

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
First Regular Session

COMMITTEE REPORT NO. 431

Submitted by the Committee on Revision of Laws on 15 DEC 2010

Re : House Bill No. 3877

Recommending its approval in substitution of House Bill No. 1457

Sponsors : Representatives Marlyn L. Primicias-Agabas and Jorge B. Banal, Jr.

Mr. Speaker:

The Committee on Revision of Laws to which was referred House Bill No. 1457, introduced by Rep. Jorge B. Banal, Jr. , entitled:

“AN ACT DECLARING EVERY 27TH DAY OF NOVEMBER AS “ARAW NG PAGBASA”, A REGULAR WORKING HOLIDAY”

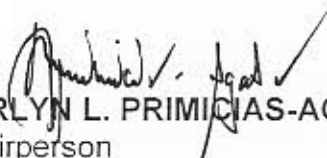
has considered the same and recommends that the attached House Bill No.


3877, entitled:

“AN ACT DECLARING EVERY 27TH DAY OF NOVEMBER AS “ARAW NG PAGBASA”, A REGULAR WORKING HOLIDAY”

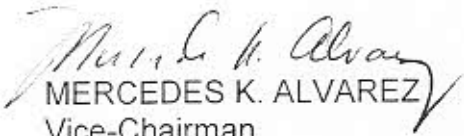
be approved in substitution of House Bill No. 1457 with Reps. Jorge B. Banal, Jr. and Marlyn L. Primicias-Agabas as authors thereof.

Respectfully submitted,


MARLYN L. PRIMICIAS-AGABAS
Chairperson



PABLO P. GARCIA
Vice-Chairman




MERCEDES K. ALVAREZ
Vice-Chairman

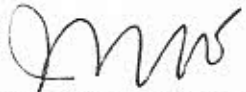


MARIANO MICHAEL M. VELARDE
Vice-Chairman

GIORGIDI B. AGGABAO



FRANCISCO EMMANUEL R. ORTEGA III



MA. THERESA B. BONOAN-DAVID




VICTORINO DENNIS M. SOCRATES

ELEANDRO JESUS F. MADRONA

EMERENCIANA DE JESUS




CRESENTE PAEZ



RUFUS B. RODRIGUEZ




KARLO ALEXEI B. NOGRALES



RODOLFO B. ALBANO, JR.



ORLANDO B. FUA



FERDINAND MARTIN G. ROMUALDEZ

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
Quezon City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3877

INTRODUCED BY REPRESENTATIVES. JORGE "BOLET" BANAL, JR.
AND MARLYN L. PRIMICIAS-AGABAS

AN ACT DECLARING EVERY 27TH DAY OF NOVEMBER AS "ARAW NG PAGBASA",
A REGULAR WORKING HOLIDAY

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

- 1 **Section 1. Title.** - This Act shall be known as "The Araw ng Pagbasa Act of 2010."
- 2 **Sec. 2. Declaration of Policy.** - The State recognizes and supports endeavors that
3 promote reading and literacy, motivate awareness, and uphold our Filipino heritage and
4 culture, including educational activities focusing on the life of former Senator Benigno
5 "Ninoy" Aquino, Jr., whose role in our country's history was influenced by great writings of
6 different individuals.
- 7 The State likewise recognizes the importance of promoting reading as a shared activity
8 among the youth, families, educators, and the private sector, thereby emphasizing
9 personal interaction and facilitating the exchange of ideas throughout the country.
- 10 **Sec. 3. National Holiday.** - November 27 of every year is hereby declared as "Araw ng
11 Pagbasa", which shall be a regular working holiday, to be celebrated in all elementary and
12 secondary schools in the country. In the event that the holiday falls on a weekend, the
13 holiday will be observed on the Friday of that week.
- 14 **Sec. 4. Implementing Agency.** - The Department of Education, in consultation with the

1 National Book Development Board, other government agencies and units, and reading
2 associations concerned, shall plan and implement the activities for the observance of
3 "Araw ng Pagbasa", such as story-telling sessions and reading skills modules. In addition
4 to Filipino and English, the use of regional languages in the celebration shall be
5 encouraged.

6 **Sec. 5. Effectivity.** - This Act shall take effect fifteen (15) days upon its publication in two
7 (2) newspapers of general circulation.

8 Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1457

INTRODUCED BY: REP. JORGE "BOLET" BANAL, JR.

EXPLANATORY NOTE

Former Senator Benigno "Ninoy" Aquino, Jr., born on 27 November 1932, is a modern day hero who exhibited idealism and patriotism. He declared that the Filipino is worth dying for, and his indomitable spirit inspired our people in the fight for democracy.

