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BusinessMirror

A broader look at today's business



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BIZ GROUPS ASSURED: PRIORITY BILLS TO PASS

By JOVEE MARIE N. DELA CRUZ

[@joveemarie](#)

THE leadership of the House of Representatives on Thursday assured the Philippine Chamber of Commerce and Industry (PCCI) of the passage, before yearend, of priority bills that business groups have been pushing to boost the economy and hasten recovery from the pandemic.

In a statement following his speech at PCCI's general membership meeting in Makati City, Speaker Martin G. Romualdez said majority of the priority measures spelled out by President Ferdinand Marcos Jr. in

his recent State of the Nation Address are principally authored by him, "so I expect my fellow legislators to act on these bills with dispatch."

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Romualdez was referring to these priority measures: (1) The Government Financial Institutions Unified Initiatives to Distressed Enterprises for Economic Recovery (GUIDE) Act; (2) Valuation Reform Bill; (3) Passive Income and Financial Intermediary Taxation Act or PIPITA; (4) E-Government Act; (5) Internet Transaction Act or E-Commerce Law; (6) National Land Use Act; (7) Enactment of an Enabling Law for the Natural Gas Industry; (8) Amendments to the Electric Power Industry Reform Act; and (9) Amendments to the Build-Operate-Transfer (BOT) Law.

"In fact, I am hopeful that we can approve most of these measures before the year ends," Romualdez said.

"One thing I assure you, though. As stakeholders, you will be consulted in every measure that we tackle, especially those involving commerce and industry. Please make your positions very clear on the issues I mentioned earlier as I want all stakeholders to be heard before we pass these measures," he added.

Fiscal framework adopted

THE Lakas-CMD President said PCCI's invitation also came at an opportune time as the House adopted last Monday Concurrent Resolution No. 2, which expresses the chamber's full support to the Medium-Term Fiscal Framework (MTFF) crafted by the administration of President Marcos.

"I dare say that the adoption by Congress of the MTFF Concurrent Resolution is a historic one," Romualdez said. "To my knowledge, this is the first time that our legislators fully committed themselves to a medium-term fiscal plan that will serve as anchor for the annual spending and financing plan of the national government. This—the Medium-Term Fiscal Framework—will serve as our guide in preparing the annual budget for the next six years," he said.

The Marcos administration designed the 2022-2028 Medium-Term Fiscal Framework to

attain short-term macro-fiscal stability while remaining supportive of the economic recovery and promoting medium-term fiscal sustainability.

It aims to reinvigorate job creation and poverty reduction by steering the economy back to its high-growth path in the near term and sustain the high—but inclusive and resilient—growth all through 2028.

"The philosophy is simple: efficient collection of taxes especially under a strong economy ensures adequate funding for government programs. In simple terms, the MTFF is a fiscal consolidation and resource mobilization plan. The objective: in the short run, keep the macroeconomy stable and provide adequate social services; in the medium term, generate more jobs, quality jobs, green jobs," Romualdez explained.

"We, in the House of Representatives, not only support the MTFF. We are also aligning Congressional initiatives with the economic recovery programs of the National Government," he added.

The framework contains an eight-point Socioeconomic Agenda aimed towards immediate job creation and poverty reduction. These include attaining food security; reduction of transport and logistic costs; reduction of energy cost to families; addressing public health concerns; strengthening of social protection programs; return to face-to-face classes; enhanced bureaucratic efficiency; and sound fiscal management.

The MTFF also sets macro-economic targets for the next six years, as follows: (1) 6.5- to 7.5-percent GDP growth in 2022 and 6.5- to 8-percent annual GDP growth from 2023 to 2028; (2) 9-percent poverty rate by 2028; (3) 3-percent national government deficit by 2028; (4) Less than 60-percent debt-to-GDP ratio by 2025; and (5) Upper middle-income country status for the Philippines, with each Filipino earning at least 4,046 US dollars per year.

Romualdez also said he will engage PCCI in serious discussions on how the government and private sector can work together to give flesh to the administration's economic agenda.



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TITLE: House bills seek ban on Single-use
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House bills seek ban on single-use plastics

BY MA. REINA LEANNE TOLENTINO

TWO bills filed in the House of Representatives seek to ban single-use plastics.

One of the measures, House Bill (HB) 1038, was filed by Bagong Henerasyon Rep. Bernadette Herrera on July 4.

"By implementing a national policy against the use of single-use plastics, the state shall ensure the protection of its environment, prioritize the safety of its citizens, and promote sustainable development

across all sectors," Herrera said in the bill's explanatory note.

If the measure is passed into law, a nationwide ban on single-use plastics will be implemented within a year upon its effectivity.

Schools, supermarkets, shops, hotels, establishments, government offices and industries will implement the ban.

A transition program that includes replacement of single-use plastics to "eco-friendly and sustainable alternatives" as an objective will be carried out.

"Existing single-use plastics of companies and industries under this Act shall be declared and shall be recycled accordingly," the bill states.

The penalties in the bill cover: establishments' use of single-use plastics "after the given time period and outside" declared data; companies' production of single-use plastics after the given time period; and importation of single-use plastics by companies.

HB 1248, on the other hand, was filed by Pangasinan Fifth District Rep. Ramon Guico Jr.

Under HB 1248, the transition from single-use plastics will be gradually implemented within 10 years.

"Single-use plastics from companies or industries already in circulation prior to the ban shall be declared and recycled accordingly," HB 1248 states.

The bill penalizes establishments who will resort to single-use plastics after the transition period, the production of single-use plastics after the transition period, and the importation of single-use plastics.



TITLE: Cayetano pushes plastic ban

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Cayetano pushes plastic ban

SEN. Pilar Juliana "Pia" Cayetano on Wednesday urged her fellow senators to "go paperless" and ban the use of plastics.

Cayetano noted that 164 million pieces of plastic sachets were used in the Philippines daily, accumulating to a staggering 59.7 billion pieces of sachets yearly.

Pressing the issue of sustainability and the importance of solid waste management, the senator called on her colleagues to stop using plastic bottles and sachets, and go paperless in the Senate.

"It is my duty to bring the concept of sustainability into discussion and debate every day," Cayetano said.

The chairman of the Senate Committee on Sustainable Development Goals noted that over 21 million tons of solid waste were generated in 2019, and about 10.55 percent of these were plastic.

Cayetano lamented that the amount of waste in the country has reached 18.05 million tons, noting that 50 percent of the amount were biodegradable, 15 percent were plastic, 15 percent were paper and 20 percent were miscellaneous.

Metro Manila contributed 26 percent to the country's total waste generation.

Inspired by Cayetano's speech, Sen. Juan Edgardo "Sonny" Angara urged the

Senate to go digital.

Angara asked Senate President Juan Miguel "Migz" Zubiri to convey to the Senate Secretariat that he no longer wanted to receive printed materials on his table.

The Senate Secretariat provides hard copies of Journals and the Order of Business to senators during sessions.

Zubiri expressed his full support for Cayetano's call.

Zubiri said being a scuba diver himself, he personally witnessed the damage caused by plastic products such as bottles, nets and sachets to the marine ecosystem, adding the harmful effect of plastic wastes also reduces the fish population, compromising the livelihood of Filipino fishermen.

"You have our full support, if there is a hearing I would love to attend as well," Zubiri assured Cayetano.

He also commended Sen. Cynthia Villar for defending the Expanded Producer Responsibility Act of 2022 or Republic Act 11898, which lapsed into law on July 23, 2022.

The law makes it mandatory for major producers of plastics like plastic bottles, plastic containers and sachets to spearhead programs to recover or recycle plastic waste.

BERNADETTE E. TAMAYO



Nationwide single-use plastics ban pushed

In response to the growing issue of plastic pollution, House Deputy Minority Leader and Bagong Henerasyon Partylist Rep. Bernadette Herrera has filed a bill calling for a national ban on single-use plastics.

House Bill (HB) 1038, introduced by Herrera, demands a comprehensive national ban on the use of numerous single-use plastic products that are harmful to the environment.

"By implementing a national policy against the use of single-use plastics, the state shall ensure the protection of the environment, prioritize the safety of its citizens, and promote sustainable development across all sectors," Herrera pointed out.

HB 1038 includes a penalty provision against those who continue to use and manufacture single-use plastics after the grace period has expired.

The lawmaker cited a statement from the Global Alliance for Incinerator Alternatives in her measure's explanatory note about the lack of a comprehensive national policy to regulate plastic bags.

Herrera drew attention to the inconsistent regulations adopted by various local government units, which can lead to penalties for residents unaware of what is legal in one place and illegal in another. "It is of utmost importance to align policies across the country and to work together with industries in eliminating plastic pollution," she stressed.

