



Committee Daily Bulletin

18th Congress
Third Regular Session

A publication of the Committee Affairs Department

Vol. III No. 121
January 13, 2022

CONFERENCE COMMITTEE MEETING

COMMITTEE	MEASURES		SUBJECT MATTER	ACTION TAKEN/ DISCUSSION
	NO.	PRINCIPAL AUTHOR		
Conference Committee	HB 10301 & SB 2152	Rep. Romulo and Sen. Gatchalian	Excellence in Teacher Education Act	<p>The Conference Committee approved the reconciled version of House Bill 10301 and Senate Bill 2152.</p> <p>The bicameral body is co-chaired by the following Members of Congress: Reps. Roman Romulo (Pasig City) and Mark Go (Baguio City), Chairpersons of the House Committees on Basic Education and Culture and Higher and Technical Education; and Senators Win Gatchalian and Joel Villanueva, Chairpersons of the Senate Committees on Basic Education, Arts and Culture and Higher, Technical and Vocational Education.</p> <p>The proposed law aims to provide and ensure quality education by strengthening the education and training of teachers nationwide through a national system of excellence for teacher education. The existing Teacher Education Council (TEC) shall be strengthened to implement the proposed law.</p> <p>After thoroughly discussing the last contentious provision of the two bills regarding the formulation of the teacher education roadmap, the Conference Committee agreed that the provision shall be stated as:</p> <p>“The TEC shall establish a roadmap for teacher education which shall serve as guide for designing relevant, responsive, innovative, creative, and collaborative programs. This roadmap shall be submitted to the Commission on Higher Education for inclusion in the National Higher Education Roadmap that serves as the human resource development plan for national development.”</p> <p>In addition, the Conference Committee agreed to include a new section in the proposed law that will institutionalize the scholarship program under the TEC.</p> <p>Aside from Reps. Romulo and Go, other House Members present during the Conference Committee meeting were the following: Reps. Gabriel Bordado Jr. (3rd District, Camarines Sur), Ruth Mariano-Hernandez (2nd District, Laguna), and Kristine Alexie Tutor (3rd District, Bohol).</p> <p>On the part of the Senate, aside from Senators Gatchalian and Villanueva, the other conferees present in the meeting were Senators Ramon Bong Revilla Jr. and Pia Cayetano.</p>

COMMITTEE MEETINGS ON HOUSE MEASURES

COMMITTEE	MEASURES		SUBJECT MATTER	ACTION TAKEN/DISCUSSION
	NO.	PRINCIPAL AUTHOR		
Banks and Financial Intermediaries	Substitute Bill to HBs 9615, 10141 & 10412	Reps. Cua, Villafuerte, and Cabochan	Regulating the use of bank accounts, e-wallets, and other financial accounts	<p>The Committee, chaired by Quirino Rep. Junie Cua, approved the Substitute Bill to the three bills, subject to style and the submission of the clarificatory language by the Bangko Sentral ng Pilipinas (BSP) on the enforcement provision of the substitute bill.</p> <p>At the outset, Rep. Cua, who is also the author of House Bill 9615, said that the measure is timely and relevant in view of the exponential growth of electronic financial transactions during this pandemic and the concomitant increase in cybercrimes that have victimized the depositing public and the banking industry. He said the proposed law seeks to regulate the use of bank accounts, e-wallets, and other financial accounts to prevent cybercriminals from using these accounts to receive or transfer proceeds derived from any suspicious or criminal activity.</p> <p>During the deliberation on the substitute bill, BSP Director for Technology Risk and Innovation Supervision Department Melchor Plabasan informed the body that the proposed amendments presented in the previous meeting have already been incorporated in the substitute bill.</p> <p>A small technical working group, led by the BSP and participated in by the Bankers Association of the Philippines (BAP) and the Department of Justice (DOJ), was formed earlier upon the request of the Committee Chair to come up with a draft substitute bill.</p> <p>After his brief presentation of the key features of the substitute bill, Plabasan said that the BSP is proposing additional amendments to the enforcement provision of the substitute bill. The Committee approved the enforcement provision proposed by the BSP which will now be stated as:</p> <p>“The provisions of Chapter IV of Republic Act 10175 (Cybercrime Prevention Act of 2012) shall be applicable in the enforcement of this Act: Provided, that the BSP shall have the authority to investigate cases involving violation of this Act, and to apply for cybercrime warrants and orders mentioned in Chapter IV of RA 10175: Provided, further, that the BSP may request the assistance of the cybercrime units of the National Bureau of Investigation (NBI) and the Philippine National Police (PNP) in the investigation of cases involving violations of this Act and in the enforcement and implementation of cybercrime warrants and related orders.”</p> <p>The Committee also approved the proposal of the PNP, DOJ, and the Bank of the Philippine Islands to merge Section 6 and 7 of the substitute bill which will now be stated as: “A prosecution under this Act shall be without prejudice to any liability for violation of any provision of the Revised Penal Code, as amended, or special laws: Provided, that the penalty to be imposed shall be one (1) degree higher than that</p>

<p>Continuation... Banks and Financial Intermediaries</p>				<p>provided for by the Revised Penal Code, as amended, and special laws, as the case may be.”</p> <p>On the suggestion of DOJ Office of Cybercrime State Counsel Angela Marie De Gracia to include a provision in the substitute bill detailing how the PNP and NBI will conduct their investigation in pursuit of cybercriminals involved in online financial transactions, Plabasan suggested to just include this in the proposed law’s Implementing Rules and Regulations. He also explained that the enforcement provision already made reference to Chapter IV of RA 10175, which empowers law enforcement agencies such as the PNP and NBI to conduct investigations in relation to cybercrimes.</p> <p>Meanwhile, PNP Anti-Cybercrime Group Legal Affairs OIC-Division Chief Nova De Castro-Aglipay commented that it is difficult for law enforcement agencies to secure from the bank any information (name, address, contact number, and copy of valid ID) about depositors, who are potential suspects, as these kinds of information are covered by the Bank Secrecy Law. She also said that pursuant to the Cybercrime Prevention Act of 2012, the subscriber’s information can only be used in courts as evidence if it was obtained from the service provider through a warrant to disclose computer data.</p> <p>De Castro-Aglipay stressed that such provisions in existing laws would impede the conduct of investigations and the prosecution of suspects involved in cybercrimes in online financial transactions.</p> <p>To address this concern, Plabasan disclosed that the BSP is already formulating a new policy or resolution allowing banks to divulge the subscriber’s information, in aid of investigation or court proceedings related to cybercrimes in online financial transactions, without violating the Bank Secrecy Law. He said this is a more feasible and immediate solution as compared to amending this law.</p> <p>On the requirement under the Cybercrime Prevention Act to obtain subscriber’s information through a warrant in order to be used as court evidence, Plabasan said the BSP will work with the PNP and DOJ to revise the enforcement provision of the bill so as to provide an exemption from this particular requirement.</p> <p>The Committee agreed with the suggestions of Plabasan and asked him to submit the provision’s revised language as soon as possible.</p>
---	--	--	--	--