

SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )



Senate  
Office of the Secretary

'13 AUG 29 AID :36

SENATE

Senate Bill No. 1413

RECEIVED BY: *ji*

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

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**EXPLANATORY NOTE**

Nuclear technological risks in the Philippines are so high yet safeguards against them are so little. Although science and technology can cushion its impact, it can ruin lives, property, environment and ecology. Nuclear technology disaster is something the country cannot afford.

In order to develop the programs that can help not only the Government but also the private sector in making decisions on nuclear technological choices, the National Nuclear Radiation Safety Board should be established.

The thrust of this bill is in consonance with the Constitutional mandate 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. The NNRSB shall be responsible for nuclear radiation protection of the general public and thereby prevent or decrease the risks which such activities pose to life, property and ecology.

Immediate approval of this measure is earnestly sought.

  
JINGGOY EJERCITO ESTRADA  
Senator

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AN ACT  
CREATING THE NATIONAL NUCLEAR RADIATION SAFETY BOARD AND  
DEFINING ITS SCOPE, FUNCTIONS AND POWERS

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

**SECTION 1. Creation.** There is hereby created a National Nuclear Radiation Safety Board, hereinafter referred to as the NNSRB, under the Office of the President.

**SEC. 2. Purpose.** In accordance with the Constitutional mandate that the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature, the NNSRB shall regulate all undertakings of nuclear radiation researches, developmental application for the safety and protection of the general public and thereby prevent or decrease the risks such activities pose to life property and ecology.

**SEC. 3. Composition.** The NNSRB shall be composed of seven (7) members, which shall include the Director of the Philippine Nuclear Research Institute (PNRI), who shall act as the Chairman of the Board, the Dean of the University of the Philippines' College of Science, who shall act the vice-Chairman of the Board, the Director of the University of the Philippines, Institute of Physics, and the Executive Director of the Philippine Council for Health Research and Development (PCHRD, as ex-officio members and three (3) representatives to be appointed by the President for a term of one (1) year from any of the State Colleges and Universities any non-governmental organizations and institutions: *Provided*, That in the absence of any ex-officio member, said member may designate his deputy to act in his stead.

**SEC. 4. Meetings.** The NNSRB shall meet regularly once a month and may hold special meetings to consider urgent matters upon call of the Chairman or any three (3) members thereof.

**SEC. 5. Quorum.** The presence of a majority shall constitute a quorum for the transaction of business: *Provided that*, affirmative vote of at least four (4) members shall be necessary for the adoption of a resolution or a guideline.

**SEC. 6. Powers and Functions.** The NNSRB shall have the following powers and functions:

- (a) Formulate national guidelines and regulate nuclear radiation research, development and application in public or private institutions with local and/or foreign funding.
- (b) Review, monitor, approve or reject all nuclear radiation research, developmental and application project proposals;
- (c) Regulate the importation and exportation, use storage and distribution of any radioactive substance, in close coordination with PNRI;
- (d) Conduct periodic investigations, inspections and evaluations of the standards and facilities of nuclear radiation researches, development and application;
- (e) Abate, enjoin or prohibit the undertaking of any nuclear radiation research, development and application which may be dangerous or risky to public safety;
- (f) Exercise such other powers and functions as may be necessary for the effective accomplishment of the purpose herein provided.

**SEC. 7. Compensation.** The ex-officio members of the NNSRB, or their designated deputy, as the case may be, shall be entitled to per diems for meetings attended, not exceeding Five hundred pesos (P500.00) per meeting and not exceeding Two thousand pesos (P2,000.00) per month. The other members of the NNSRB shall receive a monthly allowance of Two thousand pesos (P2,000.00).

**SEC. 8. Prior Approval.** No nuclear radiation research, development and application shall be undertaken without the prior approval of the NNSRB.

**SEC. 9. Penalties.** Violations of the preceding Section or of any guidelines or resolutions adopted by the NNSRB shall be punished by imprisonment from six (6) months to four (4) years and/or fine of not less than Ten thousand pesos (P10,000.00) or both.

If the violation is committed by a corporation, partnership or association, its President, Manager, Agent or any other official in charge of the management thereof who committed or who knowingly participated in the commission of said violation shall suffer the penalties herein provided: *Provided that*, if the offender is an alien, in addition to the penalty herein provided, he shall be deported without further proceedings on the part of the Commissioner of Immigration and Deportation.

**SEC. 10. Appropriation.** To carry out the provisions of this Act, there is hereby appropriated the sum of Three hundred thousand pesos (P300,000.00) out of the fund in the National Treasury not otherwise appropriated. Thereafter, the succeeding appropriations of the NNSRB shall be included of this Act are hereby repealed or modified accordingly.

**SEC. 11. Repealing Clause.** All laws, decrees, orders, rule and regulations, policies, programs or parts thereof, which are inconsistent with any provisions of this Act are hereby repealed or modified accordingly.

**SEC. 12. *Separability Clause.*** If for any reasons, any section or provision of this Act is declared to be unconstitutional or void, the other sections or provisions hereof which are not affected thereby shall continue in full force and effect.

**SEC. 13. *Effectivity.*** This Act shall take effect fifteen (15) days upon completion of its publication in at least two (2) newspapers of general circulation.

*Approved,*