has at least five (5) years of executive or management experience; *PROVIDED, THAT ONE OF THE COMMISSIONERS MUST BE A PAST CHAIRPERSON/MEMBER OF A PROFESSIONAL REGULATORY BOARD.*" End of amendment, Mr. President.

**The Presiding Officer [Sen. Flavie].** Is there any objection? Yes, Senator Guingona.

**Senator Guingona.** Mr. President, may I request that this particular amendment be reduced into writing and that we defer consideration of this and move on to others because this now appears that it is reducing the term for all. That was my observation before.

**The Presiding Officer [Sen. Flavie].** What is the reaction of Senator Coseteng?

**Senator Drilon.** Considering the length of the amendment, I think it is proper that our colleagues be provided with a written text of the proposed amendment so that it can be analyzed better. We can defer action on this proposed amendment and proceed to the next amendment, if the sponsor so wishes.

**Senator Coseteng.** Mr. President, honorable colleagues, just by way of an explanation, the transitory provision on Section 14 ought to clarify or safeguard that particular provision. If I may just be able to read by way of an explanation Section 14: "The incumbent commissioner and the two incumbent associate commissioners shall serve as chairman and commissioners, respectively, under the terms for which they have been appointed without need of new appointments. The incumbent executive director shall likewise serve as assistant commissioner without need of new appointment." So, this will ensure that they will not be arbitrarily removed or terminated in the reorganization.

**The Presiding Officer [Sen. Flavie].** The request is for the sponsor to put in writing the whole text for the guidance and perusal of the members of the Chamber.

**Senator Coseteng.** Yes, Mr. President, we will comply.

**The Presiding Officer [Sen. Flavie].** Thank you. Please proceed to the other amendments.

**Senator Coseteng.** The other proposed amendments to Section 3 of the decree renumbered as Section 4 in the same bill: On page 2, line 2, delete from the word "commissioner" up to and including the words "be the" in line 3. And on the same page, line 4, delete the word "associate", just to conform with the similar provisions of the House of Representatives' version of the bill.

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

**Senator Coseteng.** These are the proposed amendments to Section 4, renumbered as Section 5 now. On the same page, line 25, delete the word "Commissioner" and in lieu thereof, insert the word CHAIRMAN.

On the same page, line 29, delete the word "Associate".

On page 3, delete all the words from line 2 up to line 5 and in lieu thereof, insert the following: SHALL RECEIVE COMPENSATION AND ALLOWANCES EQUIVALENT TO THAT OF A DEPARTMENT SECRETARY WHILE THE COMMISSIONER SHALL RECEIVE COMPENSATION AND ALLOWANCES EQUIVALENT TO THAT OF AN UNDERSECRETARY. THE CHAIRMAN AND THE



MEMBERS OF THE COMMISSION SHALL BE ENTITLED TO RETIREMENT BENEFITS PROVIDED UNDER REPUBLIC ACT NUMBERED 1568 AS AMENDED BY REPUBLIC ACT NUMBERED 3595.

**Senator Drilon.** Mr. President, I did not catch it. Did we already approve the other amendments on page 2, line 25, the deletion of the word "Commissioner" and the insertion of the word CHAIRMAN?

**The Presiding Officer [Sen. Flavie].** Not yet. The Chair is assuming that this is one amendment in one section.

**Senator Coseteng.** Yes, Mr. President.

**The Presiding Officer [Sen. Flavie].** Although the Chair noticed that this was in different sentences. Not yet, Mr. Majority Leader.

Shall we approve it as a section or would the Majority Leader have any objection to that?

**Senator Drilon.** I suggest that we approve it on the page and the line as it is proposed so that we can follow closely the proposed amendments.

I move that we approve the amendment on page 2, line 25, as proposed by the sponsor.

**The Presiding Officer [Sen. Flavie].** Is there any objection [Silence] There being none, the amendment in line 25 is approved.

**Senator Drilon.** The same with page 2, line 29. There was a proposal to delete the word "Associate".

**Senator Coseteng.** Yes, Mr. President.

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

**Senator Drilon.** Before we proceed with the next amendment, may I ask the staff to provide the presiding officer with a copy of the proposed written amendments.

**The Presiding Officer [Sen. Flavie].** The next amendment is on page 3, lines 2 to 5, which is a deletion and then an inclusion of a new line.

**Senator Coseteng.** Yes, Mr. President.

**Senator Drilon.** It was read into the *Record*. There was a motion to approve the amendment on page 3 with the deletion of line 2 up to line 5 and the incorporation of a new provision already read by the sponsor.

**The Presiding Officer [Sen. Flavie].** Is there any objection? Would the gentleman want the Chair to read that particular line being introduced?

#### SUSPENSION OF SESSION

**Senator Drilon.** We will give time to the Minority Leader to go over the proposed amendment. I move that we suspend the session for one minute.

**The Presiding Officer [Sen. Flavie].** Is there any objection? [Silence] There being none, the session is suspended for one minute.

