

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Diliman, Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL No. _____

Introduced by
HON. MAURICIO G. DOMOGAN

**AN ACT CREATING THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND
SANITATION, INTEGRATING THE DIFFERENT GOVERNMENT AGENCIES RELATED
TO ENVIRONMENTAL PROTECTION AND SANITATION AND FOR OTHER PURPOSES**

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

CHAPTER I

GENERAL PROVISION

SECTION 1. Short Title. – This Act shall be known as the “Department of Environmental
Protection and Sanitation Act”

SECTION 2. Declaration of Policy. – it is hereby declared the policy of the State to: undertake
a comprehensive and continuing plan on environmental protection and sanitation to protect land, water
and air from any man made pollution thereby promoting public welfare and making this environment
more habitable.

SECTION 3. Statement of Objectives. – Toward this end, the State shall:

- 1) Formulate and implement a comprehensive, long term and continuing program
on environmental protection and sanitation, that is responsive to the ongoing
and ever changing needs of the population, commerce and industry.
- 2) Formulate policies and programs to ensure an efficient implementation of this
Act, from the National Government level down to the Local Government
Units.
- 3) Develop and implement incentive schemes to encourage greater participation of
the private sector on the implementation of this Act.
- 4) Encourage participation of the Private Sectors on the implementation of this
Act, and to formulate policies to carry out this objective.

- 1 5) Promote the application of New Engineering Technologies, through continuing
2 researches and studies in order to improve and render more efficient the
3 implementation of this Act.

4 **SECTION 4. Scope.**

5 1) Environmental Protection:

- 6 a. Air Pollution Control
7 b. Domestic and Industrial Wastewater Management
8 c. Solid Waste Management
9 d. Toxic and Hazardous Waste Management
10 e. Radio Active Waste Management

11 2) Sanitation

- 12 a. Water Supply
13 b. Vermin Control
14 c. Food Establishment
15 d. Markets and Abattoirs
16 e. Food Transport
17 f. School Sanitation and Health Services
18 g. Disposal and Dead Persons
19 h. Disposal of Carcass
20 i. Life and Safety
21 j. Hotels, Motels, Apartments, Lodging, Boarding, Tenement Houses and
22 Condominiums
23 k. Port, Airport, Vessel and Aircraft Sanitation
24 l. Rest Areas, Bus Terminals, Bus Stops and Service Stations
25 m. Public Swimming or Bathing Places
26 n. Public Laundry
27 o. Massage Clinics and Sauna Bath Establishments
28 p. Dancing Schools, Dancing Halls and Nightclubs
29 q. Camps and Picnic Grounds
30 r. Nuisances and Offensive Trades and Occupations
31 s. Tonsorial and Beauty Establishments

t. Structures for Public Health and Welfare

SECTION 5. *Definition of Terms:*

- 1) DOH – Department of Health
- 2) DOTC – Department of Transportation and Communication
- 3) MMDA – Metropolitan Manila Development Authority
- 4) MWSS – Metropolitan Manila Waterworks and Sewerage Systems
- 5) LUWA – Local Utilities Waterworks Authority
- 6) DENR – Department of Environment and Natural Resources
- 7) BFAD - Bureau of Foods and Drugs
- 8) LLDA – Laguna Lake Development Authority
- 9) DPWH – Department of Public Works and Highways
- 10) DA – Department of Agriculture
- 11) NWRB – National Water Resources Board
- 12) SANITARY ENGINEER – A person duly registered with the Board of Environmental and Sanitary Engineer under Republic Act 1364, that shall be a Environmental and Sanitary Engineer upon the enactment of this Law
- 13) SANITATION – Formulation and application of measures designed to protect Public Health.
- 14) POLLUTION – Any substance whether solid, liquid or gas, which has direct or indirect impact on health, may alter the quality of the environment, imparts objectionable odor, noise, temperature change, physical, chemical, or biological change to any segment of the environment, or is in excess of allowable health and environmental quality standards prescribed by the government.
- 15) REFUSE/SOLID WASTE – Materials that are collected and disposed of which includes garbage, rubbish, ashes, street sweepings, dead animals, and solid market and industrial wastes.
- 16) TRASH – Similar to rubbish, dry solid wastes generated in office buildings.
- 17) GARBAGE – Refers to the wastes or rejected food constituents which have been produced during the preparation, cooking or storage of meat, fruit, vegetables, and other food materials

