

RECORD OF THE SENATE

MONDAY, AUGUST 19, 2002

OPENING OF THE SESSION

At 3:47 p.m., the President Pro Tempore, Hon. Juan M. Flavier, called the session to order.

The President Pro Tempore. The 10th session of 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 Senate President Franklin M. Drilon.

After the prayer, the Senate Choir will lead us in the singing of the Philippine National Anthem.

Everybody rose for the prayer.

PRAYER

Senator Drilon. Let us place ourselves in the presence of the Lord.

Almighty Father, we ask You to bless the Philippine Senate, all of us in it and all those who transact business with us.

We offer to You our session this afternoon. We pray that You bless it with Your guidance and wisdom.

Enlighten our minds to do what is good and what is right.

Focus our energies towards the service of the Filipino people.

Bless us with a commonality of purpose, a common vision and a common will which will unite us during these demanding times.

Do not let us squander opportunities and waste precious time.

Do not allow the moment for action pass us, delaying imperatives for justice and unity.

All these we ask through the intercession of Your Blessed Mother.

Amen.

NATIONAL ANTHEM

Everybody remained standing for the singing of the national anthem.

ROLL CALL

The President Pro Tempore. The Secretary will please call the roll.

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. Flavier	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	Present
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 Pro Tempore. With 23 senators present, there is a quorum.

The Majority Leader is recognized.

Senator Magsaysay. Mr. President, may I rise on a question of personal privilege.

The President Pro Tempore. What will be the topic of the distinguished gentleman's intercession?

Senator Magsaysay. The topic, Mr. President, is about an article this morning on the *Philippine Star* regarding the institution of the Senate and about public works funds.

The President Pro Tempore. Senator Magsaysay has the floor.

THAT THE LATTER ALLEGEDLY MADE A DEMAND FOR MONEY FROM HIM, IN EXCHANGE FOR HER ENDORSEMENT OF HIS INVENTION, THE EDES PERPETUAL TRASH DEPOT,

recommending dismissal of the letter-complaint and the same be transmitted to the Archives.

Sponsor: Senator Pangilinan

The President Pro Tempore. To the Archives

The Majority Leader is recognized.

BILL ON SECOND READING

S. No. 2101—Instituting a Balikbayan Program (Continuation)

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

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

Senator Legarda Leviste. We are in the period of individual amendments. I move that the sponsor, Sen. Noli De Castro, be recognized and to introduce her amendments, I move that Sen. Teresa Aquino-Oreta be recognized.

The President Pro Tempore. Sen. Noli De Castro is recognized, with Sen. Tessie Aquino-Oreta.

The amendments will be made based on the amended copy as of August 12, 2002.

Senator Aquino-Oreta. Mr. President, will the honorable sponsor entertain some amendments?

Senator De Castro. Certainly, Mr. President.

AQUINO-ORETA AMENDMENTS

Senator Aquino-Oreta. On page 2, line 8, Section 2 (c), delete the word "THIS" and replace it with HIS OR HER.

Mr. President, this law must be gender-sensitive granting the fact that majority of the overseas Filipino workers are women.

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

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

Senator Aquino-Oreta. Again, on page 2, line 12, after the word "BY", insert the word THE.

The whole letter (c) shall now read, Mr. President, if I may: (c) LIVELIHOOD TOOLS-REFER TO INSTRUMENTS USED BY HAND OR BY MACHINE NECESSARY TO A PERSON IN THE PRACTICE OF HIS OR HER 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 THE OVERSEAS WORKERS WELFARE ADMINISTRATION (OWWA), FOR PURPOSES OF THIS ACT, A COMPUTER UNIT AND ITS ACCESSORIES SHALL LIKEWISE BE CONSIDERED AS LIVELIHOOD TOOLS.

The President Pro Tempore. What does the sponsor say?

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

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

Senator Aquino-Oreta. Line 21, on the same page, Section 3, delete the word "THE" and replace it with the word ALL. And so, the whole letter (a) shall now read as follows: (a) Tax-free maximum purchase in the amount of One thousand United States dollars (US \$1,000.00) or its equivalent IN PHILIPPINE PESO AND in other acceptable foreign currencies at ALL GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS subject to the limitations contained in Section 4 hereof,

The President Pro Tempore. What does the sponsor say?

