

REPUBLIC OF THE PHILIPPINES  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH CONGRESS  
First Regular Session

House Bill No. 1840



Introduced by **MAGDALO Party-List Representative**  
**HON. GARY C. ALEJANO**

**EXPLANATORY NOTE**

Chemical weapons are a lethal misapplication of scientific endeavour and government resources. These instruments of nations' arsenals have produced devastating and indiscriminate casualties among warring states throughout history. In the modern society, their use, especially by non-state actors such as terrorists, is of deepening concern among political leaders. Thus, the adoption of a Chemical Weapons Convention to provide the legal framework for defending society against chemical terrorism and maintaining the peaceful and meaningful utilization of chemistry, and for creating a treaty regime ensuring that governments from different states fulfil the national obligation of implementing chemical disarmament and non-proliferation.

After 12 years of negotiations, the Chemical Weapons Convention was adopted by the Conference on Disarmament in Geneva on 3 September 1992, opened for signature in Paris on 13 January 1993, and entered into force on 29 April 1997 to outlaw the production, stockpiling, and use of chemical weapons. The Convention is the first disarmament agreement negotiated within a multilateral framework that provides for the elimination of an entire category of weapons of mass destruction under universally applied international control.<sup>1</sup> The Convention establishes an international norm against the development of chemical weapons for all time, and provides the legal and political basis for firm action against those who violate its rules.<sup>2</sup>

This measure is being put forward with the end in view of providing the Philippine Government with an enabling legislative framework required to fulfil its obligations under the Convention where the country is a signatory. The country signed the Convention on 13 January 1993, ratified the same on 21 February 1995 with the Philippine Senate thereafter adopting a resolution to signify its concurrence on 19 August 1996. Under this measure, a Philippine National Authority for the Chemical Weapons Convention is established to serve as the national coordinating body for effective liaison with the Organization for the Prohibition of Chemical Weapons (OPCW) and other State Parties to the Convention, and shall be the lead agency in the implementation of the provisions of the Convention.

In view of the foregoing, immediate enactment of this measure is earnestly sought.

  
HON. GARY C. ALEJANO

<sup>1</sup> Information retrieved from <http://www.un.org/disarmament/WMD/Chemical/> on 8/16/2013.

<sup>2</sup> Secretary General Kofi Annan's Opening Remarks to Conference of Parties to Convention at The Hague. Information retrieved from <http://www.un.org/disarmament/WMD/Chemical/pdf/SGSM6232.pdf> on 8/16/2013.

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AN ACT  
PROHIBITING THE DEVELOPMENT, PRODUCTION, STOCKPILING AND USE OF  
CHEMICAL WEAPONS, PROVIDING FOR THEIR DESTRUCTION, 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 the protection of all human beings and the global environment from the effects of chemical weapons, in conformity 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 Weapons Convention (CWC), to which the Philippines is a State Party.

Towards this end, the State shall not, under any circumstance, develop, produce, manufacture, acquire, possess, stockpile, retain, transfer, or use chemical weapons, or engage in any other activity prohibited under the Convention, and shall forbid all persons from developing, producing, manufacturing, acquiring, possessing, stockpiling, retaining, transferring, or using chemical weapons or engaging in any other activity prohibited under the CWC.

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

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

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

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

1           3) Any equipment specifically designed for use directly in connection with the  
2 employment of munitions and devices specified in subparagraph (2).

3           (b) *Discrete organic chemical* means any chemical belonging to the class of chemical  
4 compounds consisting of all compounds of carbon except for its oxides, sulphides, and metal  
5 carbonates;

6           (c) *Key component of binary or multi-component chemical system* means the precursor,  
7 which plays the most important role in determining the toxic properties of the final product and  
8 reacts rapidly with other chemicals in the binary or multi-component system.

9           (d) *Facility* means any industrial site of any production unit or process unit which is the  
10 combination of items of equipment, including vessels and vessel set up, necessary for the  
11 production, processing or consumption of a chemical;

12           (e) *Person* means, except as otherwise provided, any individual, corporation, partnership,  
13 firm, association, trust, estate, public or private institution, or any political entity, any foreign  
14 government or nation, or any agency, instrumentality or political subdivision of any such  
15 government or nation, or other entity located in the Philippines.