*It was 4:44 p.m.*

#### RESUMPTION OF SESSION

*At 4:45 p.m., the session was resumed.*

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

The Majority Leader is recognized.

**Senator Drilon.** May I ask the Chair to recognize Senator Guingona.

**The Presiding Officer [Sen. Flavie].** The Minority Leader is recognized.

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

Will the distinguished sponsor please yield for some clarifications?

**Senator Coseteng.** Yes, Mr. President.

**Senator Guingona.** This is with regard to the deletion of the words on page 3, line 5, and the substitution of the words "SHALL RECEIVE COMPENSATION AND ALLOWANCES EQUIVALENT TO THAT OF A DEPARTMENT SECRETARY." May we know the difference and how much is the compensation; how much are the allowances that are given to the department secretaries?

**Senator Coseteng.** The compensation of a secretary is



Grade 31 and an undersecretary is Grade 30.

**Senator Guingona.** How much are the allowances?

**Senator Coseteng.** Based on the information given by the PRC, the secretary's allowance is P8,000 a month, I believe, and P6,000 a month for the undersecretaries.

**Senator Guingona.** So aside from the compensation or the salary, he receives an allowance of P8,000 a month. Would that be correct?

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

**Senator Guingona.** Supposing he is appointed ex officio and he holds periodic meetings, does he receive those allowances or does he forego them?

**Senator Coseteng.** No, they will not receive any.

**Senator Guingona.** So, are we saying here that the amendment will be limited to P8,000 allowance?

**Senator Coseteng.** Yes, Mr. President. And the salary is fixed at Salary Grade 31.

**Senator Guingona.** But do the commissioners and associates hold other positions or other meetings, for example, in a particular profession. Is there a regular meeting for that?

**Senator Coseteng.** No, they have no other compensation package.

**Senator Guingona.** No, I mean, as ex officio.

**Senator Coseteng.** No, they are full time in the PRC. They do not hold ex officio positions.

**Senator Guingona.** No, what I mean is within the PRC?

**Senator Coseteng.** No, Mr. President.

**Senator Guingona.** Thank you.

May I be enlightened on the retirement benefits. Is this Republic Act No. 1568, as amended? Is this the regular retirement for what? Because there are several retirement acts—one is for regular employees and another one is for the Judiciary.

**Senator Coseteng.** They followed the retirement package of the constitutional commissions. Which means that if the salary of the incumbent is increased, then the pension is also

correspondingly increased.

**Senator Guingona.** Is this not the Judiciary Retirement Act?

**Senator Coseteng.** No, Mr. President, only for constitutional commissions.

**Senator Guingona.** If the salary and allowances are increased, their retirement benefits are also increased?

**Senator Coseteng.** Yes, Mr. President.

**Senator Guingona.** Regardless of how many years of service?

**Senator Coseteng.** Retirement at the age of 65.

**Senator Guingona.** But supposing he is appointed for the unused portion of two years, how much retirement benefit does he receive?

**Senator Coseteng.** As long as he complies with the fixed term of office, then he is entitled to the retirement benefits. If his term ends before the age of 65, he has to finish the term until he is 65 to be able to avail himself of the retirement package, Mr. President.

**Senator Guingona.** So, even if an official has been appointed to the unfilled portion of six months and he reaches 65 after six months, he gets the full benefits of the retirement under this Act.

**Senator Coseteng.** Mr. President. That is the same practice as that of the Commission on Audit, Mr. President, that if the balance, the unexpired term is six months, it will still be as though he had completed his term.

**Senator Guingona.** May we be favored with the amount in numbers?

**Senator Coseteng.** They have not computed their own retirement package, Mr. President. *[Laughter]*

**Senator Guingona.** No, it is not being facetious. It is only because we would like to know whether the retirement is justified or not.

**Senator Coseteng.** Mr. President, the previous commissioner who retired received P600,000.

**Senator Guingona.** How many years did he serve?



**Senator Coseteng.** In the case of Chairman Banaria, the service term was 11 months only, Mr. President.

**Senator Guingona.** After 11 months he received P600,000.

**Senator Coseteng.** He received P600,000 upon retirement, Mr. President, and that represents a five-year lump sum amount.

**Senator Guingona.** Is that all?

**Senator Coseteng.** After five years, he will be receiving the monthly pension of his basic salary plus allowances throughout his life.

**Senator Guingona.** I do not know if there is an existing law which limits the term or services as a condition for the retirement benefits. But assuming now that the person has been appointed to a six-month unfilled term or tenure, he would, in effect, be receiving equivalent to somewhere along that P600,000. Then after five years, a monthly pension?

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

**Senator Guingona.** Does the distinguished sponsor not believe that this is somewhat unfair to other retirees in government considering that his tenure of service is only six months while the career people in government dedicate the entire years of their useful careers in public service and get a different retirement?

