

## RECORD OF THE SENATE

MONDAY, AUGUST 12, 2002

### OPENING OF THE SESSION

*At 3:43 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.*

**The President.** The eighth session of the Senate in the Second Regular Session of the Twelfth Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Noli "Kabayan" De Castro.

*Everybody rose for the prayer.*

### PRAYER

**Senator De Castro.** Panginoong Makapangyarihan, ang Inyong abang lingkod, sampu ng aking mga kasamahan dito sa Senado ay nagsusumamo, na nawa ay pakinggan Mo kami sa aming kahilingan na makausad sa aming dapat na tahakin.

Hindi po lingid sa Inyong kaalaman, Panginoon, na kami ay naghahangad na bumangon sa unos na aming pinanggalingan. Nawa ay magkaisa kami sa mga desisyong ang taong bayan ang makikinabang at hindi ang sariling kapakanan lamang.

Dasal din po naming lahat na sana ay tuluyan nang manatili sa amin ang pagkakasunduan at pagkakaunawaan dahil iisa lamang ang pintig ng aming layunin—ang makapaglingkod sa bawat kababayan natin at masuklian ang kanilang tiwala at suporta sa ating pamahalaan.

Salamat po, Panginoon, umaasa po kami.

Amen.

**The President.** The Second Chronicle Gospel Choir of Our Lady of Sorrows Church will lead us in the singing of the national anthem, after which the choir will render a song, entitled *Pananatili*.

### NATIONAL ANTHEM

*Everybody remained standing for the national anthem.*

**The President.** The Secretary will please call the roll.

### ROLL CALL

**The Secretary, reading:**

Senator Edgardo J. Angara .....	Present
Senator Teresa Aquino-Oreta .....	Present
Senator Joker P. Arroyo .....	Present
Senator Robert Z. Barbers .....	Present
Senator Rodolfo G. Biazon .....	Present
Senator Renato L. Compañero Cayetano ...	Present
Senator Noli "Kabayan" De Castro .....	Present
Senator Luisa "Loi" P. Ejercito Estrada .....	Present
Senator Juan M. Flavies .....	Present
Senator Gregorio B. Honasan .....	Present
Senator Robert S. "JAWO" Jaworski .....	Present
Senator Panfilo M. Lacson .....	Present
Senator Loren B. Legarda Leviste .....	Present
Senator Ramon B. Magsaysay Jr. ....	Present
Senator John Henry R. Osmeña .....	Absent
Senator Sergio R. Osmeña III .....	Present
Senator Francis N. Pangilinan .....	Present
Senator Aquilino Q. Pimentel Jr. ....	Present
Senator Ralph G. Recto .....	Present
Senator Ramon B. Revilla .....	Present
Senator Vicente C. Sotto III .....	Present
Senator Manuel B. Villar Jr. ....	Present
The President .....	Present

**The President.** There are 22 senators present, the Chair declares the presence of a quorum.

### THE JOURNAL

**Senator Legarda Leviste.** Mr. President, I move that we dispense with the reading of the *Journal* of the 7th session, August 7, 2002, and consider it approved.

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

**Senator Legarda Leviste.** Mr. President, I move that we recognize Sen. Edgardo J. Angara on a point of personal and collective privilege.

**The President.** Senator Angara is recognized.

### QUESTION OF PRIVILEGE OF SENATOR ANGARA (Are We Building a Gambling Republic?)

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

Mr. President, I rise today to give voice to a very serious concern expressed by our people across the length and breadth of our land. Even as we speak, our countrymen are asking if by flooding the country with slot machines—popularly known as "one-arm bandits"—President Arroyo has decided to turn the Philippines into a gambling republic.

**BILL ON SECOND READING**  
**S. No. 2101—Instituting a Balikbayan Program**  
*(Continuation)*

Mr. President, I move that we resume consideration of Senate Bill No. 2101 as reported out under Committee Report No. 38.

**The President.** Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 2101 is now in order.

**SUSPENSION OF SESSION**

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

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

*It was 4:37 p.m.*

**RESUMPTION OF SESSION**

*At 4:38 p.m., the session was resumed.*

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

**Senator Legarda Leviste.** Mr. President, we are in the period of committee amendments. I ask that we recognize Sen. Noli De Castro.

