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TABLE OF CONTENTS

REFERENCE OF BUSINESS	
BILLS ON FIRST READING	1657
COMMITTEE REPORTS	1658
BILL ON SECOND READING	1658
Senate Bill No. 101 – Minimum Age of Elective Local Officials Sponsorship by Senator Lina Interpellations/Amendments by Senators Guingona, Tamano, Enrile, Gonzales, Pimentel, Tañada and Herrera (Approved on Second Reading)	
CONSIDERATION OF SENATE RESOLUTION NO. 42	1679
(On Economic Principles) Sponsorship by Senator Paterno Interpellations by Senators Herrera, Guingona and Shahani (Consideration Suspended)	

AN ACT PROVIDING FOR CREDIT TO AGRARIAN REFORM BENEFICIARIES THROUGH THE BANKING SYSTEM AND THE MECHANISM AND INCENTIVES THERETO

Introduced by Senator Alvarez.

The President. Referred to the Committees on Agrarian Reform; and Banks, Financial Institutions and Currencies.

The Secretary. Senate Bill No. 172, entitled:

AN ACT PROHIBITING THE ASSIGNMENT OR DETAIL OF ANY COMMISSIONED OR NON-COMMISSIONED OFFICER IN THE ARMED FORCES OF THE PHILIPPINES ON ACTIVE DUTY AS AN AIDE-DE-CAMP, TECHNICAL ASSISTANT OR IN ANY OTHER CAPACITY TO THE OFFICE OF THE SECRETARY, OR UNDERSECRETARY OF NATIONAL DEFENSE, OR TO ANY OFFICE HELD BY A GENERAL OFFICER OR OFFICER OF FLAG RANK, OR ANY CIVILIAN OFFICE FOR A PERIOD LONGER THAN THIRTY-SIX MONTHS

Introduced by Senator Maceda.

The President. Referred to the Committee on National Defense and Security.

COMMITTEE REPORTS

The Secretary. Committee Report No. 51, submitted by the Committee on Education, Arts and Culture, on Senate Bill No. 170, prepared by the Committee, with Senators Rasul, Maceda and Shahani as authors, entitled:

AN ACT ESTABLISHING AN ETHNIC STUDIES CENTER IN THE DEPARTMENT OF EDUCATION, CULTURE AND SPORTS, AND PROVIDING FUNDS THEREFOR,

recommending its approval without amendment in substitution of Senate Bill No. 32.

Sponsors: Senators Rasul, Maceda and Shahani.

The President. Referred to the Calendar for Ordinary Business.

The Secretary. Committee Report No. 52,

submitted by the Committee on Electoral Reforms and People's Participation, on Senate Bill No. 82, introduced by Senator Guingona, Jr., entitled:

AN ACT PROHIBITING THE ESTABLISHMENT OF POLITICAL DYNASTIES,

recommending its approval without amendment.

Sponsor: Senator Guingona, Jr.

The President. To the Calendar for Ordinary Business.

BILL ON SECOND READING

Senate Bill No. 101 – Minimum Age of Elective Local Officials

Senator Mercado. Mr. President, I move that we consider Senate Bill No. 101, as reported under Committee Report No. 24.

The President. Consideration of Senate Bill No. 101 is now in order. With the permission of the Body, the Secretary will read only the title of the bill, without prejudice to inserting in the Record the whole text thereof.

The Secretary. Senate Bill No. 101, entitled:

AN ACT AMENDING SECTION FORTY-TWO OF BATAS PAMBANSA BLG. 337, THE LOCAL GOVERNMENT CODE, BY REDUCING THE MINIMUM AGE OF THE DIFFERENT ELECTIVE LOCAL OFFICIALS MENTIONED THEREIN

The following is the full text of Senate Bill No. 101.

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

SECTION 1. Section 42 of Batas Pambansa Blg. 337 is hereby amended to read as follows:

Sec. 42. *Qualifications* – (1) An elective local official must be a citizen of the Philippines, [at least twenty-three years of age on election day] a qualified voter registered as such in the barangay, municipality, city or

province where he proposes to be elected, a resident therein for at least one year at the time of the filing of his certificate of candidacy, able to read and write English, FILIPINO [Pilipino], or any other local language or dialect.

(2) CANDIDATES FOR THE POSITIONS OF GOVERNOR, VICE-GOVERNOR, OR MEMBER OF THE *SANGGUNIANG PAN-LALAWIGAN* MUST BE AT LEAST TWENTY-THREE YEARS OF AGE ON ELECTION DAY.

(3) CANDIDATES FOR THE POSITION OF MAYOR OR VICE-MAYOR MUST BE AT LEAST TWENTY-ONE YEARS OF AGE ON ELECTION DAY.

(4) CANDIDATES FOR THE POSITION OF MEMBER OF THE *SANGGUNIANG PANGLUNGSOD* OR MEMBER OF THE *SANGGUNIANG BAYAN* MUST BE AT LEAST EIGHTEEN YEARS OF AGE ON ELECTION DAY. IF ELECTED AS A MEMBER OF THE *SANGGUNIANG PANGLUNGSOD* OR *SANGGUNIANG BAYAN*, THE MEMBER SHALL BE QUALIFIED TO FILL ANY TEMPORARY OR PERMANENT VACANCY IN THE OFFICE OF MAYOR OR VICE-MAYOR OR MAY BE APPOINTED BY THE PRESIDENT UPON RECOMMENDATION OF THE SECRETARY OF LOCAL GOVERNMENT AS MAYOR OR VICE-MAYOR PURSUANT TO CHAPTER 2, TITLE TWO OF THIS CODE, EVEN IF SAID MEMBER IS BELOW TWENTY-ONE YEARS OF AGE.

[(2)] (5) Candidates for the position of *Punong Barangay* or member of the *Sangguniang Barangay* must be AT LEAST EIGHTEEN YEARS OF AGE ON ELECTION DAY AND actual residents in the barangay where they propose to be elected.

[3] (6) A candidate for chairmanship of the *Kabataang Barangay* OR ORGANIZATION TO REPLACE THE SAME [need not be of the minimum age required in this section] MUST BE AT LEAST FIFTEEN YEARS BUT NOT MORE THAN TWENTY-ONE YEARS OF AGE ON ELECTION DAY.

SEC. 2. This Act shall take effect upon its approval.

Senator Mercado. Mr. President, may I ask that we recognize Senator Lina, the Sponsor of the bill.

The President. Senator Lina is recognized.

SPONSORSHIP SPEECH OF SENATOR LINA

Senator Lina. Mr. President, distinguished Colleagues:

In one of his classic poems, our national hero, Dr. Jose P. Rizal best described our Filipino youth, and I quote: "Fair Hope of Our Motherland."

Since that time, this description has been accepted as gospel truth but somehow society has had to provide the necessary atmosphere by which young people can measure up to Rizal's challenge.

The country's leadership is tasked to promote the environment within which active youth involvement in society may be achieved. Toward this end, Senate Bill No. 101 has been filed and is one of the many measures which the Senate, through the Committee on Youth and Sports Development is considering for approval.

Senate Bill No. 101 however, possesses the special quality of enhancing other youth-related initiatives in health, education, sports development and the like, for it endeavors to involve our young people in decision-making at the local echelons of government.

Mr. President, permit me to further place Senate Bill No. 101 in its rightful historical context by way of some personal anecdotes.

On September 21, 1972, I was at Plaza Miranda speaking at a rally in support of civil liberties not knowing that Proclamation No. 1081 was about to be issued. On the evening of September 22, 1972, I was in a meeting of student leaders. We were preparing for my

candidacy to the NUSP presidency not knowing that Martial Law would end all our campaign plans and all other youth programs we were pursuing in the spirit of democratic processes.

When Martial Law descended upon the country, all student and youth organizations and activities were banned. I and my colleagues went into hiding, fearful for our lives. Some other youth leaders despaired and decided to go underground or take to the hills. Those who were detained, tortured or even salvaged did not have the same luxury of running. Martial law robbed us of our democratic and human rights.

This was indeed unfortunate for the youth movement in the late '60s and early '70s already served as the conscience of the nation. We were already asserting and wanting to be heard in government affairs.

At the age of 18, I had my maiden brush with the Halls of Congress when I participated in the "invasion" of Congress during the session. I plead guilty to having been one of those who snatched the microphone and started haranguing about the unresponsiveness of Congress to the long standing and now even longer standing needs of our people.