According to the 2015 report on plastic pollution by the Ocean Conservancy and the McKinsey Center for Business and Environment, the Philippines was the third highest source of ocean plastic pollution, with an estimated 2.7 million metric tons of plastic waste.

A transition program will also be implemented to assist all affected individuals and industries in implementing the ban.

The United Nations, on the other hand, estimates that 80 percent of the world's marine garbage comes from land-based sources, including trash driven into rivers and creeks by the wind.

Single-use plastics, also called disposable plastics, are commonly used for plastic packaging and include items intended to be used only once before they are thrown away or recycled. These include, among other things, grocery bags, food packaging, bottles, straws, containers, cups and cutlery.

According to Herrera's proposal, all single-use plastics must be banned nationwide within one year upon the effectiveness of the law. The government will also restrict how plastics are used in various businesses to protect the environment.

Businesses that continue to use single-use plastics after the permitted period will be fined P50,000 for the first offense, P100,000 and a six-month suspension of their business permission for the second offense, and a P200,000 fine and a one-year suspension of their business licenses. Meanwhile, companies who continue to produce single-use plastics after the allotted time will be subject to fines of P100,000 for the first offense, P250,000 for the second offense, P350,000 for the third offense, and P350,000 for the termination of their business permits. Single-use plastics importers, however, are subject to a P200,000 fine and a two-year suspension of their business licenses for the first offense. The Bureau of Customs will place the business on a blacklist for six months after the suspension is lifted. A P400,000 fine and the cancellation of the importer's business permits will be imposed for the second offense.

A transition program will also be implemented to assist all affected individuals and industries in implementing the ban.

EDJEN OLIQUINO



Herrera pushes nationwide ban on single-use plastics

By **RANDOLPH S. FLORES**

HOUSE Deputy Minority Leader and Bagong Henerasyon (BH) Party-list Representative Bernadette Herrera is pushing legislation that would institutionalize a nationwide ban on single-use plastics to tackle the fast-growing problem of plastic pollution.

Herrera filed House Bill (HB) No. 1038, which calls for an all-encompassing nationwide policy against using various single-use plastic products that harm the environment.

"By implementing a national policy against the use of single-use plastics, the State shall ensure the protection of the environment, prioritize the safety of its citizens, and promote sustainable development across all sectors," Herrera pointed out.

The veteran party-list lawmaker noted several initiatives for waste management in schools, workplaces, and even the hospitality and tourism industry.

She added that local government units (LGUs) have also taken action and have pushed for ordinances on waste management and the ban of single-use

plastic products such as plastic bags and straws.

Although many policies ban plastics in different cities in the Philippines and initiatives from industries to limit the use of plastics, Herrera said, "these are not enough."

Citing a statement from the Global Alliance for Incinerator Alternatives, Herrera said the lack of a comprehensive national policy to regulate plastic bags has proven problematic for cities and municipalities trying to reduce or regulate plastic bag usage within their jurisdiction.

She said that the lack of uniformity in policies also creates a lot of confusion

for citizens, who may find themselves penalized for lack of awareness about what is allowed in one city and what is not allowed in another.

"It is of utmost importance to align policies across the country and to work together with industries in eliminating plastic pollution," she stressed.

According to the 2015 report on plastic pollution by the Ocean Conservancy and the McKinsey Center for Business and Environment, the Philippines was the third highest source of ocean plastic pollution, with an estimated 2.7 million metric tons of plastic waste.



PET bottles, sachet, iba pang single-used plastic bawal na sa Senado

NAKATAKDA nang ipagbawal sa Senado ang paggamit ng PET bottles, sachet at iba pang uri ng single-used plastic bilang bahagi ng kampanya ng bansa laban sa tumaas na bilang ng basurang plastic

na sumisira ng kapaligiran.

Sa kanyang privilege speech nitong Miyerkules, partikular na binanggit ni Senador Pia Cayetano ang planong pagbabawal sa paggamit ng single-use plastic waste na nililikha ng Senado matapos

igit na nahikayat ang pagtaas ng paggamit ng disposable plastic sanhi ng pandemya.

Upang maipakita ang kanyang punto, namahagi si Pia ng tumblers sa lahat ng senador na nasa session hall bilang pagdidin sa pangangai-

langan na bawasan ang paggamit ng disposable plastic bottles sa Senado.

Binanggit din niya ang paggamit ng Senado ng maraming papel kada araw at hiniling sa kasamahan na maging digital at itigil ang paggamit ng printed materials kapag may sesyon. Ayon kay Senador Pia, chairman ng Senate committee on sustainable development goals (SDGs), innovation, and fu-

tures thinking, dapat bumuo ang Senado ng isang team na magkokolekta ng data sa waste generation, kabilang ang internal office, hinggil sa environmental sustainability.

Aniya, dapat gumamit ang Senado ng environmentally sustainable practices bilang institucion, sa pamamagitan ng "pagtingin sa loob" sa implementasyon ng waste reduction at disposal policies.

ERNIE REYES



Facing the plastics crisis

Environment writers have been calling out the attention of authorities and our country's leaders to look into the plastic pollution crisis that is now happening. This is an inevitable outcome of a long pandemic that relied on plastics, especially single-use plastics, to protect us from an unseen enemy — the virus that causes Covid.

Personal protective equipment (PPE), goggles, face shields, gloves, coveralls or lab gowns, head covers, shoe covers, etc. are all made of plastic. These have become the tools to help stop the spread of the virus and to protect medical frontliners. Add to that, the use of plastic was so enormous as almost all deliveries (from our online shopping to orders from fast food outlets) sent to our homes during the lockdowns were wrapped in plastic. So, is plastic friend or foe?

As I talked to environment advocates, they too realized that it would be very difficult to totally eradicate the use of plastics, especially single-use plastics, in our economic activity. They always referred to the role of plastics during the two-year health pandemic and the rise in its demand even though people are aware of its dire consequences for the planet.

Considering this situation, the government is not standing idly, though I can observe that its reaction to the plastics crisis is tepid at best. For one, there is already a bill that would regulate and eventually phase out single-use plastics (SUPs) in the country, which passed in July 2021 in the House. With 190 affirmative votes, zero negative votes, and one abstention, the chamber passed on third reading House Bill 9147, which seeks to "regulate the production, importation, sale, distribution, provision, use, recovery, collection, recycling, and disposal of single-use plastic products." There are still issues with regards to its passing in the Senate as there are groups who want a tougher and more comprehensive bill to regulate SUPs. Let's see what will happen soon.

A few months back, environment organization The Climate Reality Project Philippines informed me that they partnered with development studies students from Ateneo to "develop a policy note addressing single-use plastic policies in several cities in Metro Manila."

"Despite the lack of a national policy, data from the National Solid Waste Management Commission (NSWMC) showed that about 30 percent of local government units (LGUs) in the country have some form of policy to regulate the use of plastics, particularly plastic bags. These local ordinances have different scopes, different defini-

tions of single-use plastics, and different sanctions."

The policy note highlighted the best practices from Marikina City, Makati City, and Quezon City that could be adopted by other LGUs to improve their own plastic waste management and reduction systems. It also included recommendations directed at improving current LGU policies and enabling better anti-single-use plastic implementation.

"Following this initiative, we saw the need to create a compendium of local policies, programs, and initiatives on managing plastic waste to create a community of practice and to amplify the clamor for a national law that will comprehensively and effectively address the proliferation of single-use plastics in our communities," said the group.

So these are the questions that we, as citizens of this land, need to ask one another: "Does your LGU have an ordinance regulating the use of plastics? Does your local grocery or market encourage you to bring bayongs or eco-bags? Do you have community recycling or upcycling facilities? How about consumer incentives programs, such as trash-to-cash or plastic waste in exchange for groceries or environmental points?"

The group believes in the power of information to change lives and help communities become greener in the process. We can't just wait for the government to lead the way if they have bureaucratic entanglements to sort out.

This is the reason why Climate Reality launched an initiative called "Bawal Plastikán," where they ask citizens across the country about the policies and programs against single-use plastics in their city or municipality.

"Through this campaign, we aim to have a better picture of the efforts to curtail the plastic crisis at the local level, in the absence of a national law on plastics," said the group. "Bawal Plastikán — loosely translating to 'no pretending/ faking' — supports the notion that the journey toward sustainable production and consumption and circular economy must be genuine and inclusive for all Filipinos."

