

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

EIGHTEENTH CONGRESS  
First Regular Session

**HOUSE BILL NO. 4558**



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**Introduced by Honorable Michael L. Romero**

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### **EXPLANATORY NOTE**

The 1987 Philippine Constitution laid down the framework for the protection of the people, promotion of the people's right to health and right to a clean and healthy environment. Article II, Section 4 specified that it is the prime duty of the Government to serve and protect the people, while Article II, Section 8, explicitly forbids the presence of nuclear weapons in the country. It is the State's duty and obligation to ensure the health, welfare and safety of the present and future generation of Filipinos.

The threat of **Chemical, Biological, Radiological, Nuclear (CBRN)** materials and weapons is a global challenge. The Philippines, an archipelagic country with vast coastline and porous borders, is vulnerable to different threats or risks to its population.

The latest development or advancement in science and technology, have also increased the risks brought about by chemical, biological, radiological and nuclear (CBRN) materials. If these materials are used malevolently, or if the laboratories or facilities containing these CBRN materials have not followed safety and security protocols, the probabilities of exposing the Filipinos and the

environment to grave threats and risks are increased.

The different international conventions and treaties and its objectives have introduced us to the safety and security threats posed by Chemical, Biological, Radiological and Nuclear (CBRN) weapons and materials. Threats that if not addressed, can greatly impact our country's national survival.

Thus, passage of this **Chemical, Biological, Radiological, Nuclear (CBRN)** House Bill is earnestly sought to maintain the safety and security of the present and future generations of Filipino.



**MICHAEL L. ROMERO**



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**AN ACT**  
**PROVIDING FOR A STRATEGIC AND INTEGRATED CHEMICAL,**  
**BIOLOGICAL, RADIOLOGICAL, NUCLEAR (CBRN) RESILIENCY**  
**APPROACH, TO FOSTER SAFETY AND SECURITY OF THE**  
**FILIPINO PEOPLE, PROVIDING FUNDS THEREFOR AND FOR**  
**OTHER PURPOSES**

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

**CHAPTER I**  
**GENERAL PROVISIONS**

**Article 1**  
**Declaration of Principles and Policies**

**SECTION 1. SHORT TITLE.** This Act shall be known as the  
“**Chemical, Biological, Radiological, Nuclear (CBRN) Act of 2019.**”

**SECTION 2. DECLARATION OF POLICY.** The State shall serve and  
protect the people and promote the right to health of the people and instill health  
consciousness among them.

The State recognizes that a safe and secure environment is for the good of all

and should be the responsibility and concern of all;

The State is fully aware of the safety and security threats posed by Chemical, Biological, Radiological and Nuclear (CBRN) materials and weapons.

Towards this end and consistent with our commitment to international conventions and to pursue national and international security interests, the State recognizes its duty and obligation to protect and promote welfare, safety and security of the present and future generation of Filipinos.

**SECTION 3. COVERAGE OF THE ACT.** This Act shall cover the national territory of the Philippines, its exclusive economic zone and area of responsibility.

## **Article 2**

### **Definition of Terms**

**SECTION 4. DEFINITION OF TERMS.** As used in this Act:

- a. **Chemical, Biological, Radiological and Nuclear (CBRN) Materials** –refers to Chemical, Biological, Radiological, Nuclear materials used deliberately or intentionally by terrorists or criminals to cause harm.
- b. **Chemical, Biological, Radiological, Nuclear** – expansion of the term CBRN referring to threats due to the weaponization of hazardous and dangerous goods.
- c. **CBRN Event** – refers to event involving a potential, perceived, or actual act with chemical, biological, radiological, nuclear, or explosive materials that are, or are suspected to be, used in a deliberate or intentional way to cause harm. These acts are considered criminal acts and are often acts of terrorism. These are intended to instigate fear and disorder among the citizens, and the deliberate actions may be large and dispersed and may require a specialized emergency management and response.
- d. **Weapons of Mass Destruction (WMD)** - refers to any destructive device or weapon that is designed or intended to cause death or



