



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

SIXTEENTH CONGRESS
First Regular Session

House Bill No. **3732**



Introduced by **Honorable ERLPE JOHN "PING" M. AMANTE**

EXPLANATORY NOTE

Section 6 of R.A. No. 9280 which covers the scope of practice of customs broker profession in its present form does not consider employment in government as practice of profession. This is unlike in the case of other professional regulatory laws as for example R.A. No. 9298 or practice of accountancy and R.A. No. 8495 or the practice of mechanical engineering. The proposed amendment will not only make R.A. No. 9280 in harmony with other professional regulatory laws but will make customs brokers in government more aware of their professional accountability in the discharge of their official functions.

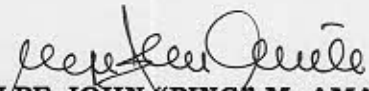
The proposed amendment of Section 6 seeks to make the Customs Broker Licensure Examination (CBLE) converted into professional level civil service eligibility under R.A. No. 1080 otherwise known as "An Act Declaring the Bar and Board as Civil Service Examinations".

The Philippines' accession to the International Convention on Simplification and Harmonization of Customs Procedures otherwise known as the Revised Kyoto Convention (RKC) necessitates the amendment of some local laws among them R.A. No. 9280 otherwise known as the Customs Brokers Act of 2004 and the Tariff and Customs Code of the Philippines, as amended.

The concept is that the Bureau of Customs should match the expertise of a highly-trained Customs Broker in private practice making the import entry declarations and that customs brokers as professionals would serve as government's first line of defense against unlawful acts against customs.

The proposed amendment of Section 32 of R.A. No. 9280 seeks to inculcate in the minds of customs brokers that their primary function as professionals is the collection of rightful revenue due the government and not the pecuniary interest of their clients when making import and export declarations and representing them before the Bureau of Customs. This is similar to the primary responsibility of lawyers of administering justice in their advocacy when representing clients before the courts of justice.

In view of the foregoing, the approval of this bill is earnestly sought.


ERLPE JOHN "PING" M. AMANTE



Republic of the Philippines
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SIXTEENTH CONGRESS
First Regular Session

House Bill No. **3732**

Introduced by **Honorable ERLPE JOHN "PING" M. AMANTE**

AN ACT PROFESSIONALIZING THE BUREAU OF CUSTOMS, COMPLYING WITH COMMITMENT OF THE PHILIPPINES' ACCESSION TO THE INTERNATIONAL CONVENTION ON THE SIMPLIFICATION AND HARMONIZATION OF CUSTOMS PROCEDURES OTHERWISE KNOWN AS THE REVISED KYOTO CONVENTION, TO MAKE CUSTOMS BROKERS MORE AWARE OF THEIR RESPONSIBILITY AND ACCOUNTABILITY AS A PROFESSIONAL THEREBY AMENDING FOR THE PURPOSE R.A. NO. 9280, OTHERWISE KNOWN AS THE CUSTOMS BROKERS ACT OF 2004.

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

SECTION 1. Section 6 of Republic Act No. 9280 is hereby amended to read as follows:

SECTION 6. *Scope of Practice of Customs Brokers* – Customs Broker Profession involves services consisting of consulation, preparation of customs requisite documents for imports and exports, declarations of customs duties and taxes, preparation, signing, filing, lodging and processing of import and export entries, representing importers and exporters before any government agency and private entities in cases related to valuation and classification of imported articles and rendering of other professional services in matters relating to customs and tariff laws, its procedures and practices.

A custom broker shall be considered in the practice of the profession if the nature and character of his/her employment in private enterprises **AND IN GOVERNMENT** requires professional knowledge in the field of customs and tariff administration. **THE CIVIL SERVICE ELIGIBILITY SHALL BE THE CUSTOMS BROKER LICENSURE EXAMINATIONS CONVERTED INTO PROFESSIONAL LEVEL UNDER THE PROVISIONS OF REPUBLIC ACT NO. 1080 OTHERWISE KNOWN AS "AN ACT DECLARING THE BAR AND BOARD EXAMINATIONS AS CIVIL SERVICE EXAMINATIONS".** He/she is also deemed in the practice of customs broker profession if he/she teaches customs and tariff administration subject in any university, college or school duly recognized by government.