- 1 18) TOXIC AND HAZARDOUS WASTE – Toxic and Hazardous substances shall
2 involve engineering works in, but not limited to manufacturing, processing,
3 storage, conveyance, use, treatment and disposal of products and by-products
4 such as heavy metals, persistent organic pollutants, priority pollutants,
5 polychlorinated biphenyls, poisons, radioactive and nuclear wastes, hospital
6 and institutional wastes and agricultural wastes and radiation shall include, but
7 not limited to non-ionic and ionic radiation effects, protection and control.
- 8 19) VERMIN – A group of insects or small animals such as flies, mosquitoes,
9 cockroaches, fleas, lice, bedbugs, mice, rats, and others which are vectors of
10 diseases.
- 11 20) FOOD ESTABLISHMENT – An establishment where food or drinks are
12 manufactured, processed, stored, sold or served, including those that are
13 located in vessels.
- 14 21) MARKET – A general term referring to a public place, building or structure
15 where commodities such as foodstuffs, wares and other merchandise may be
16 bought or sold.
- 17 22) ABATTOIR/SLAUGHTERHOUSE – The facility or premises used in the
18 slaughter of food animals for human consumption
- 19 23) MASSAGE CLINICS – An establishment equipped with necessary facilities for
20 the practice of massage under the guidance/supervision of a registered
21 masseur.
- 22 24) SAUNA BATH ESTABLISHMENT – An establishment where customers are
23 exposed to steam which is generated by sprinkling water on hot stones or by
24 some other means
- 25 25) BOARDING HOUSE – A building where selected persons for a fixed period of
26 time are supplied with and charged for sleeping accommodations and/or
27 meals. This will include dormitories and other similar establishments.
- 28 26) REST AREA – a facility located at strategic point along the national highway or
29 route of the traveling public which is provided with parking space, restaurants
30 or snack bars, other business shops, recreational facilities, service stations,
31 public restroom facilities or waiting sheds for travelers and commuters.

- 1 27) BUS TERMINAL/BUS STATION – A passenger station and a place for the
2 final stopover or a permanent station, office and yard of buses, which also
3 serve as loading and unloading area for travelers and commuters.
- 4 28) SERVICE STATIONS – (commonly known as gasoline stations) where service
5 for motor vehicles may be obtained such as fuel, oil, water, air for tires,
6 greasing and repair.
- 7 29) PUBLIC SWIMMING POOL OR BATHING PLACE – A bathing place
8 intended to be used collectively or publicly by a number of persons for
9 swimming, or bathing and other recreational purposes operated by an operator
10 as defined herein, whether he be the owner, lessee, licensee, or concessionaire,
11 regardless of whether a fee is charged or not for such use.
- 12 30) DANCE SCHOOLS/ STUDIO - An establishment offering training or
13 instructions on ballet, modern dancing, jazz dancing, ballroom dancing, ethnic
14 dancing, folk dancing and other forms of dance. This shall include dance
15 training/talent schools/studios managed by placement agencies that recruit
16 dancers for work abroad or locally.
- 17 31) NIGHT/DAY CLUB – An establishment open during the night or day usually
18 serving liquor and food, providing a show or live entertainment, or music and
19 space for dancing.
- 20 32) TONSORIAL AND BEAUTY ESTABLISHMENTS – Includes barber shops,
21 beauty parlors, hairdressing and manicuring establishments and figure
22 slandering salons, and tattooing and skin piercing salons, and other similar
23 establishments.
- 24 33) NUISANCE – Anything that injures health, endangers life, offends the senses or
25 produces discomfort to a person or group of persons.
- 26 34) OFFENSIVE TRADES OR OCCUPATION – Any trade or occupation that has
27 the potential to cause damage to life and property, injury, pain, unpleasant or
28 nauseating sensation or produces uneasiness and unbearable conditions to a
29 person or group of persons.
- 30 35) PUBLIC SAFETY –