**The President.** Senator De Castro is recognized.

**COMMITTEE AMENDMENTS**

**Senator De Castro.** Thank you, Mr. President.

With the permission of this Chamber, may I be allowed to introduce some committee amendments based on the interpellations made on this bill.

First, in view of the interpellations made by Sen. Tessie Aquino-Oreta and Sen. Ed Angara as to the definition of "Livelihood Tools", may I move that on page 5, after line 3, we insert the following:

LIVELIHOOD TOOLS - REFER TO INSTRUMENTS USED BY HAND OR BY MACHINE NECESSARY TO A PERSON IN THE PRACTICE OF HIS TRADE, VOCATION OR PROFESSION, SUCH AS HAND TOOLS, POWER TOOLS, PRECISION TOOLS, FARM TOOLS, TOOLS FOR DRESSMAKING, SHOE REPAIR, BEAUTY PARLOR, BARBER SHOP AND THE LIKE AS MAY BE

DETERMINED BY OVERSEAS WORKERS WELFARE ADMINISTRATION (OWWA). FOR PURPOSES OF THIS ACT, A COMPUTER UNIT AND ITS ACCESSORIES SHALL LIKEWISE BE CONSIDERED AS LIVELIHOOD TOOLS.

No. 2 as to the...

**The President.** Can we take it up one by one?

The committee has proposed an amendment on page 5, after line 3, by inserting the definition of "LIVELIHOOD TOOLS" as read. Is there any objection? *[Silence]* There being none, the amendment is approved.

**Senator De Castro.** No. 2, as to the interpellations made by Sen. Loi Ejercito Estrada and Sen. Tessie Aquino-Oreta, and the suggestion made by the Senate President, on page 5, lines 8 to 9, we remove the brackets on the phrase "PHILIPPINE DUTY FREE SHOPS" and delete the phrase "THE GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS".

I so move, Mr. President.

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

**Senator De Castro.** And No. 3, as suggested by Sen. Teresa Aquino-Oreta and the Minority Leader, Sen. Aquilino Q. Pimentel Jr. during the period of interpellations, may I move to delete on page 5, lines 23 and 24, the phrase: "GOVERNMENT-OWNED AND CONTROLLED" and in lieu thereof insert the phrase: PHILIPPINE TOURISM AUTHORITY so that it shall read as:

(F) *KABUHAYAN SHOPPING PRIVILEGE THROUGH AN ADDITIONAL TAX-FREE PURCHASE IN THE MAXIMUM AMOUNT OF ONE THOUSAND UNITED STATES DOLLARS (US\$1,000.00) OR ITS EQUIVALENT IN PHILIPPINE PESO AND OTHER ACCEPTABLE FOREIGN CURRENCIES FOR THE PURCHASE OF LIVELIHOOD TOOLS AT THE PHILIPPINE TOURISM AUTHORITY DUTY-FREE SHOPS.*

I so move, Mr. President.

**The President.** Of course the second paragraph from lines 25 to 28 will remain as is. That is part of paragraph F.

**Senator De Castro.** Yes, Mr. President.

**The President.** There is a proposed committee amendment as read by the sponsor. Is there any objection? *[Silence]* There being none, the amendment is approved.

**Senator De Castro.** On the same page, page 5, lines 32 and 33, delete the phrase, "AT THE GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS."

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

**Senator De Castro.** Also No. 5, for consistency, Mr. President, on page 5, lines 37 to 38, remove the brackets on the figure and words: "[forty-eight (48) hours]" and delete the following: "SEVEN (7) CALENDAR DAYS" and replace the comma (,) with a period (.) after the word "arrival". So that it shall read as follows: "(b) Purchases shall be made within forty-eight (48) hours from date of arrival."