**Senator Coseteng.** Mr. President, I suppose it is up to the appointing power to decide who should be appointed to these positions so that the persons would be able to sit through the entire term.

As to the exceptional case of Chairman Banaria of the Commission on Audit, I suppose the 11-month period that has been referred to ended when he was already 80 years old. So I suppose the appointing power would be able to determine or to choose those who are qualified to serve the full length of the term. Knock on wood, hopefully if nothing happens to the person, he could serve through the entire period of his appointment.

**Senator Guingona.** That is in the case of Commissioner Banaria who, I understood, was very vigorous. As a matter of fact, he got married after the retirement.

**Senator Coseteng.** That is right, Mr. President.

**Senator Guingona.** But would the distinguished sponsor agree to any amendment that would, more or less, justify this kind

of retirement, say, service for at least one year?

**Senator Coseteng.** Yes, Mr. President. I would gladly accept the recommendation of our Minority Leader.

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

**The Presiding Officer [Sen. Flavio].** With that clarification, the good sponsor may now proceed.

**Senator Coseteng.** Should we now restate that paragraph? Because it will no longer be that the chairman and members of the Commission shall be entitled to retirement benefits provided under Republic Act No. 1568, as amended by Republic Act No. 3595. Therefore, we should add another proviso stating that the chairman and commissioners must serve for no less than one year or for at least one year.

**Senator Guingona.** Yes, Mr. President. The only thing that we have to fill up also is if he has not served for a period of at least one year or more, what would be his retirement?

**Senator Coseteng.** We are open to the recommendation of the Minority Leader, Mr. President.

**Senator Guingona.** May we have that studied? Perhaps the Regulatory Board can study that amendment.

**The Presiding Officer [Sen. Flavio].** That means therefore that the amendment will be deferred pending a study?

**Senator Coseteng.** Mr. President, excuse me.

**The Presiding Officer [Sen. Flavio].** Please proceed.

**Senator Coseteng.** May we inquire if the proponent of the amendment would accept, for example, a pro rata computation? What he would get if he retires after a period of one year or more, and if he retires below a one-year term?

**Senator Guingona.** Yes, Mr. President, I think that would be fair. But as I understand it, he will have to wait until he is 65 years old.

**Senator Coseteng.** No, Mr. President. If he serves his term before he reaches the age of 65, then he would be retiring before 65. But if he exceeds the age of 65 to be able to serve his entire seven-year term, then he still has to finish the term even if he is more than 65 years old.

**Senator Guingona.** Hopefully, not like Commissioner Banaria, at the age of 80.



Thank you, Mr. President.

**Senator Drilon.** Mr. President.

**The Presiding Officer** [Sen. Flavie]. The Majority Leader is recognized.

**Senator Drilon.** Mr. President, in other words, the amendment that is being proposed by the sponsor is now amended, subject to style, by adding a proviso: *PROVIDED, THAT THE CHAIRMAN AND THE MEMBERS OF THE COMMISSION SHALL HAVE SERVED AT LEAST ONE YEAR: PROVIDED, FURTHER, THAT IF THE SERVICE IS LESS THAN ONE YEAR, THEN THE OFFICIAL SHALL BE ENTITLED TO A PROPORTIONATE AMOUNT.*

**The Presiding Officer** [Sen. Flavie]. Is the sponsor willing to accept that change?

**Senator Coseteng.** Yes, Mr. President.

**The Presiding Officer** [Sen. Flavie]. In view of that, is there any objection to the amendment? [Silence] There being none, the amendment is approved.

**Senator Coseteng.** The next amendment involves Section 5 of the Decree which has been renumbered as Section 6 in this same bill. On page 5, line 22, delete the word "COMMISSIONER'S" and in lieu thereof, insert the word CHAIRMAN;

On the same line, between the word "SIGNATURE" and the comma (,), insert the phrase OF THE CHAIRMAN.

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

**Senator Coseteng.** On the same page 5, line 26, between the words "COMPETENCY" and "AND", insert the words BY THEIR RESPECTIVE BOARDS.

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

**Senator Coseteng.** On the same page 5, line 27, between the word "ENDORSEMENT" and the colon ":", insert the words BY THE COMMISSION.

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

**Senator Coseteng.** On page 6, line 20, delete the brackets

"()" and the words "EXECUTIVE SECRETARY".

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

**Senator Coseteng.** On the same page 6, line 27, between the words "compensation" and "AND", insert the following: SUBJECT TO THE PROVISIONS OF REPUBLIC ACT NO. 6758.

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

**Senator Coseteng.** On the same page 6, line 28, between the words "and" and "to", insert the following phrase...

**Senator Drilon.** Mr. President, I hope the sponsor does not mind; but just going back to page 6, lines 27 and 28, may we know what is Republic Act No. 6758?

**Senator Coseteng.** Mr. President, that is the Salary Standardization Law.

**Senator Drilon.** All right. I thank the lady senator for that information, Mr. President. So it means that the allowances and fringe benefits are subject to the Salary Standardization Law?

