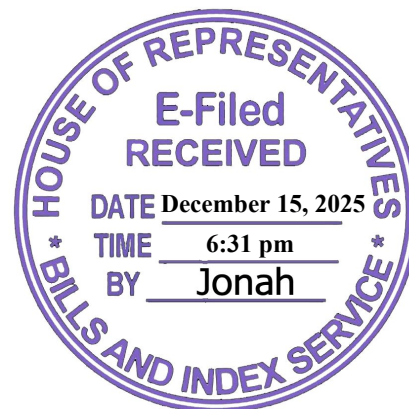




Republic of the Philippines
House of Representatives
Quezon City

Twentieth Congress
First Regular Session

HOUSE BILL NO. 6889



Introduced by Representative MARIA RACHEL J. ARENAS

EXPLANATORY NOTE

Climate change is no longer a distant or abstract issue for the Philippines. It has become our lived reality. Every year, Filipino families face stronger typhoons, rising seas, floods, and other climate-driven disasters that disrupt lives, livelihoods, and local economies. And while these events affect the entire nation, they do not affect everyone equally. Our least privileged communities, coastal and rural populations, indigenous peoples, women, and children often bear the brunt of climate impacts, suffering loss and damage that they did not cause and cannot easily recover from.

The measure aims to institutionalize clear, proactive, and people-centered systems to address climate change, with particular focus on protecting the most vulnerable communities. It establishes necessary mechanisms to ensure that when loss and damage occur, communities are not left alone to rebuild. Instead, government support will be structured, predictable, and responsive to the scale of their needs.

Beyond humanitarian response, this bill recognizes a fundamental truth: those who contribute most to climate risks must be held accountable. For decades, scientific evidence has shown how certain industries and corporate practices have driven the climate crisis. Likewise, weak enforcement, delayed action, and policy gaps at the state level have worsened vulnerabilities. This Act therefore provides for corporate and state accountabilities, along with appropriate reparations for violations that result in avoidable loss, damage, or heightened risk to communities.

At its core, this bill is about fairness, responsibility, and survival. It creates pathways for climate justice, ensuring that the burden of the crisis does not fall disproportionately on those who have contributed the least to it. It empowers

institutions, strengthens local capacities, and compels both government and private actors to act with urgency, transparency, and long-term commitment.

In the face of a rapidly changing climate, doing nothing is no longer an option. We need systems that protect people, policies that uphold accountability, and mechanisms that ensure no community is left behind.

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

A handwritten signature in black ink, appearing to read 'Maria Rachel J. Arenas', with a long horizontal flourish extending to the right.

MARIA RACHEL J. ARENAS

Representative

3rd District of the Province of Pangasinan



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 6889

Introduced by Representative MARIA RACHEL J. ARENAS

AN ACT

TO INSTITUTE POLICIES AND SYSTEMS TO ADDRESS CLIMATE CHANGE, ESTABLISHING THE NECESSARY INSTITUTIONAL MECHANISMS FOR THE PROTECTION OF MOST VULNERABLE COMMUNITIES FROM LOSS AND DAMAGE IN THE COUNTRY, PROVIDING FOR CORPORATE AND STATE ACCOUNTABILITIES AND REPARATIONS FOR VIOLATION THEREOF, AND OTHER PURPOSES

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 and referred to as “The Climate Accountability (CLIMA) Act.”

SEC. 2. *Declaration of Policy.* – It is the declared policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature, and to protect and promote the right to health and dignified life of the people and instill health consciousness in them. The protection of climate systems advances the right of the people to a balanced and healthful ecology and is a common good. As such common good, all economic agents of the State, including corporations, are to contribute to its attainment, upholding the principles of

1 sustainable development and intergenerational equity with respect to the ability of
2 future generations to meet their needs.

3 The State further recognizes that climate change is, at its core, an existential
4 human rights issue, and that there is a clear obligation to prevent foreseeable human
5 rights harms caused by climate change. As such, the State is obliged to adopt
6 appropriate measures to prevent, reduce, and control anthropogenic greenhouse gas
7 (GHG) emissions, and for that purpose, exercise administrative control applicable to
8 all public and private entities under its jurisdiction, and ensure vigilant enforcement.

9 To this end, the State shall institute policies and systems to protect vulnerable
10 communities from the adverse impacts of climate change; provide mechanisms for
11 accountability and reparations from those responsible for climate change-induced
12 losses, damages, and human rights harms; mitigate the adverse impacts of climate
13 change by facilitating compliance with commitments to sustainability, including
14 institutionalizing climate-related actions and mechanisms for monitoring, reporting,
15 penalizing, and enforcing accountability from Carbon majors and major contributors
16 to GHG emissions to address the loss and damage resulting from climate change
17 impacts brought about by GHG emissions; facilitate funding arrangements for
18 responding to loss and damage; and provide vulnerable communities affected by the
19 adverse impacts of climate change with the resources, funding, capacity building, and
20 technology transfers needed to deal with the intensifying impacts of climate change.

21 The State shall prevent foreseeable human rights harms by regularly deploying
22 informed and effective responses to address climate change impact, and shall protect
23 the public from climate denialism through disseminated false and deceptive
24 information, fraudulent misrepresentation of facts contrary to scientific consensus, and
25 such harmful conduct calculated to obstruct climate action contrary to public interest
26 and State obligation to protect the climate system from anthropogenic GHG
27 emissions.

28 The State shall enact measures that protect and enhance the human dignity of
29 all the people, and reduce social and economic inequalities arising from adverse
30 impacts attributed to climate change.

31 **SEC. 3. Definition of Terms.** – For the purposes of this Act, the following terms
32 shall be defined as:

- 33 (a) *Adaptation* refers to the adjustment in natural or human systems in
34 response to actual or expected climatic stimuli or their effects, which
35 moderates harm and/or exploits beneficial opportunities. In human systems,
36 adaptation refers to the process of adjustment to actual or expected climate
37 and its effects, in order to moderate harm or exploit beneficial opportunities.

1 In natural systems, adaptation refers to the process of adjustment to actual
2 climate and its effects, and may include human intervention to facilitate
3 adjustment to expected climate and its effects.

4 (b) *Anthropogenic causes* refer to causes resulting from human activities or
5 produced by human beings.

6 (c) *Attribution science* refers to the process of evaluating the relative
7 contributions of GHG and multiple causal factors to the observed change or
8 event in the climate system with an assessment of confidence. This is done
9 through a systematic analysis using physical understanding, observational
10 data, statistical analysis and climate models by climate experts.

