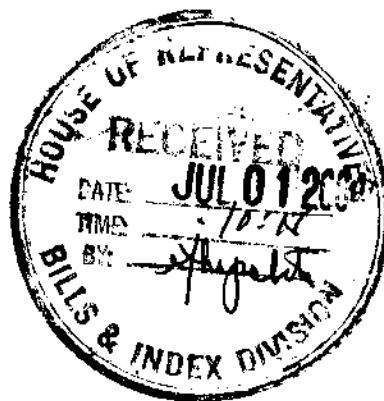


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress

First Regular Session

HOUSE BILL NO. 148



Introduced by Honorable Constantino G. Jaraula

EXPLANATORY NOTE

This Bill was filed with the 11th Congress as House Bill No. 12896 and the 12th Congress as House Bill No. 1203, with the following Explanatory Note:

"This Bill seeks to prohibit human cloning in the country and to provide penalties for violation thereof.

"For several years now, development in gene-splicing techniques have given scientists remarkable opportunities to understand the molecular basis of how a cell functions, not only in diseases, but in everyday activities as well. Rapid advances in chromosome mapping and other DNA techniques brought about a new effort called Human Cloning.

"This technology is expected to take 15 years to complete the initial process alone. But it is reported that U.S. and Chinese scientists are to come out with human cloning in three years. The question on whether its benefits actually outweigh the risks, as well as ethical and moral values, becomes pressing and timely. It must be addressed now.

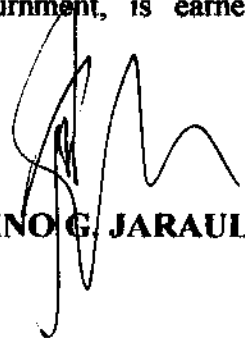
"Critics have expressed several valid concerns about human cloning, one of which is its harm to people who may be used as objects of experiments and to children who may be created in this manner, particularly the psychological harm associated with a diminished sense of individuality and personal autonomy. Others expressed concern about the degradation in the quality of parenting and family life.

"Beyond the issue of the safety of the procedure, however, people have expressed fears that the widespread practice of human cloning would undermine important social value by tempting some to manipulate others as if they were objects instead of persons. Arrayed against these concerns are other important social values, such as protecting the widest possible sphere of personal choice, particularly in matters pertaining to procreation and child rearing, maintaining privacy and the freedom of scientific inquiry.

"There have also been questions raised on gene piracy. According to reliable reports from the University of the Philippines, scientists posing as anthropologists have been gathering tissue samples from ethnic communities in the Luzon region known for their immunity to cancer and diabetes. Thus, there has been rampant exploitation in pursuit of dominance over the gene race.

"Thus, due to the foregoing considerations, this representation believes that at this time, it is morally unacceptable for anyone in the public or private sector, whether in a research or clinical setting, to attempt to clone a human being. Aside from the fact that current scientific information indicates that this technique is not safe to use in humans at this point, it would also violate important ethical obligations."

In view of the foregoing, approval of this bill, which was filed before the 12th Congress but was not acted upon at the time of its adjournment, is earnestly recommended.



CONSTANTINO G. JARAULA

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

Thirteenth Congress

First Regular Session

HOUSE BILL NO. **148**

Introduced by Honorable Constantino G. Jaraula

AN ACT
PROHIBITING HUMAN CLONING IN THE PHILIPPINES AND PROVIDING
PENALTIES FOR VIOLATION THEREOF.

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

Section 1. Title – This Act shall be known as the “Cloning Prohibition Act of 2001.”

Section 2. Declaration of Policy – It is the policy of the State to value the dignity of every human person and guarantee full respect for human rights. The State recognizes the sanctity of family life, and is committed to protect and strengthen the family as a basic autonomous social institution. Towards this end, the government must and shall ban the conduct of human cloning since every human being has intrinsic dignity and worth which must be preserved, respected and safeguarded.

Section 3. Prohibition – It shall be unlawful to conduct or undertake human cloning in the Philippines, even on an experimental basis.

For purposes of this Act, human cloning shall mean a method involving the production of a group of genetically identical cells or organisms derived from a single individual. It shall encompass or include any activity or overt act designed directly towards human cloning.

Section 4. Penalty. – Any person who violates this Act shall be punished, upon conviction, by a fine of not less than Fifty Thousand Pesos (P50,000) nor more than Five Hundred Thousand Pesos (P500,000), or by imprisonment of not less than Five (5) years nor more than Ten(10) years, or both such fine and imprisonment at the discretion of the court. If the violation is committed by a corporation or association, its President, Manager, Director or head shall be made liable therefor. If the violation is committed by an alien, he/she shall fully serve the sentence and pay the fine, and thereafter he/she shall be deported immediately without further proceedings, and shall be forever barred from entry to the country.

Section 5. Implementing Rules and Regulations. – Within sixty (600 days from the effectivity hereof, the Department of Health in coordination with the Department of Science and Technology shall issue the rules and regulations necessary for the effective implementation of this Act.

Section 6. Repealing Clause. – All laws, decrees, orders, rules and regulations or any part thereof which are inconsistent herewith are hereby repealed or amended accordingly.

Section 7. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in any two (2) national newspapers of general circulation.

Approved,