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

**Senator De Castro.** No. 6, after the period in line 38, delete the word "EXCEPT" and insert the following: "PROVIDED, HOWEVER, IF PURCHASES BE MADE IN PTA—or Philippine Tourism Authority—DUTY-FREE SHOPS IT SHALL BE SEVEN (7) CALENDAR DAYS FROM DATE OF ARRIVAL; PROVIDED, FURTHER, THAT"

So that the whole paragraph (b) of Section 4 shall read as follows:

"(b) Purchases shall be made within forty-eight (48) hours from date of arrival; PROVIDED, HOWEVER, IF PURCHASES BE MADE IN PTA DUTY-FREE SHOPS IT SHALL BE SEVEN (7) CALENDAR DAYS FROM DATE OF ARRIVAL; PROVIDED, FURTHER, THAT DURING CHRISTMAS SEASON, RECKONED FROM NOVEMBER 15 TO JANUARY 15, THE PRIVILEGE IS EXTENDED TO FIFTEEN (15) CALENDAR DAYS: PROVIDED, FINALLY, THAT SAID PRIVILEGE SHALL BE A VAILED OF ON A ONE-TIME SHOPPING BASIS."

Subject to style, Mr. President.

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

**Senator De Castro.** That is all, Mr. President, for the committee amendments.

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

**Senator Legarda Leviste.** Mr. President, I move that we recognize Senator Pimentel.

**The President.** Is that a new amendment or...

**Senator Pimentel.** In relation to the amendments that have been proposed by the committee chairman, Mr. President.

I wish to find out what is the effect of the deletion of the words "THE GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS" on page 5, lines 9 to 8. What will be the effect of the deletion of that phrase, Mr. President?

**Senator De Castro.** With this deletion, Mr. President, we will be allowing the duty-free shops operated by private individuals or corporations inside Subic and Clark and using the Philippine peso.

**The President.** In other words, the privilege can be exercised even if the duty-free shop is operated by a private entity. That is how I understand it.

**Senator Pimentel.** And will the provision allowing the purchases to be made in PTA duty-free shops for seven calendar days, will that extension of time be made available also to those who wish to purchase from privately owned duty-free shops?

**Senator De Castro.** No, Mr. President. It is limited only to PTA duty-free shops or Philippine Tourism Authority-owned duty-free shops.

**Senator Pimentel.** Mr. President, may I also inquire how many privately owned duty-free shops are there in the country today?

**Senator De Castro.** There are around ten, but there are three major duty-free shops owned by private corporations, one, operating in Subic and, one, operating in Clark, Mr. President.

**Senator Pimentel.** How about the others? Where are they located, Mr. President?

**Senator De Castro.** All of them are operating in Subic and Clark, Mr. President.

**Senator Pimentel.** Are all the 10 privately owned duty-free shops in Clark and Subic?

**Senator De Castro.** Yes, Mr. President, there are small branches inside Subic and Clark duty-free shops.

**Senator Pimentel.** May we spread on the *Record*, Mr. President, how these privately owned duty-free shops got their charter to operate duty-free shops in Clark and Subic? Because, obviously, they enjoy some privileges which other enterprises would not enjoy.

**Senator De Castro.** I understand, Mr. President, that private duty-free shops operate under Republic Act No. 7227, and the bill we are talking about is an amendment of Republic Act No. 6768.

**Senator Pimentel.** Now, if the gentleman does not mind, can we have the names of these privately owned duty-free shops, Mr. President?

**Senator De Castro.** One is Puregold Duty Free Shop. This is the controversial duty-free shop owned by Lucio Co, Mr. President.

**Senator Pimentel.** All right.

**Senator De Castro.** And the other one is Royal Duty Free Shop.

**Senator Pimentel.** Again, please, Mr. President?

**Senator De Castro.** Royal Duty Free Shop, Mr. President, which, I understand, is owned by Rustan's group of companies.

**Senator Pimentel.** All right.

**Senator De Castro.** And Best Buy—

**Senator Pimentel.** Best Buy.

**Senator De Castro.** —is owned by William Tieng.

**Senator Pimentel.** William King or Keng?

**Senator De Castro.** Tieng—T-I-E-N-G—, Mr. President.

**Senator Pimentel.** T-I—

**Senator De Castro.** —E-N-G, Tieng.

**Senator Pimentel.** All right. We have named so far three.

**Senator De Castro.** And they have branches both in Subic and Clark, Mr. President.

**Senator Pimentel.** The three of them are in Clark and Subic?

**Senator De Castro.** Yes, Mr. President.

**Senator Pimentel.** What about the seven others, Mr. President?

**Senator De Castro.** There is also a duty-free shop—the name is Free Port Traders. This duty-free shop is operating only in Subic, Mr. President.