We were subsequently detained, Mr. President, for questioning. The youth even then were ready to assume positions of responsibility. We successfully lobbied for the lowering of the voting age to 18 during the Constitutional Convention and we were pursuing bigger challenges when our efforts were nipped in the bud with the onset of Martial Law. I believe, Mr. President, that had the youth been afforded access to ventilate sentiments or even frustrations in a far more constructive venue, the talents, potentials and idealism could have been put to better use for the country, better, at least, than invading Congress.

Mr. President, I have nurtured the aspiration

that one day I can help create that venue. And now that I am here as the youngest Member of the Senate, among young-looking Senators, I feel that the time has come to vigorously pursue that aspiration. And so today, I am grateful for another opportunity Mr. President, this time legitimate, to "snatch" the microphone and pay tribute to the youth of our land through the sponsorship of Senate Bill No. 101.

Senate Bill No. 101, which this humble Representation, as the author and Sponsor, presents today together with the distinguished Chairman of the Committee on Local Government a simple measure with far-reaching effects and impact on our people now and in the future. This bill amends Section 42 of the Local Government Code by reducing the minimum age requirement of certain elective local officials, as follows:

1) The minimum age requirement for mayor and vice-mayor will be reduced from 23 years old on election day to 21 years old.

2) The minimum age requirement for members of the *Sangguniang Panglungsod*, *Sangguniang Bayan*, *Sangguniang Barangay*, as well as the *Punong Barangay*, will also be reduced from 23 years of age to 18 years.

There is no change Mr. President, in the age requirement for governor, vice-governor and member of the *Sangguniang Panlalawigan*, which is 23 years of age.

The measure Mr. President, also clarifies the age range for candidates of the *Kabataang Barangay* or organization to replace the same, which is from 15 years of age to 21 years. An important feature of this measure for the Senate's approval is that a member of the *Sangguniang Panlungsod* or *Sangguniang Bayan* if elected, and if he garners the highest number of votes at the preceding election, shall be qualified to fill any temporary or permanent vacancy in the office of mayor or vice-mayor or may be

appointed by the President upon the recommendation of the Secretary of Local Government as mayor or vice-mayor, even if said member is below 21 years of age.

A similar situation Mr. President, we understand from Senator Maceda, occurred in the City of Manila when the board member with the highest number of votes could fill the position of mayor or vice-mayor even if he had not reached the minimum age requirement for mayor or vice-mayor under the Charter of Manila.

Mr. President, Senate Bill No. 101 conforms to Section 13, Article II of the Constitution which states, and I quote:

The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

Mr. President, the facts will show the wisdom of the framers of our Constitution. Those voters aged 18 to 20 years old, or those directly affected by this proposed measure number about 6.2 million young Filipinos. They represent 11 percent of our total population. More significantly, those aged 18 to 23 constitute about 23 percent of our total voting population. There are about 1.32 million 18-year-olds in 1987. Surely, there will be many of them who will be qualified to be candidates for *Sangguniang bayan member*, *Punong Barangay* or *Sangguniang barangay member*.

There are about 1.22 million 21-year-olds today. Surely, there will be many of them who are capable and mature enough to meet the electorates' criteria for mayor or vice-mayor. There are 1.5 million 23-year-olds today. Surely, there will also be many among them who will be mandated by the electorate for governor or vice-governor.

In short, Mr. President, many of those aged 18 to 23, numbering 6.2 million young Filipinos are qualified and capable enough to be elected to some 296,000 elective local positions which might be available in the forthcoming local polls based on the 1980 local elections.

If this measure is approved, a good number of these youths will be elected as mayors, vice-mayors, members of *Sangguniang Panlungsod*, *Sangguniang bayan* or barangay officials. Perhaps, a few may qualify as governor, vice-governor or member of the *Sangguniang Panlalawigan*.

This infusion of new and young blood into the local leadership in turn transfuses greater enthusiasm, vibrant idealism, and unrelenting hours of dedicated work in providing for the needs of our people.

Not that the older generation is wanting of said qualities but there is merit in the belief that the wisdom of the old mixes well with the energy and idealism of the young. Corollary to this is the encouragement Mr. President, for our youth to cut the umbilical cord and start fending for themselves. It is an accepted fact Mr. President, that persons who are alert and deeply involved in community service are better motivated to perform and to become self-reliant and independent.

Presently, the ratio of the unemployed and the population 15 years and over who are not in the labor force to the employed is placed at 74.2 percent. Similarly, the ratio of dependents in terms of age is 75.8 dependents per 100 population, aged 15 to 64.

Senate Bill No. 101 if enacted, will be a catalyst for our young to move from dependency to independence. Not that being elected will bring them employment and maturity; but then, given the basic opportunities in Senate Bill No. 101, we can create a national environment to hasten youth development and maturity. By local extension, this will help propel our nation

towards self-reliant, economic, and political progress.

Mr. President, the issue of the level of maturity of 18-year-olds for Sanggunian members and barangay officials and the level of maturity of 21-year-olds for mayor and vice-mayor has been raised in some quarters. Today, 18-year-olds are allowed to vote. Are they capable of running for office? And if elected, are they capable of performing the duties and responsibilities of elected local officials?

We are pleased to report, Mr. President, that authorities, international as well as national, are of the opinion that youth 18 years and over are mature and capable of socio-political involvement and participation, as well as for all acts of civil life.

The age group concerned in this measure, those 18 to 23, fall within the early adulthood stage of the human-life line. The characteristics of this stage are truly encouraging as far as their participation in the political life and activities of our people are concerned. Mr. President, among these characteristics are prime physical condition, deepening of interests, humanizing of values, stabilizing of self-concept, beginning of self-actualization, and heightening of responsibilities. Given favorable conditions for development, Mr. President, these youth, according to national and international researches, enjoy psychological health, normality, and maturity.

More compelling than psychological studies are empirical or historical arguments attesting to the capabilities of the Filipino youth for meaningful public service. Emilio Jacinto and Gregorio del Pilar were still in their teens when called upon to fight and lead fellow Filipinos to battle. So, too, were Aguinaldo, Bonifacio and Mabini, who started at a young age as well. Jose Rizal was already wielding his mighty pen and changing history at the tender age of eight. In the recent past, Ninoy Aquino best sums

up the arguments for the maturity and capabilities of the youth to lead.

Even in the realm of the living we need not look far. In these very halls, Mr. President, we have a host of Senators who started their careers in public service during their teens. Their very presence here today is argument enough. And so Mr. President, the alleged lack of maturity of youth aged 18 to 23, cannot be a tenable issue against this proposed measure.

Mr. President, this measure is very timely. If approved on time, the youth 18 to 23 years old can participate in the forthcoming local elections; not only as voters but some of them who are outstanding, capable, and dedicated to our country and people, can be worthy candidates for local elective offices. Immediate passage cannot be too soon because we have to spread the good news throughout the land in time for the deadline for filing of candidacy. Otherwise, Mr. President, we deprive the youth of all full five years of leadership development and assumption of responsibility. We deprive the youth who are to bear the burden of critical decisions to be made within the next five years. We will continue the undeserved legacy of the past regime which destroyed the democratic channels for the youth when Martial Law banned student or youth organizations, persecuted and killed youth leaders, and corrupted values through a misused *Kabataang Barangay*. And we deprive the country of the idealism and energy we badly need in reversing the crisis we face today. In Senate Bill No. 101 Mr. President, we possess the mechanism to start this reversal.

Mr. President, this bill was filed at the behest and with the approval of the Filipino youth to whom this humble Representation largely owes his Senate seat. During the campaign for the senatorial elections, we all had the opportunity to meet with the youth all over the country. We all know that their capability and commitment to serve this country cannot be questioned even

from the age of 18 years. It is there Mr. President, ready for the harvest.

Before the reporting out of this bill from the Senate Committee on Youth and Sports Development and from the Committee on Local Government, we held extensive hearings. There was full endorsement of this bill Mr. President, and the suggestions of the youth leaders have been substantially incorporated in this measure. This bill is as much theirs — further evidence, of course, of their readiness and willingness to serve. And they will face up to the new challenge of serving their country through elective local office if Congress approves the bill.

Mr. President, the youth appeals to the Senate to give them the chance to serve the country by being qualified as far as the minimum age requirement is concerned, to run for local elective office. We cannot ignore their request to be given this opportunity to participate fully in our political life. Their representation lends itself to the stability of government in that they will have a legitimate voice in the local levels of government.