Information is power, indeed. In order to truly fight for the planet, we should be armed with the right battle "gear." The plastics crisis is looming over the horizon, and day after day, its scourge is getting nearer. We should not be caught off guard or standing idly by the wayside. It's time to raise our voices.



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JOHANNES L. CHUA



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
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The trouble with 'tingi-tingi'

Thankfully, there is now wide consensus among scientists, environmentalists, and politicians alike that single-use plastics have had a devastating effect on our environment—and have significantly contributed to our notorious distinction of being the third biggest plastics polluter in the world. Even President Marcos Jr. acknowledged as much in his inauguration speech, vowing that “we will clean up.”

Sachets have been singled out as a significant part of this problem. As my colleague Ceres Doyo recently wrote, “People who cannot afford to buy big-size (say, of cooking oil) buy *tingi* that comes packed for single use, in a sachet. It is these small, empty, discarded plastic wastes that are seen floating after a heavy downpour. They find their way into waterways and farther to the rivers and the seas, and become the scourge of marine life.”

There is a need to act on this problem urgently and decisively. But as we contemplate and debate on the best course of action, it is insightful to revisit how we became what Doyo calls “*tingi*/sachet nation” in the first place.

Interestingly, the practice of *tingi-tingi* was not started by the big manufacturers we associate with sachets today. “Long before multinational and large local companies began producing product sachets, there was an active *tingi*, or piecemeal, market in the Philippines,” notes Ang and Sy-Changco (2007). “*Sari-sari* stores would buy household items such as sugar, vinegar, shampoo, cooking oil, even cigarettes and candies in bulk, and sell them to their customers piecemeal: by the stick, by the piece, by the tablespoon or cup.”

Ang and Sy-Changco continue: “Drawing on these insights, a shampoo manufacturer decided to try selling their shampoo in packets similar to the small plastic bags that the market was already using. Thus began their



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successful foray into shampoo sachet marketing. Other manufacturers of a broad range of consumer items soon followed suit.”

Initially, it was the poor that was targeted by the micro-sized products, for whom they signified aspirational status, but the sachet phenomenon was also embraced by more affluent consumers, finding them more convenient, or in some cases, more economical. And so from the 2000s onwards, sachets became such a boon for manufacturers and retailers that it continues to be a case study in marketing classes—and their dominance is in full display in supermarkets today, where there are sachets for everything, from hair-styling wax to tomato paste.

But as we now know too well, they have become a bane to the environment, and they have found their way not just in the most far-flung *sari-sari* store—but inside the stomachs of various species.

In light of the above historical context, it is clear that manufacturers—which have profited immensely from popularizing sachets—must take responsibility in undoing the damage that has been wrought by their products, not least by investing on and implementing alternate

ways of packaging. Alas, many companies have been slow in doing so. For instance, Reuters recently reported that “even as Unilever executives have publicly decried the environmental harm done by this packaging, the multinational has worked to undercut laws aimed at eliminating sachets in at least three Asian countries.”

A recently filed bill by Sen. Loren Legarda articulates other components of a possible solution. In Senate Bill No. 246, she calls for phasing out single-use plastics, defined as “grocery bags, food packaging films and bags, manufacturing water bottles, straws, stirrers, containers, styrofoam/ styros, cups, sachets, and plastic cutlery.” Crucially, her bill focuses on incentivizing consumers and manufacturers who will embrace alternatives, while responsabilizing the latter for collecting, recycling, and disposing of those plastics.

SB 246 also mandates more funding and support for “research on single-use plastic packaging.” In the same way that *tingi-tingi* was itself a local innovation, surely our researchers can also find ways to replace it with something that makes both practical and environmental sense. In fact, our scholars have already been providing insights on how to address our plastics problem based on their research. For instance, National Academy of Science and Technology academician Agnes Rola has called for a “river-based plan” to manage plastic waste, while also highlighting the role of local government units.

Ultimately, all of the above actions will require leadership at the highest levels of government to create political support and an enabling environment to make all of these steps happen in a concerted and sustained way. Faced with an ever-worsening plastics crisis, we cannot afford to have solutions that are *tingi-tingi*.

glasco@inquirer.com.ph



BRIEFS

URC backs plastic neutrality

GOKONGWEI-LED Universal Robina Corp. (URC) launched a program that will collect, recover and divert plastic trash as part of its long-term goal of achieving plastic neutrality.

"We are aiming to make lasting, concrete changes on an institutional level, in a way that affects all operations and demonstrates our resolve as a world-class manufacturer," URC President and Chief Executive Officer Irwin C. Lee said in a press release on Thursday.

Through its "Juan Goal for Plastic" program, URC hopes to be an active participant in converting post-consumer waste into something useful and in its consumers' collect-and-recycle activities.

A number of plastic collection locations have been established nationwide for the program, with more sites set to open this year.

The program allows consumers to exchange their plastic waste for cash, in the said sites, matching weight for "environmental points" that can be used to redeem URC products or school supplies.

The company joined long-term collaborative projects on waste management that cover community engagement and linking with local recyclers to reach more people.

It has one site in its La Carlota sugar mill in Negros Occidental which is in partnership with the city of La Carlota, Brgy. Roberto Salas Benedicto and its Sangguniang Kabataan.

Another site is in the company's plant in Bagong Ilog which is in partnership with the local government of Pasig and Basic Environmental System & Technologies, Inc.

General Mariano Alvarez (GMA), Cavite also has one which is in partnership with the local government. There are also sites in some Robinsons Malls.

"With our current systems, plastic waste will be segregated and given new life that supports a true circular economy," said Mr. Lee. — **Justine Irish D. Tabile**



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MCWM expands landfill capacity in Pampanga

By DANESSA RIVERA

Waste management firm Metro Clark Waste Management (MCWM) has expanded its landfill facility in Pampanga to serve more areas in Central Luzon.

In a statement, the company said it recently completed a major expansion project at its landfill facility in Clark, Pampanga, which is the country's first engineered sanitary landfill.

The expansion covered the development of seven more hectares within MCWM's 100-hectare grounds, to be used for municipal waste disposal, the addition of leachate treatment plants for the proper eradication of waste by-products, and a new separate disposal cell for treated industrial waste.

The company also acquired new vehicles, equipment, and other fixed facilities to increase operational efficiency.

The expansion project will allow the company to provide world-class waste disposal services to more cities, municipalities, and industrial clients in Central Luzon.

"Despite continuing challenges, MCWM is proud to be of service to our clients and their communities. We also hope to widen our coverage as more local government units (LGUs) and industry players look for waste management solutions that are cost-effective, efficient, and strictly compliant with Republic Act 9003, or the Ecological Solid Waste Management Act," MCWM executive vice president and general manager Vicky Gaetos said.

Currently servicing almost 150 LGUs in Central Luzon, and thousands of industrial and commercial locators in the two main economic zones of Clark and Subic, MCWM's

expansion will allow it to dispose of its clients' waste to the same international standard, and according to global best practices that it has followed for over 20 years.

MCWM said all projections by both local and foreign experts show that the volume of Philippine waste would continue to increase, and already exceeds the total capacity of existing landfills in the country.

The Philippines currently ranks as the top contributor to plastic pollution in the oceans, putting the country among the five largest producers of plastic waste worldwide, as indicated by a global study recently released by the Stockholm Resilience Center.

Out of the 1,656 rivers studied, the Pasig River was also identified as the worst source of plastic waste, contributing 63,000 metric tons of the more than 356,000 metric tons of plastic pollution produced by the Philippines each year.

Plastic waste produced continues to increase at a phenomenal rate, doubling in just over 20 years to 367 million metric tons annually as of 2020.

Gaetos said the company is keen to continue working closely with the Department of Environment and Natural Resources, Clark Development and Development Authority, and all other stakeholders to "more effectively wage the war against waste."

"It is our job to monitor these studies and projections, and proactively plan accordingly. The yearly increase in solid waste in the Philippines, while sobering, was expected. While recycling and other trash reduction measures do help and must be done, there's just so much waste that the

only solution is to expand. We made the decision to invest in this expansion even during the height of the COVID-19

pandemic because this is in the best interests of our clients, and ultimately, of the communities we serve," she said.

MCWM is the only sanitary landfill that has consistently secured ISO certifications since 2015 to ensure the safety of the

environment they operate in, the health and welfare of their employees, and the satisfaction of their stakeholders.



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NOW that the new administration has outlined its plan for governance, may I, as a citizen, mention a few details that may make things better for certain sectors as well as the general public. Of course, budget exigencies are to be noted and worked around. But in general, an astute bureaucrat can find ways to provide better services within the parameters of what funds are available.