**Senator Pimentel.** And who owns this Free Port Traders, Mr. President?

**Senator De Castro.** I am sorry, that I do not know, Mr. President.

**Senator Pimentel.** It looks like that the chairman is enumerating the names of these duty-free shops out of the top of his head. In fact, it is probably being whispered to him by his aide, which is all right. But perhaps it is better if we can get a comprehensive listing so that we know the extent of the operations of the duty-free shops all over the country and we could assess the impact of the privileges being given to them in relation to our total economic development, Mr. President.

I wish that the chairman would not consider this as an attempt to delay or derail his bill. It is not. It is just that we want to get full information on the actual number of duty-free shops in the country, also the names of those who are operating these duty-free shops, Mr. President, for the reason that we do not wish to enact a legislation that might be designed just to favor a few of the more lucky entrepreneurs in this country.

**Senator De Castro.** As an answer, Mr. President, we did not touch the private duty-free shops simply because they are under Republic Act No. 7227, and this bill is an amendment of Republic Act No. 6768, particularly for government-owned and controlled duty-free shops.

**Senator Pimentel.** That may well be the intention of the chairman, but the deletion of the phrase “government-owned and controlled duty-free shops” would have the effect of expanding the privilege to nongovernment duty-free shops. It is for that reason, Mr. President, that we are requesting further data on the actual number of the duty-free shops which will benefit from this bill and the people who are the lucky recipients of the benefits as owners of these duty-free shops.

**Senator De Castro.** Mr. President, *baliklad siguro po* because we extended the privilege under Republic Act No. 6768. We did not touch Republic Act No. 7227 simply because it pertains to the privately owned duty-free shops. This is only an amendment of Republic Act No. 6768 and we add only the *Kabuhayan* Program under this new privilege of our *balikbayan* under Republic Act No. 6768.

**Senator Pimentel.** Again, Mr. President, that might well be the intention of the chairman, but when the chairman moved for the deletion of the phrase “government-owned and controlled duty-free shops” under his bill, that is the effect of amending the present setup. And as he explained, the benefits would now be enjoyed also by nongovernment-owned and controlled duty-free shops.

That is why we are making this effort to determine how many

duty-free shops in the entire country would be covered by these proposed amendments of this bill.

#### SUSPENSION OF SESSION

**Senator De Castro.** May I ask that the session be suspended for one minute, Mr. President.

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

*It was 4:54 p.m.*

#### RESUMPTION OF SESSION

*At 5:08 p.m., the session was resumed.*

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

**Senator Legarda Leviste.** With the permission of the sponsor, I ask that Sen. Teresa Aquino-Oreta be recognized.

**The President.** Sen. Teresa Aquino-Oreta is recognized.

**Senator Aquino Oreta.** Mr. President, I just want to put things on record that we have our own individual amendments. The sponsor mentioned "us." At least he mentioned me, Senator Pimentel and Senator Ejercito Estrada as having amended. We have not...

**Senator De Castro.** No. Mr. President, I said as to the interpellation made by Senator Ejercito Estrada and Senator Aquino-Oreta.

**Senator Aquino Oreta.** Is it the interpellation?

**Senator De Castro.** Yes, Mr. President.

**Senator Aquino Oreta.** So we are now in the committee amendments, Mr. President.

**The President.** That is correct.

**Senator Aquino Oreta.** After the committee amendments, we can make our own individual amendments.

**The President.** That is correct.

**Senator De Castro.** Of course, Mr. President.

**Senator Aquino Oreta.** So these were not our amendments?

**Senator De Castro.** No, Mr. President.

**Senator Aquino Oreta.** All right. Thank you, Mr. President.

#### MOTION OF SENATOR DE CASTRO (Reconsideration of Approval of Previous Committee Amendments)

**Senator De Castro.** Thank you. So, Mr. President, may I move for the reconsideration of my previous amendment.

Instead on page 5, line 8, we will delete the words "Philippine duty free shops" and in lieu thereof, retain the phrase "GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS", Mr. President.