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

On page 6, line 28, between the words "and" and "to", insert the following phrase: TO ASSIGN OR REASSIGN PERSONNEL AS THE EXIGENCY OF THE SERVICE REQUIRES.

**The Presiding Officer** [Sen. Flavie]. Is there any objection?

**Senator Drilon.** Mr. President.

**The Presiding Officer** [Sen. Flavie]. The Majority Leader is recognized.

**Senator Drilon.** If the sponsor will accept, I propose that we add AND AS THE CIVIL SERVICE LAW MAY ALLOW because there are also Civil Service laws which govern assignment and reassignment of personnel.

**Senator Coseteng.** The amendment is accepted, Mr. President.

**The Presiding Officer** [Sen. Flavie]. We note the acceptance.

**Senator Guingona.** Mr. President.



**The Presiding Officer** [Sen. Flavie]. The Minority Leader is recognized.

**Senator Guingona.** May we know from the distinguished sponsor whether the assignment of personnel in this body will entail assignment to other regions or areas in the country? For example, assigning him or her to Mindanao or to Sulu or to the North?

**Senator Coseteng.** Mr. President, this assignment or reassignment of personnel involves the giving of examinations in certain regions where the PRC has no regional office.

**Senator Guingona.** So this is in an *ad hoc* basis. It is not a permanent assignment.

**Senator Coseteng.** That is right, Mr. President.

**Senator Guingona.** What is the ordinary duration of this assignment?

**Senator Coseteng.** Normally, it is one week. That is the period assigned to the examination schedule.

**Senator Guingona.** Beyond that normal period, would there be no long-term stay?

**Senator Coseteng.** No, Mr. President. They have to come back to the Manila office.

**Senator Guingona.** I thank the sponsor for that clarification, Mr. President.

**The Presiding Officer** [Sen. Flavie]. With that clarification and the changes of the Majority Leader, is there any objection to the amendment?

**Senator Drilon.** May we just read the amendment with my proposed amendment, Mr. President?

On page 6, line 28, between the words "and" and "to", insert the following: TO ASSIGN AND/OR REASSIGN PERSONNEL AS THE EXIGENCY OF THE SERVICE REQUIRES, SUBJECT TO THE PROVISION OF THE CIVIL SERVICE LAW AND RULES.

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

**Senator Coseteng.** On page 7, line 2, Mr. President, between the words "PRESIDENT" and "to", insert the following:

UPON THE RECOMMENDATION OF THE DEPARTMENT OF BUDGET AND MANAGEMENT.

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

**Senator Coseteng.** On page 9, line 17, after the semicolon (;), add the following: TO SUPERVISE AND CONTROL PROFESSIONALS WHO ARE FORMER CITIZENS OF THE PHILIPPINES AND WHO HAVE PREVIOUSLY PASSED PHILIPPINE LICENSURE EXAMINATIONS FOR THE PRACTICE OF THEIR PROFESSION, WHO MAY, WHILE IN THE COUNTRY ON A VISIT, SOJOURN OR PERMANENT RESIDENCE, PRACTICE THEIR PROFESSION: *PROVIDED*, THAT, PRIOR TO THE PRACTICE OF THEIR PROFESSION, THEY SHALL HAVE FIRST REGISTERED WITH THE COMMISSION AND HAVE PAID THE PROPER PROFESSIONAL LICENSE FEE.

**Senator Guingona.** Mr. President.

**The Presiding Officer** [Sen. Flavie]. Senator Guingona is recognized.

**Senator Guingona.** Just for clarification, if the distinguished sponsor will yield.

**Senator Coseteng.** Yes, Mr. President.

**Senator Guingona.** Does this contemplate of a permanent residence? In other words, when the *balikbayan* comes home and he does not just visit here but sojourns or permanently resides, is this intended for them? Because if it is only a visit for a few weeks, I do not think that this is an applicable provision. Would that be correct?

**Senator Coseteng.** Sometimes, Mr. President, like medical missions, these *balikbayans* come home to stay not for the rest of their lives or for retirement, but rather they stay for a given period of time. Some of them stay for a month; some maybe stay for two weeks and then go back to their countries of residence.

**Senator Guingona.** Is this based on reciprocity?

**Senator Coseteng.** No, Mr. President.

**Senator Guingona.** What if other countries would demand the same from our own Filipinos who go abroad who are not citizens of that country?

**Senator Coseteng.** This is actually a special benefit packaged for *balikbayans*, Mr. President. It is covered by



PD No. 541 and we are just institutionalizing it in the PRC law because it covers professionals.

**Senator Guingona.** Is this already a law?

**Senator Coseteng.** Yes, Mr. President.

**Senator Guingona.** I would like to thank the distinguished sponsor for that.

**The Presiding Officer** [Sen. Flavie]. The Majority Leader is recognized.

**Senator Drilon.** Mr. President, just for clarification. In administrative practice, there is a legal definition of the word "control" which means one substitutes his judgment for that of the subordinate as distinguished from "supervision."