1 36) PUBLIC HEALTH – Science and practice of protecting and improving the
2 health of a community, as by preventive medicine, health education, control of
3 communicable diseases, application of sanitary measures, and monitoring of
4 environmental hazards.

5 37) DEAD PERSON –

6 38) CARCASS –

7 **SECTION 6.** *Creation of the Department of Environmental Protection and Sanitation.* – To
8 carry out the above-declared policy, there is hereby created a Department of Environmental Protection
9 and Sanitation, hereinafter referred to as the Department. The Department shall be the primary agency
10 of the government in the preparation, integration, coordination, supervision, regulation and control of
11 activities of government relative to: Environmental Protection and Sanitation.

12 **SECTION 7.** *Powers and Functions.* – The Department shall have the following powers and
13 functions:

- 14 1) Formulate, implement, and update consistent with the existing laws, codes,
15 ordinances of the government, a comprehensive, long term and continuing plan
16 on Environmental Protection and Sanitation.
- 17 2) Promulgate and enforce the Implementing Rules and Regulations, Guidelines,
18 National Standards, to carry out the implementation of this Act.
- 19 3) Coordinate and secure the maximum participation of local government units, the
20 private sector, and non-government organizations to ensure the successful
21 implementation of this Act.
- 22 4) Provide technical assistance to local government units, the private sector, non-
23 government organizations, community association and other peoples’
24 organizations, involved in Environmental Protection and Sanitation or other
25 similar activities.
- 26 5) In coordination with concerned national and local government agencies and
27 private institutions, review, streamline and improve the delivery of services
28 pertaining to Environmental Protection and Sanitation.
- 29 6) Supervise all government agencies attached, to the department to ensure
30 adherence, consistency and integration of Department policies, plans and
31 programs.

- 7) Recommend new legislation and amendments to existing laws as may be necessary for the attainment of the different objectives of this Act.
- 8) Subject to existing laws, enter into contracts, either domestic or foreign, under such terms and conditions as it may deem necessary and reasonable.
- 9) Determine, fix, and collect reasonable amounts to be charged as administrative fees, fines and penalties; as well as issue *motu proprio*, after the conduct of appropriate investigation, notices of violation, cease and desist and/or closure and summary abatement orders, necessary for the effective implementation of all laws, rules and regulations and other legal issuances enforced by the Department.
- 10) Review characters and mandates of attached agencies to ensure consistency with the policies of this Act; provided: that such review shall be completed within two (2) years from the effectivity of this Act; and
- 11) Perform such other functions that are deemed necessary for the accomplishment of the objectives and purposes of this Act.

CHAPTER II

THE DEPARTMENT PROPER

SECTION 8. Composition. – The Department Proper shall be composed of the Office of the Secretary, the Offices of the Undersecretaries and Assistant Secretaries, the bureaus and services.

SECTION 9. *Office of the Secretary.* – The Office of the Secretary shall consist of the Secretary and his immediate staff.

SECTION 10. *The Secretary.* – The Secretary shall be appointed by the President, subject to confirmation by the Commission on Appointments. No director, officer, external auditor, accountant or legal counsel of any private company or enterprise primarily engaged in anti-population, waste water treatment, sanitation and other similar products shall be eligible for appointment as Secretary within two (2) years from his retirement, resignation, or separation therefrom.

