

# RECORD OF THE SENATE

TUESDAY, OCTOBER 5, 1999

## OPENING OF THE SESSION

*At 2:36 p.m., Hon. Teresa S. Aquino-Oreta, acting as the presiding officer, called the session to order.*

**The Presiding Officer** [Sen. Aquino-Oreta]. The 31st session of the Senate in 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,

We pray for strength to carry on even as we go to the October recess.

Some committees will continue hearings; others will finalize reports. Senators individually will respond each in his own way to help in the wake of continuing crisis and challenge.

Abide with us, dear Lord, and lead not this divided land to perdition and disaster.

Amen.

**The Presiding Officer** [Sen. Aquino-Oreta]. The Secretary will please call the roll.

## ROLL CALL

**The Secretary, reading:**

Senator Teresa S. 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 Franklin M. Drilon ..... Present  
Senator Juan Ponce Enrile ..... Present\*

\* Arrived after the roll call

Senator Juan M. Flavie ..... Present  
Senator Teofisto T. Guingona Jr. .... Present  
Senator Gregorio B. Honasan ..... \*\*  
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 ..... \*\*  
Senator Miriam Defensor Santiago ..... Present  
Senator Vicente C. Sotto III ..... \*\*  
Senator Francisco S. Tatad ..... Present  
The President ..... \*\*

**The Presiding Officer** [Sen. Aquino-Oreta]. With 15 senators present, there is a quorum.

The Majority Leader is recognized.

## THE JOURNAL (Consideration Deferred)

**Senator Drilon.** Madam President, we ended our session this morning at about 11:47 a.m. and, therefore, the *Journal* for yesterday and this morning's session could not be printed on time.

In view thereof, Madam President, I move that we defer consideration and approval of the *Journal* at a later hour or to the next session.

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

**Senator Drilon.** I move that we proceed to the Reference of Business.

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

The Secretary will now read the Reference of Business.

## REFERENCE OF BUSINESS

## RESOLUTION

**The Secretary.** Proposed Senate Resolution No. 587, entitled

\*\* On official mission



# SUSPENSION OF SESSION

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

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

*It was 4:13 p.m.*

# RESUMPTION OF SESSION

*At 4:16 p.m., the session was resumed.*

**The Presiding Officer [Sen. Aquino-Oreta].** The session is resumed.

The Majority Leader is recognized.

# SUSPENSION OF CONSIDERATION OF S. NO. 153

**Senator Drilon.** Madam President, with the agreement of Senators Osmeña III and Magsaysay, we move that we suspend consideration of Senate Bill No. 153 under Committee Report No. 41.

**The Presiding Officer [Sen. Aquino-Oreta].** 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.** Madam President; I move that resume consideration of Senate Bill No. 1271 as reported out under Committee Report No. 25.

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

**Senator Drilon.** Madam President, we are still in the period of amendments. May I ask the Chair to recognize the principal sponsor, Sen. Anna Dominique M.L. Coseteng.

**The Presiding Officer [Sen. Aquino-Oreta].** Sen. Anna Dominique M.L. Coseteng is recognized.

# MOTION OF SENATOR DRILON (To Use Approved Committee Amendments as of October 4, 1999 as Working Paper)

**Senator Drilon.** Madam President, yesterday, after the Chair of the committee introduced the amendments, we directed the Secretariat to prepare a new version of Senate Bill No. 1271 containing the committee amendments.

Copies of this revised version are now in the hands of our colleagues. This is the version with approved committee amendments as of October 4, 1999. May we suggest that this will be the basis of the discussion during the period of individual amendments.

**The Presiding Officer [Sen. Aquino-Oreta].** Copies of Senate Bill No. 1271 with approved committee amendments as of October 4, 1999 are now being given to the members of the Chamber and these will be used as the working paper for our amendments.

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

**Senator Drilon.** We go page by page if I may suggest to the sponsor.

Madam President, on page 1... If there are no amendments on page 1...

# COMMITTEE AMENDMENTS

**Senator Coseteng.** Madam President, I would like to read Section 1. As it is the entire amendment... The Statement of Policy was not a part of PD No. 223. So the whole Section 1 is actually an amendment as a statement of policy.

So, I would like to read into the *Record* that entire section.

**Senator Drilon.** Please go ahead.

**Senator Coseteng.**

SECTION 1. *STATEMENT OF POLICY.* - THE STATE RECOGNIZES THE IMPORTANT ROLE OF PROFESSIONALS IN NATIONBUILDING AND, TOWARDS THIS END, PROMOTES THE SUSTAINED DEVELOPMENT OF A RESERVOIR OF PROFESSIONALS WHOSE COMPETENCE HAS BEEN DETERMINED BY HONEST AND CREDIBLE LICENSURE EXAMINATIONS AND WHOSE STANDARDS OF PROFESSIONAL SERVICE AND PRACTICE ARE WORLD-CLASS AND INTERNATIONALLY RECOGNIZED.



**Senator Drilon.** I move to approve the proposed amendment, Madam President.

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

**Senator Coseteng.** Madam President, in Section 17...

**Senator Drilon.** Madam President, may we go page by page, if the sponsor would graciously agree so that we can all follow. If there are no other amendments on page 1, we go to page 1A.

Madam President, the proposed amendment on page 1A, starting with lines 19a up to 19bb, is pending approval by this Chamber.

**Senator Santiago.** Madam President, please, a prior amendment to page 1.

**The Presiding Officer** [Sen. Aquino-Oreta]. Senator Santiago is recognized.

**Senator Santiago.** With respect to Section 3 which is virtually contained on page 1A.

**Senator Drilon.** That is on line 18, on page 1, Madam President?

#### SANTIAGO AMENDMENT

**Senator Santiago.** We can start on page 1A, line 19a. I propose to amend it as follows: "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 years of executive or management experience: *PROVIDED, THAT ONE OF THE COMMISSIONERS MUST BE A PAST CHAIRPERSON/MEMBER OF A PROFESSIONAL REGULATORY BOARD.*"

I am not fully conversant with the new Section 3 because this latest draft of the bill was distributed only a few minutes ago. I just wish to enter into the *Record* what my proposed amendments to Section 3 are. It is likely that some of these are already contained in the new Section 3.

**Senator Coseteng.** Madam President, it was during the period of interpellation of our honorable colleague, Sen. Miriam Defensor Santiago, that we took into consideration the drafting of Section 3 as found on page 1A, lines 19a to 19bb. This was the response of the committee to the questions that were propounded by our colleague.