When we use the word "control" in the proposed amendment, which is also the same word used in line 11 as far as foreign nationals are concerned, does that mean that the PRC can substitute its judgment to that of the foreign professionals, just for the record?

**Senator Coseteng.** No, Mr. President. As a matter of fact, I am glad that this has been pointed out and defined in such a manner. We are amenable to the deletion of the word "control" and instead just use the word "supervise." It is more of supervision rather than of control actually. Probably, "supervision" is a more apt term.

**Senator Drilon.** Certainly, it is dangerous to substitute the judgment of the Commission where it involves medical practice, for example. Would the sponsor be willing to delete the phrase "AND CONTROL"?

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

**Senator Drilon.** Maybe we should first go to the approval of the proposed amendment with the deletion of the phrase "AND CONTROL". So that it will simply read: TO SUPERVISE PROFESSIONALS, et cetera.

**Senator Coseteng.** Yes, Mr. President.

**The Presiding Officer** [Sen. Flavie]. With the clarification of Senator Guingona and the change suggested by the Majority Leader, is there any objection? [Silence] There being none, the amendment is approved.

**Senator Drilon.** Similarly, Mr. President, I have an anterior amendment in line 11 of the same page. Instead of "TO SUPERVISE AND CONTROL", delete the words "AND CONTROL".

**Senator Coseteng.** Yes, Mr. President.

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

**Senator Coseteng.** The next amendment, Mr. President.

On page 10, line 9, I propose that we delete the semicolon (;) and add the following: AND OTHER OPERATIONS OF THE COMMISSION.

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

**Senator Coseteng.** In Section 7, on page 12, line 4, I propose that we delete the word "COMMISSIONER", and in lieu thereof, insert the word CHAIRMAN.

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

**Senator Coseteng.** On the same page 12, line 4, delete the word "ASSOCIATE".

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

**Senator Coseteng.** On page 12, line 5, I propose that we delete the words "EXECUTIVE DIRECTOR" and in lieu thereof, insert the words ASSISTANT COMMISSIONERS; THE SECRETARY OF THE COMMISSION.

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

**Senator Coseteng.** On page 12, line 10, after the word "FINANCIAL", add the word AND.

In the same line, after the word "MANAGEMENT", add the word SERVICES and add a semicolon (;) after that.

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

**Senator Coseteng.** On page 12, line 10, before the word "ADMINISTRATIVE", add the words THE DIRECTOR FOR.

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



**Senator Coseteng.** On the same page 12, line 12, delete the word "COMMISSIONERS" and in lieu thereof, insert the word CHAIRMAN.

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

**Senator Coseteng.** On page 12, line 13, delete the word "ASSOCIATE" and on the same line, delete the words "EXECUTIVE DIRECTOR" and in lieu thereof, insert the words ASSISTANT COMMISSIONERS.

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

**Senator Coseteng.** We shall now go to Section 9, on page 15, Mr. President. I propose that we delete the provision found on line 24 up to line 31 and in lieu thereof, insert the following provision:

SEC. 9. THE MEMBERS OF THE PROFESSIONAL REGULATORY BOARDS SHALL RECEIVE COMPENSATION EQUIVALENT TO AT LEAST ONE SALARY GRADE LOWER THAN THE SALARY GRADE OF THE COMMISSIONERS: *PROVIDED*, THAT THE CHAIRMAN OF THE REGULATORY BOARD SHALL RECEIVE A MONTHLY COMPENSATION TWO STEPS HIGHER THAN THE MEMBERS OF THE BOARD AND: *PROVIDED, FURTHER*, THAT THEY SHALL BE ENTITLED TO OTHER ALLOWANCES AND BENEFITS PROVIDED UNDER EXISTING LAWS.

**The Presiding Officer [Sen. Flavie].** Is there any objection?

**Senator Drilon.** Mr. President.

**The Presiding Officer [Sen. Flavie].** The Majority Leader is recognized.

**Senator Drilon.** Just a clarification. The present provision, Mr. President, says salary grade 28. What will be the salary grade now, as proposed, in this section?

**Senator Coseteng.** Salary grade 29 for the Chairman.

**Senator Drilon.** What is the salary grade for the department secretary?

**Senator Coseteng.** Salary grade 31, Mr. President.

**Senator Drilon.** And the commissioners will receive...

**Senator Coseteng.** Salary grade 30, Mr. President.

**Senator Drilon.** And the chairs of the different regulatory boards will receive salary grade 29. Is that correct?

**Senator Coseteng.** Two steps higher than the members, Mr. President, which is salary grade 28.

**Senator Drilon.** Mr. President, may we have a clarification and start from the top.

The chairman will receive Salary Grade 31.

The associate commissioners or however they are called now will receive Salary Grade 30.

