



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

'17 JAN 11 P3:59

RECEIVED BY: _____

SENATE

S. B. No. 1293

Introduced by Senator JUAN MIGUEL F. ZUBIRI

**AN ACT PROVIDING FOR
THE MAGNA CARTA OF PUBLIC ENERGY WORKERS**

EXPLANATORY NOTE

Energy, as a basic commodity, continuously evolves with the pace of economic development in the world. In the Philippine setting, energy is an essential element for attainment of ensuring a sustained national development and progress.

However, there are a lot of issues confronting the Philippine energy sector. To cite a few are lack of attractive compensation and benefits package, and well-pronounced and adequately funded programs directed towards human resources development in energy sector. These are the paramount reasons for the turn-over of our talented and promising assets, from the government sector to the private companies.

Another challenge in our energy sector is a dearth number of higher education institutions offering energy-related degree programs and trainings that contributed to the limited graduates who can be tapped as managers, technical experts, technicians, and regulators. Only few of our high school graduates consider energy-related degree programs as their course due to high cost and limited availability of scholarship support from the National Government.

The current initiatives of the Department of Energy (DOE) should further be enhanced in our desire to promote and sustain an energy culture that the Philippines should possess as an emerging tiger economy in Asia. Our countrymen should embrace the need for exploring and developing the energy potentials in every part of the archipelago of which most remain idle due to the absence of research and development that would generate information for the investors' technical guidance.

We are living witnesses that Energy Workers are among the first to respond before and after the occurrence of disasters despite immeasurable risks to their lives and loved ones. In addition, during operational glitches and violations of energy-related companies, our Energy Workers are exposed to hazardous elements and hostile environment in the performance of their avowed duties and services to the Filipino people.

It is recognized that energy-related activities and projects had contributed substantial amount to the coffers of the National Government. With this, it is but just and proper that our Energy Workers partake the fruits from these successful undertakings in recognition to their diligence and commitment in the processing, evaluation, monitoring, and regulation of applications and awarded contracts, including the mandatory financial audits thereof.

However, despite the immense contributions of the energy sector in improving the quality of lives and economic activities of the Filipino people, little effort has been exerted to address the plight of our Energy Workers not to mention the exodus or brain-drain of competent and hardworking personnel of government agencies who are responsible for energy exploration, development, generation, transmission, distribution, utilization, commercialization and regulation of electricity to all sectors, especially, the less privileged and improving members of the society.

We need a reservoir of talent and manpower that will sustain our drive for accessible, affordable, and sustainable electricity in various parts and sectors of the society. This noble bill is expected to ensure a reservoir of talent who are adequately provided with compensation and benefits at par with the private sector, a well-pronounced, defined, and sufficiently funded scholarship programs and other measures that shall address the issues confronting the human resources of the energy sector in the Philippines.

Moreover, there has been unprecedented increase of awarded service and operating contracts as a result of the policy redirections by the current leadership of the DOE. This bill would not only complement the necessity of enhancing the regulatory capacity of the DOE but also that of the Energy Regulatory Commission (ERC). Thus, full compliance with financial obligations of the stakeholders is assured to augment the collection of taxes, government shares, and other charges that shall contribute in attaining financial stability of the government.

Finally, this bill seeks to enhance the regulatory powers and functions of the DOE and the ERC by establishing an Energy Training Institute (ETI) to cater the professional, technical, administrative, managerial, and executive enhancement and training needs of the Energy Workers and interested individuals in the energy sector.

Therefore, the passage of this bill is strongly recommended.



JUAN MIGUEL F. ZUBIRI



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

'17 JAN 11 P 3:59

RECEIVED BY: _____

SENATE

S. B. No. 1293

Introduced by Senator JUAN MIGUEL F. ZUBIRI

**AN ACT PROVIDING FOR
THE MAGNA CARTA OF PUBLIC ENERGY WORKERS**

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

1 **Section 1. Title.** – This Act shall be known as the “Magna Carta of Public Energy
2 Workers”.

3
4 **Section 2. Declaration of the Policy.** – The State recognizes energy as an essential
5 element for the attainment of sustained national development and progress. To attain
6 this objective, it is hereby declared the policy of the State to provide for a program of
7 human resources development in the energy sector to achieve and maintain the
8 necessary reservoir of skills and manpower that will sustain the drive for accessible,
9 affordable, and sustainable electricity in various sectors of the society.