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

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

Senator Aquino-Oreta. I forgot, Mr. President, I go back. On the same page, line 17, after the words "his", insert the words OR HER. So, it shall now read: "The balikbayan and his OR HER family shall be entitled to the following."

The President Pro Tempore. What does the sponsor say?

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

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

Senator Aquino-Oreta. On the same page, line 24, delete the words "The national carrier" and replace it with the words ALL

DOMESTIC CARRIERS. So, the whole letter (b) shall now read as follows: (b) ALL DOMESTIC CARRIERS shall establish a special promotional/incentive program for the balikbayan;

The President Pro Tempore. What does the sponsor say?

Senator De Castro. So, that means that it will include the "national carrier" too.

Senator Aquino-Oreta. Yes, ALL DOMESTIC CARRIERS, meaning if we have the PAL, Cebu Air, Asian Spirit and et cetera, et cetera.

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

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

Senator Aquino-Oreta. Line 36, delete the word "THE" and replace it with the word ALL. Thus, line 36 shall be PURCHASE OF LIVELIHOOD TOOLS AT ALL GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS.

The President Pro Tempore. What does the sponsor say?

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

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

Senator Aquino-Oreta. Page 3, line 8, again delete the word "THE" and insert the word ALL. Section 4 will now read as follows: "Limitations on Tax-Free Purchases AT ALL GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS."

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

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

Senator Aquino-Oreta. On page 3, Section 4, letter (a), delete the entire letter (a). Therefore, letter (b) shall now be read as letter (A) of Section 4 and the remaining paragraphs shall be renumbered accordingly.

The President Pro Tempore. What does the sponsor say?

Senator De Castro. I am sorry, we will delete...

Senator Aquino-Oreta. Delete the entire letter (a).

Senator De Castro. Letter (a)?

Senator Aquino-Oreta. Yes, and letter (b) will now be letter (A) and the rest will be renumbered accordingly.

Senator De Castro. Mr. President, may we know the reason *kung bakit natin idi-delete ang letter (a)?*

Senator Aquino-Oreta. Mr. President, the paragraph is not even a limitation. It is merely a positive statement that payments must be made in Philippine peso, US dollars or practically any other acceptable foreign currencies. The fact is, transactions will yield to general laws which permit commercial transactions using pesos, dollars or any other acceptable foreign currency. So it is redundant.

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

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

Senator Aquino-Oreta. Therefore, on page 3, Section 4, the new letter (A), delete the phrase "Purchases shall be made within forty-eight (48) hours from date of arrival: *PROVIDED, HOWEVER, THAT IF PURCHASES ARE MADE IN GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS IT SHALL BE WITHIN SEVEN (7) CALENDAR DAYS FROM DATE OF ARRIVAL;*" and replace it with the phrase PURCHASES SHALL BE MADE WITHIN SEVEN (7) CALENDAR DAYS FROM THE DATE OF ARRIVAL.

Mr. President, the reason we are amending this is that there is no point in making a distinction between government-owned and controlled duty-free shops and those owned by private entities. It has been decided that the privilege can only be exercised vis-a-vis government-owned and controlled duty-free shops.

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

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

Senator Aquino-Oreta. Now, on the same page, Section 4, line 24, delete the word "MAY" and replace it with the word SHALL.

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

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

Senator Aquino-Oreta. So, the whole letter (A) shall be read as follows: PURCHASES SHALL BE MADE WITHIN SEVEN (7) CALENDAR DAYS FROM THE DATE OF ARRIVAL: *PROVIDED, FURTHER, THAT DURING THE CHRISTMAS SEASON,*

RECKONED FROM NOVEMBER 15 TO JANUARY 15, THE PRIVILEGE IS EXTENDED TO FIFTEEN (15) CALENDAR-DAYS FROM THE DATE OF ARRIVAL: *PROVIDED, FURTHER*, THAT SAID PRIVILEGE SHALL BE AVAILABLE ON A ONE-TIME SHOPPING BASIS ONLY: *PROVIDED, FINALLY*, THAT IN THE CASE OF SENIOR CITIZENS AND HANDICAPPED, THEY SHALL BE ALLOWED TO ENJOY THE PRIVILEGE ANYTIME DURING THEIR STAY IN THE COUNTRY.

The President Pro Tempore. What does the sponsor say?

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

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

Senator Aquino-Oreta. Again on page 3, line 28, delete the words "for himself".