SECTION 2. Paragraph (f), Section 8 of R.A. 9280 is hereby amended to read as follows:
SEC. 8. Qualification of the Chairman and Members of the Board.-

The chairman and members of the Board must, at the time of their appointment:

(f) Not be a member of the faculty, whether full-time or part-time, of any school, college or university or **A REVIEW OR TRAINING CENTER** where a regular and/or review course in customs administration is taught, nor shall have any pecuniary interest in such institution; and

SECTION 3. Section 27 of R.A. 9280 is hereby amended to read as follows:

"SECTION 27 - Acts Constituting Practice of Customs Broker Profession.- Any single act or transaction embraced within the provision of Section 6 hereof shall constitute an act of engaging in the practice of customs broker profession. **IMPORT ENTRY SHALL BE SIGNED BY A CUSTOMS BROKER AND THE CONSIGNEE/OWNER/IMPORTER UNDER OATH BASED ON THE COVERING DOCUMENTS SUBMITTED BY THE IMPORTERS: PROVIDED THAT, EXPORT DECLARATION SHALL BE SIGNED BY THE EXPORTER OR, AT HIS OPTION, DELEGATE THE SIGNING AND PROCESSING OF THE DOCUMENT TO HIS DESIGNATED CUSTOMS BROKER OR AUTHORIZED REPRESENTATIVE.**

SECTION 4. Section 30 of R.A. 9280 is hereby amended to read as follows:

SECTION 30. Prohibition Against Financing Activities By Customs Brokers.- No Customs Brokers shall advance and finance on behalf of their client-importers the payment of duties and taxes, arrastre charges, wharfage dues, storage fee and other port **AND WAREHOUSE** charges.

SECTION 5. Section 32 is hereby amended to read as follows:

SECTION 32. *Code of Ethics for Customs Broker Profession.*- **THE BASIC FOUNDATION OF THE CODE OF ETHICS FOR CUSTOMS BROKERS IS THE PREMISE THAT THEY ARE QUASI-CUSTOMS OFFICIALS AND THE PRIMARY FUNCTION OF THEIR OFFICE IS COLLECTION OF RIGHTFUL REVENUE DUE THE GOVERNMENT. ANY ACT BY A CUSTOMS BROKER WHICH IS CONTRARY TO HIS PRIMARY FUNCTION SHALL BE CONSTRUED AS VIOLATION OF THE CODE OF ETHICS AND SHALL BE SUBJECT HIM TO ADMINISTRATIVE SANCTIONS AND THE PENAL PROVISIONS OF THIS ACT.** The Board shall adopt and promulgate the Code of Ethics and Code of Technical Standards which shall be prescribed and issued by the accredited professional organization of customs brokers.

SECTION 6. *Implementing Rules and Regulations (IRR)*- Within three (3) months from effectivity of this Act, the Professional Regulatory Commission, through the Professional Regulatory Board for Customs Brokers with due consultation to the accredited professional organization shall promulgate the IRR of this Act.

SECTION 7. *Separability Clause* – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SECTION 9. *Repealing Clause* – All laws, presidential decrees, letters of instruction, executive orders, rules and regulations, or any part thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 10. *Effectivity* – This Act shall take effect after fifteen (15) days following its publication in two (2) newspapers of general circulation.

Approved,



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila
SIXTEENTH CONGRESS
First Regular Session

House Bill No. **3733**



Introduced by **Honorable ERLPE JOHN "PING" M. AMANTE**

EXPLANATORY NOTE

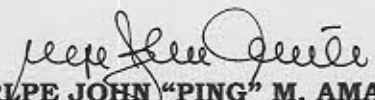
This Bill seeks to establish a National Bureau of Investigation (NBI) District Office in the City of Cabadbaran, Province of Agusan del Norte.

The National Bureau of Investigation is maintaining only one office in the whole Caraga Region which also serves as its Regional Office. Aside from its regular function of rendering technical assistance for the efficient detection and investigation of crimes and the coordination with national and local law enforcement agencies for the maintenance of peace and order, one of the basic and frontline services that the NBI is serving directly its clientele is the issuance and renewal of NBI Clearance which most people applying for domestic and overseas employment needed for their successful employment. However, with the existing organizational set up of the Bureau with only one office catering entire Caraga Region, it is highly necessary for the NBI to start establishing district or satellite offices within the region to maintain the efficient and responsive service of the Bureau to the people.