**Senator Santiago.** Yes, I will confirm that. It seems to me like everything I have just read out are already contained in Section 3. So, I shall proceed to Section 4 at the proper time.

**Senator Drilon.** Before that, Madam President, may we now move for the approval... The Minority Leader has some points of clarification.

**The Presiding Officer** [Sen. Aquino-Oreta]. The Minority Leader is recognized.

**Senator Guingona.** With the permission of Senator Santiago. May I direct the question to the distinguished sponsor. During yesterday's hearing, we asked the distinguished sponsor whether the philosophy of having a staggered appointment of commissioners was being abandoned because the philosophy or rationale there is that staggered appointments would provide continuity in policies and familiarity with the work of the Commission, and she said that this was not being abandoned at all. But now, I see that the term of the commissioners and the chairman are all seven years.

So, I would just like to clarify because if they are all appointed at the same time, then they will all serve for seven years. That is fine. But if the term of the two of them become shortened for one reason or another and new ones will be appointed, they would not have the familiarity or the spirit of continuance that is behind the rationale for staggered appointments.

*At this juncture, Sen. Teresa S. Aquino-Oreta relinquished the Chair to Sen. John H. Osmeña, the Senate President Pro Tempore.*

**Senator Coseteng.** At the moment, Mr. President, the



reality is that Chairman Pobre's term expires in the year 2001; Commissioner Abad's term expires in the year 2004; and Commissioner dela Rea Tan's term expires in 2007.

So, they will, in effect, be replaced at staggering terms.

**Senator Guingona.** On a staggered basis. That is the reality, but the law itself starts off at the same time—seven years each. There may come a situation where there will not be that situation.

Anyway, I do not feel very strongly about this. All I want is clarification.

**Senator Coseteng.** Perhaps, it could be incorporated in the Transitory Provision.

**Senator Guingona.** Yes, Mr. President.

**Senator Drilon.** The Minority Leader is not objecting to the amendment. So, I now move for the approval of the amendment found on page 1A, lines 19a to 19bb, as read by Senator Santiago.

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

#### DRILON AMENDMENTS

**Senator Drilon.** Mr. President, this is just a typographical error. In line 15, instead of a comma (,) after the word "OFFICER", it should be a period (.).

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

**Senator Drilon.** Mr. President, on page 3, line 5b, between the words "COMMISSION" and "SHALL", insert the following: WHO HAVE SERVED THEIR FULL TERMS.

**The President Pro Tempore.** What does the sponsor say?

**Senator Coseteng.** It is accepted, Mr. President.

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

**Senator Drilon.** In line 5g, delete the words "SHALL HAVE" and in lieu thereof, insert the word WHO and remove the letter "D" on the word "SERVED". Then, starting with the word "AT" delete the whole of 5h and 5i, and in lieu thereof, insert the phrase LESS THAN THE FULL TERM.

So, the sentence, Mr. President, as proposed, will now read: THE CHAIRMAN AND THE MEMBERS OF THE COMMISSION WHO HAVE SERVED THEIR FULL TERMS SHALL BE ENTITLED TO RETIREMENT BENEFITS PROVIDED UNDER REPUBLIC ACT NUMBERED ONE THOUSAND FIVE HUNDRED SIXTY-EIGHT AS AMENDED BY REPUBLIC ACT NUMBERED THREE THOUSAND FIVE HUNDRED AND NINETY-FIVE: PROVIDED, THAT THE CHAIRMAN AND THE MEMBERS OF THE COMMISSION WHO SERVED LESS THAN THE FULL TERM SHALL BE ENTITLED TO A PROPORTIONATE AMOUNT.

In other words, in the proposed amendment, the members of the Commission must serve the full term in order to be entitled to the full amount as distinguished from the present phraseology, where a service of one year will already entitle them to the full benefits.

**The President Pro Tempore.** What does the sponsor say?

**Senator Coseteng.** It is accepted, Mr. President.

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

We are now on page 4.

**Senator Drilon.** Page 3A, Mr. President.

**President Pro Tempore.** There is no amendment on page 3A.

**Senator Santiago.** Mr. President.

**The President Pro Tempore.** Senator Santiago is recognized.

#### SANTIAGO AMENDMENT

**Senator Santiago.** Mr. President, there is a prior amendment in Section 2, if I may be allowed. This is on page 2, referring to Section 4.

On page 2, line 21, after the word "COMMISSION," add the sentence: HE SHALL PERFORM SUCH OTHER ACTIVITIES WHICH ARE NECESSARY FOR THE EFFECTIVE EXERCISE OF THE POWERS, FUNCTIONS AND RESPONSIBILITIES OF THE COMMISSION.

**The President Pro Tempore.** What does the sponsor say?



**Senator Coseteng.** I accept it, Mr. President.

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

May we go back to page 3A.

**Senator Drilon.** Mr. President, may we just go back to...

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

#### MOTION OF SENATOR DRILON (Correction on Earlier Amendment Made)

**Senator Drilon.** I made an error, Mr. President, when earlier, I replaced the comma (,) on page 2, line 15. The period (.) should not be there. I move that we reconsider the previous amendment in line 15. The period (.) should be in line 14, after the word "COMMISSION".

**The President Pro Tempore.** First, there is a motion to reconsider.

**Senator Drilon.** Yes, just a very minor error, Mr. President.

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

#### DRILON AMENDMENT

The gentleman is now deleting his amendment after the word "OFFICER" in line 15. Is that correct?

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

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

And now the gentleman wants to put an amendment in line 14.

**Senator Drilon.** Yes, by placing a period (.) after the word "COMMISSION". I will read it, Mr. President.

"THE CHAIRMAN SHALL ACT AS THE PRESIDING OFFICER AND CHIEF EXECUTIVE OFFICER OF THE COMMISSION. AS PRESIDING OFFICER, HE SHALL PRESIDE OVER THE MEETINGS OF THE COMMISSION SITTING AS A COLLEGIAL BODY."

**The President Pro Tempore.** What does the sponsor say to this change?

**Senator Coseteng.** I accept it, Mr. President.

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

Senator Santiago is recognized.

**Senator Santiago.** Are we on page 3, please?

**The President Pro Tempore.** Yes, we are now on page 3.

#### SANTIAGO AMENDMENT

**Senator Santiago.** I would like to propose an amendment on page 3, line 8. After the word "Powers", insert a comma (,) followed by the phrase FUNCTIONS AND RESPONSIBILITIES.