10
11 The State shall establish, promote, and support programs leading to the realization of
12 this objective that will improve the quality of energy education, popularization, and
13 sustainability of energy culture.

14
15 This Act aims to:

- 16
17 (a) promote and improve the social and economic well-being of the energy
18 workers, their living and working conditions, and terms of employment; and
19
20 (b) develop their skills and capabilities in order that they will be more responsive
21 and better equipped to deliver energy projects and programs; and
22
23 (c) encourage those with proper qualifications and excellent abilities to join and
24 remain in government service.¹

25
26 **Section 3. Definition of Terms.** – For purposes of this Act, the following terms,
27 whether in singular or plural, are hereby defined:

- 28
29 (a) “Attached Agencies” shall collectively refer to the National Electrification
30 Administration (NEA), the National Power Corporation (NPC), the National

¹ Section 2, Republic Act No. 7305, otherwise known as the Magna Carta of Public Health Workers

1 Transmission Corporation (TRANSCO), the Philippine National Oil Company
2 (PNOC), and the Power Sector Assets and Liabilities Management
3 Corporation (PSALM);
4

5 (b) "*Commission*" shall refer to the Energy Regulatory Commission (ERC);
6

7 (c) "*Department*" shall refer to the Department of Energy (DOE);
8

9 (d) "*Energy Activities and Projects*" shall refer to all systematic activities and
10 projects which are closely related with the energy exploration development,
11 distribution, generation, transmission, supply, regulation, utilization, and
12 commercialization of energy resources including the dissemination and
13 application of scientific and technical knowledge in all fields of energy such
14 as, but not limited to coal mining, oil and petroleum, renewable energy, gas,
15 alternative energy resources and technologies, bio-energy, electrification, and
16 all undertaking that are necessary for the proper, effective, and efficient
17 implementation of the Philippine Energy Plan (PEP) formulated by the
18 Department and duly approved by the President of the Philippines; and
19

20 (e) "*Energy Workers*" shall refer to all officials and personnel of the Department,
21 the Attached Agencies, and the Commission who are directly responsible in
22 the planning, formulation processing, execution, regulation, and monitoring
23 and evaluation of energy programs, activities, and projects, as defined in their
24 respective Charters.
25

26 **Section 4. Energy Career System.** – A career system for Energy Workers shall be
27 formulated by the Department in coordination with the Civil Service Commission (CSC)
28 and the Department of Budget and Management (DBM).
29

30 Such career system shall include provisions on merit promotion, performance
31 evaluation, in service training grants, job rotation, suggestions, and incentive award
32 system. The performance evaluation plan shall consider foremost the improvement of
33 individual employee efficiency and organizational effectiveness; *Provided*, that each
34 employee shall be informed regularly by his/her supervisor of his/her performance
35 evaluation. The merit promotion plan shall be in consonance with the rules of the Civil
36 Service Commission.²
37

38 **Section 5. Recruitment and Qualification.** – Recruitment policy and minimum
39 requirements with respect to the selection and appointment of an Energy Worker shall
40 be developed and implemented by the appropriate government agencies concerned in
41 accordance with existing policies and standards of the CSC; *Provided*, that in the
42 absence of appropriate eligible candidates and it becomes necessary in the public
43 interest to fill a vacancy, a temporary appointment shall be issued to the person who
44 meets all the requirements for the position to which he/she is being appointed except
45 the appropriate civil service eligibility; *Provided further*, that such temporary
46 appointment shall not exceed twelve (12) months nor be less than three (3) months
47 renewal thereafter but that the appointee may be replaced sooner if: (a) a qualified civil
48 service eligible becomes available; or (b) the appointee is found wanting in performance
49 or conduct befitting a government employee.³
50

51 **Section 6. Salaries.** – The existing law on salary scales of government employees
52 shall not apply in determining the salary scale of Energy Workers as defined in Section

² Section 5, *Ibid*.

³ Section 4, *Ibid*.

1 3 of this Act. A new salary scale shall be developed by the Department in consultation
2 with the DBM and the CSC, subject to the approval of the President of the Philippines.