The City of Cabadbaran, the capital city of the province of Agusan del Norte and the seat of the provincial government, is a strategic location for the establishment of national government offices as it will not only serve the populace of Agusan del Norte but also the people of nearby provinces of Surigao del Norte and Surigao del Sur.

With the establishment of a NBI District Office in the City of Cabadbaran, Agusanons and Surigaonons need not to go to NBI Regional Office in Butuan City just to secure or renew NBI Clearance. Also, it is anticipated to decongest the bulk of work that the Regional Office is undertaking, thus, better and quality service will be provided.

In view of the foregoing, the approval of this Bill is earnestly sought.


ERLPE JOHN "PING" M. AMANTE



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila
SIXTEENTH CONGRESS
First Regular Session

House Bill No. **3733**

Introduced by **Honorable ERLPE JOHN "PING" M. AMANTE**

AN ACT
ESTABLISHING A NATIONAL BUREAU OF INVESTIGATION (NBI)
DISTRICT OFFICE IN THE CITY OF CABADBARAN,
AGUSAN DEL NORTE AND APPROPRIATING FUNDS THEREFORE

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

Section 1. *Establishment* - There shall be established a National Bureau of Investigation (NBI) District Office in the City of Cabadbaran, Agusan del Norte.

Section 2. *Rules and Regulations* - The Director of the National Bureau of Investigation shall issue rules and regulations necessary for the effective implementation of this Act.

Section 3. *Appropriations* - The Director of the National Bureau of Investigation shall immediately include in the programs of the Bureau the establishment and operationalization of the National Bureau of Investigation (NBI) District Office in the City of Cabadbaran, Agusan del Norte, the funding shall be included in the General Appropriations Act.

Section 4. *Effectivity* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspaper of general circulation.

Approved



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

SIXTEENTH CONGRESS
First Regular Session

House Bill No. **3734**



Introduced by **Honorable ERLPE JOHN "PING" M. AMANTE**

EXPLANATORY NOTE

This bill seeks to create the Caraga National Dairy Cow Research Center which shall lead in the research of breeding and raising dairy cows in Caraga Region.

This is to support the Philippines' Dairy Roadmap 2010-2016 which envisions a vibrant local dairy industry providing affordable milk to Filipinos and contributing to agribusiness expansion and job generation.

The National Dairy Authority (NDA) projects by 2014 a demand of 98.02 million liters of Ready-to-Drink Milk; however, supply will only be 89.10 million liters in which 52.08 million liters (58%) have to be imported. This is equivalent to Php 3.2 billion to 3.9 billion.

To achieve the Roadmap's target of 43% local milk sufficiency by 2016, a total of 20,000 dairy animals should be infused to build the required milking herd of about 55,000 heads. With dairy cows being more productive than other milk-producing animals, it is imperative that we increase and improve its stock and complement this with the promotion of dairy production enterprises through research and development.

The Caraga State University is being proposed as location of the Center due to available land area and its experience in breeding large ruminants.

Hence, approval of this bill is earnestly requested.

ERLPE JOHN "PING" M. AMANTE



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

SIXTEENTH CONGRESS
First Regular Session

House Bill No. **3734**

Introduced by **Honorable ERLPE JOHN "PING" M. AMANTE**

AN ACT
CREATING THE CARAGA NATIONAL DAIRY COW RESEARCH CENTER
AT THE CARAGA STATE UNIVERSITY, BRGY. AMPAYON, BUTUAN CITY
AND PROVIDING FUNDS THEREOF

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

SECTION 1. *Short Title.* – This Act shall be known as the
"Caraga National Dairy Cow Research Center Act."

SECTION 2. *Creation of the Caraga National Dairy Cow Research Center.* — There is hereby created a Caraga National Dairy Cow Research Center, hereinafter referred to as the CNDCRC, which shall lead in the research of dairy cow breeding and development of dairy production enterprises in Caraga Region, and shall be under the supervision and control of the National Dairy Authority.