**The President.** All right, on page 5, lines 8 and 9, the bracket between the phrase "[Philippine duty free shops]" would be reinstated so that that phrase is deemed deleted from the law and the phrase "THE GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS" is hereby reinstated.

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

Also, as a consequence of that, Senator De Castro, was there a deletion also on page 5, lines 32 and 33 of "AT THE GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS"? Does the gentleman also reinstate that phrase or not?

**Senator De Castro.** Yes, Mr. President. We have to reinstate also the phrase "AT THE GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS" on page 5, lines 32 and 33.

**The President.** The Chair considers that as a motion for reconsideration of the previous approval of the committee amendment. Is there any objection? *[Silence]* There being none, the amendment is approved.

**Senator Sotto.** Mr. President, parliamentary inquiry.

**The President.** Sen. Vicente C. Sotto III is recognized.

#### PARLIAMENTARY INQUIRY OF SENATOR SOTTO (What Happened to Amendments in Lines 23 and 24 and Line 38)

**Senator Sotto.** May we know what happens to lines 23 and 24 likewise, Mr. President.

**The President.** I was about to point that out to the sponsor.

In lines 23 and 24, previously the amendment was to delete "GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS" and in lieu thereof insert PHILIPPINE TOURISM AUTHORITY. Is there a need now to reconsider that amendment previously approved by the Chamber?

**Senator De Castro.** We have to reconsider it, Mr. President. The phrase "GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS" must be reinstated.

**The President.** There is a motion to reconsider the previous amendment approved by the Chamber, which amendment consists of the deletion of the phrase "GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS" and in lieu thereof the insertion of the phrase PHILIPPINE TOURISM AUTHORITY. Is there any objection to the reconsideration? *[Silence]* There being none, the amendment is approved. The phrase therefore "AT THE GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS" is reinstated.

The Minority Leader is recognized.

**Senator Sotto.** Mr. President, there is also an amendment that they proposed in line 38 which does not spell out Philippine Tourism Authority but merely mentions it as "PTA Duty Free-Shops." Are we retaining that or they are going to do something about this in consequence of the proposed reconsideration?

**Senator De Castro.** Yes, Mr. President. Likewise, we have to change "PTA" to GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS. Delete the abbreviation "PTA".

**The President.** Delete the abbreviation "PTA". There is a reconsideration. Is there any objection? *[Silence]* There being none, the amendment is approved.

**Senator Sotto.** Does that mean we delete "PTA" and replace it with GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS?

**Senator De Castro.** Yes, Mr. President.

**Senator Sotto.** Do we take it that this is now a motion to...

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

We now proceed with the period of individual amendments.

Sen. Ramon B. Magsaysay Jr. is recognized.

#### MAGSAYSAY AMENDMENTS

**Senator Magsaysay.** This is a provision that I would like to include, Mr. President. I tried to explain it to the staff of the Duty Free Philippines but they are very reticent in accepting it. At any rate, let me state the provision.

On page 5, add a new provision after Section 4. So we are now

on page 6, right after Section 4, on the mandatory inclusion of Philippine-made products in duty-free shops.

PHILIPPINE-MADE PRODUCTS IN DUTY-FREE SHOPS. -TEN PERCENT (10%) OF THE GOODS BEING SOLD IN DUTY-FREE SHOPS SHALL BE SOURCED FROM PHILIPPINE-BASED MANUFACTURERS. FOR THIS PURPOSE, THE DEPARTMENT OF TOURISM, IN COORDINATION WITH THE DEPARTMENT OF TRADE AND INDUSTRY, SHALL SELECT GOODS AND PRODUCTS MADE IN THE PHILIPPINES TAKING INTO CONSIDERATION COMPETITIVENESS, DESIGN EXCELLENCE, MARKETABILITY AND WORLD CLASS APPEAL.