16           (f) *Precursor* means any chemical reactant which takes part at any stage in the  
17 production of a toxic chemical by whatever method. This includes any key component of a  
18 binary or multi-component chemical system. Precursors which have been identified for the  
19 application of verification measures by the Organization for the Prohibition of Chemical  
20 Weapons (OPCW) are listed in the Schedules contained in the Annex on Chemicals of the  
21 CWC.

22           (g) *Purposes not prohibited* mean:

23           1) Industrial, agricultural, research, medical, pharmaceutical, or other peaceful  
24 purposes;

25           2) Protective purposes, namely those purposes directly related to protection against  
26 toxic chemicals and to protection against chemical weapons;

27           3) Military purposes not connected with the use of chemical weapons and not  
28 dependent on the use of the toxic properties of chemicals as a method of warfare;

29           4) The use of non-lethal weapons, other than those prohibited under this Act and the  
30 Convention for the maintenance of public security and order:

31           i. By the law enforcement authorities;

32           ii. By the Armed Forces of the Philippines (AFP) when taking measures to  
33 suppress insurgency and other serious threats to national security, and where the use thereof is  
34 most appropriate than the use of deadly force;

35           iii. By the Armed Forces of the Philippines within the framework of a system of  
36 mutual collective security, and training for its use.

37           (i) *Riot control agents* means any chemical not listed in Schedule 1, Schedule 2 or  
38 Schedule 3 of the Annex on Chemicals to the Convention which can produce rapidly

1 in humans, sensory irritation or disabling physical effects which disappear within a  
2 short time following termination of exposure.

3 (j) *Scheduled chemicals* means those chemicals listed in Schedule 1, Schedule 2 and  
4 Schedule 3, respectively, of the Annex on Chemicals to the Convention.

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

10 Toxic chemicals which have been identified for the application of verification  
11 measures by the OPCW are listed in Schedules contained in the Annex on Chemicals  
12 to the Convention. Unless the contrary intention appears, an expression or term that is  
13 used both on this Act and the Convention but is not defined in this Chapter shall have,  
14 in this Act, the same meaning provided in the Convention.

15 (l) *Verification Annex* means the Annex on Implementation and Verification to the  
16 Convention.

17  
18 **SEC. 4. *Establishment of a Philippine National Authority for the Chemical Weapons***

19 ***Convention.*** – A Philippine National Authority for the Chemical Weapons Convention  
20 hereinafter referred to, for brevity, as the “PNA-CWC”, is hereby created. The members of the  
21 PNA-CWC are: (1) the Executive Secretary, who shall be its Chairperson; (2) the Secretary of  
22 National Defense, who shall be its Vice Chairperson; and (3) the Secretary of Foreign Affairs;  
23 (4) the Secretary of Justice; (5) the Secretary of the Interior and Local Government; (6) the  
24 Secretary of Finance; (7) the National Security Adviser; (8) the Secretary of Health; (9) the  
25 Secretary of Environment and Natural Resources; (10) the Secretary of Agriculture; (11) the  
26 Secretary of Transportation and Communications; (12) the Secretary of Trade and Industry; (13)  
27 the Secretary of Energy (14) the Secretary of Science and Technology as its other members. The  
28 PNA-CWC shall determine its organizational structure accordingly.

29 The National Bureau of Investigation, the Office of Civil Defense, the Intelligence  
30 Service of the Armed Forces of the Philippines, the Philippine Center on Transnational Crime,  
31 Philippine Drug Enforcement Agency, the Dangerous Drugs Board, the Food and Drug  
32 Administration, the Philippine National Police intelligence and investigative elements and heads  
33 of agencies considered necessary or advisable by the PNA-CWC shall serve as support agencies.  
34 The PNA-CWC shall determine its organizational structure accordingly.