1 serious bodily injury through the release, dissemination, or  
2 impact of toxic or poisonous chemicals, or their precursors, any  
3 weapon involving a biological agent, toxin, or vector, or any  
4 weapon that is designed to release radiation or radioactivity at a  
5 level dangerous to human life. This includes, but not limited to:  
6 (a) nuclear and radiological explosive devices and their major  
7 sub-systems; (b) chemicals covered by Schedule I, II and III of the  
8 Chemical Weapons Convention; and (c) biological agents and  
9 biologically derived substances specifically developed,  
10 configured, adapted, or modified for the purpose of increasing  
11 their capability to produce casualties in humans or livestock,  
12 degrade equipment, or damage crops.

## 14 **CHAPTER II**

### 15 **GOAL AND IMPLEMENTING STRUCTURE AND MECHANISM**

16 **SECTION 5. GOAL OF STRATEGIC AND INTEGRATED CBRN**  
17 **RESILIENCY APPROACH.** The Goal of the **Strategic and Integrated CBRN**  
18 **Resiliency Approach** is to prevent, control, respond and/or manage risks  
19 brought about by Chemical, Biological, Radiological, Nuclear (CBRN) materials  
20 and weapons to the Filipino's welfare, safety and security.

21 **SECTION 6. CREATION OF THE CHEMICAL, BIOLOGICAL,**  
22 **RADIOLOGICAL, NUCLEAR (CBRN) AUTHORITY.** The CBRN Authority, is  
23 hereby created, under the Department of Interior and Local Government (DILG).  
24 It shall be headed by a Director General (with a rank of Undersecretary), assisted  
25 by two (2) Deputy Director General (with a rank of Assistant Secretary), and five  
26 (5) Directors.

27 **SECTION 7. POWERS AND FUNCTIONS.** The CBRN Authority shall  
28 have the following powers and functions:

- 29 a. Formulate policies, develop programs and strategies, promulgate  
30 guidelines including operational responsibilities of the Authority:



- 1 b. Prepare within twelve (12) months a National CBRN Action Plan  
2 which includes, but is not limited to CBRN preparedness, response,  
3 containment of CBRN sites, and decontamination of CBRN wastes,  
4 and the following:
- 5 1. Risk identification, assessment and management, with options to  
6 prescribe permitting requirements;
  - 7 2. Identification of CBRN agents and materials and their listing in  
8 the regulations
  - 9 3. Identification of CBRN Enforcement Officers and their functions  
10 including the development of inter-agency cooperation,  
11 coordination and communication protocols with other officials  
12 such as customs and health/quarantine/police officers on  
13 matters relating to suspected CBRN materials;
  - 14 4. Compliance and non-compliance and the corresponding  
15 penalties for the non-compliance;
  - 16 5. Procedures for the monitoring of CBRN threats, emergency  
17 response on the detection of incursions including isolation of  
18 areas, control, eradication processes and disposal processes for  
19 the CBRN wastes;
  - 20 6. Payment of compensation as a consequence of action;
  - 21 7. Development of CBRN Emergency Response and Crisis  
22 Management, including the release of appropriate funds, for  
23 different Tiers of CBRN threats in all levels of government;
  - 24 8. Development of the list of prohibited, regulated and restricted  
25 biological organisms or agents and non-biological agents.
  - 26 9. Development of the procedures and guidelines for  
27 decontamination and disposal of CBRN wastes at CBRN sites.
- 28 c. Review and update every three (3) years the CBRN strategies and  
29 policies;
- 30 d. Coordinate, monitor and evaluate programs and development  
31 projects initiated by the Government and private agencies to achieve  
32 CBRN resiliency;
- 33 e. Undertake information dissemination and education campaigns on  
34 CBRN resiliency programs to create greater awareness on CBRN  
35 preparedness and response;
- 36 f. Establish and maintain coordination, cooperation, assistance and

1 information sharing with government agencies in the  
2 implementation of their CBRN functions;

3 g. Establish and maintain coordination, cooperation, assistance and  
4 information sharing with other nations on matters relating to CBRN;

5 h. Coordinate in, assist and/or support the conduct of researches,  
6 trainings, infrastructure and capability development and relevant  
7 activities for CBRN;

8 i. Act as National Competent Authority of International Conventions  
9 related to Chemical Weapons, Biological Weapons, Radiological and  
10 Nuclear Weapons and other related international conventions.