For the Department of Justice, please consider building more and better facilities for prisoners. Our jails are beyond congestion and the desperate need is to provide more humane incarcerations so that rehabilitation not punishment is emphasized. While doing that, please raise the meal allowances of prisoners, taking into consideration inflation, nourishment and health.

For the local governments, please consider the need for open spaces for every kind of community, especially informal settlers. Our cities and towns are too built up, taking over open spaces and even parks to scatter structures on. It is time to go the other way, look for spaces to put up parks or even pocket parks. If all public land is used up, consider purchasing private property, even small lots, to put up an open space that has air, plants and the opportunity to take in the sun and view the



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sky outdoors. Put rules on how to use these places and enforce them i.e. no trash, no vending, no crime. Further, local governments should have youth programs, together with the Kabataang Barangay, particularly during vacation times. Sports, crafts, competitions in such programs will keep the youth occupied and interested as well keep them out of trouble.

And speaking of informal settlers, can the housing department with its contractor leader come up with the necessary number of homes which the poorly housed and unsafely living parts of our population need? Perhaps coming from the private sector, this new housing czar can design more comfortable, more humane low-cost housing which allots more room in conformity with the average size of the Filipino family. Many private developers have produced this kind of housing but their resources are not enough to meet the great need there is.

For the Department of Environment and Natural Resources (DENR), please pay attention to our urban areas too. There is much wanton cutting of trees in public spaces like sidewalks and plazas. Notice how some trees are literally mutilated so as to kill them. Trees are useful for health and aesthetics. They control air pollution, provide oxygen and cut down heat. LGUs should be encouraged to protect them and proliferate them. The DENR must evangelize their benefits to the public, particularly local governments, so that our urban areas do not become concrete jungles. And while doing that, discourage the use of cement over grass in public spaces, particularly plazas. Grass and the soil they grow in absorb water from rain and prevent or mitigate flash floods.

The Department of Education should find a way to build bet-



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ter classrooms more cheaply. When the Department of Public Works and Highways or whatever government contractor builds classrooms for it, they are much more expensive than the classrooms built by private organizations. And many times they do not provide the adequate sanitary facilities needed.

For the Department of Transportation, please concentrate on more public transportation facilities like trains for both commuting and travel to farther places. Car owners are only 20 percent of those who travel; the rest are commuters who need easier and comfortable access to public transport. As it is, what is available is not enough, causing commuters stress and hardship. Moreover, all transportation, including public roads, should have order and discipline implemented for more efficient travel.

The Anti-Red Tape Authority (ARTA) needs to perform better. We all know that red tape should be less and that more of it does not stop irregularities. Perhaps one of its tasks should be to discourage other government agencies, including the legislature, from imposing all kinds of superfluous rules in the name of combating corruption when in truth, they do not help. And they just make the ARTA's work more difficult and the public frustrated.

Government agencies that are supposed to serve the public and charge fees to do so should remember that their mission is not to earn big profits from those fees for the sake of showing off their ability to make money but that they should be using those profits to serve the public better. In other words, spend money to give better service, not make profits from the service you are mandated to give.

Lastly, for the Department of Science and Technology, we need more research, particularly for our agricultural products. Abaca needs to be reinforced with disease-resistant plants for higher production so we can meet market demand. There are disease-resistant abaca plants but they need to be more widely disseminated. And we have other fibers that need research and development work. It is time to see how we can make abaca and pineapple fibers (piña) softer and more pliable to encourage more uses for them. Maguey, rattan, nito and other such natural fibers, of which we have more than 30 varieties, can be more beneficial if research work on them is done. It should also encourage cotton production which can be very useful to our economy, give farmers a good income and supply our indigenous textile industry. The Department of Agriculture has a subcommittee on fibers that needs more funding to promote more use of our varied natural fibers now that the natural fibers are recognized as the way to go in a world contaminated by fossil fuel pollution.

I hope somebody up there listens to the needs of those who live down here.



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TITLE: 2 Illegal Logger Tiklo

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2 ILLEGAL LOGGER, TIKLO

PALAWAN—Dalawang illegal logger ang dinakip ng pulisya nang makumpiskahan ng mga "hot logs" na nakakulan sa multicab kamakalawa sa Bgy. Alfonso XIII, Quezon.

Nakilala ang mga suspek na sina Bernie Escovidal at Ronnie Masucol, kapwa nasa hustong gulang at parehong

nakatira sa naturang bayan.

Ayon sa ulat, napa-daang sa checkpoint ang multicab na kinalululanan nina Escovidal at Masucol nang makita ng mga

awtoridad na may dala silang mga pinutol na punong kahoy na nakasakay sa naturang sasakyan ay hinanapan ng dokumento ang mga suspek.

Nang walang maipakita, ay agad dinakip ng mga awtoridad ang dalawang suspek.

Nakapiit na ang mga suspek na nahaharap sa kasingon paglabag sa PD 705 o Revised Forestry Code of the Philippines.



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Replevin and its common law origins

"THE action for replevin has deep common law roots, as it was "one of the most valued defenses of the feudal tenant against the lord."

This was often referred to in the 13th century asquare action, calling on the defendant (the lord) to show why he took cattle in distress and kept them in spite of the owner's offer of "gage and pledge" (Theodore F.T. Plucknett, A Concise History of the Common Law).

In the Middle Ages, replevin was used when a landlord distrained his tenant because the latter disputed his liability to perform certain services.

The tenant can recover possession of the chattels by giving security to the sheriff for maintaining his contention in a court of law (A Concise History of the Common Law).

If the lord's case is proved and judgment is rendered for the return of the chattels, the possession shall be restored to the lord (A Concise History of the Common Law).

In other words, the chattels originally distrained by the lord and returned to the tenant must be given back to the former to hold again as a distress (security).

Replevin is both a principal remedy and a provisional relief. When replevin is utilized as a principal remedy, the objective is to recover possession of personal property that was wrongfully detained by another.

When sought as a provisional relief, it allows a plaintiff to retain the contested property during the pendency of the action (Enriquez v. Mercantile Insurance Co., Inc., G.R. No. 210950, August 15, 2018).

In our jurisdiction, it may stand as a combination of the principal remedy with a prayer for provisional relief, or for the recovery of a loan obligation with an application for a writ of replevin on personal property used as security.

Examples of personal property that are the subject of the writ of replevin are motor vehicles, financial and corporate records, or jewels, among others.

In the case of Fernandez v. International Corporate Bank, the Complaint for the collection of the sum of P190,635.90 with an application for a writ of replevin of a motor vehicle was filed in the Metropolitan Trial Court (MTC) of Pasay City; however, the value of the vehicle subject of the provisional relief exceeded the jurisdiction of the court (G.R. No. 131283, October 7, 1999).

The Supreme Court said that although the value of the vehicle seized pursuant to the writ of replevin may have exceeded the jurisdiction of the MTC, that fact does not deprive the trial court of its jurisdiction over the case.

After all, the vehicle was merely the subject of a chattel mortgage that had been used to secure the petitioner's loan (G.R. No. 131283, October 7, 1999).

Who is the defendant in an action for the recovery of possession of personal property?



FOOTNOTES

TRANQUIL G.S.
SALVADOR III

ery of possession of personal property?

The person in possession of the property to be replevied is ordinarily the proper and only necessary party defendant; the plaintiff is not required to join as defendants other persons claiming a right on the property but are not in possession thereof (G.R. No. 210950, August 15, 2018 citing BA Finance Corporation v. Court of Appeals).

As a provisional remedy, a party may apply for an order for the delivery of the property before the commencement of the action or at any time before an answer is filed. Rule 60 of the Rules of Court outlines the procedure for the application of a writ of replevin (G.R. No. 210950, August 15, 2018).

The party seeking the issuance of the writ must file the required affidavit and a bond amounting to double the value of the property (G.R. No. 210950, August 15, 2018).

The applicant or some other person who personally knows the facts must show:

that the applicant is the owner of the property claimed, particularly describing it; or is entitled to the possession thereof;

that the property is wrongfully detained by the adverse party, alleging the cause of detention thereof;

that the property has not been distrained or taken for a tax assessment or a fine pursuant to law, or seized under a writ of execution or preliminary attachment, or otherwise placed under custodia legis, or if so seized, that it is exempt from such a seizure or custody; and

the actual market value of the property (Section 2, Rule 60, Amended Rules of Civil Procedure).

Once the affidavit is filed and the bond is approved by the court, the court will issue an order and a writ of seizure requiring the sheriff to take the property into his or her custody.

If there is no objection to the bond filed within five (5) days from the taking of the property, the sheriff shall deliver it to the applicant (G.R. No. 210950, August 15, 2018).