SECTION 11. *The Undersecretaries.* – The Secretary shall be assisted by two (2) Undersecretaries, one of whom must be a career officer, who shall be appointed by the President, upon the recommendation of the Secretary. They shall have the powers and functions as provided for in Section 10, Chapter 2, Book IV of the Administrative Code of 1987. The Secretary is hereby

1 authorized to delineate and assign the respective functional areas of responsibility of the
2 Undersecretaries. Such responsibility shall be with respect to the mandate and objectives of the
3 Department and no Undersecretary shall be assigned primarily administrative responsibilities.

4 The offices of the Undersecretaries shall consist of the Undersecretaries and their respective
5 immediate staff.

6 **SECTION 12. Assistant Secretaries.** – The Secretary and the Undersecretaries be assisted by
7 four (4) Assistant Secretaries, one (1) Finance, one (1) for Policy, Legal and Legislation, and one (1)
8 for Administration and one (1) for Regional Operations, The Assistant Secretaries, who must be career
9 officers, shall be appointed by the President, upon the recommendation of the Secretary.

10 **SECTION 14. Bureaus.** – The Department shall have the following Bureaus: 1) Environmental
11 Protection Bureau and 2) Sanitation Bureau.

12 The Bureaus shall have the following powers and functions:

13 1) Bureau of Environmental Protection

- 14 a) Formulate and update national objectives for Environmental Protection,
15 specifically on pollution prevention, abatement and regulation.
- 16 b) Develop, promulgate and enforce policies, programs, strategies, standards
17 and guidelines on Environmental Protection to ensure the efficient and full
18 implementation of this Act.
- 19 c) Development and undertake continuing comprehensive technical studies
20 and researches on land, water and air pollution prevention, abatement, and
21 control in order to achieve better means to address the growing and ever
22 changing needs of the population, commerce and industry.
- 23 d) Monitor, review, and assess the issuance of necessary clearances and/or
24 permits issued by local government units;
- 25 e) Study, review, assess and approve technical plans, reports, and
26 specifications submitted to the Bureau in securing necessary permits.
- 27 f) Issue necessary permits and clearances not covered by the local
28 government units.
- 29 g) Provide technical assistance to the local government units, private sectors,
30 non-government organizations, and other peoples' organizations on
31 matters pertaining to Environmental Protection.

2) Bureau of Sanitation

- a) Formulate, update and enforce national policies and standards on Sanitation, consistent with existing laws, codes and ordinances.
- b) Develop, promulgate and enforce, policies, programs implementing rules and regulations, standards and guidelines to ensure efficient and full implementation of this Act.
- c) Develop and undertake continuing technical studies and research in order to achieve better means to address the growing and changing needs of the population, commerce and industry.
- d) Formulate a comprehensive and long term plan, and program for solid waste management.
- e) Monitor, review, and assess the issuance of necessary clearances and/or permits issued by the Local Government Units.
- f) Issue necessary permits and clearances not covered by the local government units.
- g) Study, review, assess and approve technical plans, reports and specifications submitted to the bureau in securing necessary permits.
- h) Provide technical assistance to the local government units, private sectors, non-government organizations, and other peoples' organizations in matters pertaining to sanitation.
- i) Oversee, monitor and assess the implementations of the guidelines, rules and regulations by the regional offices and/or the local government units.

SECTION 15. *Services.* – The Department shall have the following services: 1) Management and Executive Service; 2) Administrative and Financial Management Service; and 3) Legal and Legislative Service.

The Services shall have the following powers and functions:

1) Management and Executive Service

- a) provide internal planning and evaluation services to the Department
- b) formulate and implement organization and management system, productivity improvement programs and activities, as well as internal control system within the Department;

- 1 c) monitor and assess the performance of the different bureaus, services
2 and regional offices of the Department;
- 3 d) Develop and maintain a communications and advocacy plan that will
4 offer timely dissemination of accurate and updated Department's
5 policies, plans, programs, and projects; information of the
6 Department's policies, plans and projects;
- 7 e) Develop and implement the public relations programs of the
8 Department;
- 9 f) Provide assistance to, and answer queries from, the public regarding
10 the Department's policies, rules and regulations, programs, activities
11 and services;
- 12 g) Establish and maintain a management information system and sub-
13 systems for monitoring and evaluating the Department's programs
14 and projects; and
- 15 h) Establish and maintain a viable information network with other
16 government agencies and instrumentalities for a more effective
17 decision-making on environmental protection and sanitation.