11 **SECTION 8. POLICY AND PROGRAM ADVISORY BODY.** The

12 CBRN Authority shall have a Policy and Program Advisory Body, hereinafter  
13 referred as Advisory Body to be composed of the all relevant officials and staff of  
14 the Authority, and the following:

15 a. Secretary, Department of Interior and Local Government (DILG);

16 b. Secretary, Department of Environment and Natural Resources (DENR)

17 c. Secretary, Department of Agriculture (DA)

18 d. Secretary, Department of Health (DOH);

19 e. Secretary, Department of Trade and Industry (DTI);

20 f. Secretary, Department of National Defense (DND)

21 g. Secretary, Department of Science and Technology (DOST)

22 h. Director General, National Security Council;

23 i. Secretary, Department of Finance (DOF);

24 j. Secretary, Department of Foreign Affairs (DFA);

25 k. Secretary, Department of Justice (DOJ);

26 l. Secretary, Department of Education (DepEd)

27 m. Executive Director, Anti-Terrorism Council (ATC) – Program  
28 Management Center (PMC)

29 The Advisory Body shall serve as the consultative assembly that shall assist the  
30 Authority in the formulation and development of comprehensive strategic multi-



1 year plans and programs on Strategic and Integrated CBRN Approach; *Provided*,  
2 that the herein actual composition shall be listed and appropriate authorization  
3 shall be issued by the Director-General for the attendance of such individuals  
4 and entities in every meeting or assembly of the Advisory Body called for a  
5 purpose; *Provided further*, that the Advisory Body shall meet at least once every  
6 calendar year; *Provided, finally*, that such attendance shall be voluntary and  
7 authorized attendees shall not be entitled to any form of compensation

8 The Advisory Body may designate a representative to the CBRN Authority who  
9 shall have a rank not lower than an Undersecretary. Five (5) members of the  
10 Advisory Body shall constitute a quorum in order to transact any business.

11 **SECTION 9. SUPPORT FROM OTHER AGENCIES.** The CBRN

12 Authority shall be complemented by the following support agencies and bureaus:

- 13 a. Environmental Management Bureau (DENR-EMB);
- 14 b. Food and Drug Administration (DOH-FDA);
- 15 c. Bureau of Quarantine (DOH-BOQ);
- 16 d. Research Institute for Tropical Medicine (DOH-RITM);
- 17 e. Philippine Nuclear Research Institute (DOST-PNRI);
- 18 f. National Committee on Biosafety of the Philippines (DOST-NCBP)
- 19 g. Armed Forces of the Philippines (AFP);
- 20 h. Philippine National Police (PNP);
- 21 i. Bureau of Fire Protection (BFP)
- 22 j. Philippine Coast Guard (PCG)
- 23 k. National Bureau of Investigation (DOJ-NBI);
- 24 l. University of the Philippines; and
- 25 m. Such other offices, agencies or units as necessary.

26 **SECTION 10. FIELD OFFICES OF THE AUTHORITY.** Field Offices

27 of the Authority are hereby created and established in the seventeen (17)  
28 administrative and autonomous regions of the country. It shall have the  
29 following powers and functions:

- 30 a. Assist the local government units in the local implementation of CBRN



1 Strategic Action Plan in order to achieve the objective of this Act;

2 b. Provide for the efficient and cost-effective delivery of the Authority's  
3 services to the people;

4 c. Coordinate with the regional offices of other departments, offices,  
5 agencies in the region and local government units in the enforcement  
6 of this Act;

7 d. The CBRN Regional Offices shall submit periodic updates to the CBRN  
8 Authority;

9 e. Perform such other tasks as may be necessary and incidental to carry  
10 out the provisions of this Act and the purpose for which the BMOs had  
11 been established.