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

**Senator De Castro.** May we know from Senator Magsaysay what kind of products—are these products made in the Philippines?

**Senator Magsaysay.** The products can range from electronics. This can also cover garments. It can also cover food. For example, Mr. President, the Bench products, which are apparel and garments, are being sold by the duty-free shops in mainland China, Malaysia and Kuwait. So if the Bench is good enough to be sold in other countries, I do not see why Duty Free Philippines cannot also sell Bench and other similar export garment products. We have a lot of Philippine exporters and manufacturers that are producing name brands like DKNY, Levi's, Thornton Bay, et cetera. And electronics, like Toshiba laptops, are being manufactured.

**Senator De Castro.** These are locally manufactured.

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

**Senator De Castro.** But foreign brand.

**Senator Magsaysay.** Foreign brands and local brands. Bench is a local brand.

**Senator De Castro.** But abroad, it is not a local brand anymore. It is imported.

**Senator Magsaysay.** And also dried mangoes, as mango products from Cebu and Guimaras, manufactured by 3M Philippines, are sold in duty-free shops in Belgium, United States, United Kingdom and other European countries.

**Senator De Castro.** Our local duty-free shops, according to them, are the largest seller of dried mangoes from Cebu—

**Senator Magsaysay.** That is correct.

**Senator De Castro.** —because of those *balikbayan* and foreign tourists.

**Senator Magsaysay.** I am one of the original sponsors of the bill way back in 1995. Before, we wanted to put 25% locally sourced export products, but I am now giving in to the importuning of Duty Free Philippines by allowing up to 10%. Because if the Duty Free Philippines, a government corporation, does not appreciate the value of export products made in the Philippines, I cannot understand why others will buy from us. Originally, I wanted 25%, but due to the importuning of Duty Free Philippines—because 60% of the sales are mostly of liquor and chocolates—I said, “All right, we will make it 10%.”

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

#### SUSPENSION OF SESSION

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

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

*It was 5:19 p.m.*

#### RESUMPTION OF SESSION

*At 5:20 p.m., the session was resumed.*

**The President.** The session is resumed. Senator Magsaysay may proceed.

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

The Duty Free Philippines' annual procurement is about P5 billion, mostly imported, maybe 99%. It has been procuring only one percent locally. And it is through the law that can force government agencies and corporations to try local purchases. We are looking only at 10% of P5 billion. That is P500 million. And this is miniscule because this includes high-value electronics products, Mr. President.

I think Senator De Castro appreciates the great stride that our exporters have undertaken. In fact, yesterday, Sunday, I went to the export show of Export Guarantee Fund in Mega Mall, and it showed a lot of exportable food products.

So, this shows the support of the national government, through this provision, that we believe in our export products.

**Senator De Castro.** *Ginoong Pangulo, naniniwala rin ako sa kampanya ng ating pamahalaan to buy Filipino products because the country is now being flooded by imported products.*

With the explanation of Senator Magsaysay, we accept his amendment.

**The President.** The Magsaysay amendment is accepted by the sponsor. Is there any objection? *[Silence]* There being none, the amendment is approved.

**Senator Magsaysay.** One final amendment, Mr. President. On page 1, line 13, add a sentence after the word “COUNTRY”. This is an anterior amendment.

**The President.** All right.

**Senator De Castro.** Is it on page 1?

**The President.** It is actually on page 4 of Committee Report No. 38.

**Senator Magsaysay.** I am sorry. On page 4, line 13, after the word “COUNTRY”, add the following sentence: THE PROGRAM SHALL, LIKEWISE, SHOWCASE COMPETITIVE AND OUTSTANDING FILIPINO-MADE PRODUCTS.

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

**Senator De Castro.** It is accepted, Mr. President.

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

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

**The President.** Is there any other amendment?

**Senator Ejercito Estrada.** Mr. President.

**The President.** Sen. Luisa P. Ejercito Ejercito Estrada is recognized.

**Senator Ejercito Estrada.** Mr. President, will the honorable sponsor from Mindoro entertain some amendments?

**Senator De Castro.** Of course, Mr. President.

**Senator Ejercito Estrada.** Thank you, Mr. President.

#### EJERCITO ESTRADA AMENDMENTS

On page 6, Section 4, letter (b), line 9, insert the word THE before the phrase “CHRISTMAS SEASON”. This is an editorial amendment, Mr. President.

