



1           SEC. 2. *Declaration of Principles.* – The State,  
2 consistent with national interest, adopts and pursues a  
3 policy of freedom from chemical weapons in its territory  
4 and protection of human life and the global environment  
5 from the effects of chemical weapons, in conformity with its  
6 obligations under the Convention on the Prohibition of the  
7 Development, Production, Stockpiling, and Use of  
8 Chemical Weapons and on their Destruction, known as the  
9 “Chemical Weapons Convention” (the Convention), to  
10 which the Philippines is a State Party.

11           Towards this end, the State shall not, under any  
12 circumstance, develop, produce, manufacture, acquire,  
13 possess, stockpile, retain, or use chemical weapons, or  
14 engage in any other activities prohibited under the  
15 Convention, and shall prohibit all persons from engaging  
16 in such activities.

17           SEC. 3. *Definition of Terms.* – As used in this Act:

18           (a) *Chemical Weapon* refers to one (1) or a  
19 combination of the following:

1           (1) Toxic chemicals and their precursors, except  
2 when intended for purposes not prohibited under the  
3 Convention, where the type and quantity is consistent with  
4 such purposes;

5           (2) Munitions and devices designed to cause death or  
6 other harm through the release of toxic properties from the  
7 chemicals specified in subparagraph (1) herein, as a result  
8 of using such munitions and devices; and

9           (3) Any equipment specifically designed to be used  
10 directly for the employment of munitions and devices  
11 specified in subparagraph (2) herein.

12           (b) *Facility* refers to any of the industrial sites  
13 defined below:

14           (1) *Plant Site* (Works, Factory) refers to the local  
15 integration of one (1) or more plants, with any  
16 intermediate administrative levels, which are under one  
17 (1) operational control, and includes common  
18 infrastructure, such as:

19           (i) Administration and other offices;

20           (ii) Repair and maintenance shops;

- 1 (iii) Medical center;
- 2 (iv) Utilities;
- 3 (v) Central analytical laboratory;
- 4 (vi) Research and development laboratories;
- 5 (vii) Central effluent and waste treatment area; and
- 6 (viii) Warehouse storage.

7 (2) *Plant* (Production facility, Workshop) refers to a  
8 relatively self-contained area, structure, or building  
9 containing one (1) or more units with auxiliary and  
10 associated infrastructure, such as:

- 11 (i) Small administrative section;
- 12 (ii) Storage or handling areas for feedstock and  
13 products;
- 14 (iii) Effluent or waste and handling treatment area;
- 15 (iv) Control or analytical laboratory;
- 16 (v) First aid service or related medical section; and
- 17 (vi) Records associated with the movement into,  
18 around, and from the site, of declared chemicals and their  
19 feedstock or product chemicals formed from them, as  
20 appropriate;

1           (3) *Unit* (Production unit, Process unit) refers to the  
2 combination of items of equipment, including vessels and  
3 vessel set up, necessary for the production, processing, or  
4 consumption of a chemical;

5           (c) *Person* refers to any individual, corporation,  
6 partnership, firm, association, trust, estate, public or  
7 private institution, political entity, foreign government or  
8 nation, agency, instrumentality or political subdivision of  
9 any such government or nation, or other entity located in  
10 the Philippines;

11           (d) *Precursors* refer to chemical reactants which take  
12 part at any stage in the production by whatever method of  
13 a toxic chemical. This includes any key component of a  
14 binary or multi-component chemical system. Precursors  
15 which have been identified for the application of  
16 verification measures by the Organization for the  
17 Prohibition of Chemical Weapons (OPCW) are listed as  
18 scheduled chemicals of the Conventions's Annex on  
19 Chemicals;

1           (e) *Purposes not prohibited under the Convention*  
2 shall mean:

3           (1) Industrial, agricultural, research, medical,  
4 pharmaceutical, or other peaceful purposes;

5           (2) Protective purposes directly related to protection  
6 against toxic chemicals and chemical weapons;

7           (3) Military purposes not connected with the use of  
8 chemical weapons and not dependent on the use of the  
9 toxic properties of chemicals as a method of warfare; and

10          (4) The use of non-lethal weapons which are not  
11 prohibited under this Act and the Convention, for the  
12 maintenance of public security and order by:

13           (i) Law enforcement authorities;

14           (ii) The Armed Forces of the Philippines (AFP) when  
15 taking measures to suppress insurgency and other serious  
16 threats to national security, and where the use thereof is  
17 most appropriate other than the use of deadly force; and

18           (iii) The AFP within the framework of a system of  
19 mutual collective security, and training for its use.