**The President Pro Tempore.** What does the sponsor say?

**Senator Coseteng.** I accept it, Mr. President.

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

**Senator Santiago.** On the following line 9, after the word "powers", insert a comma (,) followed by the words FUNCTIONS AND RESPONSIBILITIES.

**The President Pro Tempore.** What does the sponsor say?

**Senator Coseteng.** I accept it, Mr. President.

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

On page 3A, there is a bracket in line 28. Has this been approved already? All right.

On page 4, line 7. Is this a new amendment? This was already approved. So there is no new amendment on page 4.

Are there new amendments on page 5, line 22? I do not know if this is just a question of the ink or whether...

#### DRILON AMENDMENTS

**Senator Drilon.** On page 5, line 22, delete the word "CHAIRMAN", the first "CHAIRMAN" appearing here at the beginning of the line.



**Senator Coseteng.** I accept it, Mr. President.

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

**Senator Drilon.** This is just a matter of style. In line 27, delete the words "AND ENDORSEMENT" and in lieu thereof, insert the words AS ENDORSED.

**The President Pro Tempore.** What does the sponsor say?

**Senator Coseteng.** It is accepted, Mr. President.

**The President Pro Tempore.** Is there any objection to the amendment? *[Silence]* There being none, the same is approved. Are there amendments on page 5A?

**Senator Drilon.** Mr. President, still on page 5, line 29, there is no sense on this No. "28" here. So I do not know what this No. 28 is.

**Senator Coseteng.** It is a typographical error, Mr. President.

**Senator Drilon.** It is a typographical error. I move to delete the No. "28", Mr. President.

**Senator Coseteng.** It is accepted, Mr. President.

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

#### COSETENG AMENDMENT

**Senator Coseteng.** Mr. President, on the previous amendment on page 5, line 14, letter (e), after the word "register" add the phrase AND COMPUTERIZED DATA BASE. So the sentence would read: "To keep and maintain a register AND COMPUTERIZED DATA BASE of the authorized practitioners of the profession or occupation;"

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

Are there amendments on page 5A? *[Silence]* There is an amendment on page 6, line 5. Is that approved already?

**Senator Drilon.** It is approved already, Mr. President.

**The President Pro Tempore.** There are amendments on line 27.

**Senator Drilon.** These amendments have been previously approved, Mr. President.

**The President Pro Tempore.** These were approved also. Page 6A, lines 28c and 28d.

#### DRILON AMENDMENTS

**Senator Drilon.** It is just a matter of style, Mr. President. On page 6A, line 28c, we propose to delete the words "THE PROVISION OF".

On the same page, line 28d, add S to the word "LAW"; delete "AND" and insert after the word "RULES" the words AND REGULATIONS. So that the provision will now read: "SUBJECT TO THE CIVIL SERVICE LAWS, RULES AND REGULATIONS;"

**Senator Coseteng.** It is accepted, Mr. President.

**The President Pro Tempore.** Is there any objection to the amendment? *[Silence]* There being none, the same is approved. Is there any amendment on page 7?

**Senator Drilon.** Mr. President, on page 7, lines 12, 13 and 14, the amendment which says "UNDER THE ADMINISTRATIVE SUPERVISION OF THE COMMISSION" appears misplaced. We invite the attention of the Chamber that on page 9A, line 30, the same provision is repeated.

The proposal therefore, for purposes of style, is to delete the phrase "UNDER THE ADMINISTRATIVE SUPERVISION OF THE COMMISSION". Because, as we said, this is misplaced, unless there is another meaning to this.

**Senator Coseteng.** It is accepted, Mr. President.

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

Page 7A. *[Silence]* Page 8? *[Silence]* Page 9? Is there an amendment in line 17?

**Senator Pimentel.** On page 8, Mr. President.

**The President Pro Tempore.** Senator Pimentel is recognized.

**Senator Pimentel.** Mr. President, before we propose the



amendment, we would like to find out who are the foreigners granted certificates of registration and license without examination or even a temporary or a special permit. What kind of professions are covered here?

Mr. President, it looks to me that this provision is a little too open-ended that can cause a lot of prejudice to certain professionals of this country. For example, if this is envisioned to allow foreign engineers or foreign architects or foreign doctors, foreign this or that, I wonder what is intended to be covered here.

**Senator Coseteng.** Mr. President, we have a Foreign Borrowing Act that includes foreign consultants as part of loan packages. During the period of interpellations, we appreciated the points that were raised concerning this issue precisely because Filipino professionals are receiving sometimes less than 10% of what foreign consultants receive as part of a package when we borrow from foreign sources.

So, primarily, that covers those professionals. We also consider foreign professionals who are, for example, on a mission here to render free medical services or other professional services. We also have Filipinos who have taken up residency overseas and are coming back to practice and stay. Those are the categories that are covered, Mr. President.

**Senator Pimentel.** In light of the reply of the distinguished sponsor, may I advert to the danger that is posed by this provision. Because it says here, among other things, "That the Commission may, upon recommendation of the Board concerned, authorize the issuance of a certificate of registration AND LICENSE, without examination or a temporary OR special permit FOR NOT MORE THAN ONE (1) YEAR, SUBJECT TO RENEWAL, to practice the profession, to any foreigner regardless of whether or not reciprocity exists in the practice of his profession between his country and the Philippines under such conditions as may be determined by the Commission." And then it says here: "if such foreigner is internationally known to be an outstanding expert in his chosen profession or a well-known specialist in any of its branches"—which does not cover the consultants who are attached to loan packages—"and that his services are urgently necessary either for lack or inadequacy of local experts or if SUCH A FOREIGN PROFESSIONAL IS ON A MISSION IN THE PHILIPPINES TO RENDER FREE PROFESSIONAL SERVICES."

I have no quarrel with this last phrase, Mr. President, but it looks like *na masyadong aping-api naman tayo sa probisyon ng ito*. I mean for our people.

**Senator Coseteng.** May we ask the distinguished gentleman to rephrase or revise this as a proposal to the Chamber.

**Senator Pimentel.** Yes, certainly, Mr. President. What I would probably recommend is to remove or delete that authorization to any foreigner, regardless of whether or not reciprocity existed. I think that is too much.

**Senator Coseteng.** Mr. President, the problem that has arisen at the moment, or the present practice is that the foreigners do not go to the PRC anymore to register themselves. They just freely practice.

