

Legal FiNeSse

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TWO NEW LAWS PASSED

The Amended "Balikbayan Program Act"

Republic Act No. (RA) 9174 is an amendment of RA 6788, or the "Balikbayan Program Act". The law, as amended, gives the following benefits to Filipino balikbayans and their families: (a) tax-exempt maximum purchase in the amount of US\$1,500.00; (b) a kabuhayan shopping privilege in the form of an additional tax-exemption for the purchase of livelihood tools (which refers to all instruments used by a person in the practice of his or her trade, vocation, or profession) in the maximum amount of US\$2,000.00; (c) a travel tax exemption; and (d) visa-free entry to the Philippines for a period of one (1) year for foreign passport holders, with the exception of restricted nationals.

The tax-exempt purchases, including the kabuhayan

shopping privilege, can be availed of only at all government-owned and controlled duty-free shops and within fifteen (15) calendar days from the date of arrival. The period of availment is extended to thirty (30) calendar days from the date of arrival during the Christmas season or from November 15 to January 15. Senior citizens and handicapped balikbayans are allowed to enjoy the privilege within one (1) year from the date of arriving in the Philippines.

The Chainsaw Act

Republic Act 9175 aims to regulate the ownership, possession, sale, importation, and use of chain saws to prevent them from being used in illegal logging and unauthorized clearing of forests.

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Pending legislation...

The Reproductive Health Care Bill

House Bill No. (HB) 4110 entitled "Establishing a Reproductive Health Care Act, Strengthening its Implementing Structures, Appropriating Funds therefor and for Other Purposes" recently passed its first reading in Congress. The bill seeks to improve the health and well-being of Filipinos by upholding their reproductive rights, which include their right to reproductive self-determination, and access to reproductive health care. This bill pays special attention to women and girl-children who are vulnerable to a host of health complications including death or injury from childbirth, unwanted pregnancy and sexually transmissible infections.

HB 4110 promotes the use of contraceptives, by eliminating restrictions thereon, and providing access to various contraceptive methods while regulating their quality. Moreover, the bill requires the integration of sexual and reproductive health and rights as part of the curriculum of public and private schools at all levels, including non-formal and indigenous learning systems.

The Absentee Voting Bill

Senate Bill No. 2104, entitled "An Act Providing for a System of Overseas Absentee Voting By Qualified Citizens of the Philippines Abroad, Appropriating Funds Therefor, and for Other Purposes," was prepared by the Committee on Constitutional Amendments, Revision of Codes and Laws, Committee on Foreign Relations, and the Committee on Finance, and authored by their members. The Act shall be known as "The Overseas Absentee Voters' Act of 2002."

The Act does not require absentee voting, but merely provides for the procedure to be followed by qualified voters abroad in applying for registration, and thereafter voting in the elections, including the May 2004 elections. The law likewise disqualifies certain types of individuals from voting under the Act. The Act requires a separate registry for overseas absentee voters which is created under the law. Casting and submission of ballots will be done by sending the duly accomplished ballots to the corresponding Philippine diplomatic or consular office stationed in the country where the voter sojourns. The proposed bill is yet to be calendared for discussion and debate by the Senate.

FNS TRANSFERS TO NEW ADDRESS

On its tenth year of service, Fortun Narvasa & Salazar has transferred to its new home at the 23rd floor of the Multinational Bancorporation Centre Building, 6805 Ayala Avenue, Makati City. The new office offers a modern and contiguous location for all units of the firm and generous spaces to comfortably accommodate all its clients. Like its old home, the lay-out of the Firm's new office highlights a wide collection of artworks, which includes no less than the critically acclaimed Orlina sculptures.

The Multinational Bancorporation Centre Building is right beside the LKG Building and may be accessed either through Ayala Avenue or Valero Street, Salcedo Village. The move which culminated on January 6, 2003 was hassle-free. The blessing and inauguration of the Firm's new office will be announced at a later date.

F N S News

The FNS Christmas Party

On December 13, 2002, FNS held its 9th Christmas Party at the Metropolitan Club, Rockwell Center. The Firm commemorated its hosting of the Global Law Regional Conference earlier in the year with this year's theme "Merry Christmas Around the Globe". Thus, the entire Firm was grouped into five continents, namely, Africa, Asia, North and South America, Europe and Australia with the individual members dressed in the national costumes of the countries they represent. Attorney Gregorio Narvasa II's Asia group won the overall championship with the best accumulated score after four events, the Dance competition, Christmas card-making, Group costume and the Amazing mind race. The title of Mr. and Ms. World went to Attorney Sigfrid Fortun and Mitch Romero for their daring and captivating costumes. To top the night off, the partners raffled of several 3-day, 2-night trips to Boracay which got everybody on their feet and in the mood for dancing.

The Firm reaches out to underprivileged children

On December 17, 2002, the Firm held its yearly Yuletide Community Outreach Program with the street-children of Makati as this year's beneficiaries. Held at the DSWD center along J.P. Rizal Street in Guadalupe, members of the Firm played the part of Santa bringing good tidings and cheer to the underprivileged children of Makati.

After a short but lively program presented by the children, the Firm's staff joined in the singing and the dancing. Aside

from a hearty lunch shared by the children and their big brothers and sisters from the Firm, lawyers and staff gave the kids their respective presents aside from much appreciated gift packs to bring home with them. The staff of the DSWD gave their heartfelt thanks on behalf of the children and expressed their admiration that a law firm would take time out to reach out to their wards. Attorney Sigfrid Fortun spoke for everyone when he thanked the social workers and the children for the opportunity to give something back to the community. As part of its commitment to the underprivileged, the Firm regularly extends much needed legal services to children who suffered abuse and maltreatment. This service is much appreciated by the social workers who lamented that public prosecutors were often overwhelmed by the volume of child abuse cases.

The Firm welcomes Attorneys Coronado and Loste

On 1 October 2002, the Firm welcomed its newest member of the family, Attorney Manolito B. Coronado. Lito, to his friends, is a graduate of the Arellano Law School. He passed the Philippine Bar in 2001 and is now working for the Firm's Cavite office. He is a member of the San Beda College faculty, having taught in both the highschool and college levels, and is a published writer of a textbook entitled "Making Sense of World History".

Already a devoted family man, Lito proved to be a "game" colleague as well since he sportingly agreed to become the main course for the hungry natives of the African group in last year's Christmas party. The Firm warmly wel-