The chairs of the different Professional Regulatory Boards, at what level will they be?

**Senator Coseteng.** The executive director, which is now assistant commissioner, will receive Salary Grade 29.

**Senator Drilon.** We are talking here about the members of the Professional Regulatory Board.

**Senator Coseteng.** Yes. It is lower, Mr. President. They will be receiving Salary Grade 28.

**Senator Drilon.** But it says here "One salary grade level than that of the commissioner." If the commissioner receives Salary Grade 30, they will now receive Salary Grade 29.

**Senator Coseteng.** It is a correction, Mr. President. Instead of one, it should be two.

**The Presiding Officer [Sen. Flavie].** So it should be Salary Grade 28.

#### SUSPENSION OF SESSION

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

**The Presiding Officer [Sen. Flavie].** The session is suspended for one minute, if there is no objection. *[There was none.]*

*It was 5:16 p.m.*

#### RESUMPTION OF SESSION

*At 5:26 p.m., the session was resumed.*



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

**Senator Coseteng.** In Section 9 of the bill, page 15, delete all provisions found in line 24 up to and including line 31, and in lieu thereof, insert the following provisions, because it has been clarified earlier by the PRC Chairman. We recognize an error which we would like to point out before the Chamber. Section 9 will now read: THE MEMBERS OF THE PROFESSIONAL REGULATORY BOARDS SHALL RECEIVE COMPENSATION EQUIVALENT TO, AT LEAST, TWO SALARY GRADES LOWER THAN THE SALARY GRADE OF THE COMMISSIONERS: *PROVIDED*, THAT THE CHAIRMAN OF THE REGULATORY BOARD SHALL RECEIVE A MONTHLY COMPENSATION OF TWO STEPS HIGHER THAN THE MEMBERS OF THE BOARD AND: *PROVIDED FURTHER*, THAT THEY SHALL BE ENTITLED TO OTHER ALLOWANCES AND BENEFITS PROVIDED UNDER EXISTING LAWS.

**The Presiding Officer** [Sen. Flavie]. Is there any objection? Yes, Majority Leader.

**Senator Drilon.** In plain language, the Chair of the Regulatory Boards will have the same salary as the commissioners, is that what it is?

**Senator Coseteng.** No, I think we are confusing the steps and the grade. They belong to the same grade, but within the grade, there are seven steps.

**Senator Drilon.** May we have the amounts indicated so that we will know what we are talking about?

**The Presiding Officer** [Sen. Flavie]. Can that be made available, Madam Sponsor?

#### SUSPENSION OF SESSION

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

**The Presiding Officer** [Sen. Flavie]. Is there any objection? *[Silence]* There being none, the session is suspended for one minute.

*It was 5:28 p.m.*

#### RESUMPTION OF SESSION

*At 5:30 p.m., the session was resumed.*

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

**Senator Coseteng.** Mr. President, the Chairman of the PRC has submitted only estimates because the officer in charge of personnel is not present in the Hall today.

May I request that they be given until tomorrow to submit the details of that particular provision.

**Senator Drilon.** So, we will defer the action on this.

**The Presiding Officer** [Sen. Flavie]. So, we shall defer the action on Section 9. Meanwhile, please proceed to the other sections.

**Senator Coseteng.** On page 16, Section 12, line 24, delete the word "SEVENTY" and the word "FIVE" in line 25 and in lieu thereof, insert the word FIFTY, for the consideration of the Chamber.

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

**Senator Coseteng.** On page 16, line 27, delete the words "UNDER SECTION 6 (h) HEREOF" and in lieu thereof, insert the following: FROM SUCCESSFUL EXAMINEES WHICH SHALL BE USED BY THE CONCERNED REGULATORY BOARDS IN CONNECTION WITH THE HOLDING OF THEIR MASS OATH TAKING CEREMONY SUBJECT TO THE USUAL ACCOUNTING AND AUDITING REGULATIONS.

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

**Senator Coseteng.** On page 18, Section 13, between lines 24 and 25, we have two new sections to be known as Section 14 and Section 15.

SECTION 14. *TRANSITORY PROVISION.* THE INCUMBENT COMMISSIONER AND THE TWO INCUMBENT ASSOCIATE COMMISSIONERS SHALL SERVE AS CHAIRMAN AND COMMISSIONERS, RESPECTIVELY, UNDER THE TERMS FOR WHICH THEY HAVE BEEN APPOINTED WITHOUT NEED OF NEW APPOINTMENTS. THE INCUMBENT EXECUTIVE DIRECTOR SHALL LIKEWISE SERVE AS AN ASSISTANT COMMISSIONER WITHOUT NEED OF A NEW APPOINTMENT.



**The Presiding Officer** [Sen. Flavier]. Is there any objection to the inclusion of a new section? [Silence] There being none, the amendment is approved.

**The Presiding Officer** [Sen. Flavier]. So it is for consistency then. Is there any objection? [Silence] There being none, the amendment is approved.

