



MEMORANDUM

FOR : The Directors
Policy and Planning Service
Legal Affairs Service
Climate Change Service

The Bureau Directors
Biodiversity Management Bureau
Environmental Management Bureau
Ecosystems Research and Development Bureau

FROM : The Director
Legislative Liaison Office

SUBJECT : INVITATION TO THE TECHNICAL WORKING GROUP (TWG) OF THE SENATE COMMITTEE ON NATIONAL DEFENSE AND SECURITY, PEACE, UNIFICATION AND RECONCILIATION ON THE CHEMICAL WEAPONS PROHIBITION ACT

DATE : 26 September 2024

In reference to the email received by our Office, the Senate Committee on National Defense and Security, Peace, Unification and Reconciliation is inviting the Department to the **Technical Working Group (TWG) Meeting on 02 October 2024, Wednesday, 10:00 a.m. at Senator V.Y. Sotto Room, 2nd Floor, Senate of the Philippines, Pasay City**, to discuss the following legislative measures:

1. **Senate Bill No. 2723 - An Act Prohibiting The Development, Production, Stockpiling And Use Of Chemical Weapons, Providing For Their Destruction, And Imposing Penalties For Violations Therefor (Introduced by Senator Jinggoy Ejercito Estrada)**
2. **House Bill No. 9571 - An Act Prohibiting The Development, Production, Stockpiling, And Use Of Chemical Weapons, Providing For Their Destruction, And Imposing Penalties For Violations Thereof (Introduced by Representatives Jorge "Patrol" Bustos, Dan S. Fernandez, Romeo M. Acop, Reynante U. Arrogancia, Ruwel Peter S. Gonzaga, et. Al)**

In this regard, may we respectfully request your comments/recommendations on the abovementioned bills, if you haven't already submitted, as requested by the Committee. Kindly submit your comments on or before **30 September 2024; Monday, 5:00 PM**, via email at denrll@denr.gov.ph. Further, kindly inform us of the

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name/s and emails of the representative/s from your office who will participate in the meeting so we may include him/her/them as resource person/s.

Attached herewith is the Letter Invitation, and a copy of the bills, through this link <https://bit.ly/4ccsMp4>, for your reference.

Your attendance is highly encouraged.



ROMIROSE B. PADIN

cc: Undersecretary for Special Concerns and Legislative Affairs



Republic of the Philippines
CONGRESS OF THE PHILIPPINES
SENATE
Pasay City

**COMMITTEE ON NATIONAL DEFENSE AND SECURITY, PEACE,
UNIFICATION AND RECONCILIATION.**

September 25, 2024

HON. MARIA ANTONIA YULO LOYZAGA
Secretary
Department of Environment and Natural Resources (DENR)

Dear **SECRETARY LOYZAGA**:

Greetings! The COMMITTEE ON NATIONAL DEFENSE AND SECURITY, PEACE, UNIFICATION AND RECONCILIATION, as primary committee, respectfully invites you or your duly authorized representative as resource person to a Technical Working Group Meeting scheduled on **2 October 2024 (Wednesday), 10:00 A.M., at the Sen. VY. Sotto Room, 2nd Floor, Senate of the Philippines, Pasay City.** to discuss/deliberate on the following legislative measures:

CHEMICAL WEAPONS PROHIBITION ACT

- **Senate Bill No. 2723** - An Act Prohibiting The Development, Production, Stockpiling And Use Of Chemical Weapons, Providing For Their Destruction, And Imposing Penalties For Violations Therefor (*Introduced by Senator Jinggoy Ejercito Estrada*)
- **House Bill No. 9571** - An Act Prohibiting The Development, Production, Stockpiling, And Use Of Chemical Weapons, Providing For Their Destruction, And Imposing Penalties For Violations Thereof (*Introduced by Representatives Jorge "Patrol" Bustos, Dan S. Fernandez, Romeo M. Acop, Reynante U. Arrogancia, Ruwel Peter S. Gonzaga, et. al*)

We would appreciate it if your agency could provide us with your comments/position papers on the said measures prior to the meeting date, as earlier requested. You may submit the same via email at senate.nationaldefense@gmail.com.

Please be reminded that your attendance to this meeting is of primary importance. Hence, kindly confirm your attendance to the secretariat.

As part of the Senate's health and safety protocols, the following guidelines are implemented for resource persons who will **physically** attend Committee Hearings and Meetings:

1. Names of resource persons must be submitted to the Committee Secretariat at least one (1) day before the Hearing/ Meeting for proper endorsement to the Office of the Senate Sergeant-at-Arms. Those who are not in the list will be denied entry; and
2. Before entry, resource persons should present to the medical staff on duty at the Senate lobby proof of full vaccination (must at least complete the primary dose series).

Should you have any queries or concerns, please call the undersigned, or look for **Ms. Yanyan Adis** at Mobile No.: 09176845189 or you can contact **Atty. Norliza R. Villanueva** at Mobile No.: 09399070091.

Thank you very much.

By the Authority of the Chairperson:
SEN. JINGGOY EJERCITO ESTRADA
*Committee on National Defense and Security,
Peace, Unification and Reconciliation*



ATTY. NORLIZA R. VILLANUEVA
Legislative Committee Secretary



HOUSE OF REPRESENTATIVES

H. No. 9571

BY REPRESENTATIVES BUSTOS, FERNANDEZ, ACOP, ARROGANCIA, GONZAGA, EMANO, TAN (K.M.),
YAP (EDVIC), PASCUAL, BIRON, REGENCIA, BOSITA, PADUANO, LACSON, PLAZA, YAMSUAN,
ACHARON, ORTEGA, PLEYTO, SALO AND DALIPE

**AN ACT
PROHIBITING THE DEVELOPMENT, PRODUCTION, STOCKPILING, AND USE
OF CHEMICAL WEAPONS, PROVIDING FOR THEIR DESTRUCTION,
AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF**

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

CHAPTER I

GENERAL PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as the “Chemical
Weapons Prohibition Act”.

SEC. 2. *Declaration of Principles.* – The State, consistent with national
interest, adopts and pursues a policy of freedom from chemical weapons in its
territory and protection of all human beings and the global environment from the
effects of chemical weapons, and hereby conforms with its obligations under the
Convention on the Prohibition of the Development, Production, Stockpiling and Use
of Chemical Weapons and on their Destruction, otherwise known as the Chemical

1 Weapons Convention, hereinafter referred to as the Convention, to which the
2 Philippines is a State Party.

3 Towards this end, the State shall not, under any circumstance, develop, produce,
4 manufacture, acquire, possess, stockpile, retain, or use chemical weapons, or
5 engage in any other activities prohibited under the Convention, and shall prohibit all
6 persons from developing, producing, manufacturing, acquiring, possessing,
7 stockpiling, retaining, or using chemical weapons or engaging in any other activities
8 prohibited under the Convention.