3
4 **Section 7. Other Benefits.** – Notwithstanding Section 12 of Republic Act No. 6758⁴,
5 Energy Workers defined under Section 3 of this Act shall receive the following:

6
7 (a) **Honorarium.** – Energy Workers who rendered services beyond the
8 established regular workload of managers or executives, mining and
9 petroleum engineers, geologists, engineers, scientists, researchers,
10 inspectors, and technicians whose broad and superior knowledge, expertise
11 or professional standing in a specific field contributes to productivity and
12 innovativeness shall be entitled to receive honorarium subject to rules to be
13 set by the Department;

14
15 (b) **Hazard Allowance.** – Energy Workers involved in hazardous undertakings
16 or assigned in hazardous workplaces to conduct periodic inspection,
17 regulation, and evaluation and monitoring of energy related projects and
18 activities shall be paid hazard allowances ranging from ten percent (%) to
19 thirty percent (30%) percent of their monthly basic salary depending on the
20 nature and extent of the hazard involved. The following shall be considered
21 hazardous workplaces:

- 22
23 i. Radiation-exposed laboratories and service workshops;
24 ii. Remote/depressed areas;
25 iii. Areas declared under a state of calamity or emergency;
26 iv. Strife-torn or embattled areas;
27 v. Laboratories and other disease-infested areas;
28 vi. Electrical machine and mechanical rooms;
29 vii. Pressure vessels and other steam generating facilities; and
30 viii. Areas, establishments or energy and energy-related facilities where
31 Energy Workers are directly or imminently exposed to hazardous
32 vapors, products and toxic fumes (and substances) such as, gasoline
33 stations, oil depots, terminals, auto-LPG dispensing stations, and gas
34 refilling plants;

35
36 (c) **Compulsory Travel Insurance.** – All Energy Workers who are required to
37 travel by nature of their work shall be insured by their respective agencies
38 equivalent to the travel insurance offered by the common carriers for every
39 travel undertaken;

40
41 (d) **Compensation of Injuries.** – Energy Workers shall be protected against the
42 consequences of employment injuries in accordance with existing laws.

⁴ Section 12 of the Compensation and Position Classification Act of 1989 states, that:

“Section 12. Consolidation of Allowances and Compensation. – *All allowances, except for representation and transportation allowances; clothing and laundry allowances; subsistence allowance of marine officers and crew on board government vessels and hospital personnel; hazard pay; allowances of foreign service personnel stationed abroad; and such other additional compensation not otherwise specified herein as may be determined by the DBM, shall be deemed included in the standardized salary rates herein prescribed. Such other additional compensation, whether in cash or in kind, being received by incumbents only as of July 1, 1989 not integrated into the standardized salary rates shall continue to be authorized.*

Existing additional compensation of any national government official or employee paid from local funds of a local government unit shall be absorbed into the basic salary of said official or employee and shall be paid by the National Government.”

1 Injuries incurred while doing overtime work shall be presumed work-
2 connected⁵;

- 3
- 4 (e) **Subsistence Allowance.** – Energy Workers shall be entitled to full
5 subsistence allowance equivalent to three (3) meals a day, which may be
6 computed and implemented in accordance with the criteria to be provided in
7 the Implementing Rules and Regulations. Those assigned out of their regular
8 work stations shall be entitled to per diem in lieu of Subsistence Allowance;
- 9
- 10 (f) **Laundry Allowance.** – Energy Workers who are required to wear a
11 prescribed uniform during office hours shall be entitled to a laundry allowance
12 of not less than One Hundred Fifty Pesos (PhP150.00) a month;
- 13
- 14 (g) **Housing and Quarter Allowance.** – Energy Workers who are on duty in
15 laboratories, energy research and development centers, and other
16 government facilities shall be entitled to free living quarters within the
17 government facility where they are stationed; *Provided*, that the Energy
18 Workers have their residence outside of the fifty (50)-kilometer radius from
19 such government facility;
- 20
- 21 (h) **Longevity Pay.** – A monthly longevity pay equivalent to five percent (5%) of
22 the monthly basic salary shall be paid to Energy Workers for every five (5)
23 years of continuous and meritorious service as determined by their respective
24 Heads of agencies;
- 25
- 26 (i) **Medical Examination.** – During the tenure of their employment, all Energy
27 Workers shall be given compulsory free medical examination once a year and
28 immunization, as the case may warrant. The medical examination shall
29 include:
- 30
- 31 i. Complete physical examination;
- 32 ii. Routine laboratory, chest x-ray and ECG;
- 33 iii. Psychometric examination;
- 34 iv. Dental examination; and
- 35 v. Other examination as may be prescribed a government physician; and
- 36
- 37 (j) **Collective Negotiation Agreement (CNA).** – Energy Workers shall be given
38 the right to enter into CNAs with their respective agencies, including the grant
39 of additional benefits not expressly enumerated in this Act and subject to
40 existing limitations as may be imposed by the CSC and the DBM; *Provided*,
41 that for employees of government-owned and controlled corporations and
42 financial institutions, their CNA may only be granted upon showing of the
43 agency's fiscal and financial viability.
- 44

45 **Section 8. Scholarships and Grants.** – Energy Workers pursuing undergraduate,
46 graduate, post-graduate or training courses shall be entitled to avail of scholarship
47 benefits and grants in accordance with the Scholarship Programs to be implemented by
48 the Department. Grantees of the program may study within the Philippines or abroad;
49 *Provided*, that the Department shall provide strict measures to ensure their return to the
50 Philippines and render the corresponding service obligation.