12 **SECTION 11. STAFF AND BUDGETARY SUPPORT.** The CBRN  
13 Authority shall be headed by a Director General (with a rank of Undersecretary),  
14 assisted by two (2) Deputy Director General (with a rank of Assistant Secretary),  
15 and five (5) Directors of appropriate rank who shall be responsible for the pursuit  
16 of their respective CBRN mandate, the discharge of its duties and functions and  
17 the exercise of supervision and control over the CBRN Regional Offices and its  
18 constituent units. Personnel of the CBRN Authority shall be called *CBRN*  
19 *Enforcement Officers*.

20 The organizational structure and staffing pattern of the CBRN Authority shall be  
21 formulated by the Secretary of Interior and Local Government in coordination  
22 with the Advisory Body, subject to the approval by the Department of Budget  
23 and Management (DBM) in accordance with Executive Order No. 292  
24 (Administrative Code of 1987).

25 The initial amount of Twenty Million Pesos for CBRN Authority shall be sourced  
26 from the Intelligence Fund (IF) of the DILG, subject to existing budgeting,  
27 accounting and auditing laws, rules and regulations, in order to carry out the  
28 provisions of this Act. Thereafter, the subsequent budget shall be incorporated  
29 in the General Appropriations Act under the operating expenses of the CBRN  
30 Authority.

31 **SECTION 12. NATIONAL CBRN STRATEGIC ACTION PLAN**

1 **(NATIONAL CBRN SAP).** Within twelve (12) months after the approval of this  
2 Act, the CBRN Authority shall formulate and develop the National CBRN  
3 Strategic Action Plan which shall be adopted by the different agencies and  
4 instrumentalities of the government nationwide. The NBS shall be reviewed and  
5 updated every three (3) years. The strategy shall include, but is not limited to:

- 6 a. Risk identification, assessment and management, with options to  
7 prescribe permitting requirements;
- 8 b. Vulnerability assessment of existing laboratories and the safety and  
9 biosecurity practices across all laboratories including, but not limited  
10 to laboratories of State Universities and Colleges (SUCs);
- 11 c. Identification of CBRN agents and materials and their listing in the  
12 regulations;
- 13 d. Identification of CBRN Enforcement Officers and their functions  
14 including the development of inter-agency cooperation, coordination  
15 and communication protocols with other officials such as customs and  
16 health/quarantine/police officers on matters relating to suspected  
17 CBRN materials;
- 18 e. Compliance and non-compliance and the corresponding penalties for  
19 the non-compliance;
- 20 f. Procedures for the monitoring of CBRN threats, emergency response on  
21 the detection of incursions including isolation of areas, control,  
22 eradication processes and disposal processes for the CBRN wastes;
- 23 g. Payment of compensation as a consequence of action;
- 24 h. Development of CBRN Emergency Response and Crisis Management,  
25 including the release of appropriate funds, for different Tiers of CBRN  
26 threats in all levels of government;
- 27 i. Development of the list of prohibited, regulated and restricted biological  
28 organisms or agents and non-biological agents.
- 29 j. Development of the procedures and guidelines for decontamination and  
30 disposal of CBRN wastes at CBRN sites.



**SECTION 13. DESIGNATION OF CRISIS MANAGERS AND/OR CABINET OFFICERS PRIMARILY RESPONSIBLE DURING CBRN CRISIS.** The

Crisis Managers and/or Cabinet Officers Primarily Responsible (C-OPR) shall assume authority; effectively carry out functions; and take on responsibilities and accountabilities prescribed in the Practical Guide for National Crisis Managers, the Core Manual and the approved March 2011 revisions to Chapter 4 of the 2000 Crisis Management Manual. Specifically, that:

- a. The **Executive Secretary** shall be the Cabinet-Officer Primarily Responsible (C-OPR) for emerging and current threats of terrorism, as Chairperson of the *Anti-Terrorism Council* created under Republic Act 9372 or the Human Security Act of 2007;
- b. The **Secretary of Environment and Natural Resources** shall be the Cabinet-Officer Primarily Responsible (C-OPR) for emerging and current threats brought about by chemicals and chemical substances.
- c. The **Secretary of Health** shall be the Cabinet-Officer Primarily Responsible (C-OPR) for emerging and current threats to public health brought about by biological agents.
- d. The **Secretary of Science and Technology** shall be the Cabinet-Officer Primarily Responsible (C-OPR) for emerging and current threats brought about by radiological and nuclear materials.