**Senator Pimentel.** Exactly, Mr. President. So we should sue them if they do that. We should not allow them to flaunt our laws and ignore them.

**Senator Coseteng.** We thought that they had to be approved by the PRC before they could practice instead of the present situation where they just really practice under a consultancy system or under an understudy system.

**Senator Pimentel.** Mr. President, I understand that the practice in Korea, for example, is that consultants are allowed only if they are subordinated to local... Let us say, if we talk about engineers, they attached themselves to a local engineering firm, and they are allowed to be consultants. But otherwise, no, which is an assertion of the sovereignty of the country.

**Senator Coseteng.** The sad situation today is that, it is the other way around. The foreign consultants must necessarily have a Filipino "understudy."

**Senator Pimentel.** *Iyon na nga.*

**Senator Coseteng.** That is the prevailing practice. They are taken in by a local company or a local professional firm as consultants because they have supposedly understudies that they are guiding, preparing, transferring technology or imparting knowledge to.

Perhaps the gentleman may recommend some way of tightening this. I agree with him. We are just looking for a way so that these professionals must apply with the PRC, which they are not doing today. They do not even go to the Department of Labor to apply as workers in the country.

**Senator Pimentel.** Of course, these are violations of our laws that should be looked into also. But since we are crafting a law that will in effect open the floodgates to these so-called foreign professionals to come into the country, I think we should be a little bit more tight and strict on this aspect.

**Senator Coseteng.** I agree, Mr. President. Would the Chamber consider, for example, on line 13, authorizing the



issuance of a certificate of registration and license? If we were to include that an examination be necessary, or if, for example, we were to say that the permit should not be for more than two or three months, how would the gentleman ...

**Senator Drilon.** Mr. President.

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

### SUSPENSION OF SESSION

**Senator Drilon.** With the permission of the senators on the floor. Since there appears to be an agreement on the substance, I move that we suspend the session for one minute to enable the senators to come up with the proposed amendment.

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

*It was 4:47 p.m.*

### RESUMPTION OF SESSION

*At 4:51 p.m., the session was resumed.*

**The President Pro Tempore.** The session is resumed.

**Senator Pimentel.** Mr. President.

**Senator Drilon.** Mr. President, Senator Pimentel has a proposed amendment on page 8.

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

**Senator Pimentel.** Mr. President, the proposed amendment is: TO AUTHORIZE THE COMMISSION TO COMPEL THE REGISTRATION AND LICENSING OF ALL FOREIGN PROFESSIONALS WHO WILL EXERCISE THEIR PROFESSION IN THIS COUNTRY, WITH THE EXCEPTION OF THOSE WHO ARE COVERED BY INTERNATIONAL AGREEMENTS, subject to style.

**Senator Drilon.** Or existing laws.

**Senator Pimentel.** We will amend the existing laws.

**Senator Coseteng.** Mr. President, in addition to that, perhaps subject to style, we will have to include what would govern renewals of their permits or whether or not they should take the examinations before their licenses or permits are granted.

**Senator Pimentel.** Subject to style, Mr. President.

**Senator Drilon.** Just for clarity, what will the rule be before we can style it, Mr. President?

**Senator Coseteng.** THAT FOREIGN PROFESSIONALS COVERED BY EXISTING LAW GOVERNING FOREIGN BORROWINGS?

**Senator Drilon.** May I request Senator Pimentel to restate the proposed amendment, subject to style, Mr. President?

### PIMENTEL-DRILON-GUINGONA AMENDMENT

**Senator Pimentel.** The proposed amendment is: TO AUTHORIZE THE COMMISSION TO ISSUE CERTIFICATES OF REGISTRATION AND LICENSES TO FOREIGN PROFESSIONALS WHO DESIRE TO PRACTICE THEIR PROFESSION IN THIS COUNTRY WITH THE EXCEPTION OF THOSE WHO ARE COVERED BY INTERNATIONAL AGREEMENTS.

**Senator Drilon.** All right.

**Senator Coseteng.** So, Mr. President, just for clarification, does that mean we delete on page 8, line 13 up to line 9 on page 9? Is that correct?

**Senator Pimentel.** Yes, Mr. President.

**The President Pro Tempore.** Is the sponsor amenable?

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

**Senator Guingona.** Mr. President.

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

**Senator Guingona.** Mr. President, may I just clarify that. Yesterday, the explanation was that some medical missions may come for a limited period; and if that happens, perhaps it can be an exception to the amendment of Senator Pimentel as determined by the Professional Regulation Commission for a limited period. These medical missions...

**Senator Drilon.** ...are maybe for humanitarian reasons.

**Senator Guingona.** Yes, Mr. President.

**Senator Drilon.** The exceptions will be two: those who are



covered by international agreements; and where the practice is pursuant to a humanitarian mission.

**The President Pro Tempore.** Will Senator Pimentel please restate the amendment for the record?

**Senator Drilon.** For a humanitarian mission for a limited period. May we restate the amendment subject to style?

**The President Pro Tempore.** Where do we start?

**Senator Drilon.** We start with line 13.

**Senator Coseteng.** It is on page 8, Mr. President.

**The President Pro Tempore.** Page 8, "authorize the issuance of a certificate of registration AND LICENSE."

**Senator Drilon.** In substance, the amendment will be: AUTHORIZE THE COMMISSION TO ISSUE certificateS of registration AND LICENSE TO FOREIGN PROFESSIONALS WHO DESIRE TO PRACTICE IN THE PHILIPPINES WITH THE EXCEPTION OF THOSE WHO ARE COVERED BY INTERNATIONAL AGREEMENTS OR THOSE WHO PRACTICE THEIR PROFESSION IN THE PHILIPPINES FOR A LIMITED PERIOD OF TIME PURSUANT TO A HUMANITARIAN MISSION. That, in substance, is the amendment, subject to style, which will now delete in substitution thereof from lines 15 starting with the phrase "without examination" up to line 9 on page 9. Is that correct?

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

**The President Pro Tempore.** What does the sponsor say?

**Senator Coseteng.** It is accepted, Mr. President.

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

**Senator Pimentel.** Mr. President, just a matter of style. I have always been bothered by laws crafted by our Congress which continuously refer to us as the "Philippines" or as "Filipinos." There should be a way of expressing that sentiment without referring to ourselves in the third person as if we are making laws for other people.