9 **SEC. 3. Definition of Terms. – As used in this Act:**

10 (a) *Chemical Weapon* means the following, together or separately:

11 (1) Toxic chemicals and their precursors, except where intended for
12 purposes not prohibited under the Convention, as long as the types
13 and quantities are consistent with such purposes;

14 (2) Munitions and devices, specifically designed to cause death or other
15 harm through the toxic properties of those toxic chemicals specified in
16 subparagraph (1) herein, which would be released as a result of the
17 employment of such munitions and devices; and

18 (3) Any equipment specifically designed for use directly in connection with
19 the employment of munitions and devices specified in subparagraph
20 (2) herein;

21 (b) *Discrete Organic Chemicals* mean chemicals belonging to the class of
22 chemical compounds consisting of all compounds of carbon, except for its
23 oxides, sulphides, and metal carbonates;

24 (c) *Facility* means any of the industrial sites as defined below:

- 1 (i) **"Plant Site" (Works, Factory) means the local integration of one or more**
2 **plants, with any intermediate administrative levels, which are under one**
3 **operational control, and includes common infrastructure, such as:**
4 **a. Administration and other offices;**
5 **b. Repair and maintenance shops;**
6 **c. Medical center;**
7 **d. Utilities;**
8 **e. Central analytical laboratory;**
9 **f. Research and development laboratories;**
10 **g. Central effluent and waste treatment area; and**
11 **h. Warehouse storage;**
12 (ii) **"Plant" (Production facility, Workshop) means a relatively self-contained**
13 **area, structure or building containing one or more units with auxiliary**
14 **and associated infrastructure, such as:**
15 **a. Small administrative section;**
16 **b. Storage/handling areas for feedstock and products;**
17 **c. Effluent/waste handling/treatment area;**
18 **d. Control/analytical laboratory;**
19 **e. First aid service/related medical section; and**
20 **f. Records associated with the movement into, around and from the**
21 **site, of declared chemicals and their feedstock or product chemicals**
22 **formed from them, as appropriate;**
23 (iii) **"Unit" (Production unit, Process unit) means the combination of those**
24 **items of equipment, including vessels and vessel set up, necessary for**
25 **the production, processing or consumption of a chemical;**

- 1 (iv) Production of a chemical means its formation through chemical
2 reaction and includes the production of a chemical listed in Schedule 1,
3 Schedule 2, or Schedule 3 of the Annex on Chemicals to the
4 Convention by a biochemical or biologically mediated reaction;
- 5 (v) Processing of a chemical means a physical process, such as
6 formulation, extraction, and purification, in which a chemical is not
7 converted into another chemical; and
- 8 (vi) Consumption of a chemical means its conversion into another chemical
9 via a chemical reaction;
- 10 (d) *Key Component of Binary or Multi-component Chemical Systems* means the
11 precursor which plays the most important role in determining the toxic
12 properties of the final product and reacts rapidly with other chemicals in the
13 binary or multi-component system;
- 14 (e) *Person* means, except as otherwise provided in this Act, any individual,
15 corporation, partnership, firm, association, trust, estate, public or private
16 institution, or any political entity, any foreign government or nation or any
17 agency, instrumentality or political subdivision of any such government or
18 nation, or other entity located in the Philippines;
- 19 (f) *Precursors* mean chemical reactants which take part at any stage in the
20 production by whatever method of a toxic chemical. This includes any key
21 component of a binary or multi-component chemical system. Precursors
22 which have been identified for the application of verification measures by the
23 Organization for the Prohibition of Chemical Weapons (OPCW) are listed in
24 Schedule 1, Schedule 2, or Schedule 3 of the Annex on Chemicals to the
25 Convention;

1 **(g) Purposes not prohibited under this Convention shall mean:**

2 **(1) Industrial, agricultural, research, medical, pharmaceutical, or other**
3 **peaceful purposes;**

4 **(2) Protective purposes, namely those purposes directly related to**
5 **protection against toxic chemicals and chemical weapons;**

6 **(3) Military purposes not connected with the use of chemical weapons and**
7 **not dependent on the use of the toxic properties of chemicals as a**
8 **method of warfare; and**

9 **(4) The use of non-lethal weapons, other than those prohibited under this**
10 **Act and the Convention, for the maintenance of public security and**
11 **order:**

12 **(i) By the law enforcement authorities;**

13 **(ii) By the Armed Forces of the Philippines when taking measures to**
14 **suppress insurgency and other serious threats to national**
15 **security, and where the use thereof is most appropriate other than**
16 **the use of deadly force; and**

17 **(iii) By the AFP within the framework of a system of mutual collective**
18 **security, and training for its use;**

19 **(h) Riot control agent means any chemical not listed in Schedule 1, Schedule 2 or**
20 **Schedule 3 of the Annex on Chemicals to the Convention which can produce**
21 **rapidly in humans; sensory irritation or disabling physical effects which**
22 **disappear within a short time following termination of exposure;**

23 **(i) Scheduled chemicals mean those chemicals listed in Schedule 1, Schedule 2**
24 **and Schedule 3 of the Annex on Chemicals to the Convention;**

1 (j) *Toxic chemical* means any chemical which, through its chemical action on life
2 processes, can cause death, temporary incapacitation or permanent harm to
3 humans or animals. This includes all such chemicals therein, regardless of
4 their origin or method of production, and regardless of whether they are
5 produced in facilities, munitions or elsewhere.

6 Toxic chemicals which have been identified for the application of
7 verification measures by the OPCW are listed in Schedule 1, Schedule 2 and
8 Schedule 3 of the Annex on Chemicals to the Convention. Unless the contrary
9 intention appears, an expression or term that is used both in this Act and the
10 Convention but is not defined in this Act, shall have the same meaning
11 provided in the Convention; and Verification Annex means the Annex on
12 Implementation and Verification to the Convention.

13 **SEC. 4. National Authority.** – The Anti-Terrorism Council (ATC) is hereby
14 designated as the Philippine National Authority on the Chemical Weapons
15 Convention, hereinafter referred to as the PNA-CWC, to be headed by the Executive
16 Secretary as Chairperson of the ATC.

17 The Anti-Terrorism Council – Program Management Center (ATC-PMC) shall
18 act as the secretariat and implementing arm of the PNA-CWC.

