



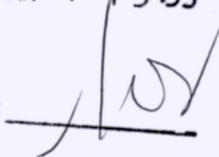
Senate
Office of the Secretary

SEVENTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

'17 MAR -7 P5:33

SENATE

P.S. Res. No. 318

RECEIVED BY: 

INTRODUCED BY: SENATOR EMMANUEL D. PACQUIAO

A RESOLUTION
AMENDING SENATE RULE XXV SECTION 72

WHEREAS, Senate Resolution 289 filed by Senator Drilon states: "Resolution expressing the Sense of the Senate that Termination of, or Withdrawal from, Treaties and International Agreements Concurred in by the Senate shall be valid and effective only upon Concurrence by the Senate"

WHEREAS, said Senate Resolution was filed under Rule XXV Section 72 of the Senate Rules which provides that "Simple or concurrent resolutions shall not be subject to the procedure for Second and Third Readings prescribed in Section 71."

WHEREAS, Rule XXV Section 72 provides for the waiver of the procedure of Section 71 considering the said resolution shall not have the effect and force of a law.

WHEREAS, upon interpellation by Senator Lacson, Senator Drilon stated that, "The leadership of the Senate or any senator can bring the issue to court and assert that the withdrawal is invalid, given the fact that the Senate did not participate in the withdrawal. And, in fact, if this resolution is adopted, it is the legal position of the Senate that the withdrawal to be effective must have the concurrence of the Senate. That issue must ultimately be decided by the Supreme Court."

WHEREAS, said resolution clearly violates the principle on how legislation shall be passed as it tends to superimpose a provision to the constitution by vesting upon the Senate the power to concur in the abrogation of an international agreement.

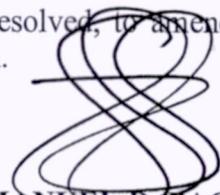
WHEREAS, to avoid further confusion, Senate Rule Section 72 is hereby amended to read as follows:

"Simple or concurrent resolutions shall not be subject to the procedure for Second and Third Readings prescribed in Section 71.
HOWEVER, SAID RESOLUTIONS SHALL HAVE NO EFFECT AND FORCE OF A LAW."

WHEREAS, this resolution is being filed under Section 72 considering that the same is just a matter of amending senate rules and proceedings which is allowed to be filed under said section.

NOW, THEREFORE, BE IT RESOLVED, as it hereby resolved, to amend Senate Rule XXV Section 72 as suggested in paragraph 6 of this resolution.

Adopted.

A handwritten signature in black ink, consisting of several overlapping loops and curves, positioned above the printed name.

EMMANUEL D. PACQUIAO