1           (f) *Riot control agent* refers to any chemical not  
2 listed as a scheduled chemical in the Convention's Annex  
3 on Chemicals which can rapidly produce sensory irritation  
4 or disabling physical effects in humans that disappear  
5 within a short time following termination of exposure;

6           (g) *Scheduled chemicals* refer to chemicals listed in  
7 Schedules 1, 2, and 3 of the Convention's Annex on  
8 Chemicals as attached and made an integral part hereof  
9 and any subsequent amendments thereto; and

10          (h) *Toxic Chemicals* refer to those which, through  
11 chemical action on life processes, can cause death,  
12 temporary incapacity, or permanent harm to humans or  
13 animals. This includes all such chemicals therein,  
14 regardless of origin or method of production, and  
15 regardless of whether they are produced in facilities,  
16 munitions, or elsewhere.

17          Toxic chemicals which have been identified for the  
18 application of verification measures by the OPCW are  
19 listed in the scheduled chemicals in the Convention's  
20 Annex on Chemicals. Unless the contrary intention

1 appears, an expression or term that is used both in this Act  
2 and the Convention but is not defined in this Act, shall  
3 have the same meaning provided in the Convention.  
4 *Verification Annex* means the Convention's Annex on  
5 Implementation and Verification.

6 Sec. 4. *National Authority*. – The Anti-Terrorism  
7 Council (ATC) is hereby designated as the Philippine  
8 national authority on the Chemical Weapons Convention.

9 The ATC shall serve as the national focal point for  
10 effective liaison with the OPCW and other States Parties  
11 to fulfill the country's commitments under the Convention,  
12 including the preparation and submission of annual  
13 declarations on scheduled chemicals and facilities.

14 The Anti-Terrorism Council-Program Management  
15 Center (ATC-PMC) shall act as the secretariat.

16 SEC. 5. *Functions*. – The ATC acting as national  
17 authority shall:

18 (a) Ensure proper elucidation and representation of  
19 the country's policy on the non-proliferation of chemical



1 weapons in coordination with the Philippine Permanent  
2 Representative to the OPCW;

3 (b) Develop rules and regulations and formulate  
4 policies, in cooperation with appropriate government  
5 agencies, concerning the production, processing,  
6 consumption, importation, exportation, in-country transfer,  
7 use, and proper disposal of scheduled chemicals and  
8 facilities, and production facilities of other chemicals not  
9 included in the scheduled chemicals of the Convention's  
10 Annex on Chemicals;

11 (c) Create committees, sub-committees, and advisory  
12 boards, as may be necessary, to carry out specific functions  
13 for the attainment of the objectives under this Act;

14 (d) Designate local inspectors and specify their  
15 required qualifications, trainings, and functions, and in  
16 coordination with the Bureau of Fire Protection (BFP) and  
17 other appropriate government agencies, spearhead  
18 inspections of facilities involving scheduled chemicals;

19 (e) Identify local laboratories to become an OPCW  
20 Designated Laboratory which should be able to perform

1 off-site analysis of samples collected by inspectors from  
2 chemical production facilities, storage depots, and other  
3 installations, or from the site of an alleged use of chemical  
4 weapons;

5 (f) Cause or direct the investigation of violations of  
6 laws concerning chemical weapons, or the handling of toxic  
7 chemicals in violation of this Act;

8 (g) Support capacity-building initiatives and  
9 information campaigns on chemical safety and security;  
10 and

11 (h) Perform such other functions to effectively  
12 implement the provisions of this Act and the Convention.

13 The ATC may require the assistance and support of  
14 all departments, bureaus, offices, agencies, or  
15 instrumentalities of the government, including  
16 government-owned or -controlled corporations to effectively  
17 perform its duties and functions under this Act.

18 The ATC shall periodically update the list of  
19 scheduled chemicals listed in Schedule 1, 2, and 3 of the  
20 Convention's Annex on Chemicals upon the request or

1 advice of the OPCW. Such updates shall be in the form of  
2 formal resolutions of the ATC to be published in the  
3 *Official Gazette* or in a newspaper of general circulation  
4 before they become effective.