19 **SEC. 5. Functions of the PNA-CWC.** – The PNA-CWC shall:

20 (a) Serve as the national focal point for effective liaison with the OPCW and
21 other States Parties as prescribed under the Convention;

22 (b) Coordinate closely with the Philippine Permanent Representative to the
23 OPCW to ensure the proper elucidation and representation of the
24 Philippine policy on the non-proliferation of chemical weapons;

1 (c) Prepare and submit annual declarations to the OPCW on scheduled
2 chemicals and facilities;

3 (d) Develop rules and regulations and formulate policies concerning the
4 production, processing, consumption, importation, exportation, use and
5 proper disposition of scheduled chemicals and facilities, and production
6 facilities of other chemicals not included in Schedule 1, Schedule 2 and
7 Schedule 3 of the Annex on Chemicals to the Convention;

8 (e) Designate and specify the required training and the functions of the
9 national inspectors who shall report to the PNA-CWC;

10 (f) Conduct and facilitate national inspections, as well as international
11 inspections by OPCW inspectors, of sites involving scheduled chemicals
12 or other chemical production facilities;

13 (g) Cause or direct the investigation or violation of laws concerning chemical
14 weapons, or the handling of toxic chemicals in violation of this Act; and

15 (h) Perform such other functions to effectively implement the provisions of
16 this Act and the Convention.

17 The PNA-CWC shall have the authority to compel, as may be
18 necessary, the assistance and support of all departments, bureaus, offices,
19 agencies, or instrumentalities of the government, including government-
20 owned or controlled corporations to effectively perform its duties and functions
21 under this Act.

22 The PNA-CWC shall periodically update the scheduled chemicals listed
23 in Schedule 1, Schedule 2, and Schedule 3 of the Annex on Chemicals to the
24 Convention upon the request or advise of the OPCW. Such updates shall be
25 in the form of formal resolutions of the PNA-CWC to be published in the

1 **Official Gazette** or in a newspaper of general circulation before they become
2 effective.

3 **CHAPTER II**

4 **PROHIBITIONS**

5 **SEC. 6. Prohibitions.** – The following acts are prohibited under this Act:

6 (a) To develop, produce, otherwise acquire, stockpile, or retain any
7 chemical weapons;

8 (b) To transfer, directly or indirectly, chemical weapons to persons;

9 (c) To use chemical weapons;

10 (d) To engage in any military preparations to use a chemical weapon;

11 (e) To assist, encourage or induce a person in any way to engage in any
12 activity that is prohibited to a State Party under the Convention;

13 (f) To use a riot control agent as a method of warfare;

14 (g) To engage in any other activity prohibited to a State Party under the
15 Convention; and

16 (h) To export and import Schedule 1 chemicals to or from a State not a
17 Party to the Convention, including transit through such State.

18 Nothing in this Act shall be construed to prohibit the AFP from using non-lethal
19 and lethal weapons other than those prohibited in this Act, in the conduct of
20 combat operations for the suppression of insurgency and other serious threats to
21 national security where the use of such non-lethal and lethal weapons is deemed
22 most appropriate.

1 **CHAPTER III**

2 **PENALTIES**

3 **SEC. 7. Penalties. –**

4 (a) Any person who commits any of the prohibited acts under Section 6 of
5 this Act shall suffer the penalty of imprisonment of twelve (12) years
6 and one day to life imprisonment, and a fine of Two million pesos
7 (P2,000,000.00) to Five million pesos (P5,000,000.00).

8 (b) Any person who produces, acquires, retains or uses chemicals listed
9 in Schedule 1 of the Annex on Chemicals to the Convention for
10 purposes other than for research, medical, pharmaceutical or
11 protective purposes within a facility licensed by the PNA-CWC shall
12 suffer the penalty of imprisonment for a period of not less than six (6)
13 years and one day to twelve (12) years, or a fine of One million pesos
14 (P1,000,000.00) to Two million pesos (P2,000,000.00), or both at the
15 discretion of the court.

16 (c) Any person who produces, processes, or consumes chemicals listed
17 in Schedule 2 or Schedule 3 of the Annex on Chemicals to the
18 Convention or unscheduled discrete organic chemicals for purposes
19 other than those not prohibited under this Act, or without a registration
20 with the PNA-CWC or the agency or agencies to which the PNA-CWC
21 has delegated the function, shall suffer the penalty of imprisonment of
22 four (4) years and one day to six (6) years, or a fine of Five hundred
23 thousand pesos (P500,000.00) to One million pesos (P1,000,000.00),
24 or both at the discretion of the court.

1 Department of Trade Industry shall be dealt with in accordance with
2 Republic Act No. 10697, or the "Strategic Trade Management Act
3 (STMA)".

4 e) Notwithstanding subsections (a) and (b) of Section 11 of this Act, any
5 person who obstructs, hinders, resists, or deceives any national
6 inspector or international inspector who is exercising any function
7 contemplated or provided for in the regulations issued further to
8 Section 11 of this Act, in the Convention or any applicable facility
9 agreement, shall be punished by imprisonment of four (4) years and
10 one (1) day to six (6) years, or a fine of Five hundred thousand pesos
11 (P500,000.00), or both at the discretion of the court.

12 f) Any person who violates Section 12 of this Act shall suffer the penalty
13 of imprisonment of four (4) years and one (1) day to six (6) years, or a
14 fine of Five hundred thousand pesos (P500,000.00) to One million
15 pesos (P1,000,000.00), or both at the discretion of the court.

16 g) Any person who produces, processes or consumes chemicals listed in
17 Schedule 2 or 3 of the Annex on Chemicals to the Convention or
18 unscheduled discrete organic chemicals for a purpose other than
19 purposes not prohibited under the Convention, or contravenes
20 paragraphs (b) and (c) herein shall suffer the penalty of imprisonment
21 of two (2) years to twenty (20) years or a fine of Fifty thousand pesos
22 (P50,000.00) to Five million pesos (P5,000,000.00), or both at the
23 discretion of the court.

24 h) Any person who refuses or fails to notify the PNA-CWC pursuant to the
25 provisions of Section 10 of this Act shall suffer the penalty of

1 imprisonment of one (1) year and one (1) day to two (2) years, or a fine
2 of Five hundred thousand pesos (P500,000.00), or both at the
3 discretion of the court.

4 i) Any person who fails to give the required additional information or keep
5 records pursuant to Section 10 of this Act shall suffer the penalty of
6 imprisonment of six (6) months and one (1) day to one (1) year, or a
7 fine of One hundred thousand pesos (P100,000.00), or both at the
8 discretion of the court.