The President Pro Tempore. Just to delete and no replacement.

Senator Aquino-Oreta. Actually it will read: "The privilege is non-transferrable; purchases shall be made personally by the *balikbayan*; EXCEPT, THAT AN OVERSEAS FILIPINO..." et cetera.

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

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

Senator Aquino-Oreta. Also on page 3, Section 4, line 33, letter (c), after the words "OF THE PHILIPPINES", insert the phrase FROM WHICH HE OR SHE HAS BEEN DESTINED.

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

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

Senator Aquino-Oreta. On page 3, Section 4, line 35, letter (c), after the word "HIS", insert the words OR HER.

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

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

Senator Aquino-Oreta. On page 4, Section 4, line 1, letter...Mr. President, may I then read Section (c).

"The privilege is non-transferrable, purchases shall be made personally by the *balikbayan*, EXCEPT THAT AN OVERSEAS FILIPINO WORKER (OFW), DULY CERTIFIED AS SUCH BY THE PHILIPPINE OVERSEAS EMPLOYMENT

ADMINISTRATION (POEA), OVERSEAS WORKERS WELFARE ADMINISTRATION (OWWA), PHILIPPINE OVERSEAS LABOR OFFICER OR BY THE EMBASSY/CONSULATE FROM WHICH HE OR SHE HAS BEEN DESTINED, TAKING INTO CONSIDERATION THE EVIDENCE OF REMITTANCE, MAY OPT TO ENDORSE IN WRITING THE *KABUHAYAN* SHOPPING PRIVILEGE TO HIS OR HER IMMEDIATE FAMILY MEMBERS RESIDING IN THE PHILIPPINES: *PROVIDED*, THAT THE ENDORSEMENT OF THE PRIVILEGE SHALL BE AVAILABLE ONLY ONCE WITHIN TWO (2) YEARS FROM THE DATE OF EFFECTIVITY OF HIS OR HER CONTRACT AND ONLY DURING THE DURATION OF THE SAME: *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. This letter (c) will now become letter (B).

Senator Aquino-Oreta. Yes, Mr. President.

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

Senator Aquino-Oreta. Mr. President, at this point, may I be allowed to propose a further amendment to the amendment introduced by the gentleman from Zambales, Senator Magsaysay.

The President Pro Tempore. In what line, please?

Senator Aquino-Oreta. On page 4, line 21, after the phrase "*PHILIPPINE-MADE PRODUCTS IN DUTY-FREE SHOPS*", insert the phrase ALL GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS SHALL EFFECTIVELY SHOWCASE PHILIPPINE CULTURE, CRAFTSMANSHIP AND INDUSTRY.

Senator De Castro. It is accepted, Mr. President, especially the word "SHOWCASE".

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

Senator Aquino-Oreta. On the same page, Section 5, line 24, delete the comma (,) along with the words "IN COORDINATION" and replace it with the words SHALL COORDINATE.

The President Pro Tempore. How shall the line read, please?

Senator Aquino-Oreta. The line now will read...

The President Pro Tempore. "FOR THIS PURPOSE,..."

Senator Aquino-Oreta. Delete the comma (,) after the word TOURISM..

Senator De Castro. SHALL COORDINATE. Is that correct, Mr. President?

Senator Aquino-Oreta. Yes, SHALL COORDINATE, Mr. President.

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

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

Senator Aquino-Oreta. Again in line 25, delete the words "SHALL SELECT" and replace it with the words IN THE SELECTION OF. So that it will now read: WITH THE DEPARTMENT OF TRADE AND INDUSTRY IN THE SELECTION OF GOODS AND PRODUCTS..." et cetera.

Senator De Castro. All right. It is accepted, Mr. President.

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

Senator Aquino-Oreta. In line 28, after the word "MARKETABILITY"....

The President Pro Tempore. What page, please?

Senator Aquino-Oreta. On page 4 also, Mr. President.

Senator De Castro. The same page, Mr. President.

Senator Aquino-Oreta. In line 28, the first word is "MARKETABILITY."

The President Pro Tempore. Yes.

Senator Aquino-Oreta. After the word MARKETABILITY, insert a comma (,) followed by the words REGIONAL REPRESENTATION. So it will now read: "MARKETABILITY, REGIONAL REPRESENTATION AND WORLD CLASS APPEAL."

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

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

Senator Aquino-Oreta. May I then read Section 5, Mr. President, as amended.