**SECTION 14. AGENCY ASSISTANCE.** The CBRN Authority is hereby authorized to call on and mobilize any government agency or instrumentality, including local government units and government-owned or controlled corporations and also non-governmental agencies or institutions, for support and assistance in the implementation of this Executive Order.

**SECTION 15. ROLE OF LOCAL GOVERNMENT UNITS (LGUS).** Local government units (LGUs) shall share the responsibility in protecting the general welfare, safety and security of humans, plant and animal population, environment and ecosystem within their territorial jurisdictions. CBRN Offices shall also be created and established in the government units of provinces, cities

1 and municipalities.

2 Each local government unit shall prepare a compliance scheme in accordance  
3 with the National *CBRN* Strategic Action Plan.

4  
5 **CHAPTER III**  
6 **PERMITTING, INSPECTION, MONITORING**

7 **SECTION 16. PERMITTING.** – The interpretation of the provisions of  
8 this Act shall not negate the effectivity and application of the permitting  
9 requirements of other laws. The CBRN Authority shall require owners /  
10 operators / exporters / importers of goods or products which may be a CBRN  
11 risk to secure the necessary permits of other applicable laws.

12 **SECTION 17. RECORD-KEEPING, INSPECTION, MONITORING**  
13 **AND ENTRY BY THE CBRN ENFORCEMENT OFFICERS** - The CBRN Authority  
14 or its duly authorized representative shall, after proper consultation and notice,  
15 require any person who owns or operates any source of CBRN risk or threat is  
16 subject to any requirement of this Act to:

- 17 a. establish and maintain relevant records;  
18 b. make relevant reports;  
19 c. install, use and maintain monitoring equipment or methods;  
20 d. provide such other information as the CBRN Authority may reasonably  
21 require.

22 Pursuant to this Act, the CBRN Authority, through its authorized  
23 representatives, shall have the right to:

- 24 a. enter or to have access to any premises including documents and  
25 relevant materials as referred to in the herein preceding paragraph;  
26 b. inspect any area with CBRN threat, pollution or waste source, control  
27 device, monitoring equipment or method required;



1 c. test any discharge; and

2 d. deputize other government agencies and concerned members of the civil  
3 society or private sector on the implementation of the Act.

4 Any record, report or information obtained under this section shall be made  
5 available to the public, except upon a satisfactory showing to the CBRN Authority  
6 by the entity concerned that the record, report, or information or parts thereof,  
7 if made public, would divulge secret methods or processes entitled to protection  
8 as intellectual property.

9  
10 **CHAPTER IV**  
11 **LIABILITIES / PENAL PROVISIONS**

12 **SECTION 18. LIABILITY ON CBRN DAMAGE.** - The owners /  
13 operators / exporters / importers of goods or products which may be a CBRN  
14 risk at the time of an Incident, or where the Incident consists of a series of  
15 occurrences, at the time of the first such occurrence, shall be liable for any CBRN  
16 Damage caused by the said goods or products as a result of the Incident. Such  
17 damages shall include, but not limited to:

- 18 a. Reasonable expenses actually incurred in isolating the areas, control,  
19 eradication processes and disposal processes for the CBRN wastes;
- 20 b. Reasonable expenses of Preventive Measures and further loss or  
21 damage caused by preventive measures;
- 22 c. Consequential loss or loss of earnings suffered by Owners or users of  
23 property contaminated or damaged as a direct result of an Incident;
- 24 d. Pure economic loss or loss of earnings sustained by persons although  
25 the property contaminated or damaged as a direct result of an Incident  
26 does not belong to them;
- 27 e. Damage to human health or loss of life as a direct result of the Incident,  
28 including expenses for rehabilitation and recuperation: *Provided*, That  
29 costs of studies or diagnoses to determine the long-term damage shall  
30 also be included; and

- 1 f. Environmental and ecological damages and other reasonable measures  
2 of environmental restoration.

