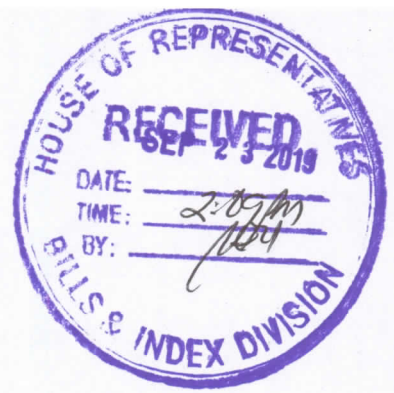


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS

First Regular Session

4768

HOUSE BILL NO. ____

Introduced by Representative Michael L. Romero

EXPLANATORY NOTE

In the republic of the Philippines, for decades, respiratory diseases have been a priority concern, having been the leading cause of illness and death in the Philippines, comprising more than 45% of the total annual deaths from all causes, thus exacting a tremendous toll on human resources, which ailments are like to increase and degenerate into serious lung diseases on account of unabated pollution, industrialization and unchecked cigarette smoking in the country.

Therefore, there is an urgent need to consolidate and reinforce existing programs, strategies and efforts at preventing, treating and rehabilitating people affected by lung diseases, and to undertake research and training on the cure and prevention of lung diseases, through a Lung Center which will house and nurture the above and related activities and provide tertiary-level care for more difficult and problematical cases.

This House Bill seeks to create the **Clark Lung Center**, to provide material and financial support towards the establishment and maintenance, for the welfare and benefit of the Filipino people.

Thus, the early passage of this bill is earnestly requested.



MICHAEL L. ROMERO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4768

Introduced by Representative Michael L. Romero

AN ACT

**CREATING THE CLARK LUNG CENTER, PROVIDING FUNDS
THEREFOR, AND FOR OTHER PURPOSES**

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

SECTION 1. SHORT TITLE – This Act shall be known as the “*Clark Lung Center Act*”.

SECTION 2. CREATION OF THE CLARK LUNG CENTER - There is hereby created a Lung Center, under the name of *Clark Lung Center*, subject to the provisions of this Act, shall be administered, according to the Articles of Incorporation, mandates of the Securities and Exchange Commission (**SEC**), by the *Office of the President*, in coordination the Department Health (**DOH**) hereinafter referred to as the Lung Center.

SECTION 3. TAX EXEMPTIONS AND PRIVILEGES - Being a non-profit, non-stock corporation organized primarily to help combat the high incidence of lung and pulmonary diseases in the Philippines, all donations,

contributions, endowments and equipment and supplies to be imported by authorized entities or persons and by the Board of Trustees of the Lung Center, for the actual use and benefit of the Lung Center, shall be exempt from income and gift taxes, the same further deductible in full for the purpose of determining the maximum deductible amount under the prevailing mandates of the *National Internal Revenue Code*, as amended.

The Lung Center shall be exempt from the payment of taxes, charges and fees imposed by the Government or any political subdivision or instrumentality thereof with respect to equipment purchases made, or for, the Lung Center.

SECTION 4. AID FROM GOVERNMENT OFFICES - The Lung Center, may call upon any Ministry, Bureaus, Office, agency or instrumentality of the government, including government-owned or controlled corporations, particularly the Philippine Charity Sweepstakes Office (**PCSO**), for such assistance it may need in the pursuit of its purposes and objectives.

SECTION 5. APPROPRIATIONS - The amount Five Billion Pesos (**P5,000,000,000.00**) is hereby appropriated as contribution of the National Government for the initial operations and maintenance of the Lung Center of the year of the effectivity of this Act.

Thereafter, the amount necessary to ensure the continued operations and maintenance of the Lung Center shall be duly provided for, appropriated and released from the General Appropriations Act (**GAA**), subject to the approval of the President the Republic of the Philippines.

The funds therefor shall be administered by the Board of the Lung Center, in behalf of the Lung Center.

SECTION 6. AUDITING. The books of accounts of the Lung Center shall be under the charge and safekeeping of the *Treasurer* of the Lung Center and of its *Chairman*, but such books of account shall be subject to periodic

review and auditing by the Chairman of the Commission on Audit, or by his duly authorized representative.

SECTION 7. POWERS AND FUNCTIONS - For the attainment and/or furtherance of the above purposes and objectives, the Lung Center, as a body corporate, acting through its Board of Trustees, shall have all the powers pertaining to a juridical person, and is therefore authorized, among other things:

1. To acquire and hold in any property of whatever nature or description, and to dispose of such property under any mode of encumbrance or conveyance;
2. To contract and be contracted with;
3. To mortgage, lease, sell, transfer, convey or otherwise dispose of its properties;
4. To solicit and receive donations, endowments and funds in the form of contributions, whether in cash or in kind, from both the public and private sectors;
5. To open such accounts in banks and other financial institutions, and to disburse such funds or invest the same as the Board may direct to accomplish or advance the purposes or interest of the Lung Center;
6. To invite foreign lung specialists and similar experts in the various medical fields to train the personnel or trainees or residents of the Lung Center;
7. To send the personnel of the Lung Center to research institutes, medical institutes or universities for advance training or observation and to attend international or regional

conventions, conferences, congresses, seminars as the Board may deem necessary to accomplish the purposes and objectives of the Lung Center;

8. To adopt a set of by-laws, rules and regulations not inconsistent with law and the provisions hereof to govern the administration and operation of the affairs of the Lung Center; and

9. To do all such other acts and things as are or may be necessary or incidental for the accomplishment of the purposes and objectives of the Lung Center.

SECTION 8. ANNUAL REPORT – The Lung Center shall render to the President of the Philippines and the Department of Health annual reports of its activities, accomplished and recommendations.

SECTION 9. DISSOLUTION OF THE CENTER - If for any reason, the Lung Center is dissolved, its assets and properties remaining at the time of dissolution, shall revert to the Philippine Government for disposition in accordance with law.

SECTION 10. TRANSITORY PROVISION – Existing industries, businesses and offices affected by the implementation of this Act shall be given six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 11. IMPLEMENTING RULES AND REGULATIONS. – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 12. REPEALING CLAUSE. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 13. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 14. EFFECTIVITY CLAUSE. – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,