11 (d) *Business enterprise* covered under this Act refers to any for-profit juridical
12 entity, and shall include the following: (1) an entity, including related entities
13 with operational or legal presence in the Philippines, with reported revenue
14 of more than Fifteen billion pesos (P15,000,000.00) or its equivalent, or
15 such threshold reportorial amount or its equivalent otherwise prescribed by
16 the Securities and Exchange Commission (SEC) based on Audited
17 Financial Statements filed with applicable regulators in the previous tax
18 year, (2) carbon intensive entities, regardless of the amount of its reported
19 revenue, and (3) an entity that files reports on its greenhouse gas (GHG)
20 emissions, pursuant to applicable regulations in the Philippines or in other
21 jurisdictions.

22 (e) *Business relationship* refers to any relationship between businesses to
23 conduct business activities, including electronic transactions and those
24 activities transacted through affiliates, subsidiaries, related entities, agents,
25 suppliers, partnerships, joint ventures, beneficial ownership, or any other
26 structure or contractual relationship, whether undertaken in the Philippines
27 or in other jurisdictions.

28 (f) *Carbon major* refers to a transnational juridical entity that contributes a
29 substantial share of the cumulative global GHG emissions that trigger the
30 global impacts of climate change, has operational or legal presence in the
31 Philippines, including, but not limited to those with related entities that
32 produce crude oil, natural gas, coal, or cement.

33 (g) *Carbon intensive entity* refers to a local enterprise or organization that
34 generates a high level of GHG emissions in their production processes and
35 operations based on a threshold as determined by regulation, and shall
36 include but are not limited to those with a related entity producing crude oil,
37 natural gas, coal, or cement.

- 1 (h) *Climate accountability* refers to the collective responsibility of governments,
2 its instrumentalities, entities, and natural and juridical persons to reduce
3 GHG emissions, mitigate the impacts of climate change, and enforce
4 remedial actions from businesses and Carbon majors significantly
5 responsible for climate change. It involves establishing a governance
6 mechanism for monitoring, reporting, penalizing, and enforcing actions to
7 address climate change and ensure redress for its impacts on vulnerable
8 communities.
- 9 (i) *Climate change* refers to a change in climate that can be identified by
10 changes in the mean and/or variability of its properties and that persists for
11 an extended period typically decades or longer, whether due to natural
12 variability or as a result of human activity.
- 13 (j) *Climate change impact* refers to the effects on natural and human systems
14 of extreme weather and climate events and in general, climate change.
15 Impacts generally refer to effects on lives, livelihoods, health, ecosystems,
16 economies, societies, cultures, services and infrastructure due to the
17 interaction of climate changes or hazardous climate events occurring within
18 a specific time period and the vulnerability of an exposed society or system.
- 19 (k) *Climate Change Victims/Survivors* refer to real parties in interest and shall
20 include (a) vulnerable groups of people or communities who suffered harm,
21 including physical or mental injury, emotional suffering, or economic or
22 property loss, or impairment of their human rights as a result of climate-
23 related loss and damage; (b) those communities affected by slow or
24 extreme climatic events of such magnitude, that cannot be avoided either
25 by mitigation (avoiding and reducing greenhouse gas emissions) or
26 adaptation (adjusting to current and future climate change impacts); or (c)
27 those who have been, or are likely to be, severely affected by climate
28 change, while at the same time having inadequate human, social, and
29 economic capital for climate change adaptation, including relocation.
- 30 (l) *Climate-related financial disclosures* refer to the information about an
31 entity's climate-related risks and opportunities that could reasonably be
32 expected to affect the entity's cash flows, its access to finance, or cost of
33 capital over short, medium, or long term.
- 34 (m) *Climate justice* refers to justice that links development and human rights to
35 achieve a human-centered approach to addressing climate change,
36 safeguarding the rights of the most vulnerable people and sharing the
37 burdens and benefits of climate change and its impacts equitably and fairly.

- (n) *Climate risk* refers to the potential for adverse consequences for human or ecological systems, recognizing the diversity of values and objectives associated with such systems.
- (o) *Climate systems* refer to the global system consisting of five (5) major components: the atmosphere, the hydrosphere, the cryosphere, the lithosphere, and the biosphere; and the interactions between them. The climate system changes in time under the influence of its own internal dynamics and because of external forcings such as volcanic eruptions, solar variations, orbital forcing, and anthropogenic forcings such as the changing composition of the atmosphere and land-use change.
- (p) *Extreme weather event* refers to a single, discrete event with a clearly identifiable beginning or end, and that occur or recur in a matter of days or even hours at a local, national, or regional scale. Extreme weather events and extreme climate events shall collectively be referred to as climate extremes.
- (q) *Greenhouse gases (GHG)* refer to gaseous elements of the atmosphere both natural and man-made that absorb and emit radiation from the earth's surface leading to global warming that contribute to the greenhouse effect including, but not limited to, those identified in the latest Intergovernmental Panel on Climate Change (IPCC) Report, such as water vapour (H₂O), carbon dioxide (CO₂), nitrous oxide (N₂O), methane (CH₄) and ozone (O₃), Sulphur Hexafluoride (SF₆), Hydrofluorocarbons (HFCs), chlorofluorocarbons (CFCs), and perfluorocarbons (PFCs).
- (r) *Intergovernmental Panel on Climate Change (IPCC)* refers to the intergovernmental body of the United Nations responsible for assessing the science related to climate change and for providing internationally coordinated scientific assessments of the magnitude, timing and potential environmental and socio-economic impact of climate change and realistic response strategies.
- (s) *Just transition* refers to maximizing the social and economic opportunities of climate action, while minimizing and carefully managing any social disruption, political and social risks – through effective social dialogue among all groups impacted, and respect for fundamental labor principles and rights.
- (t) *Loss and Damage* refers to the the political debate under the United Nations Framework Convention on Climate Change (UNFCCC) following the establishment of the Warsaw Mechanism on Loss and Damage in 2013, which is to 'address loss and damage associated with impacts of climate

change, including extreme events and slow onset events, in developing countries that are particularly vulnerable to the adverse effects of climate change. Broadly, losses and damages, in the context of climate change, refer to the harm from observed impacts and projected risks and can be economic or non-economic.

(u) *Mitigation*, in the context of climate change, refers to human intervention to reduce and further prevent GHG emissions or enhance their removal by natural sinks, e.g. nature-based solutions, or through GHG capture by manmade mechanisms.