Ninoy Aquino was an accomplished journalist, having been a staff member of the Philippine Collegian and the youngest war correspondent covering the Korean war for The Manila Times. An avid reader, he showed penchant for reading starting from his early years in school and even through his incarceration and exile. In his letter to former Senator Francisco "Soc" Rodrigo in 1973, he quoted Thomas a Kempis' Imitation of Christ, Jose Rizal's *El Filibusterismo*, and St. Paul's Letter to the Corinthians, marveling at how a "little book ... had a profound impact on Rizal" and revealing that "Father Florentino's immortal words were to sustain (Ninoy) through those dark nights of (his) soul in Laur."¹ Ninoy believed, as did most of our heroes and public figures, that reading is an indisputable source of empowerment, widening one's knowledge, imagination, and compassion and allowing one to dream big even while recognizing certain inherent weaknesses.

It is therefore fitting to commemorate the birth anniversary of Ninoy Aquino by declaring November 27 of every year as "ARAW NG PAGBASA." ARAW NG PAGBASA aims to promote reading and literacy, motivate our people to learn from the lives and works of eminent Filipinos, uphold our own heritage and values, and generate awareness about other cultures and philosophies. It also seeks to make reading a shared physical experience, thereby increasing its relevance amidst the proliferation of online activities specifically among the youth.

As an annual reading and awareness program, ARAW NG PAGBASA is also aligned with the objectives of the Philippine Book Development Month, which is celebrated on the month of November of each year pursuant to Proclamation No. 1436 (2008). Educational activities throughout the country can be integrated to learn from Ninoy Aquino and other illustrious Filipinos in our daily struggle to develop as a nation.

¹ <http://ninoyaquino.50webs.com>.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1457

INTRODUCED BY: REP. JORGE "BOLET" BANAL, JR.

**AN ACT DECLARING EVERY 27TH DAY OF NOVEMBER AS "ARAW
NG PAGBASA," A REGULAR WORKING HOLIDAY**

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

Section 1. Title. – This Act shall be known as "The Araw ng Pagbasa Act of 2010."

Sec. 2. Declaration of Policy. – The State recognizes and supports endeavors that promote reading and literacy, motivate awareness, and uphold our Filipino heritage and culture, including educational activities focusing on the life of former Senator Benigno "Ninoy" Aquino, Jr., whose role in our country's history was influenced by great writings of different individuals.

The State likewise recognizes the importance of promoting reading as a shared activity among the youth, families, educators, and the private sector, thereby emphasizing personal interaction and facilitating the exchange of ideas throughout the country.

Sec. 3. National Holiday. – November 27 of every year is hereby declared as "Araw ng Pagbasa," which shall be a regular working holiday, to be celebrated in all public elementary and secondary schools in the country.

Sec. 4. Implementing Agency. – The Department of Education, in consultation with the National Book Development Board and other government agencies and units concerned, shall plan and implement the activities for the observance of "Araw ng Pagbasa."

Sec. 5. Effectivity. – This Act shall take effect fifteen days (15) upon its publication in two (2) newspapers of general circulation.

Approved,

ARAW NG PAGBASA aspires to be a simple yet meaningful reminder and declaration of hope for our people.

Thus, the approval of this measure is earnestly sought.



JORGE "BOLET" B. BANAL, JR.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

COMMITTEE ON REVISION OF LAWS

MINUTES OF THE COMMITTEE ON REVISION OF LAWS HELD ON 17 NOVEMBER 2010,
WEDNESDAY, 9:30 A.M. AT THE CONFERENCE ROOM 9 & 10 MITRA BUILDING, HOUSE OF
REPRESENTATIVES

I CALL TO ORDER

The Honorable Marlyn L. Primicias-Agabas, Chairperson of the Committee on Revision of Laws, called the meeting to order at 9:35 A.M.

II ROLL CALL

On motion duly seconded, the calling of the roll was dispensed with

III READING/APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

On motion duly seconded, the reading of the minutes of the previous meeting of the Committee was dispensed with and subsequently approved.

IV CONSIDERATION OF HB 800, entitled: *An Act Amending Article 310 of the Revised Penal Code by Supplanting Therefrom, as an Integral Part Thereof, the Specific Provisions Relative to the Crime of Qualified Theft of Coconuts from the Premises of a Plantation, Creating Sub Article 310-A which Specifically Penalizes said Crime introduced by Rep. Marc Douglas C. Cagas*

Rep. Marc Douglas Cagas explained that his proposal gives credence to the dictum that criminal statutes must always be attuned to the changing of the times. The crime of *qualified theft of coconuts taken from the premises of a plantation* was originally devised to encourage and protect the development of the coconut industry - as it was one of the sources of national economy during the Spanish era. The crafters obligingly made the law against theft of coconuts in the premises of plantations stiff in order to protect a new and thriving coconut industry at that time.

