

INDICATIVE STATUS REPORT
GENERAL LEGISLATIVE ISSUES – EDC NCLAM
(as of March 20, 2009)

Issue Classification	Agenda	Status		Remarks	
A. Priority Legislative Advocacy	1. Magna Carta for MSMEs	HOR	Signed into law, 05/23/2008	<ul style="list-style-type: none"> ▪ DTI issued Implementing Rules and Regulations thru DTI Administrative Order 9-2008 (08/20/2008). ▪ BSP issued Circular No. 625 providing guidelines to all banks on the implementation of the provision on increased allocation of loans to MSMEs (10/14/2008). 	
		Senate	RA No. 9501: An Act to Promote Entrepreneurship by Strengthening Development & Assistance Programs to Micro, Small and Medium Enterprises, amending for this purpose Republic Act No. 6977, otherwise known as "Magna Carta for Small Enterprises" and for other purposes		
	2. Accession to the Revised Kyoto Convention	HOR	- NA -		
		Senate	<ul style="list-style-type: none"> ▪ Malacañang endorsed Instrument of Accession to Senate (01/31/2008) ▪ Senate Committee on Foreign Affairs conducted the first public hearing (05/15/2008) ▪ Office of Sen. Santiago advised for the revision of the Instrument of Accession, in view of lack of precedence to for an amendment during the last public hearing & the strong opposition from domestic shipping (07/24/2008) ▪ The President signed the Revised IA for RKC (03/16/2009) & transmitted to Senate 		<ul style="list-style-type: none"> ▪ EDC Secretariat preparing for a RKC Advocacy Workshop to strengthen the stakeholders' coordination and create a common work program for favorable Senate concurrence on the matter. Workshop is scheduled on March 26 (Thursday).
	3. Amendments to the Customs Brokers Act	HOR	<ul style="list-style-type: none"> ▪ HB 3274 was approved on 3rd reading, (12/19/2007) ▪ Transmitted and received by the Senate (1/3/2008) 		<ul style="list-style-type: none"> ▪ EDC/PHILEXPORT positions incorporated in the approved version. ▪ EDC submitted position paper to Committees on Trade & Industry and Civil Service & Professional Regulations (11/26/07) ▪ Participated in plenary deliberations
		Senate	<ul style="list-style-type: none"> ▪ SB No. 1409, 253 and 2462 filed ▪ Pending in the Committee on Civil Service & Government Reorganization (as of 3/18/2009). 		<ul style="list-style-type: none"> ▪ Position papers were submitted to: Sen. Legarda (1/23/08) Sen. Lacson (5/19/08) Sen. Trillanes (May 2008) Sen. Lacson (2/17/09) ▪ Mr. Ortiz-Luis paid a courtesy visit with Sen. Lacson to convey exporters' position on the matter. Sen. Lacson confirmed that the proposed measure is part of his priority list. However, the issue has not yet been scheduled for public hearing due to other Senate issues.

Issue Classification	Agenda	Status		Remarks
	4. Anti Smuggling Bill	HOR	Pending with the committee on Ways and Means, awaiting concurrence of the Committee on Appropriations regarding budgetary concerns (as of 03/18/2009).	<ul style="list-style-type: none"> ▪ HOR Ways & Means Chair, Cong. Exequiel Javier has accepted the position of EDC/PHILEXPORT (i.e. retention of bonded warehousing system) ▪ NCLAM is reviewing several provisions of the bill that are not conforming to the RKC standards & industry position.
		Senate	SB 2014 pending with the Committee on Ways and Means (as of 3/18/2009).	<ul style="list-style-type: none"> ▪ Schedule for public hearing upon resumption of session in April 2009. ▪ The Committee is in the process of preparing the 2nd draft of the substitute bill.
	5. Customs & Tariff Modernization Act	HOR	<p>HB No. 5342 filed; Read on First Reading and Referred to the Committee on WAYS AND MEANS; (10/10/08).</p> <p>Pending in the committee (as of 3/18/09).</p>	<ul style="list-style-type: none"> ▪ EDC Secretariat preparing position paper for clearance in the upcoming EDC Excom ▪ PHILEXPORT submitted position papers to BOC and HOR. ▪ Committee on Ways and Means already initiated solicitation of comments on HB 5342
		Senate	No Bill filed yet	<ul style="list-style-type: none"> ▪ The Committee on Ways and Means was still on the process of reviewing the Senate version of the CTMA bill (1/29/2009).
	6. Rationalization of Fiscal Incentives Bill	HOR	<p>HB No. 5241</p> <p>Approved on 2nd reading (3/04/09)</p>	<ul style="list-style-type: none"> ▪ The following positions were included in the approved bill: <ul style="list-style-type: none"> - Retention of Jewelry Industry Dev't. Act Incentives - Retention of ITH for exporters ▪ EDC NCLAM submitted a position paper to the HOR Committee on Ways and Means & endorsement for Jewelry Industry position (1/26/09). ▪ Attended the Plenary Deliberations to monitor the status of the bill.
		Senate	<p>SB No. 2375 and 1640 filed</p> <p>Read on First Reading and Referred to the Committee(s) on ECONOMIC AFFAIRS; TRADE AND COMMERCE; and WAYS AND MEANS;</p> <p>Pending in the Committees (03/18/2009)</p>	<ul style="list-style-type: none"> ▪ EDC NCLAM preparing position paper
	7. CITEM Bill	HOR	Bill for filing	<ul style="list-style-type: none"> ▪ Draft bill prepared ▪ Included as a high priority in the DTI legislative agenda ▪ Endorsed to CITEM for comments (2/03/2009). ▪ CITEM's Legal Officers & Incorporate Planning Division are still reviewing the CITEM bill for their final position (as of 3/19/2009).
		Senate	Bill for filing	

