

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 217

Introduced by **ATTY. MAGTANGGOL T. GUNIGUNDO I**

EXPLANATORY NOTE

This bill is originally HB 4932 that we filed last August 11, 2008 in the 14th Congress and was referred to the Committee on Government Reorganization but was not taken up during the Committee's scheduled deliberations.

The main thrust of this bill is to establish the "*Sentro ng Batas sa Wika*" defining its functions and providing for its financing, administration and operation.

In line with the constitutional fiat under Art. XIV, Section 6 which specifically provides that "*the national language of the Philippines is Filipino. As it evolves, it shall be further developed and enriched on the basis of existing Philippine and other languages. Subject to provisions of law and as Congress may deem appropriate, the Government shall take steps to initiate and sustain the use of Filipino as a medium of official communication and as language of instruction in the educational system*". Moreover, Section 7 thereof provides that "*for purposes of communication and instruction, the official languages of the Philippines are Filipino and, until otherwise provided by law, English.*"

Philippine laws, including the 1987 Constitution and all other constitutions before it, are written in English. Proceedings in judicial and quasi-judicial bodies are mainly conducted in English. Except for the *Komisyon sa Wikang Filipino*, there is no other official body authorized to translate our laws to Filipino, our national and official language. All Filipinos, rich and poor, deserve to read and comprehend the laws of the land in a language they can easily understand.

The production of scholarly legal materials in Filipino, the translation of laws, rules and regulations and jurisprudence of the Supreme Court in Filipino, the use of Filipino in courts of justice as official communication ensures speedy trials and transparency in the administration of justice.

Language is a vital component of communication that drives change and development. It is high time for us to use Filipino in dispensing justice and in laying down policy direction that all Filipinos can work for and live by to achieve abundance.

Immediate approval of this bill is earnestly sought.


ATTY. MAGTANGGOL T. GUNIGUNDO I

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
Fifteenth Regular Session

HOUSE BILL NO. 217

Introduced by HON. MAGTANGGOL T. GUNIGUNDO I

AN ACT
ESTABLISHING THE “SENTRO NG BATAS SA WIKA”, DEFINING ITS
FUNCTIONS AND PROVIDING FOR ITS FINANCING,
ADMINISTRATION AND OPERATION, AND APPROPRIATING FUNDS
THEREFOR

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

Section 1. *Establishment of the “Sentro ng Batas sa Wika”.* – The “Sentro ng Batas sa Wika” is hereby established.

Section 2. *Structure.* – The “Sentro ng Batas sa Wika” shall be a separate and independent entity. The officers shall consist the following:

- a. Director;
- b. Assistant Director; and
- c. Three (3) Institute Directors: (*Director for Translation; Director for Training and Director for Education*).

The salary of the Director shall be equal to the salary and benefits and all future upward adjustments of a Justice of the Court of Appeals.

The salary of the Assistant Director and the three (3) Institute Directors shall be equal to the salary, benefits and all future upward adjustments of a Regional Trial Court Judge.

The abovementioned officers shall be appointed by the President of the Philippines upon the recommendation of the Chief of Justice. The recomendees should have proven competence and experience in the translation of laws and jurisprudence into Filipino and should be a member of the Philippine Bar in good standing for at least ten (10) years.

The Director and the Assistant Director shall serve for a period of five (5) years.

The Institute Directors shall serve for a period of three (3) years.

The Head Office of the “Sentro ng Batas sa Wika” shall be at the Bulacan State University Campus, Malolos City. They shall be temporarily housed at any of the suitable building of the Bulacan State University pending construction of its own building.

Section 3. *Powers and Functions.* – The “Sentro ng Batas sa Wika” shall continue the work of the Committee on Linguistic Concerns created by the Supreme Court in its **Memorandum Order No. 74-2006** and **Memorandum Order No. 74-2006-A**, and shall coordinate with the Office of the Chief Justice of the Republic of the Philippines as regards the decisions to be translated and publication of these translated decisions. It shall likewise perform the following functions:

1. To undertake translations of laws, rules and regulations, and jurisprudence of special importance to the history and government of the republic of the Philippines;
2. To undertake technical studies and researches in law in Filipino, with emphasis on Philippine Law, particularly on projects for reforms in the judiciary, public administration, elimination of graft and corruption, civil rights protection, international relations, and law enforcement;
3. To undertake law institutes or study programs for continuing education in law for non-lawyers and public officers;
4. To coordinate with local governments in the training and education of public officers conducted in Filipino as regards public responsibility and accountability and in the understanding and the implementation of laws;
5. To undertake legal studies and researches in Filipino in coordination with the Committees on Revision of Laws of the House of Representatives and the Senate;
6. To undertake the publications of studies, monographs, research papers, articles, and other works or writings on law in Filipino, with special emphasis on those related to its general objectives, and to distribute them at cost, to government agencies, judges, lawyers, government administrators, and other interested parties; and
7. To perform all other acts as may be necessary for the achievement of its objectives and functions, including the grant of research awards, prizes, scholarships and fellowships.

Section 4. **Appointments.** – Any provision of law to the contrary notwithstanding, appointments to the academic, administrative or research staff of the “*Sentro ng Batas sa Wika*” may be on part-time basis and shall be exempt from the requirements and restrictions of the Civil Service Law, the Retirement Law, and Section 529 of the Revised Administrative Code, provided, that any retiree employed in the “*Sentro ng Batas sa Wika*” shall not be required to reimburse or refund any gratuity received from the Government nor shall any pension or annuity to which he or she is entitled be suspended or reduced on account of his or her employment in the “*Sentro ng Batas sa Wika*”, and provided finally, that any salary or benefit such retiree shall receive from the “*Sentro ng Batas sa Wika*” shall be exempt from taxation.

Section 5. **Funds.** – In order to provide for the support of the “*Sentro ng Batas sa Wika*”, the additional amount of five pesos (*Php 5.00*) for each case, action, or special proceedings filed with the appellate court and the additional amount of two pesos (*Php 2.00*) in the case of all other courts, including all administrative or special agencies or courts subject to the provision of the Department of Justice, shall be collected by their respective clerks of courts, or equivalent functionary, for each case, action or special proceeding filed therewith and for which the fees prescribed in the Rules of Court or for not more than one (91) year at the discretion of the Court, in any statute or regulation are due and payable. Such additional amounts shall be receipted for separately as part of a special fund to be known as the “**SENTRO NG BATAS SA WIKA FUND**”.

Section 6. **Penalties.** – Any person who willfully violates any of the provisions of this Act shall be punished with a fine of not more than two thousand pesos (*Php2,000.00*) or with imprisonment, and the fine shall be turned over by the clerks of court or equivalent functionary to the Chief Accountant of the Department of justice who in turn shall remit the same at the end of each fiscal year to the Treasurer of the Bulacan State University for the use of the “*Sentro ng Batas sa Wika*” in accordance with this Act.

Section 7. **Rules and Regulations.** – Upon appointment of the Director, Assistant Director, and the three (3) Institute Directors, and after a reasonable period, they shall constitute themselves to promulgate the Internal Rules and Regulations (IRR) in accordance with this Act.

Section 8. ***Separability Clause.*** – The provisions of this Act are hereby deemed separable. If any provision thereof is declared invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions, which shall remain in effect.

Section 9. ***Repealing Clause.*** – All laws, decrees, executive orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed.

Section 10. ***Effectivity.*** – This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in a newspaper of general circulation.

Approved,