(v) *Nationally determined contribution* refers to the Philippines' nationally determined contribution ("NDC"), as a climate action plan to cut emissions and adapt to climate impacts, undertaken and communicated pursuant to Article 3 of the Paris Agreement. For the purposes of this Act, the NDC includes the National Adaptation Plan (NAP) and the Nationally Determined Contribution Implementation Plan (NDCIP). It is the country's long-term development plan towards a climate-resilient and low-carbon pathway.

(w) *Paris Agreement* refers to an international treaty on climate change adopted by the Parties, including the Philippines, to the United Nations Framework Convention on Climate Change (UNFCCC) at the twenty-first session of the Conference of Parties of the UNFCCC in December 2015 and duly deposited with the United Nations Secretary-General as its Treaty Depositary which aims to strengthen the global response to the threat of climate change, in the context of sustainable development and efforts to eradicate poverty, and will be implemented to reflect equity and the principle of common but differentiated responsibilities and respective capabilities, in light of different national circumstances. It increases the ability to adapt to the adverse impacts of climate change and foster climate resilience and low GHG emissions development.

(x) *Reparations* refer to the amends for a tort or injury inflicted, including compensation, relocation, rehabilitation, recovery for victims/survivors of climate loss and damage, and grants, capacity building, and technology transfer needed to address the human rights violation on right to water, food, work, health, shelter, and development caused by continued emissions of Carbon majors. Remedies can be in the form of pecuniary or monetary and non-pecuniary or non-monetary under existing laws.

(y) *Slow onset event* refers to risks and impacts associated with increasing temperatures, desertification, loss of biodiversity, land and forest degradation, glacial retreat and related impacts, ocean acidification, sea level rise, and salination.

(z) *Stakeholder* refers to an individual or a group who holds an interest in how an organization operates as it can be the source of benefit or harm a stakeholder.

(aa) *Source attribution* refers to the process of identifying and assigning climate change impacts to specific sources of GHG emissions to allocate accountability for climate change. A source can be a particular sector, entity or activity.

(bb) *Scope 1 emissions* refer to GHGs released directly by a company or organization in manufacturing a product or delivering a service. The emissions are owned or controlled by the company.

(cc) *Scope 2 emissions* refer to GHGs generated from electricity, heating, cooling, steam or gas purchased by the company for its operation. Thus, the level of the emissions is indirectly influenced by the demand by the company even as they are generated outside the company.

(dd) *Scope 3 emissions* refer to indirect GHG emissions not included in Scope 2 GHG emission, that occur in the value chain of the reporting company or organization, both upstream and downstream, but are generated by sources not owned or outside its direct control.

(ee) *Scope 4 emissions* refer to GHGs reduced or avoided by a company or organization that happen outside a product's or a service's life cycle or value chain. It is a result of the use by customers of the product or service developed by the company;

(ff) *Transition credits* refer to high-integrity carbon credits generated from the emissions reduced by retiring coal-fired power plants (CFPPs) earlier than planned and substituting them with cleaner energy alternatives.

CHAPTER II POLICIES AND SYSTEMS

SEC. 4. Adoption of the Precautionary Principle. – Where there are threats of serious or irreversible harm, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent the degradation of climate systems, or a violation of the right of the people to a balanced and healthful ecology. In applying the precautionary principle, the following factors, among others, may be considered: (1) threats to human life or health; (2) inequity to present or future

generations; or (3) prejudice to the environment without legal consideration of the environmental rights of those affected.

(a) When there is a lack of full scientific certainty in establishing a causal link between human activity and environmental effect and when human activities may lead to threats of serious and irreversible damage to the environment that is scientifically plausible, actions shall be taken to avoid or diminish that threat. In these cases, the precautionary principle shall be applied, with the proponent of an activity, rather than the public, bearing the burden of proof.

(b) The Business and the SEC, assisted by the Climate Change Commission (CCC), academe, and research institutions which assists SEC on the analysis of the GHG emissions, shall be obliged to disclose whether or not the plausible cause and effect (between human activity and environmental effect, and human activities leading to threats of serious and irreversible damage to the environment), has not yet been scientifically established.

SEC. 5. Adoption of the Polluter Pays Principle. – Those who generate pollution shall be responsible for the costs associated with managing it to safeguard human health and the environment. The courts shall take judicial notice of the impact of anthropogenic GHG emissions on climate change established by overwhelming scientific consensus, as well as historical and current GHG emissions, in the determination of costs to be borne by Carbon majors or polluters for damage to the climate system and its resulting impact on Climate Change Victims/Survivors, and to help prevent foreseeable damage and human rights harms caused by the adverse effects of climate change.

Having due regard to public interest and climate change being a common concern of humankind, Carbon majors or polluters shall pay for their contributions to climate change impacts without internalizing or passing on additional cost or burden the cost of goods and services the cost of goods and services which cause pollution: (1) the cost of pollution by way of grants, technical transfers, capacity building, and payments to restore ecosystem services, complementing climate action in vulnerable communities, (2) the expenses of carrying out the measures of allocating costs of pollution prevention and control, as decided by public authorities, to ensure that the environment is in an acceptable state, as set forth under relevant environmental and natural resource management laws such as, but not limited to the following:

- (a) Presidential Decree No. 705 or the “Revised Forestry Code of the Philippines”;
- (b) Presidential Decree No. 856 or the “Code on Sanitation of the Philippines”;
- (c) Presidential Decree No. 979 or the “Marine Pollution Decree of 1976”;
- (d) Presidential Decree No. 1152 or the “Philippine Environmental Code”;