Mr. President, this bill needs immediate attention and approval. The local elections are forthcoming. I am happy to note that the Senate, under the leadership of our respected President, has seen it fit to calendar this Bill before the recess.

Mr. President, my distinguished Colleagues, let us provide the youth with the voice to unequivocally answer our national hero, Jose Rizal who, in his poem to the Filipino youth, challenged them when he wrote those immortal lines, and I quote:

To the Filipino Youth;
Hold high your faultless brow;
Filipino Youth on this day grand
Shine forth resplendent now in
Gallant glory stand,
Fair hope of my Motherland.

Thank you, Mr. President.

The President. Is there any interpellation?

Senator Guingona. Mr. President.

The President. Senator Guingona is recognized.

Senator Guingona. Mr. President, will Senator Lina yield to a few questions only?

Senator Lina. Gladly, Mr. President.

Senator Guingona. Mr. President, the bill in essence seeks to lower the ages for qualified candidates to run for public office.

Last night, we had a standardization problem of wages. Should we not standardize also ages?

My point Mr. President, is the age of majority today, as we know it, is still 21.

Senator Lina. Yes, Mr. President.

Senator Guingona. And that age is now being sought to be reduced to 18. When that happens the person who is elected can sign public documents but he cannot enter into a private contract not being of the age of majority. Would the distinguished Sponsor desire to standardize this by lowering the age of majority to 18?

Senator Lina. We are moving towards that direction. Mr. President. There is a strong feeling among the Members of the Committee on Youth and Sports Development to lower the age of majority from 21 to 18 years. But we feel that in view of the forthcoming local elections and of the controversy that might be generated by that measure if presented immediately in the House, this may further delay the approval of this measure. And therefore, we filed an accompanying bill, Senate Bill No. 130, that if a youth of 18 years of age wishes to file a certificate of candidacy and run for local public office, then he shall be emancipated. Just like the three measures by which a person can be emancipated: No. 1, is by marriage; No. 2, is by the attainment of majority age; No. 3, is by concession of the parents.

So in that Senate Bill No. 130, we incorporated a fourth measure; that is: emancipation by running for public office. This is a temporary measure Mr. President, before we move to the lowering of the age of majority from 21 to 18.

I hope the Gentleman from Agusan, Iloilo, and Mindanao will appreciate the fact that we have to pass this bill so that the young people, 23 below, can participate in the first local elections in January. We are afraid that if we immediately move the lowering of the age of majority from 21 to 18, there will be debate, and the debate will continue for sometime and, therefore, will not have the time any more to have this Bill passed.

So as a temporary measure, we have filed an accompanying bill which, in essence, emancipates a youth of 18 years if he runs for a local elective office.

Senator Guingona. So that bill together with another one which will amend the age of majority later on, will be made.

Senator Lina. Yes, Mr. President definitely. It is just that, at this point that we are racing against time, we are afraid that the debate or the discussion on this will be lengthy and therefore, we will not have enough time to have this bill passed.

Senator Guingona. But can we not emancipate those who will run for public office in this coming election?

Senator Lina. Yes, that is the essence of Senate Bill No. 130. We could not incorporate it in Senate Bill No. 101 because it speaks of a different subject matter. It is going to be a rider, Mr. President, if we incorporate it here. So we thought it wise to file another bill which, from my discussions with the other Senators, will not be very controversial and can easily be passed.

Senator Guingona. Thank you, Mr. President.

Senator Tamano. Mr. President.

The President. Senator Tamano is recognized.

Senator Tamano. Mr. President, will the distinguished Gentleman from Manila and Laguna yield to a few questions?

Senator Lina. Yes, willingly, Mr. President.

Senator Tamano. Mr. President, I am not necessarily against the idea of lowering the age qualification but I think it is necessary to test the soundness of the proposition, especially that we are trying here to pass a measure to that effect. The distinguished Sponsor has mentioned that extensive public hearings have been held for the purpose of sounding out public opinion. May I ask, Mr. President, if the COMELEC has been sounded out on what their stand is, considering that this may impose an additional burden on the COMELEC because of the additional number of registrants who will vote and register in the coming January elections?

Senator Lina. Well, Mr. President, we did not deem it wise to invite any COMELEC representative here because, if at all, there is going to be an additional expense, it will be on the matter of some administrative work, accepting certificates of candidacy, considering that the 18-year-olds had already been registered.

Senator Tamano. I asked that preliminary question because this morning, I read a news item that Chairman Felipe is complaining about the very small appropriation for the coming local elections. And therefore, lowering the age requirement for certain candidates may also impose additional financial burden on the COMELEC which the legislative must be prepared to consider.

Senator Lina. I read that news item about the COMELEC complaining about some logistical problems. But I think that was made in reference to the complaint filed by GAD and the UPP-KBL; because in essence, some of the ballot boxes, if the complaint is enter-

tained, cannot be opened and therefore, there will be less ballot boxes available, and it will require about ₱100 million to produce additional ballot boxes. But this problem, Mr. President, will not include the problem of additional candidates running for local elective office. In fact, although this measure, if approved, will generate interest on the part of the young people to band together and support a candidate of their choice who is about 18 to 21 years of age, we believe Mr. President that it will not entail so much expense, if at all it will entail additional expense. If there is going to be any additional expense, weighed against the advantages of allowing more young people to participate in the decision-making process in the local echelons of government, the additional expense if any, would relatively be worthless.

Senator Tamano. Mr. President, speaking about participation in the decision-making process, are not the youth already participating by being able to vote, but the matter of lowering the qualifications for holding certain positions may be an entirely different matter?

Senator Lina. If a person can vote he should also be allowed to be voted upon although, these are two different levels of human activity. One activity is to vote and the other activity is to be voted upon. In the ultimate analysis, Mr. President, it will be the people who will judge or be the final arbiter whether a person, 18, 19, 20 or 21 years of age, is capable of handling a position in the *Sangguniang Barangay, Bayan* or *Panlungsod*; or handling a position as a mayor or as vice-mayor.

I am quite sure Mr. President, that there are those among the 6.2 million young Filipinos, who have the necessary talent and gift to be either a councilor, or a mayor, or vice-mayor. For that matter, I would like to pursue this point by saying that a person may be 30 years of age, but his capability as a human

person may be that of a 15-year-old. There are those 18 or 19 or 20 years of age whose maturity is higher than one who is 30 or even 35 years of age. So we cannot really question the wisdom of allowing the 18 year-old or 19 or 20 or 21 years of age to run for public office. I think it will be an exciting phase in our history. Mr. President, we should see more and more young people getting interested in the affairs of Government, not only as voters, but also as candidates.

Senator Tamano. Mr. President, the matter of the difference between chronological age and psychological age is not in question. I think what is a questionable logic is equating the qualifications for voting and the qualifications for being voted upon. There are certain differences in qualifications for certain positions; precisely because each class of public positions may require a greater maturity, a wider experience, and perhaps, a wider educational training. That is why, the age qualification between mayor and senator is different; and perhaps, even different from that of president. We cannot say. Mr. President, that just because a person is qualified to vote for a certain person who is a candidate for a position means that he is also qualified to hold that position. An example would be that I can choose an engineer but I cannot be an engineer, because he has special qualifications for that position. These are just straws in the wind, Mr. President. As I said, I am not necessarily against the proposition sponsored by the Gentleman but I would like to ask another question.

Senator Lina. May I first reply to the first point?

Senator Tamano. Yes.

Senator Lina. That concern of the Gentleman Mr. President, was brought up during the public hearing on this Bill. We invited the representatives of the Child and Youth Research Center, as well as psychologists whom we con-

sider experts in their field of endeavor and the question precisely cropped up: whether an 18-year-old to a 21-year-old can already participate in a deliberative assembly, like the local council. Can he be a member in the city council or in the municipal board and the answer to that question was yes; because at the age of 18 to 24, according to the psychologists who attended our public hearing, the person undergoes the peak of intellectual development. Therefore, if it is only a question of participating in a deliberative assembly, like a local council or city council, he is already equipped with the necessary skill or understanding to participate in drafting ordinances, Mr. President. In fact, most of the young people who attended our hearings, those who are presidents of student councils, not only here in Metro Manila, but also in other areas of the country; have exhibited, based on the judgment of this Representation, a more advanced understanding of local, as well as national issues.

So from the point of view of research and empirical data, the answer is that an 18-year-old can already be a councilor in the city or municipality.