Hence, theft of coconuts and all its byproducts taken from the premises of plantations fall under the crime of qualified theft as stipulated in Article 310 of the Revised Penal Code (RPC). He further explained that the duration of jail sentence of the crime qualified theft is always two degrees higher than theft.

With the abundance of coconuts and proliferation of coconut plantations now a days, Article 310 of the Revised Penal Code had become harsh and outdated. He further stated that coconut products are not exactly of same economic importance as before. On that note, he concluded amending Article 310 of RPC is of the essence.

The bill aims to add Sub Article 310-A to address the injustice he had mentioned. According to him, the crime of qualified theft of coconuts from a plantation should be deleted from the list of the acts covered and punishable as qualified theft in Article 310 of the Revised Penal Code. In effect, Sub-Article 310-A downgrades the imposable offense to simple theft of coconuts and therefore the penalties prescribed for commission of such crime shall be lowered by two degrees as specified.

Thereon, Representatives Socrates and Gunigundo expressed their support to the proposal contending that it is the mandate of the Committee to update the provisions of the laws.

On motion duly seconded, HB 800 was approved without amendments.

V **CONSIDERATION OF HOUSE BILL NO. 1457**, entitled: *An Act Declaring Every 27th Day of November as "Araw ng Pagbasa," a Regular Working Holiday introduced by Rep. Jorge B. Banal, Jr.*

Rep. Jorge B. Banal Jr. explained that the bill is actually similar to what they are doing in Quezon City. He hopes to replicate the same to the whole country. He added that the declaration is fit to be celebrated every 27th of November as it coincides with the birth anniversary of Ninoy Aquino. The declaration aims to promote reading and literacy and motivate the Filipinos to learn from the lives and works of eminent Filipinos such as Ninoy Aquino. It also seeks to make reading a shared physical experience, thereby increasing its relevance amidst the proliferation of online activities specifically among the youth.

The Department of Education shall embody and outline reading activities in schools and other strategic locations to increase awareness of the importance of reading. November 7 of every year shall be a regular working holiday. On this day, Rep Banal hopes for the nation, particularly the students to have time to bask on the contributions to our culture and national heritage of our national heroes.

Dr. Tina Ocampo, President of Reading Association of the Philippines stated that the celebration is also aligned with the objectives of the Philippine Book Development Month, which is celebrated on same month of every year pursuant to Presidential Proclamation No. 1436 of 2008. Proclamation 1436 sets programs and educational activities throughout the country. She further suggested the integration of reading materials on the lives of our heroes such as Ninoy Aquino and other illustrious Filipinos to the program.

Thereon the Body agreed to the suggestion of Rep. Gunigundo for the Department of Education to integrate reading skills modules to delineate passive and active reading during the activity. He said there are reading activities that need special focus, which departs from leisure reading. Scholastic journals need special reading techniques in order to maximize its full use. He also said that there are reads that requires the user to take exams after such activity.

On motion duly seconded, House Bill No. 1457 was approved subject to style.

VI **CONSIDERATION OF HOUSE BILL NO. 3045**, entitled: *An Act Repealing Batas Pambansa Bilang 22, also Known as the Bouncing Checks Law." Introduced by Representative Dennis M. Socrates*

Rep. Socrates explained that his proposal is simply to repeal Batas Pambansa Bilang 22, known as the Bouncing Checks Law or BP 22. The Congressman opined that BP 22 runs counter to the constitutional guarantee against imprisonment for debt contained in Section 20, Article III of the 1987 Constitution (Bill of Rights). He believes that the provision at bay is a throwback to the dark ages of civilization, when personal liberty was collateralized to indebtedness.

Simply put, the loans or debts collateralized by personal checks sever personal liberty, therefore is immoral. According to Rep. Socrates, the act greatly diminishes freedom of debtors and transcends to commercial value. What happens is we are equating personal liberty with monetary debts, he said.

Moreover, repeal of BP 22 will avoid a situation where creditors have become careless in lending without bothering to check the credit worthiness or capacity to pay of their borrowers. This is what happened in the recent global recession with the collapse of the US sub-prime mortgage market.

He added that the proposal does not in anyway erase the culpability of the debtor because civil action can still be pursued. Aside from what have already been mentioned, rare cases where deceit is present, the creditor may still file for estafa as remedial option.

On that note, Mr. Juan J. De Zuñiga, Assistant Governor and General Counsel of Bangko Sentral ng Pilipinas said:

- That there was a 1986 Supreme Court decision upholding the Constitutionality of BP 22; and
- That repeal of BP 22 will not declog the courts of similar cases. Because there are remedies as mentioned.

At this point, Representative Cagas reminded the Body that in reality misuse of checks are being committed in deceitful manner. Checks were issued in bad faith in pyramiding schemes and transactions meant to dupe buyers in internet transactions.