- (e) Presidential Decree No. 1219 or “The Coral Resources Development and Conservation Decree”;
- (f) Presidential Decree No. 1586 or “Establishing an Environmental Impact Statement System, Including Other Environmental Management Related Measures and for Other Purposes”;
- (g) Republic Act No. 6969 or the “Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990”;
- (h) Republic Act No. 7076 or the “People’s Small-scale Mining Act of 1991”;
- (i) Republic Act No. 7586 or the “National Integrated Protected Areas Systems Act of 1992” as amended by Republic Act No. 11038;
- (j) Republic Act No. 7942 or the “Philippine Mining Act of 1995”;
- (k) Republic Act No. 8048 or the “Coconut Preservation Act of 1995”;
- (l) Republic Act No. 8041 or the “National Water Crisis Act of 1995”;
- (m) Republic Act No. 8371 or “The Indigenous Peoples’ Rights Act of 1997”;
- (n) Republic Act No. 8435 or the “Agriculture and Fisheries Modernization Act of 1997”;
- (o) Republic Act No. 8550 or “The Philippine Fisheries Code of 1998”;
- (p) Republic Act No. 8749 or the “Philippine Clean Air Act of 1999”;
- (q) Republic Act No. 9003 or the “Ecological Solid Waste Management Act of 2000”;
- (r) Republic Act No. 9136 or the “Electric Power Industry Reform Act of 2001”;
- (s) Republic Act No. 9147 or the “Wildlife Resources Conservation and Protection Act”;
- (t) Republic Act No. 9072 or the “National Caves and Cave Resources Management and Protection Act”;
- (u) Republic Act No. 9003 or “The Ecological Solid Waste Management Act” as amended by RA No. 11898 dated 23 July 2022, or the “Extended Producer Responsibility Act of 2022”;
- (v) Republic Act No. 9168 or the “Philippine Plant Variety Protection Act of 2002”;
- (w) Republic Act No. 9275 or “The Philippine Clean Water Act of 2004”;
- (x) Republic Act No. 9367 or the “Biofuels Act of 2006”;
- (y) Republic Act No. 9513 or the “Renewable Energy Act of 2008”;
- (z) Republic Act No. 9729 or the “Climate Change Act of 2009” as amended by Republic Act No. 10174;
- (aa) Republic Act No. 10121 or the “Philippine Disaster Risk Reduction and Management Act of 2010”;
- (bb) Republic Act No. 7611 or the “Strategic Environmental Plan (SEP) for Palawan Act”;
- (cc) Republic Act No. 9483 or the “Oil Pollution Compensations Act of 2007”;
- and
- (dd) Republic Act No. 11285 or “An Act Institutionalizing Energy Efficiency and Conservation, Enhancing the Efficient Use of Energy, and Granting Incentives to Energy”.

1
2 The rights and causes of action that are created under this Act shall be without
3 prejudice to other causes of actions under existing laws. In estimating the amount of
4 and accountability for damage, attribution science can be used as a complementary
5 framework in lieu of proof of actual damage.

6 **SEC. 6. Attribution Science.** – Attribution science is a process that seeks to
7 identify the relationship of climate drivers to an affected system (nature, socio-cultural
8 or economic). In attribution science, it is important to establish the causal connection
9 between the defendants' GHG emissions or activities to the plaintiff's injuries and that
10 these injuries were a foreseeable result of the emissions.

11 Attribution science using the best available scientific data and methods may be
12 used for the adjudication of cases under this Act.

13 The first step is the detection of the change which demonstrates that a certain
14 variable has changed in a statistically significant way. The second step is attribution
15 which seeks to analyze causative factors to determine the role of a driver with respect
16 to the detected change. The process looks into three areas: climate change
17 attribution, impact attribution, and source attribution. The use of attribution science
18 shall depend on the maturity of the tool and the readiness and technical capacity of
19 the country.

20 The adjudication shall build on existing understandings of the climate-related
21 events most substantially affected by human influence on the climate. Establishing a
22 threshold for GHG emissions beyond which corporations and its related entities will
23 be found liable shall be the principal basis for prosecuting and penalizing or exacting
24 accountability from a Business or Carbon major.

25 **CHAPTER III** 26 **INSTITUTIONAL MECHANISMS**

27 **SEC. 7. National GHG Registry.** – The CCC shall develop a platform for
28 administering GHG compliance by all sectors. The registry shall serve the following
29 purposes:

- 30 a) NDC monitoring of all regulatory activities;
31 b) GHG data consolidation for country reporting to the UN;
32 c) Calculating GHG reduction from mitigation actions;
33 d) Accounting for Internationally Transferrable Mitigation Outcomes (ITMOs);
34 e) Tracking carbon credit transactions (in compliance and voluntary markets);
35 f) Connection to international carbon markets; and
36 g) Contracting a third-party entity to monitor the accuracy of the annual
37 compliance report submitted by Carbon majors.

1 The registry shall have the following features:

- 2 a) It shall cover both government and non-government GHG inventories.
- 3 b) It shall maintain information that has the capability to be disaggregated at
- 4 the unit level (e.g. LGU, agency, and company).
- 5 c) It must be inter-operable for cooperation approaches with other countries
- 6 such as the transfer of ITMOs pursuant to Article 6 of the Paris Agreement.

7 **SEC. 8. Establishment of the Climate Accountability Board (or CLIMA**
8 **Board).** – There is hereby created an independent quasi-judicial body to be known as
9 the CLIMA Board, hereinafter referred to as the Board, which shall be attached to the
10 Commission on Human Rights (CHR). The Board shall prepare and submit reports on
11 the administration of the funds to the Department of Finance (DOF).

12 The Board shall be composed of nine (9) members, who shall possess the
13 following qualifications:

- 14 (a) Must be of known probity, competence, and integrity; and
- 15 (b) Must have a deep and thorough understanding and knowledge of climate change,
- 16 environmental law, and/or ecosystems science.

17 There shall be four (4) permanent members and five (5) other members. The four
18 (4) permanent members must be members of the Philippine Bar who have been
19 engaged in the practice of environmental law or human rights for at least ten (10)
20 years, and, to avoid conflict of interest, are not associated with Carbon majors or its
21 related entities, or to corporations operating in high emitting sectors.

22 The five (5) other members shall consist of two (2) climate scientists or recognized
23 experts who have a technical proficiency of climate science and the subfield of climate
24 attribution science; two (2) representatives from private sectors; and one (1)
25 representative from a chosen civil society organization engaged in human rights and
26 climate justice issues. The Vice Chairperson or Commissioner of the CCC shall be an
27 *ex officio* member.

28 The Board shall be chaired by a lawyer and shall organize itself within thirty (30)
29 days from the completion of appointment of all nine (9) members and shall, thereafter,
30 organize its Secretariat.

31 **SEC. 9. Appointment to the Board.** – The President of the Philippines shall
32 appoint the Chairperson and the members of the Board; *Provided*, That human rights
33 organizations, environmental organizations, and indigenous peoples' rights, women's
34 rights, youth's rights, and people with disabilities' rights advocates may submit

1 nominations to the President for the civil society representative; *Provided, Further,*
2 That the members of the Board cannot be removed without justifiable cause.