9 j) Any person who, in any declaration prepared pursuant to Section 10 of
10 this Act, makes a statement or omits any matter knowing that the
11 statement or omission makes the declaration false and misleading in a
12 material particular shall, after hearing and due proceedings, suffer the
13 penalty of Imprisonment of six (6) months and one (1) day to one (1)
14 year or a fine of One hundred thousand pesos (P100,000.00), or both
15 at the discretion of the court.

16 In case any violation of this Act is committed by a partnership, corporation,
17 association, or any other juridical entity, the partner, president, director, manager,
18 trustee, administrator, or officer who consents to, or knowingly tolerates such
19 violation shall be held criminally liable.

20 In addition, the registration of such partnership, corporation, association or
21 juridical entity with the Securities and Exchange Commission or the Department of
22 Trade and Industry, as the case may be, and license to operate of the partnership,
23 corporation, association or any other juridical entity, shall be cancelled and revoked
24 permanently.

1 In addition to the penalties prescribed in this Act, any foreigner found guilty of
2 committing any of the offenses punishable herein shall, after service of sentence, be
3 deported immediately without further proceedings, and be barred permanently from
4 entering the country.

5 The maximum penalty provided for in this Act shall be imposed, in addition to
6 absolute perpetual disqualification from any public office, upon any government
7 official or employee found guilty of committing any of the offenses under this Act.

8 Persons who conspire to commit any of the prohibited acts under Section 6
9 hereof shall be punished by the same penalty prescribed herein.

10
11 **SEC. 8. Forfeiture and Destruction.** – In the commission of the offense, any
12 chemical weapon found anywhere in the territory or in any other place under the
13 jurisdiction of the Philippines, the warehouse or the place where the chemical
14 weapons are being stored, such other instruments as well as the fruits and proceeds
15 of the offense shall be forfeited in favor of the national government through the PNA-
16 CWC, and shall be destroyed or disposed of in accordance with existing
17 environmental regulations or related applicable laws. The cost of destruction or
18 disposal of any chemical weapon shall be borne by the erring person: *Provided,*
19 That any chemical weapon discovered on the territory of the Philippines shall be
20 reported to the OPCW by the PNA-CWC in accordance with the provisions of Part IV
21 (A) of the Verification Annex of the Convention.

22
23 **SEC. 9. Extraterritorial Application.** – The provisions of this Act shall
24 apply to all persons within or outside the Philippines and persons on board vessels

1 and aircraft registered in, belonging to, or in possession of the Philippines, if any of
2 the prohibited acts is committed –

- 3 a) By or against a Philippine citizen;
- 4 b) Against any property owned, leased, or used by the Philippines or by any
5 of its departments, agencies, or instrumentalities; or
- 6 c) By a partnership, corporation, association or any juridical person, which is
7 owned or controlled by one or more Philippine citizens.

8 9 **CHAPTER IV**

10 **DECLARATION, VERIFICATION AND INSPECTION**

11 **SEC. 10. Declarations.** - a) Information may be acquired by the PNA-
12 CWC under this Section only to ensure that:

- 13 1) Toxic chemicals and their precursors are only developed, produced,
14 otherwise acquired, retained, or used for purposes not prohibited under
15 the Convention;
- 16 2) The PNA-CWC has knowledge on dealing with chemicals that facilitates
17 the making and submission of annual declaration of the Philippines to
18 the OPCW under the Convention; and
- 19 3) The Philippines is able to fulfill its obligations under the Convention.

20 b) Supply of information. – Any person who, as the case may be, developed,
21 produced, or otherwise acquired, processed, consumed, retained, or used toxic
22 chemicals, or their precursors, to which any provision in Parts VI through IX of the
23 Verification Annex of the Convention applies, or who intends to carry out such
24 activities, shall:

- 1 1) Notify the PNA-CWC, within such period as it prescribes, of the chemicals
2 and the facility or plant site through a written notice in a form approved by
3 the PNA-CWC and issued under the implementing rules and regulations
4 (IRR) of this Act;
- 5 2) Keep a record of such chemicals and the purpose for which the chemicals
6 are stored in a specific facility;
- 7 3) Prepare, from these records, annual reports relating to the chemicals and
8 the facility or plant site in a form approved by the PNA-CWC and issued
9 under the IRR of this Act; and
- 10 4) Submit annual reports to the PNA-CWC at intervals specified in the IRR of
11 this Act.

12 The records and reports under paragraph (b) (1) to (4) herein must be
13 sufficient to satisfy the requirements of the PNA-CWC in order to ensure that the
14 Convention and the provisions of this Act and any regulation made under this Act
15 are being complied with.

16 **SEC. 11. Verification and Inspection. –**

- 17 a) The PNA-CWC shall issue regulations to facilitate compliance with the
18 Verification Annex to the Convention.
- 19 b) Persons covered by the provisions of this Act and their personnel shall
20 have the duty to facilitate the inspections to be conducted by the
21 OPCW and cooperate with the international inspectors and the
22 escorting team.

23 **SEC. 12. Protection of Confidential Information. –** Any confidential
24 information that is given or obtained pursuant to this Act shall be disclosed only for

1 the purpose of complying with the obligations under the Convention, the enforcement
2 of this Act, or dealing with an emergency involving public safety.

3 4 **CHAPTER V**

5 **MISCELLANEOUS PROVISIONS**

6 **SEC. 13. International Cooperation and Assistance. –**

7 a) The PNA-CWC may collaborate with other State authorities and
8 international organizations and entities and coordinate their actions to the
9 extent required by the implementation of this Act or of the corresponding
10 statutes, subject to other State authorities or international organizations or
11 entities being bound to official secrecy.

12 b) The PNA-CWC may request other State authorities and other
13 international organizations or entities to provide relevant data or information.

14 The PNA-CWC is authorized to receive data or information concerning:

15 1) The nature, quantity, and utilization of scheduled chemicals
16 or their precursors and related technologies, the places of
17 consignment and the names of the consignees for such
18 scheduled chemicals, precursors, or related technologies;
19 and

20 2) Persons taking part in the production, delivery, or
21 brokerage of the scheduled chemicals, precursors, or
22 technologies in subparagraph (a) herein.

23 c) If a foreign State has entered into the appropriate reciprocity
24 agreement with the Philippines, the PNA-CWC may provide, on its own
25 initiative or on request, the data or information described in paragraph (b)

1 herein to that State so long as the other competent State authority provides
2 assurances that such data or information shall:

- 3 1) Only be utilized for purposes consistent with this Act; and
- 4 2) Be used in criminal proceedings on the condition that they
- 5 are obtained in accordance with those provisions
- 6 governing international juridical cooperation.

7 d) The PNA-CWC may provide data or information described in
8 paragraph (c) (2) herein to international organizations or entities if the
9 conditions set forth in paragraph (c) herein are fulfilled, in which case the
10 requirement for reciprocity agreement is waived.