Does that end the committee amendments?

**Senator Coseteng.** Yes, Mr. President. So we will just continue with the pending provisions that still have to be fleshed out, based on the request of the Minority Leader and the Majority Leader.

**MOTION OF SENATOR DRILON**  
(The Secretary to Prepare Clean Copy of S. No. 1271)

**Senator Drilon.** Mr. President, may we ask the Secretary to now prepare a revised version of the bill containing the committee amendments so that we will proceed with the period of individual amendments. We wish to emphasize that we suspended the *Rules* to allow these amendments to be inserted even if technically, these cannot be anymore committee amendments. But since it has been approved by the Body, then we would direct the Secretary to prepare a clean copy of Senate Bill No. 1271.

**The Presiding Officer** [Sen. Flavier]. The Secretariat is directed to prepare a clean copy of Senate Bill No. 1271 for perusal and review of the Chamber.

**SUSPENSION OF CONSIDERATION S. NO. 1271**

**Senator Drilon.** With that, Mr. President, I move that we suspend consideration of Senate Bill No. 1271.

Just to clarify, the clean copy will now show in bold letters the committee amendments introduced on the Floor today as the working draft for purposes of the period of individual amendments.

**The Presiding Officer** [Sen. Flavier]. With that understanding, there is a motion to suspend consideration of Senate Bill No. 1271 under Committee Report No. 25.

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

**SUSPENSION OF SESSION**

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

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

*It was 5:37 p.m.*

**Senator Coseteng.** SECTION 15. *IMPLEMENTING RULES AND REGULATIONS.* WITHIN NINETY (90) DAYS AFTER THE APPROVAL OF THIS ACT, THE PROFESSIONAL REGULATION COMMISSION, IN CONSULTATION WITH THE REPRESENTATIVES OF THE VARIOUS PROFESSIONAL REGULATORY BOARDS AND ACCREDITED PROFESSIONAL ORGANIZATIONS, THE DEPARTMENT OF BUDGET AND MANAGEMENT, THE COMMISSION ON AUDIT AND THE COMMISSION ON HIGHER EDUCATION SHALL PREPARE AND PROMULGATE THE NECESSARY RULES AND REGULATIONS NEEDED TO IMPLEMENT THE PROVISIONS OF THIS ACT.

**The Presiding Officer** [Sen. Flavier]. Is there any objection to the inclusion of a new Section 15? [Silence] There being none, the amendment is approved.

**Senator Coseteng.** If we may renumber Sections 14, 15 and 16, this would now result in Section 14 being 16; Section 15 being 17; and Section 16 being Section 18, respectively.

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

**Senator Coseteng.** If we may add, Mr. President, a new section under *Repealing Clause*.

The provisions of Republic Act 546, PRESIDENTIAL DECREE NO. 223, AS AMENDED, NO. 4, ARTICLE 16 OF REPUBLIC ACT NO. 7722, REPUBLIC ACT 5181 AND EXECUTIVE ORDER NO. 266, SERIES OF 1995, are hereby repealed, AND ALL OTHER LAWS AND DECREES INCONSISTENT WITH THIS ACT ARE LIKEWISE REPEALED ACCORDINGLY.

**The Presiding Officer** [Sen. Flavier]. In other words, we added Executive Order No. 266, series of 1995.

Is there any objection to the motion?

**Senator Drilon.** Clarification. What does that law pertain to, Mr. President?

**Senator Coseteng.** This repeals Executive Order No. 266 which makes the continuing professional education a prerequisite to the renewal of their licenses.



## RESUMPTION OF SESSION

*At 5:42 p.m., the session was resumed.*

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

**Senator Coseteng.** Mr. President.

**The Presiding Officer** [Sen. Flavie]. Senator Coseteng is recognized.

**Senator Coseteng.** Mr. President, the other committee amendments...

**Senator Drilon.** Before that, Mr. President, we have already suspended consideration of the measure. Does the lady senator wish to reconsider and reopen the period of committee amendments again?

**Senator Coseteng.** Yes, Mr. President. It was an oversight on the part of the Chair. May I ask that the period of amendments be reopened.

**Senator Drilon.** That we resume consideration of the bill, because we have just suspended its consideration.

**BILL ON SECOND READING**  
**S. No. 1271--Professional Regulation**  
**Commission Act**  
*(Continuation)*

Mr. President, I move that we resume consideration of Senate Bill No. 1271 as reported out under Committee Report No. 25.