3 **SEC. 10. *Term of Office.*** – The President of the Philippines shall appoint the
4 Chairperson and the Commissioners for seven years, without reappointment.
5 Appointment to any vacancy shall be only for the unexpired term of the predecessor.
6 In no case shall any Member be appointed or designated in a temporary or acting
7 capacity.

8 **SEC. 11. *Functions of the Board.*** – The Board shall have the following
9 powers and functions:

- 10 (a) Receive, evaluate, process, and investigate applications for claims under
11 this Act;
- 12 (b) Issue *subpoena ad testificandum* and *subpoena duces tecum*;
- 13 (c) Enjoin any and all acts involving or arising from any claims pending before
14 it, which, if not restrained forthwith, may cause further or irreparable
15 damage to any of the parties to the claim or seriously affect social and
16 economic stability;
- 17 (d) Hold any person in contempt, directly or indirectly, and impose
18 appropriate penalties therefor;
- 19 (e) Administer the Climate Change Actions Welfare and Support Fund;
- 20 (f) Approve with finality all eligible claims under this Act;
- 21 (g) Deputize appropriate government agencies to assist the Board in order
22 for it to effectively perform its functions;
- 23 (h) Exercise administrative control over its Secretariat;
- 24 (i) Promulgate such rules as may be necessary to carry out the purposes of
25 this Act, including rules of procedure in the conduct of its proceedings,
26 with the Revised Rules of Court of the Philippines having suppletory
27 application; and
- 28 (j) Perform such other duties, functions, and responsibilities as may be
29 necessary to effectively attain the objectives of this Act.

30 In cases where the issue is related to pollution in violation of environmental
31 laws, the Pollution Adjudication Board of the Department of Environment and Natural
32 Resources (DENR) shall be invited as a resource group to improve technical analysis
33 of the complaint.

34 The Board shall consult the following sectoral agencies as resource persons in
35 connection with the accounting, monitoring, evaluation, and implementation of
36 reducing GHG emissions per sector, and implementation of the NDC Implementation
37 Plan: Department of Agriculture (DA), Department of Environment and Natural

Resources (DENR), Department of Energy (DOE), Department of Transportation (DOTr), and Philippine Statistics Authority (PSA).

In any proceeding before the Board, the rules of evidence prevailing in the courts of law or equity shall not be controlling but applied suppletorily, and it is the spirit and intention of this Act that shall govern. The Board shall use every and all reasonable means to ascertain the facts in each case speedily, objectively, and without regard to technicalities of law or procedure, all in the interest of due process and social justice: *Provided*, further, That any decision, order, award, or ruling of the Board may be brought for review to the Court of Appeals within 15 days from receipt of a copy thereof.

In any proceeding before the Board, the parties may be represented by a legal counsel. The findings of fact of the Board shall be conclusive and binding on the parties and its decision or order shall be deemed final and executory.

SEC. 12. *Compensation.* – The Chairperson and members of the Board shall be entitled to compensation equivalent to that of the Presiding Justice and Associate Justices of the Court of Appeals, in accordance with the Salary Standardization Law.

SEC. 13. *Secretariat of the Board.* – The Board shall be assisted by a Secretariat provided by the CHR, without prejudice to the hiring of additional personnel to render full-time work as determined by the Board to effectively address the volume of required work.

The Secretariat shall assist the Board with its functions and perform other duties as may be assigned by the Board.

The Chairperson of the Board shall appoint a Board Secretary who shall head the Secretariat for the duration of the existence of its Board. There shall be a Technical Staff Head to be assisted by five (5) legal officers and three (3) climate scientists, and an Administrative Staff Head shall be assisted by three (3) administrative support staff.

CHAPTER IV

FRAMEWORK OF BUSINESS ACCOUNTABILITY

SEC. 14. *Due Diligence Standard of Care in the Conduct of Business.* –A Business enterprise covered under this Act shall do no harm and conduct due diligence in the conduct of its business. The due diligence standard of care that each Business enterprise is required to observe in the conduct of business shall refer to the processes that said Business enterprise should undertake to identify, prevent, mitigate, and account for how it addresses potential and actual impacts caused by or

1 contributed to through its own activities, or directly linked to its operations, products
2 or services by its business relationships on human rights, including impacts caused
3 by GHG and toxic waste emissions of the entire value chain.

4 Business enterprises covered under this Act shall adopt policies and processes
5 to prevent and mitigate any risk of causing or contributing to adverse impacts on
6 human rights caused by climate change. This shall include measures reasonably
7 proportional to the nature and scope of the business activities, their ability to influence,
8 the severity of the violation that can typically be expected, and the nature of and causal
9 contribution to such harms. Neglect by the Business enterprise or Carbon major in its
10 exercise of the due diligence standard of care in the conduct of business, shall be
11 sanctioned accordingly. The Business enterprise shall likewise be held accountable
12 for exceeding the established GHG emissions threshold attributed to it.

13 In line with the country's commitment to abide by the global goals of the Paris
14 Agreement, the country shall develop a roadmap or a long-term strategy for the
15 Philippine NDC Implementation Plan per sector (agriculture, transportation, energy,
16 waste, industrial processes, and product use and land use). The roadmap shall be co-
17 developed by the respective lead agencies with its stakeholders and consolidated and
18 monitored by the CCC. The accountability of a Business enterprise for GHG emissions
19 in excess of sectoral thresholds shall be in accordance with the obligation set out in
20 the roadmap.

21 Consistent with the sectoral plans of the NDC Implementation Plan, and its duty
22 to do no harm, a Business enterprise shall undertake the following activities
23 throughout the value chain:

24 (a) Businesses must assess and report or inform the actual and potential
25 human rights impacts to their operations may cause or contribute to cause
26 and to prevent and address them;

27 (b) Businesses must proactively adopt measures and enact company policies
28 to reduce their climate change impacts, and to uphold human rights,
29 specifically, through the crafting and submission of transition plans, in line
30 with the government's NDC;

31 (c) Businesses must assess the impact of climate change and other global
32 environmental issues in the sustainability of their operations; and

33 (d) Businesses should ensure that reports relating to human rights risks and
34 impacts, including their findings and how the human rights impacts were
35 addressed, are publicly available and accessible.

1 Businesses must undertake measures that are in reasonable proportion to the
2 nature and scope of the business activities, their ability to influence, the severity of the
3 violation that can typically be expected, and the nature of and causal contribution to
4 such harms.