35 A Secretary or Head of Agency who is a member of the PNA-CWC may designate an  
36 alternate member coming from his office or agency to attend meetings of the PNA-CWC if and  
37 when, for any reason, he is unable to attend said meetings.

38 The PNA-CWC shall have the following duties and functions:

- 1 (a) Liaise with the OPCW and other State Parties on matters relating to the Convention;  
2 (b) Prepare and submit annual declarations to the OPCW on scheduled chemicals and  
3 facilities and impose regulatory and monitoring fees for scheduled chemicals;  
4 (c) Develop rules and regulations and formulate policies concerning the production,  
5 processing, consumption, importation, exportation, use and proper disposition of  
6 scheduled chemicals and facilities, and other chemical production facilities;  
7 (d) Designate and specify the required training and the functions of national inspectors,  
8 who shall report to the PNA-CWC;  
9 (e) Conduct and facilitate national inspections, as well as international inspections by the  
10 OPCW inspectors, of sites involving scheduled chemicals or other chemical  
11 production facilities;  
12 (f) Cause or direct the investigation and prosecution of violators of laws concerning  
13 chemical weapons, or the handling of toxic chemicals in violation of this Act;  
14 (g) Perform such other functions to effectively implement the provisions of the  
15 Convention.

16 The PNA-CWC is hereby empowered to compel, as may be necessary, assistance and  
17 support from all departments, bureaus, offices, agencies or instrumentalities, of the government,  
18 including government owned and/or controlled corporations and other government institutions to  
19 effectively perform its duties and functions under this Act.

20 The PNA-CWC shall also have the power to periodically update the scheduled chemicals  
21 listed in Schedule 1, Schedule 2 and Schedule 3, respectively of the Annex on Chemicals to the  
22 CWC upon the request or advise of the OPCW, such updates shall be in the form of formal  
23 resolutions of the PNA-CWC to be published in the *Official Gazette* or in two (2) newspaper of  
24 general circulation in the country before taking effect.

## 25 26 CHAPTER II 27 PROHIBITIONS

### 28 29 SEC. 5. *Prohibitions.*

30 The following acts are prohibited under this Act:

- 31 (a) Develop, produce, acquire, stockpile, use, transport or retain any chemical weapons;  
32 (b) Assist and encourage or induce in any way, a person, to engage in activities  
33 prohibited under the Convention;  
34 (c) Engage in military preparations to use a chemical weapon;  
35 (d) Transfer, directly or indirectly, a chemical weapon to any other natural and/or  
36 juridical person;  
37 (e) Use a riot control agent as a method of warfare;



- (f) Produce, acquire, retain, or use Schedule 1 chemicals in a state not party to the Convention;
- (g) Retransfer to a third State, the Schedule 1 chemicals transferred to the Philippines;
- (h) Transfer Schedule 1 chemicals to another state party without notifying the PNA-CWC at least sixty (60) days before the transfer, except for the transfer of saxitoxin, which notification shall be allowed not less than twenty four (24) hours before the time of transfer, if the transfer is for medical/diagnostic purposes and the quantity is five milligrams (5 mg) or less (par 5; Part IV Schedule 1 Regime);
- (i) Transfer to or receive from a state not party to the Convention Schedule 2 chemicals or products containing such chemicals. This prohibition shall not apply to those products containing Schedule 2 chemicals in which:
- (i) The product contains one percent or less of a Schedule 2A or 2A\* chemical;
  - (ii) The product contains 10 percent or less of a Schedule 2B chemical; or
  - (iii) The product is identified as a consumer good packaged for retail sale for personal use or packaged for individual use.
- (j) Transfer to a state not party to the Convention Schedule 3 chemicals without receiving, prior to the transfer an end user certificate from the competent government, authority of such State pursuant to paragraph 26 of Part VIII of the Verification Annex to the Convention. This shall not apply to those products containing Schedule 3 chemicals in which:
- (i) The product contains 30 percent or less of a Schedule 3 chemical; or
  - (ii) The product is identified as a consumer good packaged for retail sale, for personal use, or packaged for individual use.