The CNDCRC shall be located inside the Caraga State University (CSU), Brgy. Ampayon, Butuan City or in any other area within Caraga Region the CNDCRC Advisory Board deems appropriate.

SECTION 3. *Objectives and Functions* – The CNDCRC shall have the following objectives and functions:

- a. Provide the National Dairy Authority (NDA) and local farmers a steady supply of quality dairy cow stocks at reasonable prices through an organized program of production, breeding, and dispersal which may be in partnership with the private sector;

- b. Undertake scientific research that shall lead to the improvement of over-all productivity of dairy cows in the Philippines, as well as developmental research to promote the establishment of dairy production and processing enterprises;
- c. Conduct training programs for farmers and entrepreneurs to transfer knowledge and technology on the proper reproduction and raising of dairy cows and the processing of its milk to different products;
- d. Coordinate with the NDA in implementing programs to boost local production of milk and reduce importation of milk and other dairy products; and,
- e. Enter into memoranda of agreement and receive donations through the Department of Agriculture from local and foreign sources.

SECTION 4. *CNDCRC Advisory Board.* — The CNDCRC Advisory Board shall be composed of the following:

- a. Administrator of the NDA or his representative, as Chairman;
- b. Executive Director, Philippine Council for Agriculture, Forestry and Natural Resources, Research and Development (PCARRD);
- c. President of the Caraga State University;
- d. Director of the Bureau of Animal Industry;
- e. Executive Director of CNDCRC; and,
- f. Farmers' representative to be appointed by the Board.

SECTION 5. *Functions of the CNDCRC Advisory Board.* — The CNDCRC Advisory Board shall perform the following functions;

- a. Formulate policies, programs and projects for the development of Philippine dairy cow stocks and dairy production and processing enterprises;
- b. Review and recommend the annual budget of the CNDCRC; and,
- c. Evaluate the implementation, efficiency and effectiveness of the program and projects of the CNDCRC.

SECTION 6. *Executive Director of the CNDCRC.* — The Executive Director of the CNDCRC shall be appointed by the Secretary of the Department of Agriculture.

SECTION 7. *Personnel and Staff* — The CNDCRC Executive Director shall appoint such other personnel and staff as may be necessary for the effective operation of the CNDCRC subject to existing rules and regulations.

SECTION 8. *Implementing Rules and Regulations.* The Secretary of the Department of Agriculture shall issue rules and regulations as he may deem necessary for the implementation of this Act.

SECTION 9. *Appropriation.* — The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

Any income from the sale of dairy cow stocks, bull semen, and other valuable produce of the CNDCRC shall be placed in a revolving fund to be used to support its operations.

SECTION 10. *Repealing Clause.* - All laws, decrees, executive orders, proclamations, rules and regulations, or parts thereof inconsistent herewith are hereby repealed or modified accordingly.

SECTION 11. *Separability Clause.* - If any provision of this Act is held invalid or unconstitutional, the other provisions not affected hereby shall remain valid and subsisting.

SECTION 12. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

SIXTEENTH CONGRESS
First Regular Session

House Bill No. **3735**



Introduced by **Honorable ERLPE JOHN "PING" M. AMANTE**

EXPLANATORY NOTE

This bill seeks to create mandatory positions for tourism officers at the provincial and city levels and optional positions at the municipal level.

In support of the State's policy of developing responsible and sustainable tourism that ensures full enjoyment of benefits by host communities, professional and qualified tourism officers must be appointed in every LGU to enhance their competence and capacity to plan, manage, and oversee local tourism development.

Republic Act 9593, otherwise known as The Tourism Act of 2009, speaks of the creation of a permanent item for a tourism officer in every province, city, and municipality. However, this is only mandated to areas described loosely as having a significant tourism industry, as provided in Section 125(a) of the said Act. This bill shall set a clear directive on the appointment of tourism officers in LGUs, at least at the provincial and city levels, with the confidence that tourism must certainly exist in these jurisdictions – may it be by hosting attractions, sports/medical/wellness facilities, and venues for meetings, incentives, conventions, and events/exhibits (MICE) or by being key tourist service centers.