Chairperson Agabas stated that in the next consideration of the proposal the Committee will invite BJMP to determine the number of prisoners who will be released if BP 22 is repealed, Court Administrators, Integrated Bar of the Philippines and agencies in the private sector who will be affected by the proposal.

VII CONSIDERATION OF HB NO 373, entitled: *An Act Providing Penalties for the Crime theft and Robbery of Portable Telecommunication Devices Introduced by Rep. Marguerita B. Del Mar*

Rep. Del Mar stated that her bill seeks to provide stiffer penalties for the crime of robbery and theft of cellular phones and other portable telecommunications devices and by disqualifying any person convicted under the proposed bill to avail of the plea-bargaining and the privilege granted by the probation law. She added that the proposal was spurred by the fact that the telecommunication devices therein enumerated are tools for growth. It is sad fact, however these gadgets are also targets of snatching, robbery and theft. Sadder still is the illegal acts aforementioned result to psychological traumas, injuries or even death to the victims.

Rep. Cagas appreciated the importance of the proposal to lodge stiffer penalties to the crime of theft and robbery of the telecommunication gadgets specified. However, he also suggested to further study the bill so that the Committee could later introduce perfecting amendments when the crime had been committed with other crime like homicide or physical injuries. In such a case, the simple theft will be treated as a complex crime. The situation requires a specific provision to define the crime in such a way that it would not fall within the ambit of the applicability of Probation law. According to Rep. Cagas, it goes without mention that the proposal seems aimed to exclude the criminal from availing probation.

Rep. Gunigundo pointed out that in circumstances where theft of portable communication devices or gadgets is committed with other graver crime, theft had now become an aggravating circumstance that would force judges to impose higher penalty. He reminded the Body that theft and robbery have big difference. He agreed with Rep. Cagas that perfecting amendments should be introduced to the proposal to delineate and define all circumstances.

Thereon, Rep. Climaco suggested that the Committee invite the Department of Justice in the next Committee hearing to get their comments and suggestions to the bill.

VII CONSIDERATION OF HOUSE BILL NO. 164, entitled: *An Act to Set the Philippine Standard Time (PST) in all Official Sources Throughout the Country and to Provide Funds for the Installation, Operation and Maintenance of Synchronized Time Devices to be Displayed in Key Public Places and to Declare the First Week of Every Year as "National Time Consciousness Week" introduced by Rep. Magtanggol Gunigundo*

Rep. Gunigundo informed the Committee that the main thrust of the bill is to set the Philippine Standard Time (PST) in all official sources of time throughout the country by providing funds for the installation, operation and maintenance of synchronized time devices that are to be displayed in key public places. The bill shall also institutionalize the "National Time Consciousness Week."

Further, Rep. Gunigundo stated that HB 164 is a re-filed bill and passed on Third and Final Reading in the House of Representatives in the 14th Congress.

Thereon, he emphasized the value of synchronizing the official time. He said time is a vital component of our social, legal, political religious, military and economic activity. By synchronizing the official watches and clocks, Filipinos can do things in unison and in precision. In this regard, Filipinos will learn to value time and practice punctuality and use time wisely.

Representative Maria Isabelle Climaco, the Co-Author of the proposal at bay added that synchronization is important in determining the time of birth and conversely the time of death.

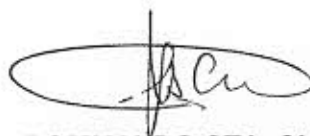
On motion, duly seconded House Bill No. 164 was approved without amendment.

Thereon, the Chairperson instructed the Committee Secretariat to prepare the Committee Reports on House Bill Nos. 800, 1457 and 164 subject to style or amendments of their approval.

VII ADJOURNMENT

There being no other matters to be discussed the meeting was adjourned at 12:30 P.M.

I hereby certify to the correctness of the foregoing.



ROMUALDO STA. CLARA
SLSO II

FACT SHEET

HOUSE BILL NO. 1457
(As Approved on November 17, 2010)

AN ACT DECLARING EVERY 27TH DAY OF NOVEMBER AS "ARAW NG PAGBASA", A REGULAR WORKING HOLIDAY

Introduced by : **REP. JORGE "BOLET" BANAL, JR. AND
MARLYN L. PRIMICIAS-AGABAS**

Committee Referral : **REVISION OF LAWS**
Committee Chairperson : **HON. MARLYN L. PRIMICIAS-AGABAS**

OBJECTIVE/S:

- To promote reading and literacy and make a shared physical experience that will uphold our Filipino heritage, values and culture.
- To ensure a meaningful reminder of educational activities focusing on the life and works of eminent Filipinos like Senator Benigno "Ninoy" Aquino, Jr. and his role in our country's history which influenced by great writings of different individuals of his idealism and patriotism.

KEY PROVISION/S:

- Declares November 27 of every year as regular working holiday to be known as "Araw ng Pagbasa"