3 **SECTION 19. EXEMPTING CIRCUMSTANCES.** - No liability as  
4 stated in the immediately preceding section shall attach to the owners /  
5 operators / exporters / importers of goods or products which may be a CBRN  
6 risk if he proves that the damage:

- 7 a. Resulted from an act of war, hostilities, civil war, insurrection or a natural  
8 phenomenon of an exceptional, inevitable and irresistible character; and  
9 b. Was wholly caused by an act or omission done with intent to cause damage  
10 by third party.

11 **SECTION 20. PROHIBITED ACT AND PENALTIES:**

12 a. Any person who willfully and intentionally engages in any of the  
13 following activities shall be imprisoned for a period from six (6) years  
14 and one (1) day to twelve (12) years imprisonment, and a fine from one  
15 million pesos (P1,000,000.00) to five million pesos (P5,000,000.00):

- 16 1. To engage in any of the regulated activity prohibited by, or in  
17 contravention of, this Act,  
18 2. To make false or misleading representations or conceal any material  
19 fact, including in the submission of any document, to the CBRN  
20 Authority or any other Philippine government agency;  
21 3. To engage in any activity prohibited by, or in contravention of, any  
22 orders or regulations issued by the CBRN Authority to implement  
23 the provisions of this Act;  
24 4. To conspire or act in concert with one or more persons in any  
25 manner or for any purpose to bring about or to do any act that  
26 constitutes a violation of this Act, or any order, regulation, or  
27 authorization issued thereunder;  
28 5. To forge or alter any authorization, registration, certificate or any or  
29 other document issued in relation to the provisions of this Act;  
30 6. To obstruct or hinder the CBRN Authority or any government agency  
31 in the execution of its powers conferred under this Act; or  
32 7. To induce a violation of this Act or any order, regulation, or  
33 authorization issued thereunder; and



1 8. To cause, aid or facilitate, directly or indirectly, in the storage,  
2 importation, or bringing into Philippines territory, including its  
3 maritime economic zones, even in transit, either by means of land,  
4 air or sea transportation or otherwise keeping in storage any amount  
5 of CBRN materials, weapons or wastes in any part of the Philippines.

6 b. Any person found guilty of committing any of the following shall be  
7 imprisoned for a period from six (6) months and one (1) day to six (6)  
8 years imprisonment, and a fine from one hundred thousand pesos (P  
9 100,000.00) to one million pesos (P1,000,000.00):

- 10 1. To fail to report or notify the CBRN Authority as required by this Act;  
11 2. To fail to comply with record keeping requirements as provided in  
12 this Act; or  
13 3. To engage in any activity with intent to evade the provisions of this  
14 Act, or any order, regulation, or authorization issued thereunder.

15 **SECTION 21. ATTEMPT TO COMMIT VIOLATIONS OF THIS ACT.**

16 Any attempt to commit any crime under Section 16(a) of this Act shall be  
17 penalized by imprisonment for a period from six (6) months and one (1) day to  
18 six (6) years, and a fine from one hundred thousand pesos (P100,000.00) to one  
19 million pesos (P1,000,000.00).

20 **SECTION 22. ADMINISTRATIVE PENALTIES.** – The CBRN Authority

21 shall impose on any person found to have committed violations under this Act  
22 the following administrative penalties:

- 23 a. Limitation, revocation or annulment of any authorization and/or  
24 registration;  
25 b. Imposition of fines of up to two hundred fifty thousand pesos  
26 (P250,000.00) or twice the value of the CBRN material under the  
27 contract or as assessed by the CBRN Authority; and  
28 c. Upon request by the Securities and Exchange Commission and/or the  
29 Department of Trade and Industry or any other relevant agencies, order  
30 the cancellation or suspension of the registration and  
31 authorization/license to operate of the partnership, corporation,

1 association and other juridical entity.

2 The imposition of the penalty shall be without prejudice to the filing of  
3 appropriate criminal charges against the persons responsible for the violation.