Hence, the contested property remains in the applicant's custody until the court determines, after a trial on the issues, who among the parties has the right of possession (G.R. No. 210950, August 15, 2018).

If for any reason the property is not delivered to the applicant, the sheriff must return it to the adverse party (Section 6, Rule 60).

Personal property in custodia legis cannot be



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In our jurisdiction, replevin may stand as a combination of the principal remedy with a prayer for provisional relief, or for the recovery of a loan obligation with an application for a writ of replevin on personal property used as security.

replevied. When property is lawfully taken by virtue of a legal process, it is considered in the custody of the law.

Therefore, when something is subject to the official custody of a judicial executive officer in pursuance of his execution of a legal writ, it is in custodia legis (Superlines Transportation v. PNCC et al, G.R. No. 169596, March 28, 2007).

In the case of Dagudag v. Paderanga, the crew of MV General Ricarte failed to produce the certificate of origin and other pertinent transport documents covering the forest products.

Since nobody claimed the forest products, the Department of Environment and Natural Resources

(DENR) considered them abandoned and issued a seizure receipt (A.M. No. RTJ-06-2017, June 19, 2008).

Forest products lawfully seized by the DENR are already in custodia legis and thus cannot be the subject of replevin. There being a violation of the Revised Forestry Code, the DENR seized the forest products in accordance with the law (A.M. No. RTJ-06-2017, June 19, 2008).

In another case, the presiding judge of the Municipal Trial Court of Masbate was held administratively liable for issuing a writ of seizure ordering the sheriff of the Regional Trial Court (RTC) of Masbate to take immediate possession of a 6 x 6 truck that was in custodia legis.

The truck ordered by the judge to be seized was part of the exhibits formally offered in evidence in a criminal case (Danao v. Ginete, A.M. No. MTJ-03-1474, January 21, 2003).

The writ of replevin, being a provisional remedy, is ancillary to the principal action.

The dismissal of the replevin case for failure to prosecute results in the restoration of the parties' status prior to litigation, as if no complaint was filed at all (Advent Capital v. Young, G.R. No. 183018, August 03, 2011).

To allow the writ of replevin to stand after the dismissal of the complaint would be to adjudge the complainant (Advent) as the prevailing party, when precisely no decision had been rendered.

Since Young possessed the subject car before the filing of the replevin case, the same must be returned to him (G.R. No. 183018, August 03, 2011).

A writ of replevin issued by any court in the Philippines may be served and enforced anywhere in the country.

There is no legal provision, statutory or regulatory, expressed or implied, that provides a jurisdictional or territorial limit to the area of enforceability of a writ of replevin (G.R. No. 131283, October 7, 1999).



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GOV'T INSPECTION SET

**IN KALINGA, 'BOILING WATER'
SEEN IN FARM AFTER QUAKE**

BAGUIO CITY—A section of a waterlogged rice paddy in Pasil, Kalinga, was discovered by farmers to be "boiling" days after the magnitude 7 earthquake jolted northern Luzon on July 27, according to an official of the Office of Civil Defense (OCD).

This could be one of the unusual changes in the Cordillera environment that geologists and volcanologists would examine to establish their impact on surrounding areas and to confirm if these were triggered by the strong earthquake, said Albert Mogol, the OCD regional director, at a press conference on Tuesday.

Baguio-based Kalinga native Jo Kapuno had relayed to authorities the observation at a farm in Pasil's Barangay Balinciagao Norte. The bubbling section of the paddy was recorded on video.

A team from the Philippine Institute of Volcanology and Seismology (Phivolcs) will look into the report, said Fay Apil, director of the Mines and Geosciences Bureau in Cordillera, in a

separate interview on Thursday.

"The farm owners have been reluctant to go near the site for fear they would fall into what they believe is a sinkhole," Kapuno said.

As of Thursday, water continued to flow into the fields, and the owners described the liquid as "boiling," she said.

Validation

According to Apil, there have been instances when hot springs developing beneath the ground surface were disrupted by an earthquake.

She said the Balinciagao report needed to undergo scientific validation.

Apil said initial impression from the Phivolcs team was that hot water discharges were common in hot spring regions and should not alarm residents. A geothermal project is being developed in Pasil, she said.

But one of MGB's geologists is traveling to Kalinga to study the phenomenon, as well as assess the areas most affected by the quake. —VINCENT CABREZA INQ



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Sus! Sustainability!

YESTERDAY, I received two bits of good news. First, from Canada, my older brother GJ got a relatively clean bill of health from his doctors after undergoing surgery to remove some growth somewhere inside his body. I can't be more detailed, not because of patient-doctor reasons, but because I was the only one in the family not to choose the medical profession as my calling, so I wouldn't even know the medical terms for our body parts anyway.

The bottom line is, the errant growth was removed and no traces of it had been found anywhere else in his system.

The second was that the Board of Directors of Nickel Asia Corporation decided, out of the depths of their experience, wisdom and good sense, to create a position of Chief Sustainability Officer (CSO) who will be tasked with, among others, spearheading the development, establishment and regular review of the ESG (Environment, Social and Governance) Roadmap and the NAC Group's sustainability framework.

The CSO will work with the members of the company's Sustainability Committee (created at the level of the NAC Board and



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JOSE BAYANI BAYLON

'... after some thought, I think this is the most exciting corporate assignment I've had ever since I was tasked to lead a beverage company's involvement in the 1998 Philippine Centennial Celebrations!'

led by our President and CEO) to ensure that the company's ESG roadmap has the support at the highest levels of corporate governance.

ESG is now a fundamental element of business, a higher-level evolution of the "triple bottom line" that was all the rage in the 1990s. No company worth its salt - especially those who claim to or aspire for leadership in its industry - can avoid embracing ESG as part of the way it does business. And for a natural resources development company like NAC to incorporate in its corporate vision the adoption of

an ESG roadmap - which it did in November of last year - was, for me, something I have always been proud of.

But embracing ESG also means a lot of work, principally because some industries like metals and mining are by their nature already challenged in some areas of ESG, particularly in the environment pillar. They start off on their ESG journey with a handicap, so to speak. But the global universes of companies in the metals and mining industry includes very good examples worth emulating - and again I take pride in knowing that the company I work for

aspires to be measured against the best of the best.

But sustainability? In mining? How does that work? I'm often peppered with questions like these. Which I welcome because it provides an opening to explain: under ESG, it is the sustainability of the mining communities (and the greater society) that is the focal point of a mining company's ESG efforts, not the sustainability of the business itself. You see, ESG is an affirmation by a corporate citizen that it only remains worthy of its social license to operate for as long as it is a contributor to a better planet in the course and conduct of its business. And NAC, over the 14 years of its registered existence as a holding company and over the 50-plus years since its first nickel mine located in Rio Tuba, Bataraza, Palawan began operations, continuously strives to be that. And more.

Before I forget, the burdensome task of being CSO was given to me. But after some thought, I think this is the most exciting corporate assignment I've had ever since I was tasked to lead a beverage company's involvement in the 1998 Philippine Centennial Celebrations!

Let's do this!



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Mambabatas sa Navotas, naghain ng panukalang batas hinggil sa Manila Bay Council

NAGHAIN ng panukalang batas sa Navotas representative Toby Tiangco na magsusulong sa paglikha ng Manila Bay Management Council (MBMC).

Ayon sa House Bill No. 2926 ang council ang dapat na mangasiwa, mamahala at kumontrol sa Manila Bay at bumalangkas ng pagkakaisa para sa proteksyon ng pangangalaga at pag-unlad ng baybayin.

"The Supreme Court mandamus on Manila Bay caused local governments to administer and conserve the waters within their jurisdiction. However, this led to the implementation of varied and inconsistent policies that affect our fisherfolk," ani Tiangco.

Ang Manila Bay ay hanggang sa lungsod sa baybayin ng Metro Manila—Navotas, Manila, Pasay, Parañaque, at Las Piñas—maging sa probinsya ng Bataan, Pampanga, Bulacan, at Cavite.

"Despite the remarkable amendments in existing laws, the perceived problem on the exercise of jurisdiction cities over the Manila Bay remains unresolved," ayon pa sa mambabatas.

"Through House Bill No. 2926, we seek to amend Section 16 of the Philippine Fisheries Code, giving the MBMC supervision and control of the Manila Bay," dagdag ni Tiangco.

Ang MBMC ay kinabibilangan ng secretaries of agriculture and environment, chair of the Metro Manila Development Authority, at mga gobernador ng Bataan, Pampanga, Bulacan, at Cavite.