The mandatory accreditation of all primary tourism enterprises, as stipulated in R.A. 9593, will likewise need the tourism officers for its effective implementation on the ground.

Taking all these into account, the approval of this bill is thus earnestly requested.


ERLPE JOHN "PING" M. AMANTE



Republic of the Philippines
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Quezon City, Metro Manila

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 3735

Introduced by **Honorable ERLPE JOHN "PING" M. AMANTE**

AN ACT
PROVIDING FOR MANDATORY APPOINTMENT OF TOURISM OFFICERS
IN PROVINCES AND CITIES AND OPTIONAL APPOINTMENT IN
MUNICIPALITIES, AMENDING FOR THE PURPOSE REPUBLIC ACT 7160,
OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991 AS
AMENDED, AND FOR OTHER PURPOSES

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

SECTION 1. *Declaration of Policy.* — The State shall provide for a local government position that will be responsible for and accountable to the development of the tourism industry whereby it is harnessed as an engine of sustainable socio-economic growth and cultural affirmation to generate investment and employment.

SECTION 2. Section 443(b) of Republic Act No. 7160 entitled "Officials of the Municipal Government" is hereby amended to read as follows:

(b) In addition thereto, the mayor may appoint a municipal administrator, a municipal legal officer, a municipal agriculturist, a municipal environment and natural resources officer, a municipal social welfare and development officer, a municipal architect, (and) a municipal information officer(.), **and a municipal tourism officer.**

SECTION 3. Section 454(a) of Republic Act No. 7160 entitled "City Officials in General" is hereby amended to read as follows:

(a) There shall be in each city a mayor, a vice-mayor, sangguniang panlungsod members, a secretary to the sangguniang panlungsod, a city treasurer, a city assessor, a city accountant, a city budget officer, a city planning and development coordinator, a city engineer, a city health officer, a city civil registrar, a city administrator, a city legal officer, a city veterinarian, a city social welfare and development officer, (and) a city general services officer(.), **and a city tourism officer.**

SECTION 4. Section 463(a) of Republic Act No. 7160 entitled "Officials of the Provincial Government" is hereby amended to read as follows:

(a) There shall be in each province a governor, a vice-governor, members of the sangguniang panlalawigan, a secretary to the sangguniang panlalawigan, a provincial treasurer, a provincial assessor, a provincial accountant, a provincial engineer, a provincial budget officer, a provincial planning and development coordinator, a provincial legal officer, a provincial administrator, a provincial health officer, a provincial social welfare and development officer, a provincial general services officer, a provincial agriculturist, (and) a provincial veterinarian(.), **and a provincial tourism officer.**

SECTION 5. There shall be incorporated in Title V entitled "Appointed Local Officials Common to All Municipalities, Cities, and Provinces" of the said Code a new article to be known as Article XXI on The Tourism Officer to read as follows:

**"ARTICLE XXI
The Tourism Officer**

Section 490-A. *Qualifications, Powers, and Duties*

(a) No person shall be appointed tourism officer unless he is a citizen of the Philippines, a resident of the local government unit concerned, of good moral character, a holder of a college degree on tourism, business, law, economics, marketing, public administration or other related fields from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have at least five (5) years of substantial work experience and involvement in the tourism industry either in the private sector or government.

Local Government Units with existing Tourism Officers prior to the implementation of this law will be given three (3) years to comply with the aforementioned requirements.

(b) The tourism officer shall take charge of the office for tourism and shall:

- (1) Prepare, implement, coordinate, monitor and update local tourism development plans;
- (2) Ensure the proper enforcement of tourism standards, laws, rules and regulations;
- (3) Provide regular reports on status of tourism plans and programs, tourist arrivals, employment, occupancy rates, investment and tourist products, among others, to the local chief executive and DOT; and
- (4) Coordinate with the DOT and its attached agencies and corporations in regard to the development and promotion of tourism in the locality.

(c) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance."

SECTION 6. *Repealing Clause.* - All laws, decrees, executive orders, proclamations, rules and regulations, or parts thereof inconsistent herewith are hereby repealed or modified accordingly.

SECTION 7. *Separability Clause.* - If any provision of this Act is held invalid or unconstitutional, the other provisions not affected hereby shall remain valid and subsisting.

SECTION 8. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,