5 A business shall be held accountable for gross negligence emanating from the
6 businesses' role in exacerbating extreme weather events or slow-onset events where
7 they exceed established thresholds for GHG emissions. Thresholds are limits for
8 ambient concentrations of GHGs that are sufficient to protect public health and
9 welfare. DENR, CCC, and Department of Science and Technology (DOST) shall
10 provide technology-based emission standards reflecting the best available technology
11 or system for emission reduction.

12 The thresholds to determine business' climate accountability shall be informed
13 by the government's NDC, national policies and programs as well as their technical,
14 economic and operational circumstances.

15 **SEC. 15. Business Responsibilities.** – Businesses have the responsibility to
16 align their conduct and policies with the United Nations Guiding Principles on
17 Business and Human Rights. A Business enterprise shall endeavor to comply with the
18 following tasks and responsibilities under this Act:

19 (a) Climate related financial disclosures – Businesses shall disclose to the SEC
20 climate-related financial disclosures as defined under this Act and in
21 accordance with SEC rules and regulations on sustainability reporting. This
22 shall include opportunities and risks from climate impacts, climate
23 policies and new technologies and climate measures across the value
24 chain.

25 (b) Measurement of GHG emissions – Businesses shall measure, analyze, and
26 report their GHG emissions, throughout their value chains, to comply with
27 the standards based on the rules and regulations which the SEC shall
28 promulgate, consistent with the most recent scientific methodologies and
29 reports of the IPCC.

30 (c) Environmental and social information - Businesses shall disclose the
31 organization's natural, human, and social capital dependencies;
32 environmental and social results; environmental and social risks and
33 opportunities; environmental and social policies, strategies, and targets;
34 and performance against environmental and social targets.

35 (d) Prevention of human rights abuses – Businesses must

1. Adopt a human rights policy that clearly states their commitment to respect human rights, including by mitigating climate change and the specific measures that will be taken in this regard;
2. Establish a human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights, in order to know and show that they respect human rights. Carrying out social and environmental impact assessments should be an integral part of this; and
3. Put in place processes to enable the remediation of any adverse human rights impacts that they cause or to which they contribute, including through their direct or indirect emissions of greenhouse gases and toxic waste.

Stakeholder consultations should be held on a regular basis, and reports should be released on a quarterly schedule. For projects that require the consent of the communities, the business must comply with and adhere to the provisions of Republic Act No. 8371, or "The Indigenous People's Rights Act of 1997."

- (e) Reporting – A Business enterprise covered under this Act (or Carbon majors) shall submit the report under this Section to the Climate Change Commission (CCC) and the Securities and Exchange Commission (SEC). The report shall include initiatives taken in the context of business relationships, such as entities in its value chain and any other non-state or state entity directly linked to the business operations, products or services. The report shall also include an assessment of vulnerabilities and whether or not efforts have been made to address the possible impacts of climate change through internal or external corporate policy decisions or whether the business utilizes renewable energy. The report must also include mitigation and adaptation efforts, energy efficiency, particularly with regard to equipment inventory, waste reduction, and the utilization and construction of green infrastructure to support the work of the corporation.

The Climate Change Commission and the Securities and Exchange Commission shall impose penalties for non-compliance with its guidelines on these mandates, and shall be made available on all their platforms for download and distribution to the public at any time. Upon petition, the Commission on Human Rights may conduct investigations and assist in gathering evidence to determine compliance with the reporting obligations under this Act.

- (f) Monitoring of people who experienced the impacts of climate change – Due diligence must be undertaken by businesses to address the adverse climate change-related human rights impacts they may cause or contribute through

1 its own activities, or which may be directly linked to its operations, products
2 or services by its business relationships. This can be achieved through on-
3 the-ground assessments of adverse impacts through stakeholder
4 participation.

5
6 Stakeholder consultations should be held on a regular basis with reports
7 released on a semi-annual period. These can be in the form of surveys,
8 assemblies, focus group discussion, and other modalities as appropriate.

9 For projects that require the consent of the communities in which
10 infrastructure is constructed, the business must proactively pursue the
11 compliance with and adherence to the provisions of Republic Act No. 8371,
12 or “The Indigenous People’s Rights Act of 1997”.

13 (g) Decarbonization Plan – Businesses shall develop its mitigation and
14 adaptation strategies that will comprise its Decarbonization Plan and shall
15 submit its Annual Compliance Report on the status of this Decarbonization
16 Plan on an annual basis to the designated government agency under this
17 Act or relevant Act; and

18 (h) Protection of consumer rights to truthful information/prevention of
19 “greenwashing” - Businesses shall support the protection of consumer
20 rights through truthful communication about their sustainability,
21 environmental, climate change and social claims. Aside from preventing
22 unfair commercial practices that mislead the public, this business obligation
23 contributes to a more sustainable economy by allowing consumers to make
24 better informed decisions to make sustainable, socially-just, and
25 environment- and climate-friendly choices. This will in turn promote the
26 production of environmentally sustainable products and services, and
27 minimize undesirable environmental impacts. Conveyance of false
28 information on the environmental soundness of products, operations, and
29 services is considered “greenwashing”. Acts of greenwashing include, but
30 are not limited to, outright false statements, understating impacts, omitting
31 trade-offs, absence of proof backing up claims, vague or overbroad claims,
32 false third-party certifications, sustainability claims not based on 3rd party
33 certification schemes or government standards, carbon neutrality claims
34 based on purchase of credits, and the like. More detailed guidelines shall
35 be provided in the implementing rules and regulations of the Act.
36 Unsubstantiated sustainability and environmental claims are considered
37 false, deceptive and misleading and are therefore prohibited under Republic
38 Act 7394 (The Consumer Act of the Philippines) and other applicable
39 environmental statutes.

Sec. 16. Business Responsibilities. – Businesses have the responsibility to update their conduct and policies in accordance with the United Nations Guiding Principles on Business and Human Rights. Moreover, they have the following tasks and responsibilities under the law:

(a) Climate related financial disclosures - Businesses shall disclose to the Securities and Exchange Commission (SEC) climate-related financial disclosures and the names of those who authorized the climate-related financial transactions. This shall include opportunities and risks from climate impacts, climate policies and new technologies;

(b) Measurement of GHG emissions - Businesses shall measure and analyze their GHG emissions, throughout their value chains to comply with [targets/thresholds agreed upon];

(c) Environmental and social information - Businesses shall disclose the organization's natural, human, and social capital dependencies; environmental and social results; environmental and social risks and opportunities; environmental and social policies, strategies, and targets; and performance against environmental and social targets.