Now, the age 21 was targeted for mayor, because, according to the same psychologist, a person will need about three years of experience, either as councilor or in other fields, to handle the position of mayor. That is why there is a distinction, Mr. President, between the age requirement for councilor and the age requirement for mayor. For mayor or vice-mayor, it will be 21; and for councilor, it will be 18, and three years will be needed by an 18-year-old to acquire the necessary skills so he can also be qualified to run for mayor or vice-mayor. In other words Mr. President, we consider the question that the Gentleman is raising now and the records will show that international and national psychologists have identified an 18-year-old as capable of participating in delibera-

tive assemblies.

Senator Tamano. Well, Mr. President, I am glad that the distinguished Gentleman consulted psychologists. I hope he has asked them that if we propose to lower the age requirement to 17, it would also be all right.

Senator Lina. The psychologist was definite on 18 to 24 as the ages of peak intellectual development in a person. Psychologists do not say 17. They specify 18 to 24 years of age.

Senator Tamano. He did not say 16-year-olds as qualified either.

Senator Lina. It is relative, Mr. President. Maybe, in the next 10 years, 16-year-olds can possess the necessary skills or training to become councilors. It is relative according to time and age.

I would like to cite another example, Mr. President. During one of our committee hearings, there was even a move to lower the age of grade schoolers from 7 to 6 because of the rapid development in the world. Right now, there are many children going to school. There are so many preparatory schools in the country; and according to Senator Maceda, there is even a move to lower the age of grade-one pupils, from 7 to 6. It may even go lower in the next few years.

As I said, the age of a person as to his qualification or skills is relative to definite periods of history. Before, one cannot imagine a 21-year-old aspiring to be a mayor or vice-mayor; but at this point in time, the 21-year-old is much better equipped and has better access to information to undergo more severe tests and challenges in life because of development. And therefore, at that point, according to international and national psychologists, a youth of 21 can already aspire to be either mayor or vice-mayor. But in the future, it may turn out that even 15-year-olds, depending on their development, can run for public office.

Senator Tamano. According to the Civil Code, if one is 14, he is already capable of getting married.

Senator Lina. It has been changed to 18 years for male and female. Mr. President, according to the Family Code which will take effect in August 1988. A human being is dynamic and therefore, we cannot put him in a laboratory and dissect him according to the standards prevailing at a certain time. The standards have to vary according to the time and place, because it is a relative question.

Senator Tamano. That is why Mr. President, in effect, the Gentleman is also saying that person who is 17 years old could also be good as an 18-year-old?

Senator Lina. Well in the future, that is possible. But the age 18 was fixed for councilor, because psychologists who are studying this field are saying that an 18-year-old of today can already participate in legislative assemblies. The 17-year-old, the 16 and 15, at this point in time, are not yet equipped with the necessary skills and understanding of issues; but an 18-year-old, according to studies, can already participate in legislative assemblies.

But as I said, it may happen that in the future because of man's dynamism even at the age of 15, he may already be qualified and possessed of the necessary skills to participate in legislative assemblies in the local level. And when that happens then, maybe, those who will come after us can propose another legislation lowering the age to 16 or 17 depending on what studies will show.

Senator Tamano. So Mr. President, at this stage, my Colleague would not be agreeable to an amendment to his proposal that we lower the age to 17?

Senator Lina. Not yet, Mr. President. We have to consider this matter very seriously. And based on the studies and the results of the

public hearing, we have to peg it, at this point in time, at age 18.

Senator Tamano. Thank you, Mr. President.

Senator Lina. Thank you.

Senator Enrile. Mr. President.

The President. Senator Enrile is recognized.

Senator Enrile. Thank you, Mr. President.

May I know if the Benjamin of the Senate would care to answer a few questions, Mr. President?

Senator Lina. Gladly, to the Gentleman from Cagayan.

Senator Enrile. Mr. President, I have no problem with the case of the members of the Barangay Council, the members of the *Sangguniang Bayan* — and also with respect to the mayors and possibly the vice-mayors, although I will try to convince my distinguished Colleague to make the proper adjustment later on in that area.

I also have no problem with respect to the case of the members of the *Sangguniang Panlalawigan*. May only problem, Mr. President, is with respect to the age qualification of the governor and the vice-governor.

Under the Constitution, the age of a candidate for President and Vice-President shall at least be 40. They must both have that age. In the case of members of the Senate, the Constitution says that they must at least be 35 years of age. And in the case of member of Congress who are actually representing parts, sometimes, of a province, they must at least be 25. But under this proposed measure, Mr. President, a governor now will be given the chance and allowed to run even if he is less than 25, if he is 23 years old. And yet, a congressman is required to run only if he attains the age of 25. May I know if there is any logic in this, Mr. President?

Senator Lina. Let me clarify this bill. Mr. President, we are not reducing the minimum

age requirement for governor, vice-governor and members of the *Sangguniang Panlalawigan*. It will remain at 23. That is the present state of the law. The age requirement for governors, vice-governors and *Sangguniang Panlalawigan* members is 23.

Senator Enrile. I am precisely raising the point Mr. President, because a man would be allowed to run for an office and become a governor of Pangasinan, although he would be disqualified to run for any of the districts of Pangasinan. I was just wondering whether it would not be proper at this time to really harmonize the age qualification between a congressman and a governor without creating any problem in the thrust of the bill presented by the distinguished Gentleman from Nueva Ecija.

Senator Lina. Well, if that is the case, Mr. President, the direction of the Committee on Youth and Sports Development is to even lower the age requirement for congressman from 25 to 23 or 21. So if there is going to be a standardization or at least, a uniformity of age, the move is to lower it and not to push it up.

Senator Enrile. I agree with that thrust, Mr. President. But while we have this constitutional mandate, would it not be better to put the age requirement for the governor and the vice-governor in the same level as that of the congressman so that at least, when we lower the age requirement for the congressman, we will equally lower the age qualification for the governor and the vice-governor? As I said, let us take the case of Nueva Ecija or Batangas. We allow a man to administer this huge province even if the age of the elected administrator is only 23 and yet the same person cannot run for an office in any of the districts of the same province.

Senator Lina. Mr. President, if we have to address the point, there is a basic difference between the function of a governor and the

function of a congressman. A congressman makes laws. Therefore, the reason why he is of a higher age is that there is a need for more discernment and more analytical prowess. Whereas, a governor or a vice-governor is a person who implements the law. Therefore, it will require a different level of capability to implement the laws.

A congressman does not only think of the area which he represents. Although he represents a district, he also has to have a national outlook or a national perspective. As we all know, even the laws or bills we pass, we have to pass through the Lower House. Therefore, the congressman will also have to have a national outlook or perspective and not just a parochial view of his district. That is why he is required to be more mature and more intellectually prepared. Mr. President.

Senator Enrile. But Mr. President, a governor is not only an administrator; he is at the same time, a presiding officer of a provincial legislature, so to speak. They enact rules and regulations which have the effect of laws although in a limited sense. At the same time, the governor in effect, represents a political enclave and must perforce know the problems of the nation so that he could relate the problems of his enclave in the totality of the problems of the nation, just like the Member of the House of Representatives. That is why, Mr. President, I was just wondering whether there is no logic in putting the age level of the governor and vice-governor in *pari passu* with the Congressman?

Senator Lina. We maintain the position, Gentleman from Cagayan, that there is basic difference between the functions of the governor, vice-governor and that of the congressman. Although a governor or vice-governor, by presiding over the *Sangguniang Panlalawigan*, will have to engage, in one way or the other, in the formulation of laws that are purely of local application; ordinances that pertain to the

problems of the locality. Whereas, the problems addressed by congressmen are mainly problems which are national in scope. That is why the congressional election is part of the national election. That is one distinction that the law has made clear. A congressional post is not a local post; it is a national post. Therefore, it requires that congressman have a better understanding of the problems of the nation in addition to his insights on local problems.

Senator Enrile. Thank you, Mr. President. My last question is not really very important but nonetheless, I would like to ask it for the record.

Mr. President, when a young man is at the age of 18, he is at that point in his life when he is really at the peak of pursuing his education, if he is pursuing an education. If we are going to tempt him or entice him to participate in an exciting political adventure, would we not in effect, create a situation where our promising young men, the handsome youth of the motherland, who would become the congressmen, senators, and presidents, and leaders of the nation in the future would be deprived of the necessary preparation that they need to assume that role in our society because of this proposed measure?