**The President.** Is it in line 9 or in line 1? I think it is in line 1, Senator Ejercito Estrada.

**Senator Ejercito Estrada.** In line 1, before the phrase “CHRISTMAS SEASON”, insert the word THE.

**Senator De Castro.** The amendment is accepted, Mr. President.

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

**Senator Ejercito Estrada.** Still on page 6, line 3, after the words "CALENDAR DAYS", insert the phrase FROM DATE OF ARRIVAL.

**Senator De Castro.** It is accepted, Mr. President.

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

**Senator Ejercito Estrada.** Mr. President, still on page 6, line 4, after the word "BASIS", insert the word ONLY. The whole paragraph will read: "Purchases shall be made within SEVEN (7) CALENDAR DAYS FROM DATE OF ARRIVAL, EXCEPT DURING THE CHRISTMAS SEASON, RECKONED FROM NOVEMBER 15 TO JANUARY 15, THE PRIVILEGE IS EXTENDED TO FIFTEEN (15) CALENDAR DAYS FROM DATE OF ARRIVAL: PROVIDED, THAT SAID PRIVILEGE SHALL BE AVAILED OF ON A ONE-TIME SHOPPING BASIS ONLY."

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

**Senator De Castro.** It is accepted, Mr. President.

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

**Senator Ejercito Estrada.** Thank you, Mr. President.

And still on page 6, letter (c), second paragraph, line 18, after the phrase "DURING THE DURATION OF THE SAME", replace the period (.) with a colon (;) and insert the following provision: PROVIDED FURTHER, THAT SUCH ENDORSEMENT SHALL EFFECTIVELY DISQUALIFY ANY FURTHER AVAILMENT OF THE PRIVILEGE BY THE OFW UPON RETURN TO THE PHILIPPINES WITHIN THE SAID TWO-YEAR PERIOD.

**Senator De Castro.** It is accepted, Mr. President.

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

**Senator Ejercito Estrada.** And still on page 6, Section 5, line 38, after the words "CONCERNED GOVERNMENT AGENCIES", delete the word "MAY" and replace it with the word SHALL.

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

#### SUSPENSION OF SESSION

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

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

*It was 5:26 p.m.*

#### RESUMPTION OF SESSION

*At 5:28 p.m., the session was resumed.*

**The President.** The session is resumed. Senator De Castro is recognized.

**Senator De Castro.** As regards the proposed amendment of Senator Ejercito Estrada to delete the word "MAY" on page 6, line 38 and replace it with the word SHALL, we accept the amendment, Mr. President.

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

**Senator Ejercito Estrada.** On page 7, line 2, after the phrase "ASSISTANCE TO", insert the article A. So, Section 5 will read: TRAINING PROGRAMS.-THE DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE) THROUGH THE OWWA, IN COORDINATION WITH THE TECHNOLOGY AND LIVELIHOOD RESOURCE CENTER (TLRC), TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA), THE LIVELIHOOD CORPORATION AND OTHER CONCERNED GOVERNMENT AGENCIES SHALL PROVIDE THE NECESSARY ENTREPRENEURIAL TRAININGS AND LIVELIHOOD SKILLS PROGRAMS AND MARKETING ASSISTANCE TO A BALIKBAYAN WHO SHALL AVAIL OF THE KABUHAYAN PROGRAM IN ACCORDANCE WITH THE EXISTING RULES ON THE GOVERNMENT'S REINTEGRATION PROGRAM."

**Senator De Castro.** It is accepted, Mr. President.

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

**Senator Ejercito Estrada.** Thank you, Mr. President.

**The President.** The Majority Leader is recognized. Are there other reservations for individual amendments?

**Senator Legarda Leviste.** Mr. President, Senators Aquino-Oreta and Jaworski have reserved for the period of individual amendments.