## 5 CHAPTER II

### 6 PROHIBITIONS

7 SEC. 6. *Prohibitions.* – The following are prohibited  
8 under this Act:

9 (a) To develop, produce, acquire, stockpile, retain,  
10 use, or transfer domestically or by cross-border movement,  
11 any chemical weapon;

12 (b) To finance the development, production,  
13 acquisition, stockpiling, retention, use, or transfer of  
14 chemical weapons;

15 (c) To possess or transfer domestically or by  
16 cross-border movement, directly or indirectly, precursors  
17 and scheduled chemicals without the necessary license or  
18 permit;

19 (d) To engage in any military preparation with the  
20 use of a chemical weapon;

1           (e) To assist, encourage, or induce a person to  
2 engage in any activity that is prohibited for a State Party  
3 under the Convention;

4           (f) To use a riot control agent as a method of  
5 warfare;

6           (g) To export and import Schedule 1 chemicals to or  
7 from a State not a Party to the Convention, including  
8 transit through such State; and

9           (h) To engage in any other activity prohibited for a  
10 State Party under the Convention.

11           Nothing in this Act shall be construed to prohibit the  
12 AFP from using non-lethal or lethal weapons other than  
13 those prohibited in this Act, in the conduct of combat  
14 operations for the suppression of insurgency and other  
15 serious threats to national security where the use of such  
16 non-lethal or lethal weapons is deemed most appropriate.

## 1 CHAPTER III

## 2 PENALTIES

3 SEC. 7. *Penalties.* –

4 (a) Any person who develops, produces, acquires,  
5 stockpiles, retains, transfers, or uses chemical weapons  
6 shall suffer the penalty of life imprisonment, without the  
7 benefit of parole or the provisions of Republic Act No.  
8 10592 or “An Act Amending Articles 29, 94, 97, 98 and 99  
9 of Act No. 3815, as amended, otherwise known as the  
10 Revised Penal Code”, and a fine of not less than Two  
11 million pesos (P2,000,000.00) nor more than Five million  
12 pesos (P5,000,000.00);

13 (b) Any person who finances the development,  
14 production, acquisition, stockpiling, retention, transfer, or  
15 use of chemical weapons shall suffer the penalty of twenty  
16 (20) years imprisonment up to life imprisonment, and a  
17 fine of not less than Five hundred thousand pesos  
18 (P500,000.00) nor more than One million pesos  
19 (P1,000,000.00);

1 (c) Any person who produces, acquires, retains, or  
2 uses chemicals listed in Schedule 1 of the Convention's  
3 Annex on Chemicals for purposes other than research,  
4 medical, pharmaceutical, or protective purposes shall  
5 suffer the penalty of imprisonment for a period of twelve  
6 (12) years and one (1) day to twenty (20) years, and a fine  
7 of One million pesos (P1,000,000.00) to Two million pesos  
8 (P2,000,000.00);

9 (d) Any person who produces, processes, or consumes  
10 chemicals listed in Schedule 2 or Schedule 3 of the  
11 Convention's Annex on Chemicals for purposes other than  
12 those not prohibited under this Act, or without a  
13 registration with the ATC or the appropriate agencies,  
14 shall suffer the penalty of imprisonment of twelve (12)  
15 years and one (1) day to fifteen (15) years and a fine of One  
16 million pesos (P1,000,000.00) to Two million pesos  
17 (P2,000,000.00);

18 (e) Any person who imports, exports, or domestically  
19 transfers chemicals listed in Schedule 1, 2, or 3 of the  
20 Convention's Annex on Chemicals, without authorization

1 and necessary permits and licenses from the Strategic  
2 Trade Management Office (STMO) of the Department of  
3 Trade and Industry (DTI) shall be dealt with in accordance  
4 with Republic Act No. 10697, or the “Strategic Trade  
5 Management Act (STMA)”;

6 (f) Any person who obstructs, hinders, resists, or  
7 deceives any national or international inspector who is  
8 exercising any function under this Act shall be punished by  
9 imprisonment of six (6) years and one (1) day to twelve (12)  
10 years, and a fine of One million pesos (P1,000,000.00) to  
11 Five million pesos (P5,000,000.00);

12 (g) Any person who violates Section 14 of this Act  
13 shall suffer the penalty of imprisonment of four (4) years  
14 and one (1) day to six (6) years, or a fine of Five hundred  
15 thousand pesos (P500,000.00) to Two million pesos  
16 (P2,000,000.00), or both at the discretion of the court;

17 (h) Any person who refuses or fails to notify the  
18 ATC, give the required information, or keep records  
19 pursuant to the provisions of Section 12 of this Act shall  
20 suffer the penalty of imprisonment of six (6) months and

1 one (1) day to six (6) years, and a fine of One hundred  
2 thousand pesos (P100,000.00) to One million pesos  
3 (P1,000,000.00);

4 (i) Any person who in any declaration prepared  
5 pursuant to Section 12 of this Act, makes a statement or  
6 omits any matter knowing that the statement or omission  
7 makes the declaration materially false or misleading shall  
8 suffer the penalty of imprisonment of six (6) years and one  
9 (1) day to twelve (12) years, and a fine of One million pesos  
10 (P1,000,000.00) to Five million pesos (P5,000,000.00).