Senator Lina. Mr. President, education is not confined to classrooms. The world in itself is a classroom. Therefore, in many cases, the leaders who have emerged have not even gone to formal schooling. I know of mayors, even governors, who only attended Grade III or V and he learned much of life, not in the classrooms but outside the classrooms. Therefore, education is not something that should be equated only with classroom activities. If a young man so desires to learn more about life, and at the same time attend to formal classroom activities, he can balance these things. As we all know, right now there are many young people who are engaged in productive endeavor but at the

same time still attending to formal classroom activities. I do not think it will be a problem. In fact, it will make the life of a young man more exciting, more challenging if he is given a chance to participate in decision-making in our Government.

Senator Enrile. Thank you, Mr. President. I agree entirely with the distinguished Senator. If our young men are able enough to fight and die for our country at the age of 18, they should be able enough to become voters and office holders at that age.

Thank you, Mr. President.

Senator Lina. Thank you very much.

Senator Gonzales. Mr. President.

The President. Senator Gonzales is recognized.

Senator Gonzales. Mr. President, will the distinguished Sponsor yield to a few question?

Senator Lina. Gladly, Mr. President.

Senator Gonzales. Mr. President, I associate myself wholeheartedly with this bill, but I have listened intently to the exchange of views between the Sponsor and the good Senator from Mindanao, Senator Tamano, suggesting that probably this could be further lowered even to the ages of 17 or 16.

The point Mr. President, is that in the light of the minimum age requirement under the Constitution for the exercise of the right of suffrage which is 18, and the uniform requirement or uniform qualification that one must be a qualified elector or a qualified voter for any elective office, regardless of the results of our studies, we cannot really think in terms of lowering further the age qualification for elective office to less than 18 for as long as the Constitution is not amended on this particular point. Does not the Gentleman think so?

Senator Lina. I definitely agree with the distinguished Gentleman from San Juan that it will

require a constitutional amendment to lower the minimum age requirement for elective local officials because the Constitution provides that only the 18-year-olds can be registered voters. And therefore, that is a very cogent reason, Mr. President, which we failed to mention a while ago, why we could not lower the minimum age requirement for local governments.

Senator Gonzales. It is just a little point that I want to interject in respect of his brilliant answers given to Senator Tamano when he made that suggestion.

Senator Lina. A very helpful information.

Senator Gonzales. I thank you, Mr. President.

Senator Pimentel. Mr. President.

The President. Senator Pimentel is recognized.

Senator Pimentel. Will the Gentleman yield to a few question, Mr. President?

Senator Lina. Gladly and willingly to even five questions or ten, Mr. President.

Senator Pimentel. Thank you, Mr. President. My problem with this bill is not so much political but demographic because it can be argued that if a person is old enough to run for mayor, he or she must be old enough to get married without the consent of the parents, and thereby add to the problem of population about which Senator Shahani is quite concerned in this country of ours, Mr. President.

Senator Lina. That is a concern I share with the Senator from Cagayan de Oro. In fact, there is a move to further increase the age of a person before he can marry to even 21, and that is a different matter at this point, Mr. President, because what we are zeroing in is the emancipation of the youth in case he runs for public office. Now, if he is emancipated because he runs for public office, then part of the emancipation is that indeed he can already get married at the age of 18 without the consent

of the parents and therefore that will run counter to the observation of the Gentleman from Cagayan de Oro. And therefore, we are preparing something to meet that exigency. I agree wholeheartedly with the Senator from Cagayan de Oro that we have to do something about our population growth.

Senator Pimentel. Yes, Mr. President, because there are really other legal ramifications to the problem of lowering the age at which a person may run for public office. And perhaps, we can consider limiting the legal effect of that emancipation that the Gentleman is talking about, maybe for purposes of running for public office because otherwise, that can run into a lot of other problems like entering into contracts at that particular age, etc.

Senator Lina. Mr. President, in the first place, we do not see in the coming few months, or even years, a deluge of 18-year-olds or 19-year-olds aspiring for public office. It will take some time. We have to spread the good news around informing the young people that, at that age, they can already qualify for public positions. But this bill will more or less, hasten or will open the eyes of young people that they can already assume positions of responsibility in the Government. And we foresee that the 6.2 million Filipinos will not be rushed into filing their certificates of candidacies and therefore be emancipated. And if emancipated, they can already marry even before reaching the age of majority. As I said, that is a controversial point, Mr. President. That is why we filed an accompanying bill, Senate Bill No. 130.

Senator Pimentel. Defining the scope of the emancipation?

Senator Lina. There will be four ways by which a person can be emancipated. The three ways are in the Civil Code, Article 397, I think, which states when a person can be emancipated: one, when he gets married although a minor;

two, by attaining the age of majority; three, by concession; and four, the one we are introducing in Senate Bill No. 130 by running for public office.

And therefore, if the Gentleman is concerned about the effect of this bill on the age of a person to get married, what has to be amended really is Article 397 of the Civil Code and that is to increase the age of a person before he can legally marry, and not in this bill, Mr. President.

Senator Pimentel. Well anyway, the Gentleman can be assured that as I have been a co-author of this particular bill, he has my support. And certainly, the millions of the Gentleman's relatives that he has met throughout the country during the campaign, all the Linas who have voted for the Gentleman, will be happy because of this bill.

Thank you, Mr. President.

Senator Lina. Thank you very much.

Senator Herrera. Mr. President.

The President. Senator Herrera is recognized.

Senator Herrera. Thank you, Mr. President. I would like to know, Mr. President, if the Gentleman would yield to a few question?

Senator Lina. Gladly, Mr. President.

Senator Herrera. Under Section 4 of this bill, it is possible that a member of the *Sangguniang Bayan*, who may be below 21 years old, may be appointed or may fill up a permanent position of a mayor.

Senator Lina. Yes, Mr. President. As I explained during the main speech, that in case of a temporary or even permanent vacancy in the office of the mayor or of a vice-mayor, if the situation is that the number one councilor is an 18-year old, he may already qualify for the position of mayor or vice-mayor.

Senator Herrera. My concern here Mr. President, is: What would be the effect of a contract signed by a Mayor, who is below 21, in behalf of a municipality or a city? Is it valid?

Senator Lina. If the accompanying bill that I mentioned is also passed, then whatever concern or worry about the effect of that contract will be set aside because, in the accompanying bill that we filed which we hope will also be taken up because it really has a connection with this bill, an 18-year old who runs for public office — local elective office — will also be emancipated and will be the fourth manner by which emancipation takes place. As I explained earlier, emancipation takes place under Article 397 of the Civil Code and that emancipation takes place: (1) by the marriage of the minor; (2) by attainment of the age of majority; (3) by concession of the father or of the mother who exercises parental authority; and (4) the amendment we are going to introduce in this particular Article when a person, an 18-year old runs for elective public office. So that if he is elected, whatever contracts he will get into will already be legal and he will not need the consent of the parent or a guardian.

Senator Herrera. My last question is — I would just like to pursue the question raised earlier by Senator Enrile. This has something to do with the logic because here, a 21-year old person is qualified to run for the City of Manila but he may not be qualified to run as a congressman for one of the districts of Manila. And certainly, managing the affairs of Manila is more complicated, more difficult than being a congressman of one of the districts of Manila. And so, I think there must be a logic to this.

Senator Lina. Mr. President, if we are going to pursue that point, assuming for the sake of argument that it is a valid point, we cannot make a classification that in the City of Manila, a 21-year old can already be a congressman be-

cause he is already qualified to be a mayor. And therefore, in Cagayan de Oro, he cannot be a congressman unless he is 25 years of age, but he can be a mayor. That is a legitimate concern, but I think what is essential at this point is that we are able to give a chance to young people to participate in the decision-making process; in the local councils and also to handle positions as the local executive positions, either as mayor or vice-mayor at the age of 21.

As to the question of why a 21-year old can run for mayor in the City of Manila, but he cannot run as a congressman, I agree with the Gentleman from Cebu and Labor, that there is a discrepancy and there is a little inconsistency in that particular situation. We cannot make an exception because it will create unnecessary discrimination among people living in Manila and those living in Cebu and those living in Cagayan de Oro or Davao. It will require some further mental gymnastics to come up with the formula whereby a 21-year old in the City of Manila can also run as a congressman. Because it will appear that it is harder to run in the City of Manila than to represent the City of Manila in one of its districts to the Congress.

But as I have already stated earlier, responding to the question of Senator Enrile, there is a basic difference between the work of legislation and the work of administration. In legislation, the inputs or the knowledge that a person must possess, must be more encompassing than the one who is aspiring to be an administrator. That is a hypothesis which is acceptable even to psychologists who have studied this matter.