Nothing in this Act shall be construed to prohibit the Armed Forces of the Philippines from using non-lethal and lethal weapons other than those prohibited in this Act, in the conduct of combat operations for the suppression of insurgency and other serious threats to national security where the use of non-lethal and lethal weapons is deemed most appropriate than use of deadly force.

**Sec. 6. Penalties** – (a) Any person who commits any of the prohibited acts under Section 5 shall suffer the penalty of imprisonment for a period between twelve (12) years and one day to life imprisonment, and a fine of Two million pesos (P2,000,000.00) to Five million pesos (P5,000,000.00).

(b) Any person who produces, acquires, retains, transfers or uses Schedule 1 chemicals without registration shall suffer the penalty of imprisonment of six (6) years and one day to twelve (12) years and/or a fine of One million pesos (P1,000,000.00) to Two million pesos (P2,000,000.00)

1 (c) Any person who produces, acquires, retains, transfers or uses Schedule 1  
2 chemicals for purposes other than for research, medical, pharmaceutical or protective purposes,  
3 or contravenes paragraph (1), shall suffer the penalty of imprisonment for a period of not less  
4 than six (6) years and one day to twelve (12) years and/or a fine of One million pesos  
5 (P1,000,000.00) to Two million pesos (P2,000,000.00).

6 (d) Any person who produces, processes or consumes Schedule 2 or 3 chemicals or  
7 unscheduled discrete organic chemicals for purposes other than those not prohibited under this  
8 Act, or without registration with the PNA-CWC or the agency/ies to which the PNA-CWC has  
9 delegated the function, shall suffer the penalty of imprisonment of four (4) years and one day to  
10 six (6) years and/or a fine of Five hundred thousand pesos (P500,000.00) to One million pesos  
11 (P1,000,000.00).

12 (e) Any person who imports or exports Schedule 2 chemicals or Schedule 3  
13 chemicals, without registration with the PNA-CWC or the agency/ies to which the PNA-CWC  
14 has delegate the function, shall suffer the penalty of imprisonment of four (4) years and one day  
15 to six (6) years and/or a fine of Five hundred thousand pesos (P500,000.00) to One million pesos  
16 (P1,000,000.00).

17 (f) Notwithstanding subsections (1) and (2) of Section 11, any person who obstructs,  
18 hinders, resists, or deceives any national inspector or international inspector who is exercising  
19 any function contemplated, or any power provided for, in the regulations issued further to  
20 Section 11, in the Convention or any applicable facility agreement shall be punished by  
21 imprisonment for a period of four (4) years and one day to six (6) years and/or fine of Five  
22 hundred thousand pesos (P500,000.00) to One million pesos (P1,000,000.00). In addition, the  
23 facility in question shall be subject to closure.

24 (g) Any person who violates Section 12 shall suffer the penalty of imprisonment of  
25 four (4) years and one day to six (6) years, and/or a fine of Five hundred thousand pesos  
26 (P500,000.00) to One million pesos (P1,000,000.00).

27 (h) Any person who as the case may be, produces, processes or consumes Schedule 2  
28 or 3 chemicals or unscheduled discrete organic chemicals for a purpose other than the purposes  
29 not prohibited under the Chemical Weapons Convention, or contravenes paragraph (2) or (3)  
30 shall suffer the penalty of imprisonment of not less than two (2) years to twenty (20) years and/or  
31 a fine of Fifty thousand pesos (P50,000.00) to Five million pesos (P5,000,000.00).

32 (i) Any person who refuses or fails to notify the PNA-CWC pursuant to the  
33 provisions of Section 10 shall suffer the penalty of imprisonment of one (1) year and one day to  
34 two (2) years and/or a fine of Five hundred thousand pesos (500,000.00).

35 (j) Any person who fails to give the required additional information or keep records  
36 pursuant to Section 10 shall suffer the penalty of imprisonment of six (6) months and one day to  
37 one (1) year and/or a fine of One hundred thousand pesos (P100,000.00).