18 2) Administrative and Financial Management Service

19 Provide the Department with economical, efficient and effective services
20 relating to personnel, records and communications, delivery and receipt of
21 correspondence transport, building and office facilities maintenance, supplies,
22 equipment and custodial work; financial and cash management, and
23 accounting.

24 3) Legal and Legislative Services

25 Provide legal advice and services on all policies, programs, and
26 operational matters of the Department as well as in cases where the
27 Department is a party. It shall also handle administrative cases against any
28 personnel on the Department and submit recommendations pertaining to them.
29 It shall also provide legislative liaison services on matters relating to
30 environmental protection and sanitation.

SECTION 16. *Regional Offices.* – There shall be established a regional office at every administrative and political region. Provided that they are established in accordance with the regional pattern as prescribed by existing laws.

SECTION 17. *Functions of the Offices.* – The Regional Office, headed by a Regional Director, shall perform the following functions:

- 1) Ensure that Department program goals are met and that programs function in accordance with the duly adopted policies, standards and guidelines;
- 2) Directly manage and implement Department programs in the immediate geographic area;
- 3) Monitor, investigate, and assess compliance to approved environmental protection or sanitary plans; and for the purpose, impose fines/penalties and on its own motion or upon complaint of any interested party after the conduct of appropriate investigation, issue notices of violations, and Cease and Desist Orders for non-compliance thereof;
- 4) Coordinate with the local government units and provide the necessary technical assistance on those devolved powers related to environmental protection and sanitation mandated by the Local Government Code and other related laws;
- 5) Undertake the issuance of necessary environmental and/or sanitary permits or certificate clearances, and collect fees for the purpose;
- 6) Advise and coordinate the plans and programs of the Regional and Field offices of the attached agencies and corporations; and
- 7) Perform such other functions as may be provided for by law and by the Secretary from time to time.

CHAPTER III

ATTACHED AGENCIES AND CORPORATIONS

SECTION 18. *Attached Corporations and agencies and their Functions.* – The following corporations and agencies are hereby attached to the Department for supervision and policy and program coordination and integration, but shall continue to perform their respective functions insofar as they are not inconsistent with this Act:

- 1) Environmental Management Bureau of the Department of Environmental and Natural Resources (DENR),
- 2) Sanitation Division of the Department of Health (DOH),
- 3) Solid Waste Management Division of the Metropolitan Manila Development Authority (MMDA),
- 4) Laguna Lake Development Authority (LLDA),
- 5) National Water Resources Board (NWRB),
- 6) Pollution Surveillance Division of the Department of Transportation and Communication (DOTC),
- 7) Metropolitan Waterworks and Sewerage System (MWSS),
- 8) Local Water Utilities Administration (LUWA),
- 9) Flood Control Division of the Department of Public Works and Highways (DPWH)
- 10) Vermin Control Division of the Department of Agriculture (DA)
- 11) Regulation of Bottled Water under Bureau of Food and drugs (BFAD)

CHAPTER IV

ENVIRONMENTAL PROTECTION AND SANITATION

ADJUDICATION BOARD

SECTION 19. – There shall be created an Environmental Protection and Sanitation Adjudication Commission to hear and prosecute cases on violations under this Act.