11 **CHAPTER VI**

12 **FINAL PROVISIONS**

13 **SEC. 14. Supplemental Application of the Revised Penal Code and Other**
14 **Laws.** – The provisions of the Revised Penal Code, Republic Act No. 11479,
15 otherwise known as "The Anti-Terrorism Act of 2020", the Strategic Trade
16 Management Act (STMA), and other related laws shall have supplemental
17 application to the provisions of this Act.

18 **SEC. 15. Jurisdiction.** – The Regional Trial Courts shall have exclusive
19 original jurisdiction over all cases of violations of this Act, as well as applications for
20 ancillary writs and processes such as search warrants, seizure, and forfeiture:
21 *Provided*, That the regional trial court that first acquires jurisdiction shall exercise the
22 same to the exclusion of all other courts unless the Supreme Court authorizes the
23 transfer of venue.

1 **SEC. 16. Implementing Rules and Regulations.** – Within one hundred
2 eighty (180) days from the effectivity of this Act, the PNA-CWC shall, in close
3 coordination with the chemical industry, and supporting agencies, issue the rules and
4 regulations to ensure the efficient and effective implementation of the provisions of
5 this Act.

6 **SEC. 17. Separability Clause.** –If any part, section or provision of this Act is
7 declared invalid or unconstitutional, the sections or provisions which are not affected
8 shall remain valid and subsisting.

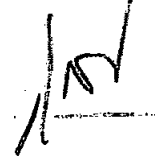
9 **SEC. 18. Repealing Clause.** - All laws, decrees, executive orders,
10 ordinances, rules, regulations, other issuances or parts thereof, which are
11 inconsistent with this Act, are hereby repealed or amended accordingly.

12 **SEC. 19. Effectivity.** - This Act shall take effect fifteen (15) days after its
13 complete publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,



NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session.)

Office of the
24 JUL 10 P12 52
RECEIVED


SENATE
S. No. 2723

Introduced by Senator Jinggoy Ejercito Estrada

AN ACT
PROHIBITING THE DEVELOPMENT, PRODUCTION, STOCKPILING AND USE
OF CHEMICAL WEAPONS, PROVIDING FOR THEIR DESTRUCTION, AND
IMPOSING PENALTIES FOR VIOLATIONS THEREFOR

EXPLANATORY NOTE

The Chemical Weapons Convention (CWC), formally the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, was adopted by the Conference on Disarmament in Geneva on 03 September 1992. The CWC opened for signature on 13 January 1993, and the Philippines was among the first to sign the same, and it entered into force on 29 April 1997.

The CWC is the first disarmament agreement negotiated within a multilateral framework that provides for the elimination of an entire category of weapons of mass destruction by prohibiting the development, production, acquisition, stockpiling, retention, transfer or use of chemical weapons by States Parties.¹ It builds on the previous efforts to put a stop to widespread suffering, significant casualties, and devastating aftermath brought about by use of chemical weapons in warfare, as the Convention seeks to extend the ban, aside from utilization, to cover the manufacture and storage of chemical weapons.

¹ Accessed from <https://disarmament.unoda.org/wmd/chemical/>. Retrieved on 11 June 2024.

The Philippine Senate adopted Resolution No. 49 concurring in the ratification of the CWC on 19 August 1996, and recognized that the "Convention offers enhanced worldwide security which is beyond those offered by previous arms treaties."

Article VII of the Convention (National Implementation Measures) provides that, "Each State Party shall, in accordance with its constitutional processes, adopt the necessary measures to implement its obligations under this Convention. In particular, it shall: (a) Prohibit natural and legal persons anywhere on its territory or in any other place under its jurisdiction as recognized by international law from undertaking any activity prohibited to a State Party under this Convention, including enacting penal legislation with respect to such activity..."


Thirty years since the country signed the Convention, the Philippines has yet to issue a national policy and legislative framework to fully implement the objectives set forth under the landmark agreement and to fulfill the country's commitments as a State Party.

A similar version of this bill was already approved by the Senate in 2014 during the 16th Congress and was sent to the House of Representatives for concurrence, but was not enacted into law.

In view of the strengthening the regime of chemical disarmament and non-proliferation towards preservation of global peace and eradicating chemical terrorism, and ensuring beneficial use of advancements in the field of chemistry, the passage of this legislation is hereby endorsed.


JINGGOY EJERCITO ESTRADA

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

24 JUL 10 12:52
RECEIVED BY: 

SENATE
S. No. 2723

Introduced by Senator Jinggoy Ejercito Estrada

**AN ACT
PROHIBITING THE DEVELOPMENT, PRODUCTION, STOCKPILING AND USE
OF CHEMICAL WEAPONS, PROVIDING FOR THEIR DESTRUCTION, AND
IMPOSING PENALTIES FOR VIOLATIONS THEREFOR**

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

CHAPTER 1

GENERAL PROVISIONS

1
2
3 Section 1. *Short Title.* – This Act shall be known as the "*Chemical Weapons*
4 *Prohibition Act*".

5 Sec. 2. *Declaration of Principles.* – The State, consistent with national
6 interests, adopts and pursues a policy of freedom from chemical weapons in its
7 territory and protection of all human beings and the global environment from the
8 effects of chemical weapons, and hereby conforms with its obligations under the
9 Convention on the Prohibition of the Development, Production, Stockpiling, and Use
10 of Chemical Weapons and on their Destruction, otherwise known as the Chemical
11 Weapons Convention, hereinafter referred to as the Convention, to which the
12 Philippines is a State Party.

13 Towards this end, the State shall not, under any circumstance, develop,
14 produce, manufacture, acquire, possess, stockpile, retain or use chemical weapons,
15 or engage in any other activities prohibited under the Convention, and shall prohibit
16 all persons from developing, producing, manufacturing, acquiring, possessing,

1 stockpiling, retaining, or using chemical weapons or engaging in any other activities
2 prohibited under the Convention.

3 **Sec. 3. *Definition of Terms.* – As used in this Act:**

4 a) ***Chemical Weapon*** means the following, together or separately:

- 5 1) Toxic chemicals and their precursors, except when intended for
6 purposes not prohibited under the Convention, as long as the types
7 and quantities are consistent with such purposes;
- 8 2) Munitions and devices, specifically designed to cause death or other
9 harm through the toxic properties of those toxic chemicals specified in
10 subparagraph (1) herein, which would be released as a result of the
11 employment of such munitions and devices; and
- 12 3) Any equipment specifically designed for use directly in connection with
13 the employment of munitions and devices specified in subparagraph
14 (2) herein.