51
52 Recipients of scholarships and grants shall, after graduation, be required to
53 render service in the government for the equivalent number of years that they availed of
54 their scholarships.

55

⁵ Section 28, RA 7305

1 Scholarship privileges may be on a full-time or part-time bases and shall include
2 tuition fee, book allowance, transportation allowance, monthly stipend, dissertation
3 grants, insurance, and the payment of regular salary and other benefits.
4

5 For this purpose, the Human Resource Development Council created under
6 Republic Act No. 8248⁶ shall formulate the rules and regulations to implement the
7 Scholarship Program provided in this Act.
8

9 **Section 9. Offering of Energy Related Degree Programs and Trainings in Higher**
10 **Education Institutions.** – To further enhance the implementation of the policies under
11 Section 2 of this Act, the offer of energy-related degree programs shall be mandatory to
12 State Universities and Colleges (SUCs) with mandates and curricular offerings or
13 programs provided in their respective Charters which include, among others, energy,
14 geology, and science and technology. Other SUCs including private higher education
15 institutions shall also be encouraged to offer energy-related degree programs.
16

17 To fully implement this provision, SUCs offering energy related programs shall be
18 entitled to automatic additional budget of not less than five (5%) percent of their
19 respective annual appropriations to be used for the personnel services, Maintenance
20 and Other Operating Expenses (MOOE), and capital outlay necessary to ensure
21 sustainability of the energy-related degree programs in their respective institutions.
22 Further, the Secretary of the Department or his/her authorized representative shall be a
23 Member of the governing board of SUCs and private institutions offering energy-related
24 programs to ensure that it shall be complementary and contributory to the PEP and
25 thrusts of the National Government. The Secretary or his/her duly authorized
26 representative shall be entitled to the rights and privileges of a regular member of the
27 governing board pursuant to Republic Act No. 8292⁷ and the Charters of SUCs or by-
28 laws and policies of the private higher education institutions concerned.
29

30 **Section 10. Establishment, Management, and Operations of the Energy Training**
31 **Institute (ETI).** – The Department shall establish, manage, and operate an ETI in any
32 of its offices and Attached Agencies and/or in various locations, as the Board of
33 Trustees may determine, to cater the professional, technical, administrative, and
34 managerial and executive enhancements and training needs of the Energy Workers and
35 interested individuals in the energy sector.
36

37 The ETI is mandated to offer short-term technical, scientific, vocational,
38 supervisory, and managerial and executive courses and trainings in energy such as, but
39 not limited to, coal mining, oil and petroleum, renewable energy, gas, alternative energy
40 technologies, bio-energy, electrification, and other skills and competency enhancements
41 as the Board may deem it proper.
42

43 A Board of Trustees of the ETI composed of the Department Secretary or his/her
44 authorized representative not lower than an Assistant Secretary as Chairman and
45 Presiding Officer, Secretary/ies or their respective representatives not lower than
46 Assistant Secretaries or their equivalents of the Technical Education and Skills
47 Development Authority (TESDA), Department of Science and Technology (DOST),
48 Department of Trade and Industry (DTI), Commission on Higher Education (CHED), and
49 Department of Labor and Employment (DOLE), the President of the Employees
50 Association of the Department, and at least three (3) private sector representatives
51 appointed by the President of the Philippines, as members.
52

⁶ An Act Further Strengthening the Science and Technology Program of the Government, Amending for the Purpose Republic Act no. 7687, Otherwise Known as the Science and Technology Scholarship Act of 1994

⁷ Higher Education Modernization Act of 1997

1 The Board of Trustees shall serve as the highest policy-making body of the ETI
2 and shall discharge the following powers and duties:

- 3
4 i. To promulgate and implement policies in accordance with the declared
5 State policies, thrusts and priorities in the PEP;
6
7 ii. To promulgate rules and regulations not contrary to law as may be
8 necessary to carry out the purposes and functions of the ETI;
9
10 iii. To receive and appropriate all sums as may be provided for the support
11 of the ETI in the manner it may determine in its discretion, in order to
12 carry out the purposes and functions of the said ETI;
13
14 iv. To import economic, technical books and/or publications, equipment,
15 and other technologies necessary in the delivery of training course and
16 programs;
17
18 v. To receive in trust legacies, gifts, and donations of real and personal
19 properties of all kinds and to administer and dispose of the same when
20 necessary for the benefit of the ETI and subject to the limitations,
21 directions and instructions of the donor, if any;
22
23 vi. To fix fees and other necessary charges such as, but not limited to,
24 matriculation fees, graduation fees and laboratory fees, as the Board of
25 Trustees may deem proper to impose. Such fees and charges, including
26 government subsidies and other income generated by the ETI, shall
27 constitute special trust funds and shall be deposited in any authorized
28 government depository bank, and all interests that shall accrue
29 therefrom shall form part of the same funds for the use of the said ETI.
30
31 Any provision of existing laws, rules and regulations to the contrary
32 notwithstanding, any income generated by the ETI from fees and other
33 charges, shall be retained by the ETI, and may be disbursed by the
34 Board of Trustees for instruction, maintenance, capital outlay, salaries,
35 honorarium, and benefits of the Officials, Trainers, Fellows, and
36 employees of the EMI;
37
38 vii. To authorize the construction or repair of its buildings, machinery,
39 equipment and other facilities, and the purchase and acquisition of real
40 property, including necessary supplies, materials, and equipment;
41
42 viii. To appoint and prescribe the duties and functions, upon
43 recommendation of the Executive Director, Deputy Executive Directors,
44 Program Managers, Trainers, Fellows and Employees of the ETI;
45
46 ix. To fix and adjust salaries and terms of office of the Executive Director,
47 Deputy Executive Directors, Trainers, Fellows and administrative
48 officials and employees, subject to the provision of this Act, and such
49 other duties and conditions as it may deem proper, to grant them, at its
50 discretion, leaves of absence under such regulations as it may
51 promulgate, any provision of existing law to the contrary
52 notwithstanding, and to remove them for cause in accordance with the
53 requirements of due process of law;
54
55 x. To approve the curricula, instructional programs and rules of discipline
56 drawn by the Executive Director;

- 1
2 xi. To set policies on admission and completion of trainees and clients;
3
4 xii. To delegate any of its powers and duties provided for hereinabove to
5 the Executive Director and/or other officials of the ETI as it may deem
6 appropriate, in order to expedite the administration of the affairs of the
7 ETI;
8
9 xiii. To collaborate or develop consortia and other economic forms of
10 linkages with local government units (LGUs), energy
11 contractors/operators, institutions and agencies, both public and private,
12 local and foreign, in the furtherance of the purposes and objectives of
13 the ETI; and
14
15 xiv. To set up the adoption of modern and innovative modes of transmitting
16 knowledge such as the use of information technology, the dual learning
17 system, open or distance education and community laboratory for the
18 promotion of greater access to the trainings and services of the ETI.
19

20 The ETI shall be headed by an Executive Director and assisted by Deputy
21 Executive Directors for Programs, Operations, and Research and Development and/or
22 such other fields as the Board of Trustees may deem necessary.
23

24 The Executive Director shall render full-time service and shall be appointed by
25 the Board of Trustees, subject to the guidelines, qualifications and standards set by it,
26 upon recommendation of a duly constituted search committee. The Executive Director
27 shall have a term of six (6) years and shall be eligible for reappointment for another
28 term, subject to the qualifications and requirements to be promulgated by the Board of
29 Trustees. The Board of Trustees shall have the power to designate Officer-in-Charge or
30 officials in acting capacity in case of vacancy and/or pending the appointment of the
31 regular officials concerned.
32

33 The Chair and Members of the Board shall not receive any salary but shall be
34 entitled to reasonable honorarium and reimbursements for actual and necessary
35 expenses incurred, either in their attendance to meetings of the Board or in connection
36 with other official business authorized by resolution of the Board, subject to existing
37 laws and regulations.
38

39 The Board of Trustees shall regularly convene once every three (3) months.
40 Whenever necessary, the Chairperson of the Board of Trustees may call, upon three (3)
41 days' prior written notice, a maximum of two (2) special meetings within the same
42 period. A quorum of the Board of Trustees shall consist of majority of all its members.
43