The President Pro Tempore. Please.

Senator Aquino-Oreta. *PHILIPPINE-MADE PRODUCTS IN DUTY-FREE SHOPS.* ALL GOVERNMENT-OWNED AND CONTROLLED DUTY-FREE SHOPS SHALL EFFECTIVELY SHOWCASE PHILIPPINE CULTURE, CRAFTSMANSHIP AND INDUSTRY. THEREFORE, TEN PERCENT (10%) OF THE GOODS BEING SOLD IN DUTY-FREE SHOPS SHALL BE SOURCED FROM THE PHILIPPINE-BASED MANUFACTURERS. FOR THIS PURPOSE, THE DEPARTMENT OF TOURISM SHALL COORDINATE WITH THE DEPARTMENT OF TRADE AND INDUSTRY IN THE SELECTION OF GOODS AND PRODUCTS MADE IN THE PHILIPPINES, TAKING INTO CONSIDERATION, COMPETITIVENESS, DESIGN, EXCELLENCE, MARKETABILITY, REGIONAL REPRESENTATION AND WORLD CLASS APPEAL."

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

Senator Aquino-Oreta. On page 5, Section 2, line 8, after the word "promulgate," put a comma (,) and insert the phrase NOT LATER THAN THIRTY (30) DAYS FROM EFFECTIVITY OF THIS ACT,".

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

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

Senator Aquino-Oreta. So, Section 8 shall now read: "The Department of Tourism, in coordination with other government agencies, SHALL PROMULGATE, NOT LATER THAN THIRTY (30) DAYS FROM EFFECTIVITY OF THIS ACT, the necessary rules and regulations for the effective implementation of this Act."

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

Senator Aquino-Oreta. Thank you, Mr. President, that is all.

Senator De Castro. Thank you very much, Mr. President.

The President Pro Tempore. The Majority Leader is recognized.

Senator Legarda Leviste. For his individual amendment, Mr. President, I ask that Sen. Robert S. Jaworski be recognized.

The President Pro Tempore. Sen. Robert S. Jaworski is recognized.

Senator Jaworski. Thank you, Mr. President. I would also like to thank the Majority Leader.

JAWORSKI AMENDMENTS

Senator Jaworski. Mr. President, after going over the amended copy of the bill as of August 12, 2002, this representation

noticed and appreciates the fact that most of the points we raised during the interpellation were already incorporated in the bill. There are just some amendments left, however, that this representation would like to propose.

On page 2, line 31, delete the word "AND" at the end of the said line, then insert a subparagraph (F) between lines 31 and 32 which reads: DULY ACCREDITED TRANSPORTATION FACILITIES FROM THE AIRPORT TO DESIGNATED DESTINATIONS THAT WILL ENSURE THEIR SAFE AND CONVENIENT TRIPS. THE DEPARTMENT OF TOURISM AND THE DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS AND OTHER CONCERNED GOVERNMENT AGENCIES ARE HEREBY MANDATED TO IMPLEMENT THE PROGRAM FOR THIS PARTICULAR PURPOSE.

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

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

Senator Jaworski. Mr. President, on page 3, in connection with this issue, this representation raised during the interpellations on the bill the period of seven days within which to enjoy the kabuhayan shopping privilege. We proposed that said period be extended to 15 and 30 days during the Christmas season.

Mr. President, the reason for this is that we feel that the prescribed periods in the bill are too short a time considering the nature of the shopping privilege. Here, we are giving our *balikbayan* the opportunity to hopefully engage in some livelihood projects or small businesses. However, this representation feels that seven days is indeed not enough for these *balikbayan* to finally come up with a rational and well-studied plan for such small businesses that they might want to put up.

On the other hand, Mr. President, if we were thinking of abuse, we do not see any possible abuse that might arise if we extend this period unless the concerned agencies will not be able to monitor this privilege.

Senator De Castro. *Maganda po ang proposal, Ginoong Pangulo*, but I think it is too long compared to seven days. During the hearing, *napagkasunduan po na ang 48 hours ay gawing seven days*. But I think 30 days is...

Senator Jaworski. No, 15 days *lamang*, Mr. President.

Senator De Castro. Fifteen days is too long. Besides, seven is a lucky number, the number of the gentleman, Senator Jaworski.

Senator Jaworski. Mr. President, I guess what we have to do is put ourselves in the shoes of those arriving *balikbayan*.