15 b) ***Discrete Organic Chemicals*** mean chemicals belonging to the class of
16 chemical compounds consisting of all compounds of carbon, except for its
17 oxides, sulphides, and metal carbonates;

18 c) ***Facility*** means any of the industrial sites as defined below:

- 19 1) "Plant Site" (Works, Factory) means the local integration of one or
20 more plants, with any intermediate administrative levels, which are
21 under one operational control, and includes common infrastructure,
22 such as:
 - 23 i) Administration and other offices;
 - 24 ii) Repair and maintenance shops;
 - 25 iii) Medical center;
 - 26 iv) Utilities;
 - 27 v) Central analytical laboratory;
 - 28 vi) Research and development laboratories;
 - 29 vii) Central effluent and waste treatment area; and
 - 30 viii) Warehouse storage.

- 1 2) "Plant" (Production facility, Workshop) means a relatively self-
2 contained area, structure or building containing one or more units with
3 auxiliary and associated infrastructure, such as:
- 4 i) Small administrative section;
 - 5 ii) Storage/handling areas for feedstock and products;
 - 6 iii) Effluent/waste handling treatment area;
 - 7 iv) Control/analytical laboratory;
 - 8 v) First aid service/related medical section; and
 - 9 vi) Records associated with the movement into, around and from
10 the site, of declared chemicals and their feedstock or product
11 chemicals formed from them, as appropriate;
- 12 3) "Unit" (Production unit, Process unit) means the combination of those
13 items of equipment, including vessels and vessel set up, necessary for
14 the production, processing or consumption of a chemical;
- 15 4) "Production of a chemical" means its formation through chemical
16 reaction and includes the production of a chemical listed in Schedule 1,
17 Schedule 2, or Schedule 3 of the Annex on Chemicals to the
18 Convention by a biochemical or biologically mediated reaction;
- 19 5) "Processing of a chemical" means a physical process such as
20 formulation, extraction, and purification, in which a chemical is not
21 converted into another chemical; and
- 22 6) "Consumption of chemical" means its conversion into another chemical
23 via a chemical reaction.
- 24 d) *Key Component of Binary or Multi-component Chemical Systems* means
25 the precursor which plays the most important role in determining the toxic
26 properties of the final product and reacts rapidly with other chemicals in
27 the binary or multi-component system;
- 28 e) *Person* means except as otherwise provided in this Act, any individual,
29 corporation, partnership, firm, association, trust, estate, public or private
30 institution, or any political entity, any foreign government or nation or any
31 agency, instrumentality or political subdivision of any such government or
32 nation, or other entity located in the Philippines;

- 1 f) *Precursors* mean chemical reactants which take part at any stage in the
2 production by whatever method of a toxic chemical. This includes any key
3 component of a binary or multi-component chemical system. Precursors
4 which have been identified for the application of verification measures by
5 the Organization for the Prohibition of Chemical Weapons (OPCW) are
6 listed in Schedule 1, Schedule 2, or Schedule 3 of the Annex on Chemicals
7 to the Convention;
- 8 g) *Purposes not prohibited under this Convention* shall mean:
- 9 1) Industrial, agricultural, research, medical, pharmaceutical, or other
10 peaceful purposes;
 - 11 2) Protective purposes, namely those purposes directly related to
12 protection against toxic chemicals and chemical weapons;
 - 13 3) Military purposes not connected with the use of chemical weapons and
14 not dependent on the use of the toxic properties of chemicals as a
15 method of warfare; and
 - 16 4) The use of non-lethal weapons, other than those prohibited under this
17 Act and the Convention, for the maintenance of public security and
18 order.
 - 19 i) By the law enforcement authorities;
 - 20 ii) By the Armed Forces of the Philippines (AFP) when taking
21 measures to suppress insurgency and other serious threats to
22 national security, and where the use thereof is most appropriate
23 other than the use of deadly force; and
 - 24 iii) By the AFP within the framework of a system of mutual collective
25 security, and training for its use.
- 26 h) *Riot control agent* means any chemical not listed in Schedule 1, Schedule
27 2, or Schedule 3 of the Annex on Chemicals to the Convention which can
28 produce rapidly in humans sensory irritation or disabling physical effects
29 which disappear within a short time following termination of exposure;
- 30 i) *Scheduled chemicals* mean those chemicals listed in Schedule 1, Schedule
31 2, and Schedule 3 of the Annex on Chemical to the Convention;

1 j) *Toxic Chemical* means any chemical which, through its chemical action on
2 life processes, can cause death, temporary incapacitation or permanent
3 harm to humans or animals. This includes all such chemicals therein,
4 regardless of their origin or method of production, and regardless of
5 whether they are produced in facilities, munitions or elsewhere.

6 Toxic chemicals which have been identified for the application of
7 verification measures by the OPCW are listed in Schedule 1, Schedule 2
8 and Schedule 3 of the Annex on Chemicals to the Convention. Unless the
9 contrary intention appears, an expression or term that is used both in this
10 Act and the Convention but is not defined in this Act, shall have the same
11 meaning provided in the Convention, and Verification Annex means the
12 Annex on Implementation and Verification to the Convention.

13 **Sec. 4. National Authority.** – The Anti-Terrorism Council (ATC) is hereby
14 designated as the Philippine National Authority on the Chemical Weapons
15 Convention, hereinafter referred to as the PNA-CWC, to be headed by the Executive
16 Secretary as Chairperson of the ATC.

17 The Anti-Terrorism Council – Program Management Center (ATC-PMC) shall
18 act as the secretariat and implementing arm of the PNA-CWC.

19 **Sec. 5. Functions of the PNA-CWC.** – The PNA-CWC shall:

- 20 a) Serve as the national focal point for effective liaison with the OPCW and
21 other States Parties as prescribed under the Convention;
- 22 b) Coordinate closely with the Philippine Permanent Representative to the
23 OPCW to ensure the proper elucidation and representation of the
24 Philippine policy on the non-proliferation of chemical weapons;
- 25 c) Prepare and submit annual declarations to the OPCW on scheduled
26 chemicals and facilities;
- 27 d) Develop rules and regulations and formulate policies concerning the
28 production, processing, consumption, importation, exportation, use and
29 proper disposition of scheduled chemicals and facilities, and production
30 facilities of other chemicals not included in Schedule 1, Schedule 2, and
31 Schedule 3 of the Annex on Chemicals to the Convention;

- 1 e) Designate and specify the required training and the functions of the
2 national inspectors who shall report to the PNA-CWC;
- 3 f) Endorse and oversee a local laboratory to become an OPCW Designated
4 Laboratory which should be able to perform off-site analysis of chemical
5 samples collected by inspectors from chemical production facilities, storage
6 depots and other installations or from the site of an alleged use of
7 chemical weapons;
- 8 g) Conduct and facilitate national inspections, as well as international
9 inspections by OPCW inspectors, of sites involving scheduled chemicals or
10 other chemical production facilities;
- 11 h) Cause or direct the investigation or violation of laws concerning chemical
12 weapons, or the handling of toxic chemicals in violation of this Act; and
- 13 i) Perform such other functions to effectively implement the provisions of
14 this Act and the Convention.