"Restoring Manila Bay to its pristine state will only be feasible if all concerned government agencies and LGUs follow and implement unified rules, policies, and procedure," ani Tiangco. (Beth Simson)



Mobilizing investments for mine development

THE mining industry holds the greatest potential to be a key driver in our economic recovery and long-term growth, especially now that world metal prices are high. The Philippines, after all, is one of the world's most richly endowed countries in terms of mineral resources.

Finance Secretary Benjamin Diokno made the above pronouncement on Wednesday during the additional listing of Philex Mining Corp. common shares. The Philippine Stock Exchange listing, he said, sends a strong signal to the mining industry that the country's capital markets are viable instruments for fast-tracking the development of large minerals development projects.

Philex had a stock rights offering (SRO) last month and raised a total of P2.65 billion in new equity from the listing of the additional 842 million common shares. Proceeds will be mobilized for the development of Philex's Silangan underground copper-gold mine in Surigao del Norte.

Located in the Caraga region of northeastern Mindanao, the Silangan project is considered one of the biggest copper-gold mines in the Philippines. Philex plans to mine it in two phases, with the first having a mineable ore reserve of 81 million metric tons to be mined for 22 years at a rate of 4 million tons per year. It is targeted to start operations in the first quarter of 2025.

Philex's SRO listing, Diokno said, means more jobs will be created, resulting in the reinvigoration of local economies and the generation of additional revenue contributions to the gov-



FINEX FILES
J. ALBERT GAMBOA

ernment. He believes this offering demonstrates the mining industry's confidence in the country's promising economic growth prospects.

Based on Department of Finance (DoF) estimates, the Silangan project will generate some P8.5 billion in excise taxes alone during its entire mine life. "We recognize that apart from boosting local development, mining is a strong magnet for investments that can propel our economy into a higher growth trajectory," the DoF chief said.

In turn, the national government expects the minerals development sector to strictly adhere to responsible and sustainable mining practices. Diokno urged industry players to strike a balance between protecting the environment, uplifting local communities and supporting the government's socioeconomic agenda. "This is a nonnegotiable condition so we can guarantee the sustainability of the industry and the strong economic growth of its host communities," he said.

Meanwhile, the Chamber of Mines of the Philippines (COMP) has welcomed the appointment of Maria Antonia Yulo-Loyzaga as secretary of the Department of Environment and Natural Resources (DENR). COMP is an industry association comprising most of the country's large-scale metallic minerals development companies.

COMP Chairman Michael Toledo said the mining industry was

➤ **FINEXB2**

prepared to work with Yulo-Loyzaga in her advocacies, particularly disaster risk reduction and response, sustainable development goals, and climate change protection. "COMP is for all efforts to foster and promote responsible minerals development in the Philippines," he added.

Toledo pledged the chamber's support to the DENR in weeding out illegal miners and curtailing irresponsible mining practices that have tarnished the industry's reputation for so long. He also anticipates meaningful engagement with the government's economic team led by Diokno to help buttress the country's post-pandemic recovery initiatives.

The author is the chief finance officer of Asian Center for Legal Excellence and chairman of the Finex Media Affairs Committee. The opinion expressed herein does not necessarily reflect the views of these institutions and The Manila Times.



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Editor
Robert Jaworski L. Abano

BLOCKED Earthquake-induced landslides hit some areas in Pasil, Kalinga, including this section of the Malucsad-Magsilay road, on July 27. Days after the quake, farmers in Pasil's Barangay Balincigao Norte discovered that a section of a waterlogged rice paddy was "boiling." —PHOTO COURTESY OF PASIL POLICE



NOONG nakaraang buwan ng Hulyo, ang projection ng Climate and Rainfall forecast ng Philippine Atmospheric, Geophysical and Astronomical Services Administration o PAGASA, baka abutin ang 180 meters operating level sa katapusan ng July kung patuloy na bababa ang lebel, kaya sana raw ay may sapat na pag-ulan ngayong La Niña.

Mayroong pag-ulan nitong nakaraang araw, ngunit hindi sapat ang tubig ulan sa araa ng Bulacan, kaya bumaba ang lebel ng tubig sa Angat Dam.

Base sa dam elevation level kahapon, ika-4 ng Agosto 2022, ang lebel ng tubig sa Angat Dam ay nasa 177.26 meters, mas mababa ng 2.74 meters, kung ikukumpara sa

minimum opera-ting level na 180 meters.

Mas lalong bumaba sa normal high-water level (NHWL) na 210 meters, kakayanin kaya maabot ang end of the year target na 212 meters? Malatandaan na noong December 2021 ay nasa 202 meters lamang ang pinakamataas na lebel ng tubig sa Angat Dam.

Samentala, ang Angat Technical Working Group ay isang Inter-Agency na nangangasiwa sa operasyon at alokasyon ng tubig. Kasabay nito ay ang mga hakbanging mitigation kasama ang ilang agencies gaya ng PAGASA at NAPOCOR o National Power Corporation, lalo na't napakahalaga ng tubig para sa food security, agriculture, at ngayong panahon ng pandemya.

SIGURADUHING MAAYOS ANG PAG-IMBAK AT PAGTAKIP NG TUBIG



REIMATE OPINION

ANGINYONG LINGKOD

NI DR. HILDA C. ONG

Dagdag pa, isa sa long term solution aniya ay ang imprastruktura gaya ng re-reservoir para sa pag-iimbak at ang water security road map.

Sa kasalukuyan, mababa ang kalidad ng tubig sa Laguna Lake dahil sa algae. Dapat din daw ay mamangnanang maayos ang mga fishing pen at huwag ilampas sa kapasidad ng lawa.

Sa ngayon, ang mga rain water harvesting facility and method ay hindi pa gaanong ginagamit, kaya naman sana ay mapalawak pa, aniya. Paalala naman ni Executive Director Sevilla David Jr., ng National Water Resources Board (NWRB) na siguraduhing maayos ang pag-iimbak at pagtatakip ng tubig sapagkat uso na naman ang Dengue.



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Training program on procurement of infrastructure

The Government Procurement and Policy Board regularly releases compliance regulations to boost the efficiency of procurement and bidding for infrastructure projects. Whether you are doing government to government (G2G) or government-to-private transactions, you must update yourselves to these changes. To help public and private stakeholders, the Center for Global Best Practices is hosting the following training programs from 1:30 to 4:45 p.m. via Zoom:

* Best Practices Guide to the Law and IRR for Procurement of Infrastructure (Aug. 24, 25 and 26).

* The Revised Bidding Documents for Procurement of Infrastructure (Sept. 12).

The rules mandate all government entities and prospective bidders to use the revised bidding documents for the procurement of infrastructure. These programs will cover the fundamental principles, planning, eligibilities, standard bid documents, procedures for public bidding, early procurement, and alternative modes of procurement, administrative remedies, offenses, and penalties and more.

These webinars will also update participants on the recent GPPB issuances on efficient E-based procurement processes, procurement in emergency cases in times of calamities and community quarantine, blacklisting of errant suppliers that is aligned with RA 9184 or the 2016 Revised IRR of the

Procurement Law. Attendees will also learn the proper documentation to align your bidding documents based on the provisions of this law.

For public officials, avoid getting into trouble due to violation and ignorance of the procurement law. For the private sector who wants to do business with the government, avoid disqualification due to non-compliance.

Learn from expert practitioner Atty. Zoilo Andin Jr., a lecturer, consultant and adviser to many national government agencies, LGUs, private companies, and law firms on Procurement Law. His expertise in public procurements was honed by his former government positions – president and chief operations officer, Northrail Corp.; deputy administrator, Metropolitan Waterworks and Sewerage System; executive director of the National Solid Waste Management Commission and the Pasig River Rehabilitation Commission.

Registration is open to the general public and is highly recommended for the head and members of Bids and Awards committee, procuring and bidding entities, and those in the private sector who would like to do business with the government. A similar training on the Procurement Law, its IRR and Bidding Documents of Consulting Projects will also be held on Sept. 21, 22 and 23, and Oct. 25. For details and to register, visit www.cgbp.org or call Manila lines (+63 2) 8556-8968 / 69 or (+63 2) 8842-7148 or 59.



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LETTERS

OUTRAGEDUS, FANATICAL CLAIMS OVER NUCLEAR ENERGY

MS. Moira Gallaga's letter extolling nuclear energy ("Going nuclear: A sensible and practical option for the Philippines," 7/29/22) failed to provide any data to support her unrealistic claims. Nuclear is neither sensible nor practical for any country—even more so for the Philippines.