When a *balikbayan* arrives, the initial reaction is meeting his family, looking at other problems and, as I said, the next big step is to make a plan for a certain small business that can work for the family. And seven days, whether we like it or not, most of these *balikbayan* are out of the country for so long. Just greeting one's relatives will already take time, let us say, going from one area to another. I guess it is very reasonable.

Senator De Castro. During the Christmas season, it is 30 days, Mr. President.

Senator Jaworski. Well, Christmas is obviously not even a point for thinking of business. It is just thinking of the Christmas season—what one could give to his relatives—and I think it is reasonable enough.

Senator De Castro. All right. It is accepted, Mr. President.

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

Senator Jaworski. Thank you, Mr. President. If it is accepted, I propose that on page 3, line 16, we replace the word and its corresponding number "SEVEN (7)" with the word and number FIFTEEN (15). Then on the same page, line 20, replace the word and its corresponding number "FIFTEEN (15)" with the word and number THIRTY (30).

Thank you, Mr. President.

Senator De Castro. Thank you, Mr. President.

With the permission of this Chamber, may I be allowed to read the individual amendments of Sen. Ramon B. Revilla?

The President Pro Tempore. Please proceed.

REVILLA AMENDMENTS

Senator De Castro. In order to shorten the wordings in Section 4 (c) of this proposed measure, the following amendments are hereby proposed:

On page 3, line 36, between the words "MEMBERS" and "RESIDING", insert a comma (,) and the phrase WITHIN THE SECOND DEGREE OF CONSANGUINITY AND AFFINITY and delete the whole phrase on page 4, lines 7 to 9, so that the amended phrase will now read as follows:

MAY OPT TO ENDORSE IN WRITING THE KABUHAYAN SHOPPING PRIVILEGE TO HIS OR HER IMMEDIATE FAMILY MEMBERS WITHIN THE SECOND DEGREE OF CONSANGUINITY AND AFFINITY RESIDING IN THE PHILIPPINES.

It is accepted, Mr. President.

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

Senator De Castro. On page 4, Section 4, paragraph (f), lines 15 to 18, it is proposed that we delete the whole paragraph (f).

The President Pro Tempore. What line please?

Senator De Castro. Page 4, Section 4, paragraph (f), lines 15 to 18, Mr. President.

We cannot accept this for the reason *na magiging* subject *ito ng* abuse *dahil sa* price exceeding US\$200 of nonconsumables entitles a *balikbayan* to only one item. These nonconsumables are electronic products like television sets whose price exceeds US\$200, except, of course, computers. The computers do not fall under Section 4(f) but instead *ito po ay nasa ilalim ng* definition of Livelihood Tools so there is no limit to the purchase of computers. *Pero sa* television sets and other electronic products, there is a limit to only one item *sa* nonconsumables whose price exceeds US\$200. So we cannot accept this amendment, Mr. President.

The President Pro Tempore. Please proceed to the other amendments.

Senator De Castro. On page 4, line 19, delete the article "A" and add S to the word "section" and change "is" to ARE.

The amendment is accepted, Mr. President.

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

Senator De Castro. On page 4, line 20, add an S to the word "Section" and add the word and figure AND 6 after the figure "5" so that it will read as follows:

SEC. 5. New sectionS are hereby added after Section 4 of the same Republic Act to be denominated as SectionS 5 AND 6 to read as follows:

The President Pro Tempore. What does the sponsor say?

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

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

SUSPENSION OF SESSION

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

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

It was 6:32 p.m.

RESUMPTION OF SESSION

At 6:32 p.m., the session was resumed.

The President Pro Tempore. The session is resumed.

Senator De Castro. Mr. President, in order to provide a time frame or a deadline on the part of the Department of Tourism in the crafting of the implementing rules and regulations or IRR, this amendment is being proposed.

On page 5, Section 8, line 7, before the word "The", insert the phrase WITHIN NINETY (90) DAYS FROM THE EFFECTIVITY OF THIS ACT. So that the whole section will now read as follows:

SEC. 8. WITHIN NINETY (90) DAYS FROM THE EFFECTIVITY OF THIS ACT, the Department of Tourism, in coordination with other government agencies concerned, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

Mr. President, there was an amendment for 30 days by Senator Aquino-Oreta and we think that 30 days is reasonable enough. We cannot accept this 90 days proposal. We already accepted the 30 days, so we cannot accept this amendment.