1 (k) Any person who, in any document prepared pursuant to Section 10 of this Act,  
2 makes a statement or omits any matter knowing that the statement or omission makes the  
3 document false and misleading in a material particular shall, after hearing and due proceedings,  
4 suffer the penalty of imprisonment of six (6) months and one day to one (1) year and/or a fine of  
5 One hundred thousand pesos (P100,000.00).

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

10 The registration with the SEC or DTI, as the case may be, and license to operate of the  
11 partnership, corporation, association or any other juridical entity, shall be cancelled and revoked  
12 permanently.

13 In addition to the penalties prescribed in this Act, any alien who violates such provisions  
14 shall, after service of sentence, be deported immediately without further proceedings, and be  
15 barred permanently from entering the country.

16 The maximum penalty provided in this Act shall be imposed in addition to absolute  
17 perpetual disqualification from any public office, to any government official or employee found  
18 guilty for the commission of any of the offenses under this Act.

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

21 There is a conspiracy when two or more persons come to an agreement concerning the  
22 commission of any of the offense under this Act and decide to commit the same.

23  
24 **SEC. 7. Forfeiture and Destruction.** – If any chemical weapon is found anywhere on the  
25 territory or in any other place under the jurisdiction of the Philippines, the warehouse or the  
26 place where the chemical weapons is being stored, the chemical weapons, as well as the fruits  
27 and proceeds and such other instrument related thereto shall be forfeited in favor of the national  
28 government through the PNA-CWC and shall be destroyed or disposed in accordance with  
29 existing environmental regulations or related applicable laws.

30  
31 **SEC. 8. Application.** – The provisions of this Act shall apply to all persons within or  
32 outside of the Philippines and persons on board vessels and aircraft registered in, belonging to, or  
33 in possession of the Philippines, if any of the prohibited act is committed –

34 (a) By or against a Philippine citizen;

35 (b) Against any property owned, leased, or used by the Philippines or by any of its  
36 departments, agencies, or instrumentalities;

37 (c) By a partnership, corporation, association or any juridical person, which is owned  
38 and/or controlled by one or more Philippine citizen.



### CHAPTER III

### REGISTRATION

**SEC. 9. Registration.** – Any person who will engage in any of the acts referred to in paragraph (a) to (c) of this Section are required to register with the PNA-CWC in the manner or form as the PNA-CWC may prescribe.

The PNA-CWC is empowered to issue regulations to prescribe, among others, the manner of applying for registration, the requirements for registration, and the schedule for registration. For registration purposes, a record of the specific chemicals under schedules 1, 2, and 3 of this Act, and other chemicals that are regulated under the Convention, which the registrant shall use, shall be required.

(a) *Schedule 1.* – Subject to the provisions of this Chapter, no person shall produce, acquire, retain, transfer or use toxic chemicals listed under Schedule 1 unless –

- (1) such production, acquisition, retention, transfer or use is for research, medical, pharmaceutical or protective purposes;
- (2) the types and quantities of the toxic chemicals are strictly limited to those which can be justified for such purposes;
- (3) the aggregate amount of such chemicals at any given time for such purposes is equal to or less than ten kilograms for each facility in a calendar year; and
- (4) such production, acquisition, retention, transfer or use is authorized by the PNA-CWC.

(b) *Schedule 2 and 3 chemicals and unscheduled discrete organic chemicals.* –

(1) Unless registered with the PNA-CWC or the agency/ies to which the PNA-CWC has delegated the function, no person shall:

- (i) produce, process or consume more than 1 kilogram of a Schedule 2, part A\* chemical per year for a purpose not prohibited under the Chemical Weapons Convention; or
- (ii) produce, process or consume more than 100 kilograms of any other Schedule 2, part A chemical per year for a purpose not prohibited under the Chemical Weapons Convention; or
- (iii) subject to paragraph (2)(c), produce, process or consume more than 1 tonne of a Schedule 2, part B chemical per year for purposes not prohibited under the Chemical Weapons Convention; or
- (iv) subject to subparagraph (2)(c), produce more than 30 tonnes of a Schedule 3 chemical per year for purposes not prohibited under the Chemical Weapons Convention; or
- (v) subject to subparagraph (2)(c), produce by synthesis more than 200 tonnes of unscheduled discrete organic chemicals or more than 30

tonnes of unscheduled discrete organic chemical containing the elements phosphorous, sulphur or fluorine.