Senator Herrera. Thank you, Mr. President.

Senator Guingona. Mr. President.

The President. Senator Guingona is recognized.

Senator Guingona. Mr. President, just for clarification. Did I hear the distinguished Sponsor correctly when he stated that if an 18-year-old

is elected he cannot sign contracts until the accompanying measure, which the Gentleman has introduced in the bill to emancipate him is approved?

Senator Lina. There is a law that has direct bearing on this matter and this is Article 397 of the Civil Code. In other words, if an 18-year-old files his certificate of candidacy, he may have to produce a document on the voluntary concession by his father or mother for emancipation of the youth. That is why a companion bill of Senate Bill No. 101 is the amendment of Article 397.

Senator Guingona. We are all hopeful and confident that the accompanying bill seeking to emancipate the youth will be approved. But assuming, for some reason or another, that it is not approved on time, and this bill is approved ahead, and there are elections, are we, therefore, to see the spectacle of having governors who cannot enter into contracts because of their age?

Senator Lina. That is the legal question which we answered by filing an accompanying bill. We wanted to incorporate it here, but we are afraid that it might be considered a rider, because that kind of bill treats of another subject matter. Unless the Gentleman can make a case that it is not so, then we are willing to incorporate it during the period of amendments.

Senator Guingona. Mr. President, I think that when a person is elected to public office, he is qualified to discharge the duties and functions of that office. And if by legislation we enable an 18-year-old to be elected as governor, he must be able to discharge all the functions of a governor, and not have this said spectacle of not being able to sign documents or contracts.

Senator Gonzales. Mr. President.

The President. Senator Gonzales is recognized.

Senator Gonzales. With the consent of the distinguished Sponsor and Senator Guingona. I think we should really thresh out this particular matter; otherwise, there is that danger that has been posed by Senator Guingona where one has been duly elected as mayor or any other local elected position, and yet, he cannot fully exercise the powers to discharge the responsibilities of the office to which he has been elected.

My position is that it is idle to talk about the issue of emancipation. Emancipation because of non-age will apply only in matters affecting him personally, but when he already acts as a mayor, when he is already a duly-elected official and he signs contracts, then that is not a personal act. He is not personally liable or responsible therefor. He signs it in his official capacity as a municipal mayor and so, he has that power regardless of the issue of emancipation which is a very personal matter. That is, I think, a very logical interpretation of this particular matter. I mean, emancipation is on the law and persons, but when he is already an elected official, then he acts by virtue of the nature of his office and of the functions and duties of his office.

Senator Guingona. Mr. President.

The President. Senator Guingona is recognized.

Senator Guingona. With the permission of the Sponsor, may I direct some questions to Senator Gonzales?

Senator Lina. Mr. President, first, may I respond to the point raised by Senator Gonzales.

Mr. President, if that is the case then we will have a situation whereby a mayor or a councilor will be able to sign resolutions which will have the legal effect even if he has not reached the age of 21. Now, we will have a situation that in other acts of civil life, he will

not be allowed to sign documents because he is not of legal age.

Senator Gonzales. Well, that is in matters involving his personal acts; but as an official act, the official acts are not matters of his own choice, but they are the consequence of legislation, the results of law. It is not his personal capacity that confers upon him the legal capacity, but it is the official position to which he has been duly elected.

Senator Lina. Mr. President, Article 402 of the Civil Code is very clear that majority commences upon the attainment of the age of 21 years, and that the person who has reached majority is qualified for all acts in civil life, say, the exceptions established by this Code in special cases.

Now, we are afraid, Mr. President, that if an 18-year-old affixes his signature in a resolution passed by the Municipal or City Council, that act is personal to him as a Member of this Legislature. He may not even enter into a contract but that the document that he signs may be impugned because he does not yet possess legal capacity.

Senator Gonzales. Mr. President, even if he wishes a hundred times to sign that document in his personal capacity, he cannot do so because it is the fact that he is municipal councilor that enables him to sign it. Even the court itself recognizes the exception as may be provided by law. And so when we make them qualified to be elected and to hold this elective position, then that can be considered an exception as provided for by law; because, certainly, there is really no sense in allowing one to be voted to a public office and at the same time limiting his authority to fully act in accordance with the powers, duties and functions of his office. In fact, that may even run against his chances of getting elected because there will be an issue. *Bakit ninyo ihahalal iyan ni hindi*

makakapirma iyan ng ordinansa, hindi makakapirma ng resolusyon. I mean, that interpretation certainly should not be pursued. I think the reasonable interpretation is that once a person is qualified by law to run for and be elected to a public office, he can exercise all the powers and duties of his office.

Senator Lina. Mr. President, we tackled Senate Bill No. 130 in one of our public hearings. Not that we do not respect the opinion of Senator Gonzales; we just wanted to be very clear about this because we do not want that an 18-year-old may not be able to sign documents, unless we make it clear. Because amendment by implication is not encouraged and what will happen is that it will be an amendment by implication if we pass this bill and say that he is already emancipated because he is qualified and runs for public office and takes his oath as a public official.

But if the interpretation of my Colleague is that it is not necessary, then we may not even pursue filing or having Senate Bill No. 130 calendared if that is the sentiment of this august Body.

Senator Gonzales. In fact Mr. President, I think that seems to be the concern of both Senator Guingona and I, why we have to inject the issue of emancipation here which is actually a part of the law on persons. Therefore, in his personal capacity the act of doing a thing, signing an ordinance does not go from his personal capacity, but from the fact that he is a municipal councilor, or he is a municipal mayor duly elected as such and fully qualified to be elected to the same position and to hold it

SUSPENSION OF THE SESSION

Senator Lina. Mr. President, may I ask for a one-minute suspension.

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

It was 4:31 p.m.

RESUMPTION OF THE SESSION

At 4:32 p.m., the session was resumed.

The President. The session is resumed.

Senator Guingona is recognized.

Senator Guingona. Mr. President, I would have wanted to first present both sides of the issue that is before this Chamber, namely, the first position of Senator Lina which was that persons elected at the age of 18 would not be able to enter into contracts even in the discharge of his duties. And I think he is amenable to the second position now which would in effect authorize him by virtue of this law even if at the age of 18, he can discharge any and all duties and functions to which the public office is attached. May I ask the distinguished Sponsor which position he now sustains?

Senator Lina. The main consideration of this Representation Mr. President, is that there will be no question as to the capacity of the elected youth who is below the age of majority to enter into contracts and sign documents pertaining to his office. If that factor or concern is properly addressed through a proper amendment introduced in this Bill, then we are willing to take up the necessary amendment during the appropriate period.

Senator Guingona. We would have wanted to ask Senator Gonzales some questions. Mr. President, but he is not present here. We foresee some difficulties if he is only partially emancipated because as mayor he can perform marriages but he cannot get married without the consent of his parents.

Senator Lina. Mr. President, as far as the mayor or the vice-mayor is concerned, he is of the age of 21, he is of legal age. Our worry or concern is the councilor who is below the age of majority.

Senator Guingona. If he is a councilor and

he succeeds to office. . .

Senator Lina. Well, that is the case.

Senator Guingona. . . . he can administer marriages, perform marriages, but he himself cannot get married without the consent of his parents. He can bind the community but he cannot bind himself in a private contract. He can administer the oath but he himself cannot execute sworn statements because he is incapacitated to do so because of age.

Therefore, Mr. President, I would like to ask the distinguished Sponsor whether he would consider not only partial emancipation but for all intents and purposes, a total emancipation, including the civil aspects. Including in effect, an amendment to the Civil Code, because that is part and parcel of being a public official.

Senator Lina. Yes, Mr. President, we are willing to do so, at an appropriate time, accept an amendment to this bill. I just would like to state that the case of this 18-year-old who assumes the office of mayor or vice-mayor may be likened to a priest who can officiate marriage but cannot get married. [*Laughter*]

Senator Guingona. I think that is not the issue because the vow of celibacy is voluntary, whereas, this is a disbarment by virtue of incapacity of age and personality.

Senator Lina. Yes. Thank you for that explanation; we accept the explanation, Mr. President.

Senator Guingona. Thank you, Mr. President.

The President. Is there any other interpellation? [*Silence*] If there is no other interpellation. . .

Senator Mercado. Mr. President, I move that we close the period of interpellations and go to the period of *turno en contra*.