15 The PNA-CWC shall have the authority to compel, as may be necessary, the
16 assistance and support of all departments, bureaus, offices, agencies, or
17 instrumentalities of the government, including government-owned or controlled
18 corporations to effectively perform its duties and functions under this Act.

19 The PNA-CWC shall periodically update the scheduled chemicals listed in
20 Schedule 1, Schedule 2, and Schedule 3 of the Annex on Chemicals to the
21 Convention upon the request or advice of the OPCW. Such updates shall be in the
22 form of formal resolutions of the PNA-CWC to be published in the *Official Gazette* or
23 in a newspaper of general circulation before they become effective.

24 CHAPTER II

25 PROHIBITIONS

26 **Sec. 6. Prohibitions.** – The following acts are prohibited under this Act:

- 27 a) To develop, produce, otherwise acquire, stockpile, or retain any chemical
28 weapons;
- 29 b) To transfer, directly or indirectly, chemical weapons to persons;
- 30 c) To use chemical weapons;
- 31 d) To engage in any military preparations to use a chemical weapon;

- 1 e) To assist, encourage or induce a person in any way to engage in any
2 activity that is prohibited to a State Party under the Convention;
3 f) To use a riot control agent as a method of warfare;
4 g) To engage in any other activity prohibited to a State Party under the
5 Convention; and
6 h) To export and import Schedule 1 chemicals to or from a State not a Party
7 to the Convention, including transit through such State.

8 Nothing in this Act shall be construed to prohibit the AFP from using non-
9 lethal and lethal weapons other than those prohibited in this Act, in the conduct of
10 combat operations for the suppression of insurgency and other serious threats to
11 national security where the use of such non-lethal and lethal weapons is deemed
12 most appropriate.

13 **CHAPTER III**

14 **PENALTIES**

15 *Sec. 7. Penalties. –*

- 16 a) Any person who commits any of the prohibited acts under Section 6 of this
17 Act shall suffer the penalty of imprisonment of twelve (12) years and one
18 (1) day to life imprisonment, and a fine of Two million pesos
19 (P2,000,000.00) to Five million pesos (P5,000,000.00).
- 20 b) Any person who produces, acquires, retains or uses chemicals listed in
21 Schedule 1 of the Annex on Chemicals to the Convention for purposes
22 other than for research, medical, pharmaceutical or protective purposes
23 within a facility licensed by the PNA-CWC shall suffer the penalty of
24 imprisonment for a period of not less than six (6) years and one (1) day to
25 twelve (12) years, or a fine of One million pesos (P1,000,000.00) to Two
26 million pesos (P2,000,000.00), or both at the discretion of the court.
- 27 c) Any person who produces, processes, or consumes chemicals listed in
28 Schedule 2 or Schedule 3 of the Annex on Chemicals to the Convention or
29 unscheduled discrete organic chemicals for purposes other than those not
30 prohibited under this Act, or without a registration with the PNA-CWC or
31 the agency or agencies to which the PNA-CWC had delegated the function,
32 shall suffer the penalty of imprisonment of four (4) years and one (1) day

1 to six (6) years, or a fine of Five hundred thousand pesos (P500,000.00)
2 to One million pesos (P1,000,000.00), or both at the discretion of the
3 court.

4 d) Any person who imports or exports chemicals listed in Schedule 2 or
5 Schedule 3 of the Annex on Chemicals to the Convention, without prior
6 registration with the Strategic Trade Management Office (STMO) of the
7 Department of Trade and Industry (DTI) shall be dealt with in accordance
8 with Republic Act No. 10697, or the "Strategic Trade Management Act
9 (STMA).

10 e) Notwithstanding subsections (a) and (b) of Section 11 of this Act, any
11 person who obstructs, hinders, resists, or deceives any national inspector
12 or international inspector who is exercising any function contemplated or
13 provided for in the regulations issued further to Section 11 of this Act, in
14 the Convention or any applicable facility agreement, shall be punished by
15 imprisonment of four (4) years and one (1) day to six (6) years, or a fine
16 of Five hundred thousand pesos (P500,000.00), or both at the discretion
17 of the court.

18 f) Any person who violates Section 12 of this Act shall suffer the penalty of
19 imprisonment of four (4) years and one (1) day to six (6) years, or a fine
20 of Five hundred thousand pesos (P500,000.00), or both at the discretion
21 of the court.

22 g) Any person who produces, processes or consumes chemicals listed in
23 Schedule 2 or 3 of the Annex on Chemicals to the Convention or
24 unscheduled discrete organic chemicals for a purpose other than purposes
25 not prohibited under the Convention, or contravenes paragraphs (b) and
26 (c) herein shall suffer the penalty of imprisonment of two (2) years to
27 twenty (20) years or a fine of Fifty thousand pesos (P50,000.00) to Five
28 million pesos (P5,000,000.00), or both at the discretion of the court.

29 h) Any person who refuses or fails to notify the PNA-CWC pursuant to the
30 provisions of Section 10 of this Act shall suffer the penalty of
31 imprisonment of one (1) year and one (1) day to two (2) years, or a fine

1 of Five hundred thousand pesos (P500,000.00), or both at the discretion
2 of the court.

3 i) Any person who fails to give the required additional information or keep
4 records pursuant to Section 10 of this Act shall suffer the penalty of
5 imprisonment of six (6) months and one (1) day to one (1) year, or a fine
6 of One hundred thousand pesos (P100,000.00), or both at the discretion
7 of the court.

8 j) Any person who in any declaration prepared pursuant to Section 10 of this
9 Act, makes a statement or omits any matter knowing that the statement
10 or omission makes the declaration false and misleading in a material shall,
11 after hearing and due proceedings, suffer the penalty of imprisonment of
12 six (6) months and one (1) day to one (1) year or a fine of One hundred
13 thousand pesos (P100,000.00), or both at the discretion of the court.

14 In case any violation of this Act is committed by a partnership, corporation,
15 association, or any other juridical entity, the partner, president, director, manager,
16 trustee, administrator or officer who consents to, or knowingly tolerates such
17 violation shall be held criminally liable.