It shall be composed of a Chairman and nine (9) full-time members to be appointed by the President, three (3) of whom shall be members of the Philippines Bar, three (3) of whom shall be Professional Engineers, preferably Sanitary Engineers, three (3) of whom shall be appointed by the Philippine Technological Council. No person who has been convicted of a crime involving moral turpitude shall be appointed as member of the Commission. The Commission may sit *en banc* or in three divisions. All cases submitted to the Commission for resolution shall be heard and decided in division, provided that motions for reconsideration shall be decided by the Commission *en banc*.

SECTION 20. *Term and Compensation.* – The members of the Commission shall be appointed for a term of six (6) years. The Chairman and Members of the Commission shall receive an annual

1 salary at least equivalent to that of, and be entitled to the same allowances and benefits, as an
2 Undersecretary and Assistant Secretary of the Department, respectively.

3 **SECTION 21. *Jurisdiction.*** – The Commission shall exercise original and exclusive jurisdiction
4 to hear and decide cases involving the following:

- 5 A) Pollution on Air, water and Land including noise pollution within the territorial
6 limits of the Philippines
- 7 B) Violations on solid waste collection, and disposal within the territorial limits of
8 the Philippines
- 9 C) Violation on Sanitation within the territorial limits of the Philippines.

10 **SECTION 22. *Power and Authority.*** – The Commission shall have the following powers and
11 authorities:

- 12 1) To promulgate rules and regulations governing the hearing and disposition of
13 cases filed before it and those pertaining to its internal functions and such
14 other regulations as may be necessary to carry out the purposes of this Act:
15 *Provided, That it shall not be bound by technical rules of procedure but shall*
16 *proceed to hear and decide all cases, disputes or controversies in a most*
17 *expeditious manner, employing all reasonable means to ascertain the facts of*
18 *every case in accordance with justice, equity and merit;*
- 19 2) To administer oaths, summon the parties to a controversy, issue subpoenas
20 requiring attendance and testimony of witnesses or the production of such
21 books, papers, contracts, records, agreements and other documents of similar
22 nature as may be material to a just determination of the matter under
23 investigation or hearing conducted in pursuance under this Act
- 24 3) To issue preliminary or permanent injunctions, whether prohibitory or
25 mandatory in all cases in which it has jurisdiction, and in which the pertinent
26 provisions of the Rules of Civil Procedure shall apply;
- 27 4) To hold any person in contempt, directly or indirectly, and impose appropriate
28 penalties therefore;
- 29 5) To impose administrative fines and/or penalties for violations of this Act, and
30 other laws implemented by the Board, including pertinent rules and
31 regulations, orders, decisions and/or rulings.

Administration (LUWA), Flood Control Division of the Department of Public Works and Highways (DPWH), Vermin Control Division of the Department of Agriculture (DA) and Regulation of Bottled Water under Bureau of Food and Drugs (BFAD), are hereby integrated in the Department of Environmental Protection and Sanitation.

SECTION 28. *Transfer of Powers and Functions.* Within two (2) months after the approval of this Act, the powers and functions of the attached agencies that are applicable and consistent with this Act shall be transferred to the New Department. The foregoing transfer of powers and functions shall include all applicable funds and appropriations, records, equipment, property, and personnel, as may be necessary. The same shall apply to agencies and government units which have not been abolished but whose functions have been transferred to the Department.

SECTION 29. *Transfer of Rights, Assets, and Liabilities.* – The Department shall, by virtue of this Act, be subrogated to all rights and assume all the liabilities of the attached agencies and all other agencies or government units, whose functions and powers have been transferred to the Department, and all their funds, records, property, assets, equipment and such personnel, as may be necessary, including unexpended appropriations and/or allocations. All contracts and liabilities of the said offices are hereby transferred to and assumed by the department and shall be acted upon in accordance with the Auditing Code and other pertinent laws, rules, and regulations; *Provided*, that the officers and employees of said agencies/corporations who will be needed for the continuity of programs shall continue in a holdover capacity until such time as the new officers and employees of the Department shall have been duly appointed pursuant to the provisions of this Act.