4 **SECTION 23. CBRN MANAGEMENT FUND** – Proceeds from the  
5 penalties prescribed in preceding Sections and other penalties imposed by this  
6 Act, the CBRN Authority, as authorized by this Act, shall be automatically  
7 appropriated into a CBRN Management Fund hereby created.

8 The CBRN Management Fund to be administered by the CBRN Authority, as a  
9 special account in the National Treasury is hereby established.

10 Grants, endowments and donations received for the purpose of CBRN  
11 preparedness and resiliency shall also be accepted and disbursed as part of the  
12 CBRN Management Fund.

13 The fund shall be used to finance the following:

- 14 a. finance containment and clean-up operations of the government in  
15 CBRN cases;
- 16 b. guarantee restoration of ecosystems and rehabilitation of affected  
17 areas; support research enforcement and monitoring activities;
- 18 c. provide technical assistance to the implementing agencies;
- 19 d. grant rewards and incentives;
- 20 e. support information and educational campaign;
- 21 f. such other disbursements made solely for the prevention, control or  
22 abatement of CBRN threats in the amounts authorized by the  
23 Authority.

24 **SECTION 24. INVESTIGATION.** If in the course of the conduct of an  
25 investigation for violations committed under this Act, the Authority comes across  
26 evidence of possible criminal violations, it shall refer the matter and turn over  
27 all available evidence to the Department of Justice for preliminary investigation.

28 Appropriate forfeiture proceedings for materials and goods confiscated shall be



1 filed in accordance with existing laws, rules and regulations.

2       **SECTION 25. CRIMINAL LIABILITY OF OFFICERS OF**  
3 **PARTNERSHIPS, CORPORATIONS, AND OTHER JURIDICAL ENTITIES.** In  
4 case any of the violations of this Act is committed by a partnership, corporation,  
5 association, or any other juridical persons, the partner, president, director,  
6 manager, trustee, administrator, or officer who willfully and intentionally  
7 consents to, or tolerates such violation shall be held criminally liable as co-  
8 principal. The penalty provided for the offense shall be imposed upon the  
9 responsible officers who participated in the commission of the crime or who have  
10 willfully and intentionally permitted its commission.

11       **SECTION 26. ADMINISTRATIVE LIABILITY OF GOVERNMENT**  
12 **OFFICIALS AND EMPLOYEES.** Any government official or employee who  
13 commits, or facilitates the commission of, any violation of this Act shall be  
14 administratively liable under Civil Service rules, without prejudice to criminal  
15 liability under this Act. The concerned government official or employee shall,  
16 upon conviction, be dismissed from the service.

17       **SECTION 27. ADDITIONAL PENALTY IF OFFENDER IS AN ALIEN /**  
18 **FOREIGN NATIONAL.** In addition to the penalties prescribed in this Act, any  
19 alien/foreign national who violates any provision of this Act shall, after service  
20 of sentence, be deported immediately without further proceedings, and be barred  
21 permanently from entering the country.

22       **SECTION 28. FORFEITURE.** In addition to imprisonment and fine,  
23 the CBRN materials or items subject of the offense, including the proceeds  
24 derived therefrom, shall be forfeited in favor of the government.

25 After conviction, the Regional Trial Court shall enter a judgment of forfeiture of  
26 the goods, including its proceeds, in favor of the Government of the Philippines  
27 and shall authorize the forfeiture of the seized goods.

28 Following the seizure of the CBRN materials, the Authority may call on relevant



1 government agency who shall direct the destruction of said CBRN materials. All  
2 proper expenses incurred in the proceedings for the confiscation, forfeiture,  
3 custody and maintenance of the property pending disposition, as well as  
4 expenses for publication and court costs shall be taken from the General  
5 Appropriations Act (GAA).

6 **SECTION 29. PROTECTION OF CBRN ENFORCEMENT OFFICERS.**

7 – No action or prosecution shall be brought, instituted or maintained against the  
8 CBRN Authority or an authorized officer for or on account of or in respect of any  
9 act ordered or done for the purpose of carrying into effect this Act or its IRR if  
10 the act was done in good faith and under a reasonable belief that it was necessary  
11 for the purpose intended to be served thereby.