On page 4, lines 21 and 22, it is proposed to delete the first sentence that reads as follows:

The President Pro Tempore. What line, please?

MAGSAYSAY AMENDMENT

Senator De Castro. On page 4, lines 21 and 22, delete the sentence "TEN (10%) PERCENT OF THE GOODS BEING SOLD IN DUTY-FREE SHOP SHALL BE SOURCED FROM PHILIPPINE BASED MANUFACTURERS."

The reason for the amendment is that this provision unjustly favors imported products and puts a cap of 10% on products manufactured in the Philippines that can be bought by the *balikbayan*. If the intention of this section is to allow Philippine products to compete with imported goods, then it should be reflected as such without the limitation. This amendment came from Sen. Jun Magsaysay. We would now like to ask the comment of Senator Magsaysay, Mr. President.

The President Pro Tempore. Sen. Ramon B. Magsaysay Jr. is recognized.

Senator Magsaysay. Thank you, Mr. President.

As I mentioned when I justified the inclusion of this particular provision—10%. Initially, being the original author of this bill in 1995 and thereafter, Sen. Loren Legarda Leviste during the Eleventh Congress and being also the main author, the intention was to obligate Duty Free Philippines to purchase up to 25% of its goods that will be sold in duty-free shops.

However, due to the strong reservation and objection of the management of Duty Free Philippines, I already accepted that only 10% or a minimum of 10% be the benchmark to purchase Philippine-made products to be sold in duty-free shops. On the basis that the annual revenue, the annual purchase level is P5 billion a year average, 10% is P500 million and that is good enough for a start.

Mr. President, at present, only one percent or even less is being purchased from among our export-quality manufacturers. So 10 x 1 or 10%, I believe, is minimal based on the fact that we have a lot of exports. In fact, the Department of Trade and Industry has been promoting our Philippine-made export products, from electronics, garments, food, and other exportable competitive products.

So I beg that we retain, although I know that Senator Revilla's objective is to enable the Duty Free Philippines to purchase more. What we can do here is, say, a minimum of 10%. That means that Duty Free Philippines can buy more than 10% of its annual procurement. I have no objection to this—A MINIMUM OF TEN PERCENT (10%) OF THE GOODS BEING SOLD TO DUTY-FREE SHOPS.

Senator De Castro. So we will add the words TEN PERCENT (10%), Mr. President?

Senator Magsaysay. That is correct, Mr. President.

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

The President Pro Tempore. Just to reiterate. We are inserting the word MINIMUM and we are not accepting the "25%."

Senator De Castro. We are not accepting the amendment of Senator Revilla.

The President Pro Tempore. We are now asking the approval for the insertion of the word MINIMUM. Is there any objection? [Silence] There being none, the amendment is accepted.

Senator Magsaysay. Thank you, Mr. President.

Senator De Castro. That is all, Mr. President. Thank you very much.

The President Pro Tempore. That seems to be the end of the period of amendments.

The Majority Leader is recognized.

Senator Legarda Leviste. Yes, Mr. President. There are no more individual amendments. I therefore move that we close the period of individual amendments.

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

APPROVAL OF S. NO. 2101 ON SECOND READING

Senator Legarda Leviste. Mr. President, I move that we vote on Second Reading on Senate Bill No. 2101, as amended.

The President Pro Tempore. Is there any objection? [Silence] There being none, we shall now vote on Second Reading on Senate Bill No. 2101, as amended.

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

Several Members. *Aye*.

The President Pro Tempore. As many as are against the bill, say *nay*. [Silence]

Senate Bill No. 2101, as amended, is approved on Second Reading.

SUSPENSION OF CONSIDERATION OF S. NO. 2101

Senator Legarda Leviste. Mr. President, I move that we suspend consideration of Senate Bill No. 2101.

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

Senator Legarda Leviste. Mr. President, for the privilege hour, I ask that we recognize Sen. Edgardo J. Angara.

The President Pro Tempore. Sen. Edgardo J. Angara is recognized.

PRIVILEGE SPEECH OF SENATOR ANGARA (A Tribute to Manuel Luis Quezon)

Senator Angara. Thank you, Mr. President.

Mr. President, I will be brief.

Today, Mr. President, is the birth anniversary of Pres. Manuel Luis Quezon.