18 In addition, the registration of such partnership, corporation, association or
19 juridical entity with the Securities and Exchange Commission (SEC) or the
20 Department of Trade and Industry, as the case may be, and license to operate of
21 the partnership, corporation, association or any other juridical entity, shall be
22 cancelled and revoked permanently.

23 In addition to the penalties prescribed in this Act, any foreigner found guilty
24 of committing any of the offenses punishable herein shall, after service of sentence,
25 be deported immediately without further proceedings, and be barred permanently
26 from entering the country.

27 The maximum penalty provided for in this Act shall be imposed, in addition to
28 absolute perpetual disqualification from any public office, upon any government
29 official or employee found guilty of committing any of the offenses under this Act.

30 Persons who conspire to commit any of the prohibited acts under Section 6
31 hereof shall be punished by the same penalty prescribed herein.

1 b) Supply of information – Any person who, as the case may be, developed,
2 produced, or otherwise acquired, processed, consumed, retained or used
3 toxic chemicals, or their precursors, to which any provision in Parts VI
4 through IX of the Verification Annex of the Convention applies, or who
5 intends to carry out such activities, shall:

6 1) Notify the PNA-CWC, within such period as it prescribes, of the
7 chemicals and the facility or plant site through a written notice in a
8 form approved by the PNA-CWC and issued under the implementing
9 rules and regulations (IRR) of this Act;

10 2) Keep a record of such chemicals and the purpose for which the
11 chemicals are stored in a specific facility;

12 3) Prepare, from these records, annual reports relating to the chemicals
13 and the facility or plant site in a form approved by the PNA-CWC and
14 issued under the IRR of this Act; and

15 4) Submit annual reports to the PNA-CWC at intervals specified in the IRR
16 of this Act.

17 The records and reports under paragraph (b) (1) to (4) herein must be
18 sufficient to satisfy the requirements of the PNA-CWC in order to ensure that the
19 Convention and the provisions of this Act and any regulation made under this Act are
20 being complied with.

21 *Sec. 11. Verification and Inspection. –*

22 a) The PNA-CWC shall issue regulations to facilitate compliance with the
23 Verification Annex to the Convention.

24 b) Persons covered by the provisions of this Act and their personnel shall
25 have the duty to facilitate the inspections to be conducted by the OPCW
26 and cooperate with the international inspectors and the escorting team.

27 *Sec. 12. Protection of Confidential Information. –* Any confidential information
28 that is given or obtained pursuant to this Act shall be disclosed only for the purpose
29 of complying with the obligations under the Convention, the enforcement of this Act,
30 or dealing with an emergency involving public safety.

31 **CHAPTER V**

32 **MISCELLANEOUS PROVISIONS**

1 **Sec. 13. *International Cooperation and Assistance.* –**

2 a) The PNA-CWC may collaborate with other State authorities and
3 international organizations and entities and coordinate their actions to the
4 extent required by the implementation of this Act or of the corresponding
5 statutes, subject to other State authorities or international organizations or
6 entities being bound to official secrecy.

7 b) The PNA-CWC may request other State authorities and other international
8 organizations or entities to provide relevant data or information. The PNA-
9 CWC is authorized to receive data or information concerning:

10 1) The nature, quantity, and utilization of scheduled chemicals or their
11 precursors and related technologies, the places of consignment and the
12 names of the consignees for such scheduled chemicals, precursors, or
13 related technologies; and

14 2) Persons taking part in the production, delivery, or brokerage of the
15 scheduled chemicals, precursors, or technologies in subparagraph (a)
16 herein.

17 c) If a foreign State has entered into the appropriate reciprocity agreement
18 with the Philippines, the PNA-CWC may provide, on its own initiative or on
19 request, the data or information described in paragraph (b) herein to that
20 State so long as the other competent State authority provides assurances
21 that such data or information shall:

22 1) Only be utilized for purposes consistent with this Act; and

23 2) Be used in criminal proceedings on the condition that they are obtained
24 in accordance with those provisions governing international juridical
25 cooperation.

26 d) The PNA-CWC may provide data or information described in paragraph (c)
27 (2) herein to international organizations or entities if the conditions set
28 forth in paragraph (c) herein are fulfilled, in which case the requirement
29 for reciprocity agreement is waived.

30 **Sec. 14. *Establishment of an OPCW Designated Laboratory.* –** The PNA-CWC
31 shall support initiatives from and foster collaborations among government agencies,
32 private sector, and other stakeholders towards the establishment of an OPCW

1 Designated Laboratory, with the end view of allowing in-country analysis and rapid,
2 accurate and scientific assessment of chemical samples, faster incident response and
3 ensuring full implementation of the objectives of this Act and the Convention.

4 Initiatives shall refer to the institution of quality systems and capacity-building
5 efforts in accordance with international standards, including securing of proper
6 accreditation, passing the required series of proficiency testing, setting up the
7 necessary competencies, and providing steady funding support for researches,
8 personnel retention, and other development activities.

9 CHAPTER VI

10 FINAL PROVISIONS

11 Sec. 15. *Supplemental Application of the Revised Penal Code and Other Laws.*

12 – The provisions of the Revised Penal Code, Republic Act No. 11479, otherwise
13 known as “The Anti-Terrorism Act of 2020,” the Strategic Trade Management Act
14 (STMA), and other related laws shall have supplemental application to the provisions
15 of this Act.

16 Sec. 16. *Jurisdiction.* – The Regional Trial Court shall have exclusive
17 jurisdiction over all cases of violations of this Act, as well as applications for ancillary
18 writs and processes such as search warrants, seizure, and forfeiture; Provided, That
19 the Regional Trial Court that first acquires jurisdiction shall exercise the same to the
20 exclusion of all other courts unless the Supreme Court authorizes the transfer of
21 venue.

22 Sec. 17. *Implementing Rules and Regulations.* – Within one hundred eighty
23 (180) days from the effectivity of this Act, the PNA-CWC shall, in close coordination
24 with the chemical industry and supporting agencies, issue the rules and regulations
25 to ensure the efficient and effective implementation of the provisions of this Act.

26 Sec. 18. *Separability Clause.* – If for any reason, any provision of this Act is
27 declared unconstitutional or invalid, such parts not affected thereby shall remain in
28 full force and effect.

29 Sec. 19. *Repealing Clause.* – All laws, decrees, executive orders, rules and
30 regulations and other issuances or parts thereof which are inconsistent with this Act
31 are hereby repealed, amended or modified accordingly.

1 Sec. 20. *Effectivity.* – This Act shall take effect fifteen (15) days after its
2 publication in the *Official Gazette* or in any two (2) newspapers of general
3 circulation.

Approved,