(d) Prevention of human rights abuses - Businesses must

1. Adopt a human rights policy that clearly states their commitment to respect human rights, including by mitigating climate change and the specific measures that will be taken in this regard;

2. Establish a human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights, in order to know and show that they respect human rights. Carrying out social and environmental impact assessments should be an integral part of this; and

3. Put in place processes to enable the remediation of any adverse human rights impacts that they cause or to which they contribute, including through their direct or indirect emissions of greenhouse gases and toxic waste.

Stakeholder consultations should be held on a regular basis, and reports should be released on a quarterly schedule. For projects that require the consent of the communities, the business must comply with and adhere to the provisions of Republic Act No. 8371, or "The Indigenous People's Rights Act of 1997."

SEC. 16. Incentives. — Investments in emissions reduction, investments that hasten the transition to a clean and renewable energy source, and low-carbon and emerging technologies by Businesses which observe their due diligence standard of care as set out in the Philippines' NDC and other mechanisms and roadmaps shall be eligible for income tax holidays and enhanced deductions on research and development expense in accordance with Title XIII of the National Internal Revenue Code of 1997, as amended by Republic Act No. 12066, otherwise known as the

Corporate Recovery and Tax Incentives for Enterprises to Maximize Opportunities for Reinvigorating the Economy (CREATE MORE) Act.

The qualification for incentives and the list of incentives shall be rationalized in the implementing rules and regulations upon the passage of this Act and in accordance with Republic Act No. 12066 and Republic Act No. 10771 or the “Green Jobs Act”.

The basis of the incentives in the context of this Act is the avoidance or prevention of emissions by users as a result of the utilization of a company’s products or services. These are called Scope 4 or avoided emissions. These are reduction of emissions outside the company’s life cycle or value chain and due to the use of the products or services. The avoided emissions are what would have been released if the product or services have not been optimized or developed. The carbon credit from avoided emissions cannot be used to compensate the company’s generated direct (Scope 1) and indirect emissions (Scope 2) in the processing of its products.

In the adoption of mitigation measures to respond to climate change, the life cycle of the technology, product or intervention must be studied to ensure that the response does not lead to a maladaptation.

CHAPTER IV LOSS AND DAMAGE MECHANISM

SEC. 17. *Establishment of the Climate Change Actions Welfare and Support Fund.* – The Climate Change Actions Welfare and Support (CLAWS) Fund is hereby created as a special fund in the Bureau of the Treasury for the financing of the applications approved by the Board. The CLAWS Fund shall be used to respond to claims made by climate change victims/survivors. Claims may take the form of the following, among others:

- (a) Compensation for economic and non-economic harms;
- (b) Technology transfers;
- (c) Capacity building;
- (d) Financial support
- (e) Relocation; and
- (f) Recovery and rehabilitation measures.

The amount of Fifty million pesos (₱50,000,000.00) or its equivalent shall be initially allotted as the opening balance of the CLAWS Fund to be funded under any of the available sources of funding under the Loss and Damage Finance Facility and other sources of loss and damage finance; *Provided*, That the balance of the CLAWS Fund may be increased as the need arises; *Provided*, Further, That the CLAWS Fund

1 shall not be used to fund personal services and other operational services of the
2 Board, which shall initially be funded under the General Appropriations Act (GAA) in
3 the amount of Fifty million pesos (₱50,000,000.00); *Provided, Finally*, That the Board
4 shall submit to the Congress and the Department of Budget and Management (DBM)
5 an annual narrative and financial report on the utilization of the CLAWS Fund and the
6 amount appropriated in the GAA which shall form part of the funds of the funding for
7 the Board and shall not revert to the general fund.

8 The CLAWS Fund may be augmented by donations, endowments, grants, and
9 contributions, which shall be exempted from donor's tax and be considered as
10 allowable deductions from the gross income of the donor, in accordance with the
11 provisions of the National Internal Revenue Code of 1997, as amended. The CLAWS
12 Fund shall also serve as the repository for funds generated by international and other
13 mechanisms created for loss and damage finance, such as the funding arrangements
14 responding to loss and damage associated with the adverse effects of climate change
15 established under Decision 2/CP.27 and Decision 2/CMA.4.

16 **SEC. 18. *Complaints on Climate-related Violations.*** – Any real party in
17 interest or the climate change victims/survivors may seek redress for any harm
18 caused by non-compliance of the business entity with its obligations under Section 4
19 (Precautionary Principle), Section 14 (Due Diligence Standard of Care in the Conduct
20 of Business), and Section 15 (Business Responsibilities) of this Act or commission of
21 any prohibited activities under this Act.

22 The petitions may be filed before the Environment Management Bureau's
23 Pollution Adjudication Board, and may be appealed before the Department of
24 Environment and Natural Resources.

25 The filing of a petition under this Section shall be without prejudice to the
26 seeking of appropriate administrative recourse, including international redress, or
27 remedies available before the Board in connection with controversies that the Board
28 is mandated to resolve before the courts may intervene, particularly in connection with
29 administrative remedies under Section 4 (Adoption of the Precautionary Principle),
30 Section 5 (Adoption of the Polluter Pays Principle), Section 14 (Due Diligence
31 Standard of Care in the Conduct of Business), and Section 15 (Business
32 Responsibilities), all of which establish specific obligations, standards, and liabilities
33 which the Board must interpret and apply and that businesses and entities must
34 comply with for environmental accountability at the administrative level before judicial
35 intervention.

36 **SEC. 19. *Citizens suits.*** – For the purpose of enforcing the provisions of this
37 Act or its implementing rules and regulations, any real party in interest as well as
38 minors, generations yet unborn, and biodiversity represented by a legal guardian, in
39 compliance with A.M. No. 09-6-8-SC, or the "Rules of Procedure for Environmental

Cases, can file appropriate civil, criminal, and administrative judicial suits against any of the following :

(a) Any person who violates or fails to comply with the provisions of this Act or its implementing rules and regulations; or

(b) Any public officer with respect to orders, rules and regulations inconsistent with this Act.

SEC. 20. Resolution of Claims. – The Board shall be convened, with an attendance of a majority, to resolve all claims.