The President. Any speech against this bill? [*Silence*] Any speech in favor of this bill? If

there is none, we probably can go to the period of amendments.

Does Senator Lina have any amendment on page 1?

Senator Lina. We have no committee amendments, Mr. President.

The President. Any individual amendment on page 1? Any individual amendment on page 2?

Senator Pimentel. Mr. President.

The President. Senator Pimentel is recognized.

Senator Pimentel. Mr. President, anterior amendment actually about the residence qualification: I would only want to ask the principal Sponsor if there is any vital reason why the residence requirement should be one year.

Senator Lina. Mr. President, that is the existing law under the Local Government Code, which is one-year residence.

Senator Pimentel. Yes, I know that is the existing law. But would the Gentleman mind if we introduced an amendment reducing the residence requirement to six months?

Senator Lina. Not really Mr. President, but I am afraid that we have to do it in another time by amending the Local Government Code, because this will refer only to the . . .

Senator Pimentel. To the age.

Senator Lina. Yes, Mr. President.

Senator Pimentel. That is all right, I accept that, Mr. President.

The President. Senator Gonzales.

GONZALES AMENDMENTS

Senator Gonzales. Mr. President, these are actually nothing but formal amendments.

On line 6, delete the word "qualified" change it to REGISTERED. Then remove the

comma after "voter" and on line 7, the phrase "registered as such." I mean, it would have been simple to say: A REGISTERED VOTER in the barangay, municipality, city or province where he proposes to be elected.

Senator Lina. Accepted, Mr. President.

The President. Is there any objection? [*Silence*] Approved.

Senator Gonzales. Then on page 1, line 12, without involving ourselves on what is the official language, whether it is already in effect, we transpose "ENGLISH" after "Filipino." So it should be FILIPINO, ENGLISH, or any other local language or dialect.

Senator Lina. Accepted, Mr. President.

The President. Is there any objection. [*Silence*] Approved.

Senator Gonzales. Thank you.

The President. The Majority Floor Leader is recognized.

MERCADO AMENDMENT

Senator Mercado. Mr. President, on page 2, lines 9 and 10, a simple amendment to reword the phrase: "the Member shall be qualified to any temporary or permanent vacancy" to the Member IS qualified to FILL any vacancy. This is for purposes of simplicity inasmuch as such member is nonetheless, qualified to fill any vacancy whether it is permanent or temporary.

Senator Lina. Will the Gentleman repeat that, Mr. President?

Senator Mercado. Lines 9 and 10 we will reword the phrase: "The Member shall be qualified to fill any temporary or permanent vacancy." To read: the Member IS qualified to FILL any vacancy.

Senator Lina. Accepted, Mr. President.

The President. Is there any objection? [*Silence*] Approved.

Senator Mercado. Still on the second page, lines 24 and 25, we will change the name of "*Kabataang Barangay*" to YOUTH ASSEMBLIES OR COUNCILS as I am informed that in a resolution passed last February in Mount Makiling, the said organization has agreed to change its name from *Kabataang Barangay* to YOUTH ASSEMBLIES OR COUNCILS. I do not know maybe, the Sponsor can explain if that information is accurate.

Senator Lina. Mr. President, that is correct. The youth does not like to use the term or the phrase: *Kabataang Barangay*. But it will require a formal amendment of the Local Government Code because these are exact provisions lifted from the Local Government Code. And for all intents and purposes, *Kabataang Barangay* is legally existing.

Senator Mercado. If such is the case, Mr. President, I withdraw my amendment.

The President. The amendment is withdrawn. Any other amendment?

Senator Guingona. Mr. President.

The President. Senator Guingona is recognized.

GUINGONA AMENDMENT

Senator Guingona. On line 16, page 2, Mr. President, after the word "age" we add the phrase: AND HE SHALL BE EMANCIPATED.

Senator Lina. Will the Gentleman restate that?

Senator Guingona. Line 16, after the word "age," we add the phrase. AND HE SHALL BE EMANCIPATED, as in addition to the grounds provided in Article 397 of the Civil Code of the Philippines.

Senator Gonzales. Mr. President.

The President. Senator Gonzales is recognized.

GONZALES AMENDMENT

Senator Gonzales. May I propose an amendment to that amendment. And this is also on line 16. Now after "age" a completely new sentence to read as follows: ANY LAW ON CIVIL CAPACITY TO THE CONTRARY NOTWITHSTANDING ANY DULY ELECTED MEMBER OF THE *SANGGUNIANG PANLUNGSOD* OR *SANGGUNIANG BAYAN* CAN EXERCISE ALL THE POWERS AND DUTIES OF THIS OFFICE.

Senator Guingona. OR ANY OFFICE TO WHICH HE MAY SUCCEED.

Senator Gonzales. OR ANY OFFICE TO WHICH HE MAY SUCCEED IN ACCORDANCE WITH THE ACT OR IN ACCORDANCE WITH LAW. Would that satisfy Senator Guingona?

SUSPENSION OF THE SESSION

Senator Lina. Mr. President, could we have a one minute recess?

The President. The session is suspended for three minutes, if there is no objection. [*There was none.*]

It was 4:50 p.m.

RESUMPTION OF THE SESSION

At 5:04 p.m., the session was resumed.

The President. The session is resumed.

Senator Gonzales. Mr. President.

The President. Senator Gonzales is recognized.

Senator Gonzales. Mr. President in order to cover not only the Member of the *Sangguniang Panlungsod* and *Sangguniang Bayan*, but also the *Punong Barangay* and *Sangguniang Barangay*, this joint amendment of Senator Guingona and myself is being proposed between lines 22 and 23 and the amendment is a new paragraph to be known as paragraph 6 to read as follows:

ANY LAW ON CIVIL CAPACITY AND THE CAPACITY TO ACT TO THE CONTRARY NOTWITHSTANDING, ANY MEMBER OF THE *SANGGUNIANG PANLUNGSOD* OR *SANGGUNIANG BAYAN*, *PUNONG BARANGAY* OR MEMBER OF THE *SANGGUNIANG BARANGAY* CAN EXERCISE THE POWERS AND DISCHARGE THE DUTIES OF HIS OFFICE OR ANY OTHER OFFICE TO WHICH HE MAY SUCCEED PURSUANT TO THIS ACT.

Senator Lina. We accept Mr. President, the proposed amendment.

Senator Guingona. Mr. President.

The President. Senator Guingona is recognized.

Senator Guingona. Just for clarification.

This amendment will not apply to the succeeding paragraph because in the succeeding paragraph there is a *Kabataang Barangay* stipulation and their ages may be from 15 to not more than 21 years of age. And so we would just like to place on record that this amendment does not in any manner apply to the *Kabataang Barangay* members who may reach the age of 18, 19, 20, 21, because their functions are totally different.

Senator Lina. We also accept the manifestation, Mr. President. We are in agreement with the manifestation.

The President. Why do we not wait for Senator Gonzales since he is the proponent of the amendment?

Senator Mercado. Mr. President.

The President. The Majority Floor Leader is recognized.

VISITING WOMEN LABOR LEADERS

Senator Mercado. Mr. President, while waiting for Senator Gonzales, I just would like to take the opportunity to acknowledge the presence, if I may, of some women labor leaders

who have come over to the Session Hall to express their appreciation of the passage of the Minimum Wage Bill yesterday.

[*At this juncture, the women labor leaders stood up.*]

Senator Mercado. We would like to thank them also for their presence. [*Applause*]

SUSPENSION OF THE SESSION

Senator Mercado. Mr. President, may I move for the suspension of the session.

The President. The session is suspended for a few minutes, if there is no objection. [*There was none.*]

It was 5:08 p.m.

RESUMPTION OF THE SESSION

At: 5:14 p.m., the session was resumed.

The President. The session is resumed.

Can we have the restatement of the amendment?

Senator Gonzales. Yes, Mr. President. Between lines 22 and 23, on page 2, there will be inserted a new paragraph numbered 6 and the provision is to read as follows:

ANY LAW ON CIVIL CAPACITY TO ACT TO THE CONTRARY NOTWITHSTANDING, ANY MEMBER OF THE *SANGGUNIANG PANLUNGSOD* OR *SANGGUNIANG BAYAN*, *PUNONG BARANGAY* OR MEMBER OF THE *SANGGUNIANG BARANGAY* CAN EXERCISE ALL THE POWERS AND DISCHARGE ALL THE DUTIES OF HIS OFFICE OR ANY OTHER OFFICE TO WHICH HE MAY SUCCEED PURSUANT TO THIS ACT.