**MANIFESTATION OF SENATOR PIMENTEL  
(On the Manner and Style of Crafting  
Sections of the Bill)**

I was listening to the debate between Senators Osmeña III

and Magsaysay. They were both referring to the "Filipinos" as if they are not Filipinos themselves. Perhaps it is time for us to consciously craft laws in a manner that is dignified and that is reflective of our obligation to enact laws for ourselves as a people. We are no longer a colony of the United States so that we have to refer to the Philippines as if we are trying to make sure that we are not making laws for the United States of America, Mr. President.

**The President Pro Tempore.** The Secretariat is directed to take the remarks of Senator Pimentel into consideration when they recraft this particular section and any other similar section.

Are there amendments on page 9? [Silence] There are no amendments. Page 9A? Page 10.

**Senator Drilon.** On page 9A, a matter of style, Mr. President.

In line 31, delete the phrase "the members of" and in line 32, after the word "Boards", insert the phrase AND ITS MEMBERS.

**The President Pro Tempore.** What does the sponsor say?

**Senator Coseteng.** It is accepted, Mr. President.

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

**Senator Santiago.** Mr. President, please.

**The President Pro Tempore.** Sen. Miriam Defensor Santiago is recognized.

**SANTIAGO AMENDMENTS**

**Senator Santiago.** On page 9A, after line 32, add a new paragraph to read as follows:

(N) IN CONSULTATION WITH THE PROFESSIONAL REGULATORY BOARD CONCERNED, TO RECOMMEND TO THE COMMISSION ON HIGHER EDUCATION (CHED), OR TO ANY OTHER CONCERNED GOVERNMENT AUTHORITY, THE CLOSURE OR THE SUSPENSION OF THE PERMIT TO OPERATE OF SCHOOLS WHICH HAVE CONSISTENTLY MANIFESTED MISERABLE PERFORMANCE IN LICENSURE EXAMINATIONS. THE COMMISSION SHALL ALSO PUBLISH IN A NEWSPAPER OF GENERAL CIRCULATION A LIST OF SUCH SCHOOLS.

**Senator Coseteng.** It is accepted, Mr. President.



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

Page 10? Page 10A?

**Senator Santiago.** Mr. President, please, on page 10, line 5, the proposal is to delete the phrase "ADOPT A" and to replace it with the phrase IMPLEMENT THE, and after the word "PROFESSIONALS", to add the phrase BY THE YEAR 2004.

My basis is the previous statement of Senator Coseteng that the PRC has already issued the necessary guidelines to implement the full computerization of licensure examinations in compliance with the provisions of EO No. 200 which was issued in 1994. That is why, I believe now that under subparagraph (o), we should not use the term "TO ADOPT", but the term TO IMPLEMENT. Then after the word "PROFESSIONALS", add the phrase BY THE YEAR 2004.

**The President Pro Tempore.** What does the sponsor say?

**Senator Coseteng.** It is accepted, Mr. President.

**The President Pro Tempore.** Is there any objection?  
[Silence] There being none, the amendment is approved. Are there any other amendments on page 10?

The Majority Leader is recognized.

**Senator Drilon.** Mr. President, lines 10 to 20 on page 10 is already provided under Section 47, Book V, Subtitle A of the Administrative Code of 1987 which expressly provides that the Civil Service Commission has appellate jurisdiction over all administrative disciplinary cases involving the imposition of the penalty of the suspension of more than thirty (30) days or a fine in an amount exceeding 30 days' salary, demotion in rank, transfer, removal or dismissal from office.

#### DRILON AMENDMENTS

A repetition of this provision, in not so precise language, may cause confusion. I move that we delete therefore lines 10 to 20, and in lieu thereof simply state:

p) TO INVESTIGATE AND DECIDE ADMINISTRATIVE MATTERS INVOLVING OFFICERS AND EMPLOYEES UNDER THE JURISDICTION OF THE COMMISSION.

**The President Pro Tempore.** What does the sponsor say?

**Senator Coseteng.** It is accepted, Mr. President.

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

On page 10, are there no more amendments?

**Senator Drilon.** We have amendments, as a matter of style.

In line 21, instead of the phrase "CONDUCT INVESTIGATION", we delete the same and substitute that phrase with the word INVESTIGATE.

**Senator Coseteng.** It is accepted, Mr. President.

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

**Senator Drilon.** To correct the typographical error in *MOTU PROPRIO* by removing letter "R" after the letter "P".

I am sorry. Is it *MOTU PROPIO*?

**Senator Santiago.** *Motu proprio* talaga iyan.

**Senator Drilon.** I withdraw the amendment, Mr. President.

**The President Pro Tempore.** The amendment is withdrawn. *PROPRIO* is correct.

**Senator Coseteng.** P-R-O-P-R-I-O? It is accepted, Mr. President.

**Senator Drilon.** We have withdrawn the amendment.

**The President Pro Tempore.** The amendment has been withdrawn.

Is there any amendment on page 10?

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

In line 22, insert the word VERIFIED before the word "COMPLAINT".

**The President Pro Tempore.** What does the sponsor say?

**Senator Coseteng.** It is accepted, Mr. President.

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

**Senator Drilon.** In the same line, after the word "COM-



PLAINT", we place a comma (,) and delete the phrase "BY AN AGGRIEVED PARTY AGAINST".

**The President Pro Tempore.** What does the sponsor say?

**Senator Coseteng.** It is accepted, Mr. President.

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

**Senator Drilon.** In line 23, insert the word ANY before the word "members" and delete the letter "S" after the word "MEMBERS".

**The President Pro Tempore.** What does the sponsor say?

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

**Senator Drilon.** So it will now read: TO INVESTIGATE *MOTU PROPRIO*, OR UPON THE FILING OF A VERIFIED COMPLAINT, ANY MEMBER OF THE PROFESSIONAL REGULATORY BOARD, et cetera.

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

**The President Pro Tempore.** It has been accepted already. Every amendment was accepted, so we do not have to accept the whole paragraph.

**Senator Drilon.** All right. May we proceed.

**The President Pro Tempore.** So what is it, *motu proprio* or *motu proprio*?

**Senator Drilon.** We retain the present text, *motu proprio*, Mr. President.

**The President Pro Tempore.** On page 10a, no amendments? On page 11, no amendments? [Silence] There is no amendment.

**Senator Santiago.** Mr. President, on page 11, my proposed amendment will refer to line 25. So I will wait whether there is any of our colleagues who has an antecedent amendment.