(2) Registration with the PNA-CWC or the agency/ies to which the PNA-CWC has delegated the function, is required for any person that produced, processed, or consumed a Schedule 2 chemical for purposes not prohibited under the Chemical Weapons Convention during any of the three calendar years previous to the current year, above the following thresholds per year.

(i) 1 kilogram of a Schedule 2, part A\* chemical

(ii) 100 kilograms of any other Schedule 2, part A chemical

(iii) 1 tonne of a Schedule 2, part B chemical.

(3) Registration is not required for, as the case maybe, the production, processing, or consumption of mixtures of chemicals containing 30 percent or less a Schedule 2, part B chemical or a Schedule 3 chemical.

(c) *Imports and exports of Schedule 2 and 3 chemicals.* – No person shall import or export Schedule 2 chemicals or Schedule 3 chemicals except upon registration with the PNA-CWC or by the agency/ies to which the PNA-CWC has delegated such function pursuant to the last paragraph of this Section.

(d) *Activities for purposes not prohibited under the Convention.* – Any person may, subject to the provisions of this Act, develop, produce, acquire, retain, transfer, possess or use toxic chemicals as listed in Schedules 1, 2 and 3 for purposes not prohibited under the Convention.

The PNA-CWC may, in its sound discretion, delegate its power to require registration under this Section to relevant and competent national government agencies.

## **Sec. 10 Declarations. –**

(1) *Purposes of this Section.* –

(a) The purpose of this Section of this Act is to ensure that:

( i ) Toxic chemicals and their precursors are only developed, produced, otherwise acquired, retained, transferred or used for purposes not prohibited under the Convention; and

( ii ) The PNA-CWC has knowledge of dealing with chemicals that facilitated the making of the Philippines' annual declaration under the Convention to the OPCW; and

(iii) The Philippines is otherwise able to fulfil its obligation under the Convention.

(b) Any power under this section of this Act may be exercised only for the purpose specified in subparagraph (I) (a).

(2) *Supply of Information.* –

(a) Any person who, as the case may be, developed, produced, or otherwise acquired, processed, consumed, retained, transferred or used toxic chemicals, or their precursors, to which any provision in Parts VI through IX of the Verification Annex of the Convention applies or who intends to carry out such activities, must-

(i) Notify the chemicals and, as the case may be, the facility or plant site to the PNA-CWC, within such period as prescribed by the PNA-CWC, by giving written notice in a form approved by the PNA-CWC and issued under the regulations further to this Act, containing such information as is required by the form; and

(ii) Keep records in relation to the chemicals and facility or plant site, and the purpose to which the chemicals are put; and

(iii) Prepare, from these records, annual reports relating to the chemicals and the facility or plant site in a form approved by the PNA-CWC and issued under the regulations issued further this Act; and

(iv) Send annual reports to the PNA-CWC at intervals specified in the regulations issued further to this Act.

(b) The records and reports under subparagraph 2 (a) (i)-(iv) must be sufficient to satisfy the PNA-CWC that the convention and the provisions of this Act and any regulations made under this Act are being complied with.

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

(1) The PNA-CWC shall issue regulations to facilitate compliance with the Annex on Implementation and Verification to the Chemical Weapons Convention.

(2) Persons covered by the provisions of this Act, and their personnel have the duty to facilitate OPCW inspections and to cooperate with the international inspectors and the escort team in complying with their duties and efficiently carrying out the international inspection.

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

**SEC. 13. *Additional Penalties under Chapter III.* –** In case the prohibited act is committed by a partnership, corporation, association, or any juridical person, the partner, president, director, or manager who consents to or knowingly tolerates such violation shall be held criminally liable. In case the prohibited act is committed by an alien, the person shall be deported immediately after service of sentence. In case the prohibited act is committed by a

government official or employee, the accessory penalty of perpetual absolute disqualification to hold public office shall be imposed.