Nuclear power is not a climate solution. A study in 2021 shows that the contribution of nuclear power to mitigate climate change remains—and is projected to be—very limited. Current nuclear plans would only avoid at most 2-3 percent of global emissions, and this contribution is seen to decrease further by 2040. In contrast, the Intergovernmental Panel on Climate Change—the world's foremost authority on climate science—says that wind and solar power can potentially deliver over 33 percent of the total emissions

reductions necessary by 2030.

Nuclear will not give us energy security and will not provide adequate and reliable power for the Philippines. Nuclear proponents consistently fail to mention the fact that the Philippines does not produce nuclear fuel. We will still be subject to global supply shortages and price fluctuations of nuclear fuel—and at a worse scale than coal, since only four companies in the world manufacture nuclear fuel. Nuclear power's inflexibility has also been cited by experts as incompatible with the Philippines' energy profile, and will be even more incompatible as the country ramps up its renewable energy (RE) portfolio.

Nuclear power will not lower electricity prices for consumers. In fact, it is the most expensive way to produce electricity. Among all types of power plants, it is the most

expensive to build and maintain. Slovakia's Mochovce 3 and 4 nuclear power plants, at 470 megawatts each, cost a whopping 5.4 billion euros (or around P288 billion). Meanwhile, the International Energy Association found that in 2020, renewables, particularly solar, were the world's cheapest energy source.

The price of nuclear energy becomes even more unimaginably expensive when you include the costs for radioactive spent fuel storage, as well as nuclear accidents. The cost of clean up for Fukushima is estimated at 21.5 trillion yen (or around P9 trillion). The recent earthquakes in Abra and Ilocos provinces, and the scale of destruction caused, should make nuclear proponents rethink what they are peddling. If those provinces had nuclear plants, imagine how much worse the situation

would have been—given the lax regulatory culture in the Philippines where building construction is not adequately monitored, and where we can't even effectively monitor air pollution from coal plants.

Nuclear is a sunset industry and has been in global decline longer than coal. It is unfortunate and outrageous how the industry continues to find willing proponents in the Philippines who would put fanatical claims over fact, at the expense of climate action and human safety. The era of nuclear power is long gone, and RE is answering the call of the times. The Philippine government should disassociate itself from all these false nuclear myths and carve out a safer, better path with renewables.

KHEVIN YU,
energy transition campaigner,
Greenpeace Philippines



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Toward climate resiliency for the agri sector

Anxiety and uncertainty brought about by the increase in the prices of fuel and food heralded the administration of President Marcos Jr. Along with the lingering threat of the COVID-19 virus, these circumstances will further undermine the already precarious condition of the marginalized sectors of farmers and fishers.

The question is: Will the President's assumption of the agriculture portfolio signal a better vision for rural growth, more budget that upholds local agriculture and fisheries production, and a more competent, science-based planning and implementation of ways to slow down climate change for vulnerable sectors?

Livelihood and survival have become the battle cry of families battered by the economic lockdown due to the pandemic, and with the vicious cycle of debt and losses each year due to extreme weather events that hit them, this administration must listen hard.

Climate resilience. It is time to sternly mandate local government units (LGUs) to craft strategic and comprehensive agriculture and fisheries plan, together with their constituents and in consultation with experts, to address poverty as well as manage climate risks while promoting employment.

Climate change is a major consideration in both the comprehensive agriculture and fisheries plan (CAFP) and the local climate change action plan (LCCAP). The LCCAP addresses climate change vulnerabilities among the local population, while the CAFP is specific to the local agriculture and fisheries sectors. More importantly, the CAFP stands on the understanding that meeting the challenges of cli-

COMMENTARY

HAZEL TANCHULING

mate change is urgent and critical to the survival and development of these sectors.

In the last 12 years, Rice Watch Action Network Inc. (R1) has been assisting LGUs in LCCAP formulation and has recently rolled out assistance to develop a CAFP in LGUs.

Mandate and resources. Executive Order No. 138 was issued in 2021 directing local governments to be autonomous in delivering basic services to their constituents by the end of 2024. In the CAFP, devolution facilitates improved support for agriculture and fisheries development, as local governments provide services specific to these sectors within their jurisdiction.

Resources are guaranteed with the implementation of the 2018 Mandanas ruling, which directs the national government to increase internal revenue allocation to LGUs to finance the devolution of basic services. This presents a funding opportunity for climate resiliency and the supply chain sustainability initiatives of local governments and of farmers and fisher folk.

Sustainable supply chains for small farmers. In developing the CAFP, the analysis of supply chains is geared toward the fair distribution of income and benefits among stakeholders, particularly producers. A review of the supply chain allows communities to plan how they can restructure and influence the chain to boost the income of farmers and fisherfolk.

Food supply chains are largely affected by climate change. In creating sustainable and more beneficial supply chains for small farmers and fishers, other factors that affect them as producers are identified. It is not only income but also processes that ensure the continuity of production and the protection of people's health and that of the environment.

A supply chain analysis should show how climate and nonclimate factors affect actors at different stages. Rice, for example has suffered because of extreme changes in temperature, drought conditions, and excess amounts of rainfall from strong tropical cyclones. Additionally, the rice tariffication law has lowered farmgate prices, swelled incomes for wholesalers and international traders, and only marginally decreased rice prices for consumers. The Ukraine-Russia war also increased the cost of production inputs, such as fertilizers and fuel. This analysis brings in factors and problems that must be addressed, and solutions that would urgently identify, improve, and institutionalize the benefits for farmers.

For R1, this avenue for participatory and science-based CAFP process at the LGU level is an important step to save the agriculture and fisheries sectors, which have long been neglected but are critical to the nation's survival.

Hazel Tanchuling is executive director of R1, an institution supporting farmers, fishers, and related stakeholders working toward an economically and environmentally sustainable agriculture in the Philippines and other Asian countries.



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08-05-22

DATE



REGIONS

Cartel behind high fish prices in Bohol

TAGBILARAN CITY—Complaints about high prices of fish in Bohol have been reaching the provincial government as early as 2017, prompting investigations that uncovered the presence of a cartel. Officials say this monopoly must be dismantled to keep seafood sold in the province affordable, and avoid a repeat of a recent incident where tourists visiting Panglao's Virgin Island complained about their P26,000 food bill. —STORY LEO UDTOHAN

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DATE 08-05-22

Cartel behind high fish prices in Bohol

Local execs say monopoly by group of traders must be broken to keep seafood affordable to residents, tourists

By Leo Udtohan
@leoudtohan[NQ]

TAGBILARAN CITY—Boholanos had already complained about the high prices of fish in the province as early as 2017, with the clamor leading to investigations led by the provincial board which later uncovered the presence of a fish cartel operating in Bohol.

Benjie Oliva, the former administrator of the Cooperative Development Authority (CDA) who worked with fisheries' cooperatives in Bohol, revealed that a cartel has been dictating the prices of fish sold in the province.

Oliva cited a 2017 study of the Department of Agriculture (DA) which confirmed that a group of fish suppliers was working to maintain prices at a high level and to restrict competition.

"The government should address the business monopoly in Bohol by providing an enabling policy for opening competition from other business players in the country," Oliva said.

Provincial Board Member Tomas Abapo Jr. was among the officials who investigated the presence of a fish cartel in Bohol. The investigations, however, did not lead to any policy or legislation, especially with the outbreak of the COVID-19 pandemic in 2020.

He said Boholano fishermen also preferred to sell their catch



ALL CLEAR Tourists enjoy Panglao's Virgin Island without its food stalls on Wednesday. A day earlier on Tuesday, vendors were still selling seafood and other items (right photo) before Bohol Gov. Aris Aumentado suspended boat trips there pending an investigation on supposedly overpriced food sold in the area. —PHOTOS BY LEO UDTOHAN/ROY DALIDA, CONTRIBUTOR

in nearby Cebu, resulting in the reduction supply sold in Bohol's public markets.

With the reduced supply, vendors are forced to increase the prices of fish in the public markets, Abapo said.

No more stalls

Bohol Gov. Aris Aumentado on Tuesday ordered the suspension of trips to Panglao's Virgin Island while an investigation is being conducted over the alleged overpricing of seafood sold to tourists there.

A group of 13 tourists recently complained they were charged P26,100 for the seafood that they bought from local vendors during a recent trip.

On Wednesday, vendors in all 18 makeshift stalls on Virgin Island's sandbar removed their structures and were no longer

allowed to return.

To help displaced vendors, the Panglao Municipal Tourism Council (PMTTC) recommended to the local government to hold a "night market" at Panglao plaza where the vendors can sell their products.

