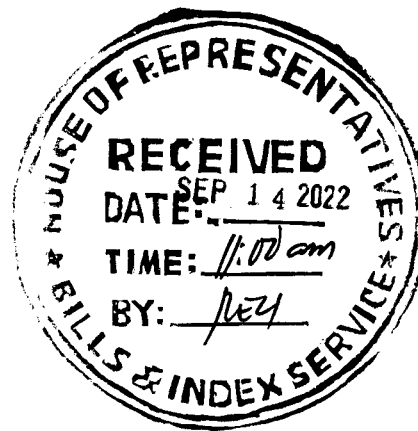


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4822



Introduced by Rep. Mohamad Khalid Q. Dimaporo

EXPLANATORY NOTE

Nuclear Energy is still a viable source of energy to power the industries in developing countries. With the Philippines' commitment to existing treaties and cooperation agreements, particularly with the International Atomic Energy Agency (IAEA), it is high time for this nation to revisit our nuclear energy program. By tapping nuclear energy as a new power generation mode can definitely benefit our country, bridging the gap in power shortages that are still being experienced in our country.

This legislative measure seeks to establish an independent nuclear energy regulatory body that will steer our nuclear energy program towards an innovative and comprehensive approach that is consistent with international and national laws governing the peaceful application of nuclear energy.

In view of the foregoing, the passage of this bill is earnestly sought



MOHAMAD KHALID Q. DIMAPORO
1st District, Lanao del Norte

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4822

Introduced by Rep. Mohamad Khalid Q. Dimaporo

AN ACT
CREATING THE PHILIPPINE NUCLEAR ENERGY COMMISSION AND
APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Short Title.* – This Act shall be known as “The Philippine Nuclear Energy Commission Act of 2022”.

SECTION 2. *Creation of the Philippine Nuclear Energy Commission.* – There is hereby created an independent regulatory body, attached to the Department of Energy, to be known as the Philippine Nuclear Energy Commission, hereinafter referred to as the Commission.

SECTION 3. *Mandate.* – The Commission shall be the regulatory body for the establishment and operations of nuclear power plants in the Philippines.

SECTION 4. *Powers and Functions.* – The Commission shall have the following functions, powers, and duties:

1. To represent the Philippines in conferences related to Nuclear Energy and its application and act as the Philippines’ national authority on nuclear safety, security and regulatory matters relative to the International Atomic Energy Agency (IAEA), foreign governments, ministries, departments, and agencies, relevant regional and international organizations, including law enforcement and intelligence agencies;
2. To study and evaluate project proposals on the establishment of nuclear power plants, and to recommend necessary technical, financial, and other appropriate assistance thereto;
3. To approve and facilitate the procurement of radioactive material and instruments for use in Nuclear Energy facilities;
4. To regulate and license the acquisition, distribution, and use of radioactive material and for this purpose issue and promulgate such rules, regulations or orders as may be necessary depending upon the degree of importance to the health and safety of the public or to the national defense and security, of the physical characteristics, quantities and the intended use for the radioactive materials;
5. To issue rules and regulations establishing such standards and instructions to govern the shipments, possession, and use of radioactive materials, and such other rules and regulations as the Commission may deem desirable, to protect health, minimize

danger to life and property, promote the national defense and security or otherwise protect the general public; and

6. To charge reasonable fees in connection with the issuance of licenses: *Provided, however,* that such fees shall not exceed the reasonable cost of regulating and licensing the activities as provided herein.

SECTION 5. *Composition.* – The Commission shall be under a Commissioner and two Deputy Commissioners, all of whom shall be appointed by the President of the Philippines, subject to the confirmation of the Commission on Appointments. Such officials shall be citizens of the Philippines with adequate administrative experience who shall have won distinction in science and/or technology and who possess sufficient background in nuclear science or nuclear energy applications. The Commissioner and the two Deputy Commissioners shall pass the necessary security clearance.

SECTION 6. *Divisions.* – The Commission shall have the following divisions: the Administrative Division, the Division of Training, Plans and Policies, the Legal Division, the Atomic Research Division, Nuclear Regulations, Licensing and Safeguards Division, and such other divisions as the Commission may deem necessary to create. Such technical and administrative personnel as may be necessary to carry out the functions of the Commission shall be appointed by the Commissioner.

SECTION 7. *Transition Period.* – The Department of Energy, Department of Science and Technology, and the Department of Budget and Management shall create a transition plan for the establishment of the Philippine Nuclear Energy Commission and the delineation of the Philippine Nuclear Research Institute.

SECTION 8. *Appropriations.* – The amount necessary to implement the provisions of this Act shall be included in the General Appropriations Act.

SECTION 9. *Implementing Rules and Regulations (IRR).* – Within ninety (90) days from the approval of this Act, the Commission, in coordination with the Department of Budget and Management, the Department of Energy and the Department of Science and Technology, shall promulgate the necessary rules and regulations to implement the provisions of this Act.

SECTION 10. *Separability Clause.* – If any part or provision of this Act shall be held unconstitutional or invalid, other provisions which are not affected thereby shall continue to be in full force and effect.

SECTION 11. *Repealing Clause.* – All laws, decrees, orders, issuances, rules and regulations that are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,