Senator Guingona. Mr. President.

The President. Senator Guingona is recognized.

Senator Guingona. We just want to place on record if it is with the conformity of the pro-

ponent that it does not apply to the succeeding paragraphs on *Kabataang Barangay* because in this paragraph, it contemplates also of not only 15-year olds but also 18-year olds up to 21. Just for the record.

Senator Gonzales. Yes. I would leave that matter Mr. President, to judicial interpretation.

The President. The proposed amendment has been accepted.

Senator Lina. Yes, Mr. President.

The President. Is there any objection? [*Silence*] Hearing none; the same is approved.

Senator Tañada. Mr. President.

The President. Senator Tañada is recognized.

TAÑADA AMENDMENT

Senator Tañada. I have a proposed amendment Mr. President, on lines 21 and 22, page 2. It is just a matter of refinement.

I propose that we delete the word "where" appearing between the words "barangay" and "they" on line 21, and in its place, put the words IN WHICH. And then delete the word "propose" appearing after the word "they," still on line 21, and in its place put the word SHALL. And on line 22, delete the word "to." So that these lines would read: "residents in the Barangay IN WHICH they SHALL be elected."

Senator Lina. Accepted, Mr. President.

The President. Is there any objection? [*Silence*] Approved.

According to line 29, "SEC. 2. This Act shall take effect upon its approval." Supposing this is not published on time for the local elections? We wanted this to apply to the local elections, I understand.

Senator Lina. Yes, Mr. President.

The President. Why do we not give it a chance to take effect upon publication in newspapers of general circulation?

Senator Lina. We accept Mr. President, the rewording of this particular line.

SEC. 2. THIS ACT SHALL TAKE EFFECT UPON THE COMPLETION OF ITS PUBLICATION IN AT LEAST TWO NATIONAL NEWSPAPERS OF GENERAL CIRCULATION.

The President. Subject to refinement and style.

Senator Lina. Accepted, Mr. President.

The President. Is there any objection? [*Silence*] Approved.

Senator Mercado. Mr. President.

The President. The Majority Floor Leader is recognized.

Senator Mercado. If there are no other amendments, I move that we close the period of amendments and vote on Senate Bill No. 101 as amended, on Second Reading.

APPROVAL OF SENATE BILL NO. 101
AS AMENDED ON SECOND READING

The President. We shall now vote on Senate Bill No. 101, as amended, on Second Reading.

As many as are in favor of the Bill will please say *Aye*. [*Several Senators: Aye*]

As many as are against will please say *Nay*. [*Silence*]

Senate Bill No. 101 as amended, is approved on Second Reading. [*Applause; some Senators approached and congratulated Senator Lina.*]

Senator Mercado. Mr. President.

The President. The Majority Floor Leader.

CONSIDERATION OF SENATE
RESOLUTION NO. 42
(On Economic Principles)

Senator Mercado. Mr. President, with the consent of the Body, I move that we consider Senate Resolution No. 42 as reported under Committee Report No. 27 by the Committee on

Economic Affairs.

The President. Consideration of Senate Resolution No. 42 is now in order. The Secretary will please read the title of the resolution without prejudice to inserting in the *Record* the whole text of the Resolution.

The Secretary. Senate Resolution No. 42, entitled:

RESOLUTION PROVIDING FOR ECONOMIC
PRINCIPLES TO GUIDE FORMULATION
AND EVALUATION OF ECONOMIC POLI-
CIES AND PROGRAMS

The following is the whole text of Proposed Senate Resolution No. 42.

EXPLANATORY NOTE

The Committee on Economic Affairs presents this resolution on economic principles to serve as a guide to all bodies of the Senate in formulating and evaluating economic policies, legislation and programs. A body of such guiding economic principles will assist to ensure that the objectives and thrusts of economic legislation emanating from the Senate will be consistent and coordinated.

It may be recalled that the Sixth Congress approved House Joint Resolution No. 2, "Establishing Basic Policies to Achieve Economic Development and Social Justice," which was enacted into law in August 1969. The international economic scene and the domestic political, social, and economic situation have changed greatly since then, requiring a restatement of guiding economic principles responding to the current situation.

Among the changes in the domestic economy since 1969 are:

1. The huge foreign debt, which requires an inordinate proportion of foreign exchange earnings and consumes so much of the national budget. This greatly restricts the government's



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TABLE OF CONTENTS

REFERENCE OF BUSINESS

BILL ON FIRST READING (Senate Bill No. 198 – Revising the PCSO Charter)	1864
QUESTION OF PRIVILEGE OF SENATOR MACEDA (On Media Censorship)	1864
Interpellations by Senators Enrile, Guingona and Mercado (Referred to the Committee On Information and Mass Media)	
BILL ON THIRD READING (Senate Bill No. 156 – Minimum Wage Increase)	1870
Explanation of Votes by Senators Maceda and Saguisag (Approved on Third Reading)	
BILL ON THIRD READING (Senate Bill No. 168 – Now AFP Base Pay)	1874
Explanation of Vote of Senators Maceda and Saguisag (Approved on Third Reading)	
CONSIDERATION OF SENATE RES. NO. 42 (Continuation)	1878
(Providing to Economic Principles to Guide Policies and Programs) Sponsor: Senator Paterno Interpellations by Senators Shahani, Gonzales, Angara, Alvarez, Guingona, Aquino and Enrile (Consideration Suspended)	
BILL ON SECOND READING (Senate Bill No. 2 – Compensation to Beneficiaries of Slain Police/Military Officers)	1890
Sponsor: Senator Maceda Interpellations by Senators Enrile, Guingona, Gonzales, and Romulo (Consideration Suspended)	

I do not condone whatever illegal acts it might be accused of doing now, but perhaps it is high time that we do something towards generally solving the murder of Ka Lando for instance. Then maybe we can better explain to its members why there is hope within the system.

Ka Bert's son, Ka Lando, was dispatched by men of violence, most probably not "leftists," to an untimely ending almost a year ago today. I am privileged to pay tribute to these father and son who disproved the Greek adage that great fathers seldom have great sons. Not that I always agreed with them. But I admired the courage of their convictions, and their nationalism. Dynasties are not always bad, it seems.

I respectfully and reluctantly vote *yes*, therefore, as a very small tribute to the Olalias, and to the working class, employed or unemployed. Hindi po sa manggagawa lamang, kundi sa uring manggagawa. We should be for the workingman, but we should remember that he is but a part of the larger working class.

Ka Bert, hindi ka mabibigo. Ka Lando, ang magbuhos ng dugo para sa bayan ay kagitingang hindi malilimutan.

Salamat po.

BILL ON THIRD READING
Senate Bill No. 101 – Minimum Age of Elective Local Officials

Senator Mercado. Mr. President, I move that we vote on Third Reading on Senate Bill No. 101. Copies of the bill have been distributed to all the Members of the Senate on November 9, 1987.

The Presiding Officer [Senator Laurel]. Senate Bill No. 101 is now in order. The Secretary will please read the title of the bill only, if there is no objection. [*There was none.*]

The Secretary. Senate Bill No. 101 entitled:

AN ACT AMENDING SECTION 42 OF BATAS PAMBANSA BLG. 337, THE LOCAL GOVERNMENT CODE, BY REDUCING THE MINIMUM AGE OF THE DIFFERENT ELECTIVE LOCAL OFFICIALS MENTIONED THEREIN

The Presiding Officer (Senator Laurel). The Senate will now proceed to vote on the bill. The Secretary will please call the roll.

The Secretary called the roll and the result of the voting was as follows:

Yes – 18

Alvarez	Mercado
Angara	Paterno
Aquino	Pimentel
Enrile	Romulo
Estrada	Saguisag
Herrera	Salonga
Laurel	Shahani
Lina	Tañada
Maceda	Ziga

No – None

Abstention – None

RESULT OF VOTING

The Presiding Officer [Senator Laurel]. With 18 affirmative votes, no negative vote, and no abstention, Senate Bill No. 101 is approved on Third Reading.

BILL ON THIRD READING
Senate Bill No. 168 – Armed Forces New Base Pay

Senator Mercado. Mr. President, I move that we vote on Third Reading on Senate Bill No. 168. Copies of the bill have been distributed to all the Members of the Senate on November 9, 1987.

The Presiding Officer [Senator Laurel]. Voting on Third Reading on Senate Bill No. 168 is now in order. The Secretary will please read the title of the bill only, if there is no objection. [*There was none.*]