"To be fair and just, affected vendors shall be able to continuously sell whatever perishable stock [they have] on hand," said PMTTC in a statement.

Stepping in

Aumentado said the province would look into the issue and come up with solutions on how to arrive at reasonable prices of seafood in Bohol.

"We are now investigating the possibility of having a fish cartel here. We will have an actual plan and will address this soon. We need to fix this

because it's embarrassing," he said.

While the local government of Panglao has the primary jurisdiction over Virgin Island, Aumentado said the provincial government would step in to ensure that there would be balance and harmony in the enforcement of environment protection laws, tourism standards, and the welfare of all concerned, including tourists, vendors and the public.

The 2017 government investigation revealed that the price of fish in Bohol was higher by P50 a kilo compared to other provinces.

Former Agriculture Secretary Emmanuel Piñol, in 2018, launched the Bohol Fish Market and Tienda program to address the price manipulation in the local market. **INQ**



Usigin at kasuhan ang mga korap sa gobyerno

Tingnan ang rekord ng Ombudsman's Finance and Management Information Office: 2011, kabuuang 3,852 kaso ay inihain laban sa mga opisyal ng lokal na pamahalaan; 633 kaso rito ay nakasampa sa Luzon; 600 sa Visayas at 544 sa Mindanao.

Noon ding 2011, pinakamaraming kinasuhan ay mga opisyal at tauhan ng Philippine National Police (PNP) at 562 kaso laban sa Department of Education; 490 sa Philippine Information Agency; 416 sa Bureau of Internal Revenue; 304 sa Armed Forces of the Philippines (AFP); 177 sa Bureau of Customs (BIR); 155 sa Department of Environment and Natural Resources (DENR); 148 Department of Social Welfare and Development (DSWD), at 98 DoJ.

Noong 2012, ayon sa Transparency International, ang Pilipinas ay ika-105 sa 176 bansa na pinakakorap.

Karanggo natin ang Algeria, Armenia, Bolivia, Gambia, Kosovo, Mali, at Mexico; at 30 porsyento ng ating national budget ay naibubulsa ng mga mandarambong sa gobyerno.

Nagagawa ang korapsiyon sa pamamagitan ng ghost project, walang bidding o pakunwaring bidding, at pagbibigay ng kontrata kapalit ang suhol at pagpabor sa kontrata sa mga kasabwat na supplier o kontraktor, pamemeke; nepotismo at paboritismo, suhol; paggamit ng poder ng politika at koneksiyon sa mga may-kapag-yarihang tao na magpoproseso at maglalabas ng pondo sa mga proyekto.



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08-05-22

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2,492 aftershocks naitala matapos ang M7.0 Luzon quake

Umaabot na sa kabuuang 2,492 aftershocks ang naitala sa nagdaang magnitude 7.0 na lindol na matinding nakaapekto sa lalawigan ng Abra at iba pang lalawigan sa Luzon.

Ayon sa Philippine Institute of Volcanology and Seismology (Phivolcs)

mula sa dating 2,018 aftershocks noong nagdaang araw ng Lunes August 1 ay tumaas pa ito sa 2,492 kahapon.

Ayon sa Phivolcs sa 2,492 aftershocks, ang 840 aftershocks dito ay recorded habang ang 59 aftershocks ay naramda-

man. Ang aftershocks ay nakapagtala ng mula 1.4 hanggang 5.1 magnitude.

Magugunitang sa naturang lindol, 10 ang namatay at sumentro ang matinding epokto sa lalawigan ng Abra noong nagdaang July 27. (Angie dela Cruz)



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Abante
UNA SA BALITA



TITLE: Pinas top 7 snorkeling spot sa
mundo

PAGE 8

08-05-22
August 5, 2022
DATE

Abante MO
'Pinas top 7 snorkeling spot sa mundo

HINDI na lingid sa mundo na kung beach at dagat ang hanap mo, isa ang Pilipinas sa pinakamagandang puntahan. Pinatunayan ito muli nang makapasok ang bansa sa Top 50 World's Best Countries for Snorkeling na nasa 7th place. Base ito listahang inilabas ng Bounce, isang luggage storage company, kung saan pinag-aralan nila ang mga karagatan at dagat na nag-o-offer ng best underwater experience.

Pumapang-pito ang Pilipinas sa nasabing listahan na pinangungunahan naman ng Australia (1st Place), Maldives (2nd Place) at USA (3rd Place).

Nakakuha ng 6.69 points out of 10 sa snorkeling rating ang bansa para sa 25,

060 sq. km. na coral reef area, 3, 339 species ng isda na maaaring makita, 35 snorkeling tours na mayroon ang 7, 640 na isla ng bansa.

Ang ebalwasyon ng Snorkeling Rating ay nakabase sa mga sumusunod na dahilan; coral reef areas, fish species, threatened fish species, snorkeling tours, percentage of global plastic waste emission, at sea temperature spread.

Bagama't mataas

ang nakuhang rating ng bansa sa Snorkeling Rating, ang ibang factors tulad ng threatened fish species ay nakakabahala. Natagpuan na mayroong 91 fish species ang threatened sa karagatan sakop ng Pilipinas.

Mayroon ding 3.03 na rating ang sea temperature spread na nagiging dahilan naman ng coral bleaching.

Samantala, nangunguna rin ang 'Pinas sa percentage of global waste emission na nasa 36.38%, mas mataas sa karamihan ng bansang pasok sa listahan at doble sa sumusunod na may pinakamataas na nasa 12% lamang.

Ilan sa may pinakamagandang snorkeling at diving spot sa bansa ay nasa Batangas, Cebu, Palawan, at marami pang iba.

Hindi na bago ang pagkakabilang ng bansa sa mga kaparehas na listahan sapagkat kamakailan din lamang ay nakuha rin nito ang mga titulong Best Dive Destination in Asia Pacific at sa pangatlong pagkakataon, bilang World's Leading Dive Destination mula sa prestihiyosong World Travel Awards. (MJ Osinsao)



(Department of Tourism IG)




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Republic of the Philippines
 Department of Environment and Natural Resources
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
 Bangkal, Davao City Philippines, 8000
 Telephone No. (082) 287-2695

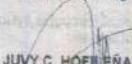
PAGPAPAUPA NG LUPANG PUBLIKO

Ipinagbibigay alam sa media na ang Community Environment and Natural Resources Office, Bangkal Lungsod ng Dabaw ayatanggap ng selyado o nakasulat na alok sa ika-elas 10:00 ng umaga ngayong ika-18 ng **AUG 2022** para paupahan ang isang suklat na lupang publiko na inilarawan saibaba nilo.

Lugar	Sasa: Davao City
Deskripsiyon	Lot 1 & 2 FLA-V-8 AMD
Sukat	39,206 Metro Kwadrado
Tasehan ng Lupa	Php3,750.00 kada metro kwadrado
	o kabuuang Php 147,022,500.00
	Php13,422,000.00
Halaga ng nakatayang proyekto	INSULAR OIL CORPORATION
Aplikante	Represented by NIMFA B. MABANGLO
	FLA NO 112402 (E)32

Ang karapatan na upahan ang nasabing lupa ay ibibigay sa tao o partido na makapagbibigay ng pinakamalasa na upa sa isang taon na hindi bababa sa tatlong porsyento (3%) sa halaga ng lupa at isang porsyento (1%) sa halaga ng nakatayang estruktura. Upang ang isang tao ay makakasali sa isasagawang subasta, kailangang siya ay karapat-dapat na aplikante at kailangang bago magsumula ang subasta ay nakadeposito siya ng halagang katumbas ng tatlong buwang upa. Ang deposito ay kailangang salaping papel, money order, cashier's o manager's check, ang siya lamang tatanggapin. Ang isang tao na sasali sa subasta na nagrepresenta ng ibang tao ay makakasali lamang kung mayroon siyang pahintulot na ibinigay sa pamamagitan ng kaukulang pahintulot na nilagdaan ng Notaryo Publiko. Sa panahon ng subasta, ang laing sumali ay magkakaroon ng dagdag na deposito kapag ang kanyang alok ay rinatase para makumpleto ang kabuuang tatlong buwang upa. Ang karapatang tumarag o tanghan ang anumang alok o sa lahat ng alok ay palaging nakataon para sa pamahalaan.

Ang magwawagi sa alok na ito kung hindi siya ang aplikante ay kinakailangang tumambasan ang kabayaranang nagugol sa pagpapalathala ng panawagang ito at sa pagpapasukat ng lupa. Lungsod ng Dabaw, Pilipinas, ika-30 ng **JUN 2022**.


JUVY C. HOFLEÑA
 OIC, CENR Officer