**The President.** All right.

**Senator Legarda Leviste.** May I also be allowed to propose my individual amendments.

**The President.** The Majority Leader is recognized to propose amendments.



## LEGARDA LEVISTE AMENDMENTS

**Senator Legarda Leviste.** On page 4, line 19, under Section 2, *Definition of Terms*, replace the word "his" with THEIR RESPECTIVE and insert the word MEMBERS between the words "family" and "as". Such that the sentence would read, "The term "balikbayan" shall mean a Filipino citizen who has been continuously out of the Philippines for a period of at least one (1) year, an overseas Filipino worker, or a former Filipino citizen and THEIR RESPECTIVE family MEMBERS, as this term is defined hereunder, who had been naturalized in a foreign country and comes or returns to the Philippines.

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

**Senator De Castro.** It is accepted, Mr. President.

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

**Senator Legarda Leviste.** On page 6, line 4, under Section 4(b), *Limitations on Tax-Free Purchases*, add at the end of the provision: *PROVIDED FURTHER, THAT IN THE CASE OF SENIOR CITIZENS AND HANDICAPPED BALIKBAYANS AS DEFINED IN SEC. 2(C), THEY MAY BE ALLOWED TO ENJOY THE PRIVILEGE ANYTIME DURING THEIR STAY IN THE COUNTRY.*

Such that the sentence would read, "Purchases shall be made within forty-eight (48) hours, SEVEN (7) CALENDAR DAYS from date of arrival, EXCEPT DURING CHRISTMAS SEASON, RECKONED FROM NOVEMBER 15 TO JANUARY 15, THE PRIVILEGE IS EXTENDED TO FIFTEEN (15) CALENDAR DAYS: *Provided, that SAID PRIVILEGE SHALL BE AVAILABLE ON A ONE-TIME SHOPPING BASIS; PROVIDED FURTHER, THAT IN THE CASE OF SENIOR CITIZENS AND HANDICAPPED BALIKBAYANS, THEY MAY BE ALLOWED TO ENJOY THE PRIVILEGE ANYTIME DURING THEIR STAY IN THE COUNTRY.*"

**The President.** May the Chair be clarified? The amendment is on page 6, line 4—

**Senator Legarda Leviste.** Yes, Mr. President.

**The President.** —after the semicolon appearing after the word "basis". Is that right?

**Senator Legarda Leviste.** After the word "basis", add *PROVIDED FURTHER, THAT IN THE CASE OF SENIOR CITIZENS AND HANDICAPPED BALIKBAYANS, THEY MAY BE ALLOWED TO ENJOY THE PRIVILEGE ANYTIME DURING THEIR STAY IN THE COUNTRY.*

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

**Senator De Castro.** It is accepted, Mr. President.

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

**Senator Legarda Leviste.** On page 6, line 24, under Section 4(e), insert the phrase FAMILY MEMBERS WHO ARE between the words "That" and "minors."

So that the sentence would read: Only a balikbayan of majority age under Philippine laws can enjoy the privilege: *Provided, however, That FAMILY MEMBERS WHO ARE minors shall continue to be entitled to purchase privilege not exceeding Two hundred fifty US dollars (US\$250.00).*

**Senator De Castro.** It is accepted, Mr. President.

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

**Senator Legarda Leviste.** Thank you, Mr. President. That is all for my amendments. I, therefore, move that the period of individual amendments be suspended until tomorrow when Senators Aquino-Oreta and Jaworski would have their prepared individual amendments.

**The President.** All right. Before we formally act on the motion, the Secretariat is directed to prepare a clean copy of the measure incorporating the amendments approved by the Body. We will use that for purposes of the debates tomorrow during the period of individual amendments.

## SUSPENSION OF CONSIDERATION OF S. NO. 2101

**Senator Legarda Leviste.** I move that we suspend consideration of Senate Bill No. 2101.

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

## ADJOURNMENT OF SESSION

**Senator Legarda Leviste.** Mr. President, I move that we adjourn the session until three o'clock in the afternoon, Tuesday, August 13, 2002.

**The President.** Is there any objection? [Silence] There being none, the session is adjourned until three o'clock in the afternoon, Tuesday, August 13, 2002.

*It was 5:35 p.m.*