SEC. 21. Operational Modalities. – As provided for in this Act, the provisions herein are to be availed of alternatively:

(a) Submission of claims under the provisions of this Act – These claims are not to be construed as allegations concerning violations of the provisions of this Act but are presented to the Board in Section 12 as entitlements to communities who will apply for these provisions provided they satisfy the criteria that the Board may formulate that arises from the eligibility requirements of the funds that the Board may secure, including those from foreign sources, including but not limited to the Fund for Responding to Loss and Damage and other financing mechanisms not only under the UNFCCC and the Paris Agreement but other financing mechanism that address these claims;

(b) Initiation of specific administrative actions under Sections 4, 5, 14, and 15 of the Act – This refers to specific allegations of failure to abide by the entities covered by Sections 4, 5, 14, and 15 of this Act under an expedited procedure that will set out by the Board giving a fair chance for respondents to respond to these allegations taking into account their rights to procedural and substantive due process;

(c) All other actions for civil and criminal liabilities under Philippine laws and this Act including those provided in Sections 19 and 20 are to be addressed by the regular courts taking into account their administrative jurisdiction as provided by existing laws and regulations provided by the Supreme Court.

Claims submitted under the provisions of this Act and are satisfied by the respondents thereto shall serve as a bar for further prosecution for civil and criminal liability under paragraph (c) above.

CHAPTER V
FINAL PROVISIONS

SEC. 22. Penal Provisions. — Businesses shall be held liable for any observed adverse impacts on the climate through the exercise of their work. This is anchored on Section 32 of the Civil Code of the Philippines which provides for the liability for damages of any public officer or employee, or any private individual, who directly or indirectly obstructs, defeats, violates or in any manner impedes or impairs the rights and liberties of another person. The violation of the human right to the environment entitles the victims thereto for damages from the perpetrators of such damage. These shall be complemented by environmental statutes. The following shall be covered by the act:

(a) Emission Penalty - Based on data collated by the reporting facility for businesses' GHG emissions established by this Act, an emission penalty shall be applied pursuant to the threshold referred to in Section 7 of this Act, and shall be imposed on the Business enterprise or Carbon major for breaching the threshold for acceptable emissions aligned with the country's nationally determined contributions (NDC). The emissions penalty shall be imposed by the CLIMA Board, pursuant to the existing regulatory framework for GHG emissions reduction and the development of a low carbon economy.

The process of determining the threshold referred to in Section 7 of this Act shall be comprehensive, participatory, transparent, and guided by best available science, and the emissions threshold shall be established upon due consultation among the Department of Science and Technology – Philippine Atmospheric, Geophysical and Astronomical Services Administration (DOST-PAG-ASA), the CLIMA Board, SEC, DENR, Department of Trade and Industry (DTI), DA, DOE, DOTr, and the CCC. Emissions thresholds shall be reviewed periodically, as new data and methods for analysis become available.

All collected emissions penalties shall be remitted to the CLAWS Fund.

(b) Strategic lawsuit against public participation (SLAPP) Suits —SLAPP refers to an action whether civil, criminal or administrative, brought against any person, institution or any government agency or local government unit or its officials and employees, with the intent to harass, vex, exert undue pressure or stifle any legal recourse that such person, institution or government agency has taken or may take in the enforcement of environmental laws, protection of the environment or assertion of environmental rights. This Act shall prohibit SLAPP Suits and shall penalize such suits filed, with damages equivalent to 15% of the gross income of the petitioner and entity at whose instance and for whose benefit the SLAPP Suit was filed.

1 Fines and penalties under this Act shall accrue to the CLAWS Fund. In addition
2 to the fines, the court has power to order the closure or suspension of business until
3 such time that proper environmental safeguards are put into place and the
4 government is assured of the compliance mechanism by the business: *Provided*, That
5 an establishment liable for a third offense shall suffer permanent and immediate
6 closure.

7 This paragraph shall be without prejudice to the immediate issuance of an *ex*
8 *parte* order for such closure or suspension or cessation of operations during the
9 pendency of the case upon *prima facie* evidence that there is an imminent threat to
10 life, public health, safety or general welfare, or to biodiversity.

11 If the offender is a juridical person, the president, manager, directors, trustees,
12 or the officials directly related to the operations shall suffer the penalty herein
13 provided.

14 **SEC. 23. Potential Loss of Employment.** – The Secretary of the Department
15 of Labor and Employment is authorized to establish a compensation and
16 reemployment scheme for employees of businesses that will be affected by any
17 suspension or permanent cessation of business activities as a result of the
18 implementation and enforcement of this Act. The Board, in consultation with the
19 Department of Labor and Employment (DOLE) can help determine the scope of the
20 relief package for the employees.

21 **SEC. 24. Coordination with Various Sectors.** – In order to fully implement
22 this Act, the SEC in conjunction with the CCC shall consult nongovernment
23 organizations, community leaders, indigenous peoples, civic society, the academe,
24 youth organizations, industry associations, professional organizations, the private
25 sectors, vulnerable groups, and other concerned stakeholder groups.

26 **SEC. 25. Joint Congressional Oversight Committee.** – A Joint
27 Congressional Oversight Committee is created in order to monitor the implementation
28 of this Act. The Committee shall be composed of five (5) Senators and five (5)
29 members of the House of Representatives, selected respectively by the Senate
30 President and the Speaker of the House. The Committee shall be co-chaired by one
31 (1) member from the Senate and the House of Representatives, selected separately
32 by their peers who are also members of the Committee.

33 **SEC. 26. Appropriations.** – An amount of Fifty million pesos
34 (P50,0000,000.00) shall be appropriated for the initial implementation of this Act.
35 Thereafter, the amount necessary to effectively carry out the provisions of this Act
36 shall be included in the General Appropriations Act.

1 **SEC. 27. *Implementing Rules and Regulations.*** – The CCC, CHR, DENR,
2 the SEC, DOF, DOST-PAGASA, Board of Investments (BOI), Department of Budget
3 and Management (DBM), and Department of Economy, Planning, and Development
4 (DepDev), in consultation with the civil society organizations, academe, and research
5 institutions, shall issue the Implementing Rules and Regulations within ninety (90)
6 days from the effectivity of this Act.

7 **SEC. 28. *Separability Clause.*** – If for any reason any section or provision of
8 this Act is declared by the court as unconstitutional or invalid, the other sections or
9 provisions thereof shall not be affected thereby.

10 **SEC. 29. *Repealing Clause.*** – All laws, ordinances, rules, and regulations,
11 and other issuances or parts thereof, which are inconsistent with this Act, are hereby
12 repealed or modified accordingly.

13 **SEC. 30. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
14 publication in the *Official Gazette* or in a newspaper of general circulation.

15 *Approved,*