**The Presiding Officer** [Sen. Flavie]. Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 1271 is now in order.

**Senator Drilon.** We are in the period of committee amendments.

## COMMITTEE AMENDMENTS

**Senator Coseteng.** Yes, Mr. President.

On page 3, Section 6 (a), the provision of Presidential Decree No. 223 on administration, implementation and enforcement of regulatory policies which this bill seeks to amend has now been amended to read:

a) TO ADMINISTER, IMPLEMENT AND ENFORCE

THE REGULATORY POLICIES OF THE NATIONAL GOVERNMENT WITH RESPECT TO THE REGULATION AND LICENSING OF THE VARIOUS PROFESSIONS AND OCCUPATIONS AND UNDER ITS JURISDICTION INCLUDE THE ENHANCEMENT AND MAINTENANCE OF PROFESSIONAL AND OCCUPATIONAL STANDARDS AND ETHICS AND THE ENFORCEMENT OF THE RULES AND REGULATIONS RELATIVE THERETO.

**The Presiding Officer** [Sen. Flavie]. That is going to be found on what line, please? The sponsor is inserting that on what line?

**Senator Coseteng.** On page 3, lines 10 to 20, Section 6 (a), Mr. President.

**The Presiding Officer** [Sen. Flavie]. Yes, the Chair got it.

**Senator Drilon.** Mr. President, clarification.

**The Presiding Officer** [Sen. Flavie]. The Majority Leader is recognized.

**Senator Drilon.** Mr. President, in line 10, the phrase "[administer, implement and enforce]" are in brackets. With the proposed committee amendment, are we removing the brackets and reinstating the phrase "administer, implement and enforce"?

**Senator Coseteng.** Yes, Mr. President.

**Senator Drilon.** So that Section 6 (a), lines 10 to 21 will now read as proposed by the sponsor, which amendment is found on page 1 of the committee report under No. 1.

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

**The Presiding Officer** [Sen. Flavie]. With that understanding, is there any objection to the amendment? *[Silence]* There being none, the amendment is approved.

**Senator Coseteng.** On page 7, Section 6(i), line 11, delete the word "INDIVIDUALS" between the words "OF" and "for" and in lieu thereof, insert the words LICENSED PROFESSIONALS;

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

**Senator Coseteng.** On page 11, Section 6, insert the following paragraph to subsection (u): TO ADOPT AND INSTITUTE A COMPREHENSIVE RATING SYSTEM FOR UNI-



VERSITIES, COLLEGES AND TRAINING INSTITUTES BASED ON THE PASSING RATIO AND OVERALL PERFORMANCE OF STUDENTS IN BOARD EXAMINATIONS.

**The Presiding Officer** [Sen. Flavie]. That will be in subsection (u), line 25. I am looking at page 11, line 25, subsection (u).

**Senator Coseteng.** Between subsections (t) and (u), to read as Section (u) and subsection (u) eventually becomes subsection (V), Mr. President.

**The Presiding Officer** [Sen. Flavie]. So what the sponsor read will be found after line 24.

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

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

**Senator Coseteng.** Subsection (u) will now become subsection (V).

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

**Senator Coseteng.** On page 12, line 17, delete the words "LEGAL OFFICERS AND/OR ATTORNEYS" and in lieu thereof, insert the words LEGAL AFFAIRS OFFICERS.

**Senator Drilon.** Mr. President.

**The Presiding Officer** [Sen. Flavie]. The Majority Leader is recognized.

**Senator Drilon.** May we know the difference, Mr. President?

**Senator Coseteng.** There is a new office in the PRC called Legal Affairs Office. It is just a matter of naming the members of that division after the name of their office.

**The Presiding Officer** [Sen. Flavie]. With that explanation, is there any objection? [Silence] There being none, the amendment is approved.

**Senator Coseteng.** That is all, Mr. President.

**Senator Drilon.** Before we move to suspend consideration of the measure, may we ask once more the Secretary to prepare a clean copy of Senate Bill No. 1271 containing the amendments inserted by the committee and approved by the

Chamber so that during the period of individual amendments, we will now have as a working draft Senate Bill No. 1271, as amended by the committee.

**The Presiding Officer** [Sen. Flavie]. The direction to the Secretariat for a clean copy of the bill is reiterated.

#### SUSPENSION OF CONSIDERATION S. NO. 1271

**Senator Drilon.** I move that we suspend consideration of Senate Bill No. 1271.

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

**Senator Drilon.** May we now ask the Secretary to distribute copies of the *Journal* of the previous session.

**The Presiding Officer** [Sen. Flavie]. The Secretariat is so directed.

#### MOTION OF SENATOR DRILON (To Defer Approval of the Previous Journal)

**Senator Drilon.** However, I move that we defer the approval of this *Journal* tomorrow.

**The Presiding Officer** [Sen. Flavie]. There is a motion to defer approval of the *Journal* until tomorrow. Is there any objection? [Silence] There being none, the motion is approved.

#### SUSPENSION OF SESSION

The session is suspended, if there is no objection. [There was none.]

*It was 5:50 p.m.*

#### RESUMPTION OF SESSION

*At 5:55 p.m., the session was resumed.*

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

The Majority Leader is recognized.

#### BILL ON SECOND READING S. No. 1621--Amending the Energy Act of 1992 (Continuation)

**Senator Drilon.** Mr. President, I move that we resume