**Senator Guingona.** Mr. President.

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

**Senator Guingona.** It is not a direct amendment yet, Mr. President. I just would like to be enlightened on the power to hold in contempt. This is an administrative body, it is an administrative investigation, and I wonder if the lawyers of the Professional Regulatory Board have verified whether this essentially judicial function can be vested in a regulatory body.

**Senator Coseteng.** Mr. President, the PRC also investigates and hears cases against erring professionals. In the event that the subject or the person invited or subpoenaed by the Commission does not respond, then the person can be held in contempt.

**Senator Guingona.** What would be the penalty for a person who is in indirect contempt?

**Senator Coseteng.** At the moment, the practice is that the board member hearing the case has the discretion as to what penalties would be meted out.

**Senator Guingona.** Mr. President, we have to be more specific. We are legislating. If the discretion is so vague and general, it could be questioned.

**The President Pro Tempore.** Is the Minority Leader offering an amendment?

**Senator Guingona.** Rather than have a broad discretion, I think we should delete it.

**Senator Coseteng.** Mr. President, the practice is that those who are held in direct contempt are sent to jail for a limited period or are fined as provided in Rule 71 of the Rules of Court.

**The President Pro Tempore.** The Chair would like to inquire whether there is an appeal to this contempt.

**Senator Santiago.** Mr. President.

**The President Pro Tempore.** Sen. Miriam Defensor Santiago is recognized.

**Senator Santiago.** Mr. President, may I volunteer that direct contempt is punishable by 60 days imprisonment and indirect contempt by 90 days imprisonment. In order to save the provision, we could insert the phrase, THAT THE PENALTY TO BE APPLIED BY THE COMMISSION SHALL BE AS PROVIDED BY THE RULES OF COURT, RULE 71, which is already cited in the bill as drafted.

So if the Commission will have the same power as a court of justice, to cite any person for contempt, then its penalty should be



circumscribed by the limitations on the power to penalize contempt of court under the *Rules of Court*.

But do we really want to give the Commission the power to send a person to jail for 60 or 90 days? In order to save the provision, we could give it a lesser power of penalty—maybe to imprison the person for a couple of hours like what we do in the Senate. *[Laughter]*

### SUSPENSION OF SESSION

**The President Pro Tempore.** With the permission of the ladies on the floor, the session is suspended for a few minutes, if there is no objection. *[There was none.]*

*It was 5:10 p.m.*

### RESUMPTION OF SESSION

*At 5:12 p.m., the session was resumed.*

**The President Pro Tempore.** The session is resumed.

The Majority Leader is recognized.

### DRILON AMENDMENT

**Senator Drilon.** Mr. President, with the permission of our colleagues on the floor, upon consultation, lines 10 to 14 on page 11 will be amended so that it will read as follows: AN ERRING PARTY OR PERSON CAN BE HELD IN CONTEMPT ONLY UPON APPLICATION WITH A COURT OF COMPETENT JURISDICTION.

**The President Pro Tempore.** What does the sponsor say?

**Senator Coseteng.** It is accepted, Mr. President.

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

Are there any other amendments?

**Senator Santiago.** Mr. President.

**The President Pro Tempore.** The senator from Iloilo is recognized.

**Senator Santiago.** Mr. President, on page 11, line 25, letter "U)". The proposal is to insert a new provision to read as follows:

U) TO PREPARE AN ANNUAL REPORT OF ACCOMPLISHMENTS ON THE PROGRAMS, PROJECTS AND

ACTIVITIES OF THE COMMISSION DURING THE YEAR FOR SUBMISSION TO THE CONGRESS AFTER THE CLOSE OF ITS CALENDAR YEAR AND MAKE APPROPRIATE RECOMMENDATIONS ON ISSUES AND/OR PROBLEMS AFFECTING THE COMMISSION, THE PROFESSIONAL REGULATORY BOARD, AND THE VARIOUS PROFESSIONS UNDER ITS JURISDICTION.

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

**The President Pro Tempore.** It is approved with the understanding that that amendment, if it is letter "U)", belongs after line 29 on page 11a. I understand that that is the last amendment of that particular section.

**Senator Santiago.** Yes, Mr. President.

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

Are there amendments on page 11A, page 12?

**Senator Drilon.** From page 11A to page 12, Mr. President, particularly Section 7 starting on line 30 up to line 20 of page 12, this is an enumeration of the offices in the Commission.

We believe that this is not necessary because this will be provided under the staffing patterns approved by the Department of Budget and Management. As in other agencies of government, the staffing pattern is submitted to the DBM and the DBM approves the same. I do not believe that we should enumerate all of these offices as we have done here—the Secretary of the Commission, the Secretary of the Board, the Director for Legal Affairs, the Director for Licensure, et cetera. I believe that this should be deleted and leave the matter of the staffing pattern to the Department of Budget and Management as is being done by the rest of the bureaucracy.

### DRILON AMENDMENTS

Mr. President, on page 11A, we move to delete lines 30 down to 31 on page 11A and on page 12, lines 1 to 20.

**The President Pro Tempore.** What does the sponsor say?

**Senator Coseteng.** Mr. President, what would the proponent of the amendment say on the authority to administer oath? Do we include that or will that be deleted?

**Senator Drilon.** I think the authority to administer oaths or



the officers authorized to administer oaths are also found in the Revised Administrative Code. We really do not have to make another provision here.

**Senator Coseteng.** I think the PRC has a problem concerning this because they have thousands of applicants to whom they administer these oaths.

**Senator Drilon.** We can retain the administration of the oath if that poses a problem, Mr. President. Subject to style, we can allow the administration of the oath by any officer of the Commission which the sponsor may wish to authorize. Maybe, we can empower the Commission to designate the officer who will be authorized to administer the oath.

**The President Pro Tempore.** This will be a new section.

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

**The President Pro Tempore.** The powers of the Commission.

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

**The President Pro Tempore.** The Chair would like to observe that the amendment of the Majority Leader belongs to the enumeration of the powers of the Commission.

**Senator Drilon.** Subject to style and appropriate placement, our amendment will be that the Commission shall have the power to authorize any officer of the commission to administer oaths.

**The President Pro Tempore.** There are, in effect, two amendments here. The Chair understands that there is an amendment to delete lines 30 on page 11A up to line 20 on page 12.

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

**The President Pro Tempore.** Then, there is going to be a new provision in that part of the bill which has an enumeration of the powers of the Commission in accordance with the amendment of the Majority Leader.