12 **SECTION 30. JURISDICTION.** The Regional Trial Court shall have  
13 jurisdiction over criminal prosecutions for violation of any provision of this Act,  
14 as well as over applications for the issuance and grant of applicable provisional  
15 remedies under the Rules of Court.

16 **SECTION 31. INTERNATIONAL LEGAL COOPERATION.** – For the  
17 purposes of this section, the Department of Justice (DOJ) and the Department  
18 of Foreign Affairs (DFA) shall develop, as part of the National CBRN Strategic  
19 Action Plan, procedures on International Legal Cooperation which includes, but  
20 is not limited to types of assistance, requests for legal assistance from a foreign  
21 State, and requirements for requests for mutual assistance from foreign States,  
22 authentication of documents, and extraditable offenses.

23  
24 **CHAPTER V**  
25 **MISCELLANEOUS PROVISIONS**

26 **SECTION 32. PUBLIC EDUCATION AND INFORMATION-** The CBRN  
27 Authority and the local government units shall, in coordination with the  
28 Department of Education (DepEd) and the Commission on Higher Education  
29 (CHED), the Department of Interior of Local Government (DILG), the Philippine



1 Information Agency (PIA), and Civil Society shall conduct a continuing education  
2 and information campaign on CBRN awareness. Said campaign shall aim at  
3 developing public awareness of the ill-effects of CBRN threats; the policy and  
4 decision-making in the national, provincial, city or municipal level to engage in  
5 activities to protect the human, plant and animal population, environment and  
6 ecosystem from CBRN threats and its control.

7 The civil society and other sectors, particularly labor, the academe and business  
8 involved in environment-related activities, shall be encouraged to undertake  
9 efforts to organize, educate and motivate the people in addressing and be  
10 proactive partners of the government when addressing pertinent CBRN issues  
11 and problems at the local and national levels through the institutionalization of  
12 programs, projects and activities for the purpose of this Act.

13 **SECTION 33. IMPLEMENTING RULES AND REGULATIONS (IRR).**

14 Within twelve (12) months from the effectivity of this Act, the Implementing Rules  
15 and Regulations Committee to be composed of the member-agencies of the  
16 Advisory Board shall draft and issue the IRR for its effective implementation,  
17 after public consultations with stakeholders: Provided, That the non-issuance of  
18 the IRR shall not prevent the coming into force of this Act:

19 **SECTION 34. RELATIONS WITH OTHER LAWS.** The interpretation  
20 of the provisions of this Act shall not negate the effectivity and application of  
21 other laws.

22  
23 **CHAPTER VI**  
24 **TRANSITORY PROVISIONS**

25 **SECTION 35. APPROPRIATIONS.** The initial amount of Twenty  
26 Million Pesos for CBRN Authority shall be sourced from the Intelligence Fund  
27 (IF) of the DILG, subject to existing budgeting, accounting and auditing laws,  
28 rules and regulations, in order to carry out the provisions of this Act. Thereafter,  
29 the subsequent budget shall be incorporated in the General Appropriations Act

1 under the operating expenses of the CBRN Authority.

2  
3 **CHAPTER VII**  
4 **SEPARABILITY AND REPEALING CLAUSES**

5 **SECTION 36. SEPARABILITY CLAUSE.** The provisions of this Act  
6 is declared separable. If any provision of this Act or the application of such  
7 provision to any person or circumstances is declared unconstitutional, the  
8 remainder of the Act or the application of such provision to other person or  
9 circumstances shall not be affected by such declaration.

10 **SECTION 37. REPEALING CLAUSE.** All laws, presidential decrees,  
11 executive orders and their implementing rules, or parts thereof, inconsistent  
12 with the provisions of this Act are hereby, repealed; amended or modified  
13 accordingly.

14  
15 **CHAPTER VIII**  
16 **EFFECTIVITY CLAUSE**

17 **SECTION 38. EFFECTIVITY.** This Act shall take effect fifteen (15)  
18 days after its publication in at least two (2) national newspapers of general  
19 circulation.

20  
21  
22  
23 Approved,