Issue Classification	Agenda	Status		Remarks
	8. Omnibus Maritime Code	HOR	HB No. 0076 filed. However, EDC concerns are not yet covered by the said bill	<ul style="list-style-type: none"> ▪ The team, lead by DOTC, in cooperation with EDC-NCLAm (thru UA&P/CRC) completed the economic analysis for the proposed bill. ▪ The team is currently finalizing the draft bill (6 out of 17 Chapters were already accomplished).
		Senate	Bill for filing	
B. Issues in the Pipeline	1. Sustainable Forest Management Bill	HOR	HB 5792, in substitute House Bill for HB 2189, was approved on 3 rd Reading (3/05/09).	<ul style="list-style-type: none"> ▪ PHILEXPORT consulted sectors involved (i.e. CFIP, CFIF) no comments were received so far. ▪ The bill considered as high priority by the Committees and scheduled to have a public hearing before the end of second SEM. of 2009.
		Senate	SB No. 3010, SB No. 0372, SB No. 0080 filed Pending on the Committee(s) on Environment and Natural Resources, Local Government, Ways and Means, and Finance (3/18/09.)	
C. Relevant Issues	1. Credit Information System Act	HOR	Signed into Law, 10/31/2008	<ul style="list-style-type: none"> ▪ TWG led by SEC, drafted IRR, for submission to Congress (2/24/2009).
		Senate	RA No. 9510: An Act Establishing the Credit Information System, and for other purposes	
	2. Limiting the Liability of Ship Agents in the Tramp Service	HOR	Signed into Law in Dec. 19, 2008	<ul style="list-style-type: none"> ▪ DTI-PSB & MARINA still arranging a meeting to facilitate drafting of the IRR ▪ Memo sent to PSB requesting the EDC's participation
		Senate	RA 9515: An Act defining the liability of Ship Agents in the Tramp Service and for other purposes.	
	3. Philippine Trade Representative Office	HOR	HB 5971 was approved on 3 rd Reading (3/05/09)	<ul style="list-style-type: none"> ▪ NCLAM identified conflict between DTI and PHILEXPORT/PCCI position, which cannot be compromised (08/12/2008) ▪ DTI-OPR submitted position papers on HB 4798 & HB 708 to Cong. Junie E, Cua on March 2, 2006 ▪ PHILEXPORT submitted position papers on HB 5971.
		Senate	Senate Bill No. 1612 Read on First Reading and Referred to the Committee(s) on TRADE AND COMMERCE; FOREIGN RELATIONS; and FINANCE; (9/19/2007) Pending in the committee on Trade and Commerce (as of 3/18/09).	
	4. Amendments to Agri-Agra Law	HOR	HB 0033 & 3161 filed Pending in the Committee on Agriculture & Food (as of 3/18/09)	<ul style="list-style-type: none"> ▪ So far, only DA has commented on the Committee's request. ▪ EDC commented to be cautious on this proposal as it may affect the financial position of Land Bank of the Philippines
		Senate	SB 0075, 0363, 0791, 0833, & 1828 filed Pending in the Committees on Banks, Financial Institutions & Currencies; and Agriculture & Food as of 03/18/2009	

Issue Classification	Agenda	Status		Remarks
	5. Farmland as Collateral	HOR	<p>HB 0032, 2707, & 3368 were under Committee Deliberations as of 3/18/09.</p> <p>The Committee on Agrarian Reform conducted public hearings in 9/03/08 & 9/30/08.</p>	<ul style="list-style-type: none"> ▪ So far, only DA has commented on the Committee's request. ▪ EDC commented to be cautious on this proposal. ▪ HB 0032, 2707 & 3368 may possibly harmonized with the CARP extension Bill (HB 4077) Authored by Cong. Junie Cua.
		Senate	<p>SB 1084 filed</p> <p>Pending with the Committee on Agrarian Reform (as of 3/18/09).</p>	
	6. Amendments to EPIRA Law	HOR	<p>HB 3124 approved on 1st reading under CR 97 (11/20/2007)</p> <p>Pending on 2nd reading (as of 3/18/2009).</p>	<ul style="list-style-type: none"> ▪ EDC NCLAM endorsed that the bill be formally handled by PCCI, since the expertise on the matter is within their jurisdiction (05/06/2008)
		Senate	<p>SB 2121 approved on 1st reading under CR 42 (3/12/2008)</p> <p>Pending on 2nd reading (as of 3/18/2009); Period of individual amendments;</p>	

Prepared by:

VERGEL R. CASTRO
EDC NCLAM Policy Advocacy Assistant

Noted by:

FRANCIS M. SUNE
EDC NCLAM Policy Advocacy Officer-in-Charge