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

**The President Pro Tempore.** What does the sponsor say?

**Senator Coseteng.** The amendments are accepted, Mr. President.

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

Page 12A, page 13, page 14...

**Senator Santiago.** Mr. President, please.

**The President Pro Tempore.** Senator Santiago is recognized.

**Senator Santiago.** On page 14, line 22.

**The President Pro Tempore.** Yes, please proceed.

**Senator Enrile.** Mr. President.

**The President Pro Tempore.** Anterior amendment by Senator Enrile.

#### ENRILE AMENDMENT

**Senator Enrile.** Mr. President, I just want to clarify paragraph (b), line 16 of page 13. Why are we using the coordinate conjunctive "OR" instead of "and"?

**Senator Coseteng.** Is that after the word "HEAR"?

**Senator Enrile.** Line 16.

**Senator Coseteng.** "To HEAR AND investigate", Mr. President?

**Senator Enrile.** Is there a hearing without investigating or is there an investigation without a hearing?

**Senator Coseteng.** Just to replace the word "OR" with the word AND.

**Senator Enrile.** I am asking, Mr. President. When the Commission or any of its Board hears, it will investigate. And when it investigates, it hears.

**Senator Coseteng.** So, do we just put "investigate" or...

**Senator Enrile.** HEAR AND investigate.

**Senator Coseteng.** It is accepted, Mr. President.

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

There are no amendments on line 13. Let us go to page 14.



**Senator Santiago.** On page 14, Mr. President, please.

**The President Pro Tempore.** Senator Santiago is recognized.

#### SANTIAGO AMENDMENT

**Senator Santiago.** On page 14, line 22, I propose that we delete the word "review", and replace it with the words FINAL APPROVAL.

To proceed, delete the word "approve" and replace it with the word RECOMMEND.

Thus, Section 8, letter (e) would read as follows:

"e) Subject to FINAL APPROVAL by the Commission, to RECOMMEND registration without examination and the issuance of corresponding certificate of registration."

**Senator Coseteng.** It is accepted, Mr. President.

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

We are on page 15, Section 9.

**Senator Drilon.** The approval of this Section 9 was deferred. I therefore move that we approve this amendment.

**Senator Guingona.** Mr. President.

**Senator Drilon.** The Minority Leader wishes to be recognized, Mr. President.

**The President Pro Tempore.** Senator Guingona is recognized.

**Senator Guingona.** Mr. President, may we just ask the distinguished sponsor: Are the compensation, allowances and benefits under the Salary Standardization Law?

May we know what are the allowances and benefits that are referred to here? Do the examinees pay regular fees for examinations? Is that collected, and is the examiner entitled to a certain percentage?

**Senator Coseteng.** The examination fee is P600 and that amount goes to the general fund of the National Treasury.

**Senator Guingona.** So, there is no further allowance?

**Senator Coseteng.** The examiner is paid P81 per examinee.

**Senator Guingona.** How many examinees, and for how many times a year?

**Senator Coseteng.** There are 125,000 teachers who took the last examinations, Mr. President.

We have a schedule here right now. For 1 to 1,000 candidates, it is P81 per candidate but not less than P55,000 per annum or not more than P81,000; 1,001 up to 2,000 candidates, the ceiling is P94,400 per annum; 2,001 to 3,000 candidates, P104,400 per annum; 3,001 to 4,000, P114,400 per annum; 4,001 to 5,000, P124,400 per annum; 5,001 to 6,000, P134,400 per annum.

**Senator Drilon.** Mr. President, I think the Minority Leader is satisfied with the answer. May we now move for the approval of lines 24 to 33 on page 15.

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

**Senator Drilon.** We are on page 16, Mr. President.

**Senator Enrile.** Mr. President.

**The President Pro Tempore.** Senator Enrile is recognized.

**Senator Enrile.** Mr. President, I would like to be enlightened on the phrase "AND OTHER REQUIREMENTS OF THE COMMISSION ON HIGHER EDUCATION" which is found on page 16, lines 8 and 9.

Will this include the requirement for seminars and other additional educational attendance in seminars or other academic work?

**Senator Coseteng.** No, Mr. President. The requirements referred to are masteral degrees, because this section refers to persons to teach subjects for licensure examination on all professions. It is not the continuing professional education which, I think, the proponent is referring to.

**Senator Enrile.** Incidentally, was the provision which gave authority to the Commission to require seminars taken out?

**Senator Coseteng.** It was deleted, Mr. President.

**Senator Enrile.** Thank you. Is there any other anterior amendment? I would like to go to lines 23 to 27d. How much is this income going to be?

**Senator Coseteng.** The projection, Mr. President, is P204 million.



**Senator Enrile.** Is that the level now, or is that the projected level next year?

**Senator Coseteng.** That was the level of 1998.

**Senator Enrile.** So, what is the level this year? What is the incremental amount per year?

#### SUSPENSION OF SESSION

**Senator Coseteng.** 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 5:27 p.m.*

*At 5:29 p.m., the President Pro Tempore relinquished the Chair to Sen. Juan M. Flavie.*

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

**Senator Coseteng.** Mr. President, in answer to the question of the gentleman about income, the projection in 1999 is P223 million and the projection in the year 2000 is P246,160,000.

**Senator Enrile.** This provision reads: "THE COMMISSION IS HEREBY AUTHORIZED TO USE FIFTY PER CENTUM (50%) OF ITS INCOME FROM ALL SOURCES EXCEPT COLLECTIONS OF OATH-TAKING FEES 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, FOR THE OPERATIONAL EXPENSES OF THE COMMISSION INCLUDING ITS REGIONAL OFFICES, COMPENSATION OF MEMBERS OF THE BOARD, SALARIES, ALLOWANCES, HONORARIA, OVERTIME AND OTHER BENEFITS OF OFFICIALS AND EMPLOYEES."

Is it the intention that this 50% will be utilized by the Commission to augment the salaries of its officials and employees?

**Senator Coseteng.** The salaries of the members of the 42 boards and the increase in watchers' fees and increases in the salaries generated by this bill would amount to more than P50 million, Mr. President.

**Senator Enrile.** Which one, Mr. President? This 50%?

**Senator Coseteng.** No, Mr. President. The increases in the salaries of the members of the different boards.

**Senator Enrile.** But that is not subject to any limitation other than the discretion of the Commission, because there is no limitation whatsoever.