## CHAPTER V

### MISCELLANEOUS PROVISIONS

#### **SEC. 14. *Legal Cooperation and Assistance.* –**

(1) The PNA-CWC may collaborate with other State authorities and international organizations and entities, and coordinate their actions to the extent required by the implementation of this Act or of the equivalent statute(s), subject to other State authorities or international organizations or entities being bound to official secrecy.

(2) The PNA-CWC may request other State authorities and international organizations or entities under paragraph (1) to provide relevant data or information. The PNA-CWC is authorized to receive data or information concerning:

(a) The nature, quantity, and utilization of scheduled chemicals or their precursors and related technologies, and the places of consignment and consignees for such scheduled chemicals, precursors, or related technologies; or

(b) Persons taking part in the production, delivery, or brokerage of the scheduled chemicals, precursors technologies in subparagraph (a).

(3) If a State has entered into the appropriate reciprocity agreement with the Philippines, the PNA-CWC may provide, on their own initiative or on request, the data or information described in paragraph (2) to that State so long as the other competent State authority provides assurances that such data or information shall:

(a) Only be utilized for purposes consistent with this Act; and

(b) Only be used in criminal proceedings on the condition that they are obtained in accordance with those provisions governing international juridical cooperation.

(4) The PNA-CWC may provide data or information described in paragraph (2) to international organizations or entities if the conditions set forth in paragraph (3) are fulfilled, in which case the requirement for reciprocity agreement is waived.

**SEC. 15. *Supplemental Application of the Revised Penal Code and Other Laws.* –** The provisions of the Revised Penal Code, Human Security Act, and other laws shall have supplemental application to the provisions of this Act.

**SEC. 16. *Jurisdiction.* –** Any of the Regional Trial Courts where any of the elements of the offense has been committed have jurisdiction over all cases of violations of this Act and application for ancillary writs and processes of search warrant, seizure and forfeiture: *Provided,*

1 That the first court that acquires jurisdiction shall exercise the same to the exclusion of all other  
2 courts unless the Supreme Court authorizes the transfer of venue to prevent injustice.

3  
4 **SEC. 17. *Implementing Rules and Regulations.*** – Within sixty (60) days from the  
5 establishment of the PNA-CWC as provided in Section 4 herein, the PNA-CWC in close  
6 coordination with the chemical industry, the Department of Science and Technology (DOST),  
7 Department of Environment and Natural Resources (DENR), Philippine National Police (PNP),  
8 Philippine Drug Enforcement Agency (PDEA), Food and Drug Administration-Department of  
9 Health (FDA-DOH), and the Fertilizer and Pesticides Authority (FPA) shall issue the specific  
10 rules and regulations as may be necessary to ensure the efficient and effective implementation of  
11 the provisions of this Act.

12  
13 **SEC. 18. *Transitory Clause.*** – All powers, functions and all pending work contracts  
14 and/or obligations relating to the CWC of the Anti-Terrorism Council (ATC), acting as the  
15 interim PNA-CWC pursuant to Executive Order No. 39, Series of 2011, shall be assumed and  
16 turned over to the PNA-CWC upon establishment thereof, as provided in Section 4 hereof.

17  
18 **SEC. 19. *Appropriations.*** – Such amount necessary for the proper implementation of the  
19 provisions of this Act shall be included in the annual General Appropriations Act.

20  
21 **SEC. 20. *Separability Clause.*** – If any provision or portion of this Act or the application  
22 thereof to any person or circumstance is declared to be unconstitutional or invalid, the other  
23 provisions or portions of this Act, and the application of such provision or portion, to other  
24 persons or circumstances, shall not be affected thereby.

25  
26 **SEC. 21. *Repealing Clause.*** – All laws, decrees, executive orders, rules or regulations or  
27 parts thereof, inconsistent with the provisions of this Act, are hereby repealed amended or  
28 modified accordingly.

29  
30 **SEC. 22. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in  
31 the Official Gazette or in two (2) newspapers of general circulation.

Approved,