SECTION 30. *Structure and Staffing Pattern.* – The organizational framework and staffing pattern of the Department shall be prescribed and approved by the Secretary within sixty (60) days after the approval of this Act and the authorized positions created therein shall be filled by regular appointments by the President or the Secretary, as the case may be; *Provided*, That in the filling of positions created, preference shall be given to the personnel of the agencies or corporations affected by the restructuring provided in this Act. *Provided further*, That such individuals comply with the qualification standards set by the Civil Service Commission (CSC) for the positions they shall be appointed to: *Provided*, finally That if such individuals possess the same qualifications, seniority shall be given priority.

SECTION 31. *Separation and/or Displacement from the Service.* – Employees separated and/or displaced from the service as a result of the abolition and/or reorganization under the provisions of this

1 Act shall, within six (6) months from their separation and/or displacement from the service, receive a
2 separation pay equivalent to one and a half (1 ½) time in the monthly basic salary for every year of
3 service in the government; *Provided:* that those who are qualified under any of the existing retirement
4 laws shall be allowed to retire and be entitled to all the benefits provided under said retirement laws.

5 **CHAPTER VII**

6 **FUNDING**

7 **SECTION 32. Appropriations.** – The amount needed for the initial implementation of this Act
8 shall be charged against the current year’s appropriations of the attached agencies. Thereafter, such
9 sums as may be necessary for the continue implementation of this Act shall be included in the annual
10 General Appropriations Act.

11 **SECTION 33. Additional Funding.** – Subject to existing rules and regulations, the funds and
12 monies collected or which otherwise come into possession of the Department and its bureaus from
13 fees, surcharges, fines and penalties which the Department and its bureaus may impose and collect
14 under this Act shall be disbursed for expenses necessary for the effective discharge of the powers and
15 functions of the Department under this Act.

16 **CHAPTER VIII**

17 **MISCELLANEOUS AND FINAL PROVISIONS**

18 **SECTION 34. Disclosure and Divestment of Financial Interest.** – Before assumption into
19 office, the Secretary, the Undersecretaries, and Assistant Secretaries shall submit to the CSC a list of
20 all companies, partnerships, or business enterprises including non-profit organizations, in which they
21 or any immediate member of their families within the second degree of consanguinity or affinity have
22 any form of financial interest or employment relationship, including consultancy, *Provided,* however,
23 That all other forms of employment relationship held by the heads of the offices of the Department
24 shall be immediately terminated upon assumption into office.

25 Within thirty (30) days hereafter, complete divestment of financial interests in any institution,
26 firm, or company which fall under the supervisory or regulatory jurisdiction of the Department shall
27 be made. *Provided,* however, that in cases where confirmation of appointments by the Commission on
28 Appointments is required, the divestment mandated herein shall be complied within thirty (30) days
29 after such confirmation.

1 The divestment provided in the preceding paragraph shall likewise apply to the members of the
2 immediate family within the second degree of consanguinity having interest in any institution or
3 activity which fall under the regulatory jurisdiction and supervision of the Department and the
4 attached agencies.

5 **SECTION 35. *Implementing Authority of the Secretary.*** – The Secretary of the Department of
6 Environmental Protection and Sanitation shall promulgate the implementing rules and regulations,
7 orders and other issuances as may be necessary to implement and carry out the intent, objectives,
8 purposes and provisions of this Act.

9 **SECTION 36. *Repealing Clause.*** – All laws, decrees, executive orders, rules and regulations, or
10 part or parts thereof, inconsistent with this Act, are hereby repealed or modified accordingly.

11 **SECTION 37. *Separability Clause.*** – If, for any reason, any section or provisions of this Act is
12 held unconstitutional or invalid, the other sections or provisions shall not be affected thereby.

13 **SECTION 38. *Effectivity.*** – This Act shall take effect fifteen (15) days after its complete
14 publication in at least two (2) national newspaper of general circulation.

Approved.