Mr. President, I think this proposed amendment is quite unusual as a precedent which might be repeated many, many times over by the entire bureaucracy. I find it a little unfair to the rest of the government bureaucracy that a special segment of the government is granted this special privilege. I think we should treat everybody in the bureaucracy equally.

#### ENRILE AMENDMENT

So, I am constrained to move and propose that this entire Section 12 be deleted.

**Senator Coseteng.** Mr. President, at the moment, other government agencies like the CHED, the BIR, the Philippine Ports Authority and others have the same privilege. But the committee is amenable to the proposal.

**Senator Enrile.** I move that we delete Section 12, Mr. President.

**The Presiding Officer [Sen. Flavie].** There is a motion to delete Section 12 on page 16, from lines 23 to page 16A, line 31.

**Senator Drilon.** And up to page 17, line 15, Mr. President.

**Senator Enrile.** Page 17, from lines 1 to 15.

**The Presiding Officer [Sen. Flavie].** And page 17, from lines 1 to 15. The Chair is assuming that that was accepted by the sponsor.

**Senator Coseteng.** Up to line 15, Mr. President.

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



**Senator Coseteng.** It is accepted, Mr. President.

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

We are now on page 17. Is there any amendment? [Silence] Page 18? [Silence] Page 18A? [Silence] Page 19, the final page.

**Senator Coseteng.** Mr. President.

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

**Senator Coseteng.** On page 19, Section 17, line 8, between the numbers "546," and the word "PRESIDENTIAL", insert the following: SECTIONS 7, 8, 9 AND 10 OF. The revised and amended section will thus read:

SEC. 17. *REPEALING CLAUSE.* - The provisions of Republic Act No. 546, SECTIONS 7, 8, 9 AND 10 OF PRESIDENTIAL DECREE NO. 223, AS AMENDED

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

**Senator Drilon.** Mr. President, as there are no more amendments, I move that the period of amendments be closed.

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

#### SUSPENSION OF SESSION

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

*It was 5:37 p.m.*

#### RESUMPTION OF SESSION

*At 5:38 p.m., the session was resumed.*

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

**Senator Guingona.** Mr. President.

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

**Senator Guingona.** Mr. President, I understand that our situation is for individual amendments to follow.

**Senator Drilon.** Mr. President, we have been proposing individual amendments on a page by page basis.

**Senator Guingona.** Yes, Mr. President, amendments to the amendments. Because Senator Barbers manifested earlier that he would like to propose some personal amendments.

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

#### SUSPENSION OF SESSION

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

*It was 5:38 p.m.*

#### RESUMPTION OF SESSION

*At 5:39 p.m., the session was resumed.*

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

The Majority Leader is recognized.

**Senator Drilon.** Mr. President, we have discussed this issue with the Minority Leader. Indeed, we have proposed individual amendments on a page by page basis and we will close the period of amendments with the understanding that in accordance with the *Rules*, Senator Barbers may move to reopen and reconsider at tomorrow's session the closure of the period of amendments. That is in accordance with the *Rules*.

**The Presiding Officer** [Sen. Flavie]. With that understanding, it is so noted.

**Senator Drilon.** We therefore move to close the period of individual amendments.

**Senator Coseteng.** Mr. President.

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

**Senator Coseteng.** Mr. President, in view of the fact that the whole Section 12 was deleted, the numbering would now be changed.



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

# APPROVAL OF S. NO. 1271 ON SECOND READING

**Senator Coseteng.** So, Section 13 becomes Section 12 down the line.

**Senator Drilon.** Mr. President, I move that we vote on Second Reading on Senate Bill No. 1271, as amended.

## DRILON AMENDMENT

**The Presiding Officer** [Sen. Flavie]. Is there any objection? [Silence] There being none, we shall now vote on Second Reading on Senate Bill No. 1271, as amended.

**Senator Drilon.** Omnibus amendment, Mr. President. I propose that the numbers and letters be adjusted accordingly in order that the appropriate amendments will be properly reflected.

As many as are in favor of the bill, say *aye*.

**Several Members.** Aye.

**Senator Coseteng.** Mr. President, just for the record. Since it was also the recommendation of Senator Enrile—and he was not here yesterday when this was being discussed—I would just like to read the amendments in Section 17 under Repealing Clause which concerns the mandatory requirement for the Continuing Professional Education as a prerequisite to the renewal of professional license.

**The Presiding Officer** [Sen. Flavie]. As many as are against the bill, say *nay*. [Silence]

Senate Bill No. 1271, as amended, is approved on Second Reading.

The particular section on page 19, lines 7 to 14, reads as follows:

**SEC. 17. REPEALING CLAUSE.** - The provisions of Republic Act No. 546, PRESIDENTIAL DECREE NO. 223, AS AMENDED, NO. 4, ARTICLE 16 OF REPUBLIC ACT NO. 7722, REPUBLIC ACT NO. 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.

**Senator Drilon.** We reiterate that the approval of this bill on Second Reading is subject to our *Rules* which allows motions for reconsideration to be filed. In this particular case, Senator Barbers may move to reconsider the closure of the period of amendments tomorrow. With that understanding, Mr. President.

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

It is Executive Order No. 266 that concerns the mandatory requirement of the CPE, Mr. President.

**Senator Drilon.** Mr. President, my colleagues refuse to work in view of the fact that there is a bicameral conference committee tonight. [Laughter]

**The Presiding Officer** [Sen. Flavie]. But earlier, there was also an insertion of Sections 7, 8, 9, and 10. That remains.

**The Presiding Officer** [Sen. Flavie]. There is a bicameral conference committee at six o'clock.

**Senator Drilon.** Yes, that remains, Mr. President. We just note the manifestation of the sponsor.

**Senator Aquino-Oreta.** Mr. President.

**Senator Drilon.** Before we adjourn, may I ask the Chair to recognize Sen. Teresa Aquino-Oreta.

**The Presiding Officer** [Sen. Flavie]. The manifestation is noted. So, shall we act on the omnibus amendment?

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

**Senator Drilon.** Yes, Mr. President. There is an omnibus amendment to adjust the numbers and letters.

## MOTION OF SENATOR ORETA (To Enter into the Record Her Statement On the Occasion of Worldwide Teachers' Day)

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

**Senator Aquino-Oreta.** Mr. President, in view of the fact that October 5 is declared Worldwide Teachers' Day by the UNESCO, may I just enter into the *Record* our statement for our teachers so that the 450,000 teachers we have in this country will feel that the Senate cares for them.