44 The importation of economic, technical and books or publications, equipment,
45 apparatus and technologies, which is for economic, technical, vocational and scientific,
46 purposes, made by the ETI upon certification by the Department, shall be exempt from
47 customs duties in accordance with the provisions of the *Tariff and Customs Code of the*
48 *Philippines, as amended*.
49

50 Donations in any form to the ETI shall be exempt from the donor's tax and the
51 same shall be considered as allowable deduction from the gross income in the
52 computation of the income tax of the donor, in accordance with the provisions of the
53 *National Internal Revenue Code of 1997, as amended*.
54

55 Such amount necessary for the implementation of this provision shall be
56 incorporated in the annual budget of the Department.
57

1 **Section 11. *Provision Against Double Benefits.*** – Energy Workers already
2 receiving the same benefits under any other law shall not be allowed to avail of the
3 benefits under this Act unless they submit in writing their intention to withdraw the
4 benefits already being received and opt for those provided hereunder.
5

6 **Section 12. *Highest Basic Salary Upon Retirement.*** – Upon retirement, the Energy
7 Worker concerned shall automatically be granted one (1) position higher than his/her
8 current position and his/her retirement benefits shall be computed on the basis of the
9 equivalent salary of the next higher position/rank.
10

11 Further, the Energy Worker concerned shall also be granted retirement gratuity
12 based on the total length of service (converted into gratuity months) multiplied by the
13 highest basic salary of the higher position/rank provided above in accordance with the
14 provisions of Republic Act No. 1616⁸; *Provided*, that the existing retirement benefits
15 shall continually be applied should the same be higher or more advantageous to the
16 said Energy Worker.
17

18 **Section 13. *Prohibition Against Diminution and/or Elimination.*** – Nothing in this
19 Act shall be construed to eliminate or in any way diminish the benefits being enjoyed by
20 Energy Worker at the time of the effectivity of said Act.
21

22 **Section 14. *Hiring of Retired Energy Worker.*** – An Energy Worker retired under
23 any existing law, who, in the judgment of the Secretary of the Department, possesses
24 managerial or technical qualifications and the capability to undertake energy related
25 activities, may be rehired on contractual basis without refunding the unexpired portion of
26 the gratuity and accumulated leave benefits received by him/her from the Government;
27 *Provided*, that there is no available qualified expert or applicant to undertake said
28 energy activities.
29

30 **Section 15. *Government Scholars and Training Grantees.*** – Graduates or
31 grantees of government energy scholarship programs or trainings shall be given
32 temporary waiver of CSC eligibilities for at least two (2) years and preferential access to
33 financial grants from any government agency authorized to extend grants and loans
34 with easy terms from government financing institutes, for energy projects which are
35 viable and in line with the development thrust of the National Government.
36

37 **Section 16. *Funding.*** – The amount necessary to fully implement this Act shall be
38 provided in the General Appropriations Act (GAA) of the year following its enactment
39 into law under the budgetary appropriations of the DOE and its Attached Agencies, and
40 the Commission.
41

42 **Section 17. *Annual Report.*** – The Secretary of the Department shall submit to both
43 the Senate and House of Representatives Committees on Energy, an annual report of
44 the status of implementation of this Act.
45

46 **Section 18. *Implementing Rules and Regulations (IRR).*** – The Secretary of the
47 Department after consultation with the appropriate agencies of the National
48 Government, shall formulate and prepare the necessary rules and regulations to
49 implement the provisions of this Act. The IRR issued pursuant to this section shall take
50 effect thirty (30) days after publication in the *Official Gazette* or at least in two (2)
51 newspapers of general circulation.
52

⁸ An Act Further Amending Section 12 of Commonwealth Act No. 186, as Amended, by Prescribing Two Other Modes of Retirement and for Other Purposes

1 **Section 19. Separability Clause.** – If any provision of this Act is subsequently
2 declared invalid or unconstitutional, the other provisions which are not affected thereby
3 shall remain in full force and effect.

4
5 **Section 20. Repealing Clause.** – All laws, executive orders, presidential decrees,
6 and their respective implementing rules and regulations, inconsistent with the provisions
7 of this Act are hereby repealed, amended or modified accordingly.

8
9 **Section 21. Effectivity.** – This Act shall take effect fifteen (15) days after its
10 publication in the *Official Gazette* or at least in two (2) newspapers of general
11 circulation.

12
13 **Approved,**