11 The partner, president, director, manager, trustee,  
12 administrator, or officer of a partnership, corporation,  
13 association, or any other juridical entity who consents to,  
14 knowingly tolerates or, due to negligence, fails to prevent  
15 the commission of a violation of this Act shall be held  
16 criminally liable.

17 In addition to the payment of fine by the partnership,  
18 corporation, association, or juridical entity, its registration  
19 and license to operate with the Securities and Exchange  
20 Commission (SEC) or the DTI, as the case may be, shall be



1 cancelled and revoked permanently, as ordered by the  
2 Court, without prejudice to imposition of sanctions pending  
3 trial.

4 Foreigners found guilty of committing any offense  
5 punishable herein shall, in addition to the penalties  
6 prescribed under this Act, be deported immediately  
7 without further proceedings after the service of sentence  
8 and permanently barred from entering the country.

9 A government official or employee found guilty of  
10 committing any of the offenses punishable under this Act  
11 shall suffer absolute perpetual disqualification from any  
12 public office, and the maximum penalty provided in this  
13 Act.

14 Persons who conspire to commit any of the prohibited  
15 acts under Section 6 hereof shall be punished by the same  
16 penalty prescribed herein.

17 Persons who are found guilty of committing any  
18 offense punishable herein shall not be subject to probation  
19 under Presidential Decree No. 968 otherwise known as the

1 “Probation Law of 1976”, as amended by Republic Act No.  
2 10707.

3 SEC. 8. *Forfeiture.* – After inventory, satisfactory  
4 documentation, and confirmatory testing, chemical  
5 weapons found anywhere in the territory or in any other  
6 place under the jurisdiction of the Philippines, as well as  
7 the fruits and proceeds of the offense, shall be forfeited in  
8 favor of the national government through the ATC, and  
9 shall be destroyed or disposed at specifically designated  
10 and appropriately designed and equipped facilities.

11 Any chemical weapon discovered in the territory of  
12 the Philippines shall be reported to the OPCW by the ATC  
13 in accordance with the provisions of Part IV(A) of the  
14 Convention’s Verification Annex: *Provided*, That the  
15 facility, warehouse, or place where the chemical weapons  
16 are being stored and produced and such other instruments  
17 thereon shall be subject of forfeiture after conviction.

18 The ATC shall initiate and oversee the process of  
19 forfeiture.

1           SEC. 9. *Custody, Containment and Disposal of*  
2 *Confiscated and Seized Chemical Weapons.* – The  
3 immediate disposal of seized chemical weapons shall be  
4 given utmost priority. The BFP shall exert all efforts in  
5 containing the effects of chemical weapons in accordance  
6 with its powers and functions under Section 3(b) of  
7 Republic Act No. 11589, otherwise known as the “Bureau  
8 of Fire Protection Modernization Act”. The AFP shall take  
9 charge and have custody of all chemical weapons  
10 confiscated, seized, and/or surrendered in the following  
11 manner:

12           (a) The apprehending team having initial custody and  
13 control of the chemical weapons shall, immediately after  
14 seizure and confiscation and before transferring custody to  
15 the AFP, physically conduct an inventory and photograph  
16 the same in the presence of the accused or the person/s  
17 from whom such weapons are confiscated and/or seized, or  
18 his/her counsel, and a representative of the ATC, who shall  
19 be required to sign the copies of the inventory and be given  
20 a copy thereof;

1           (b) Within twenty-four (24) hours upon  
2 confiscation/seizure, the AFP shall submit samples for  
3 confirmatory testing to an OPCW designated laboratory  
4 which shall certify the results thereof; and

5           (c) After the filing of the criminal case and the  
6 submission of the certification, the court shall order the  
7 destruction of the chemical weapons in accordance with  
8 Section 10 of this Act.

9           SEC. 10. *Destruction.* – The transportation, storage,  
10 destruction, and disposal of chemical weapons shall be  
11 conducted by the AFP under stringent security measures.  
12 The procedure for the destruction and disposal of chemical  
13 weapons shall be established in coordination with the  
14 Department of Environment and Natural Resources  
15 (DENR), Department of Science and Technology (DOST),  
16 and Department of Health (DOH), and its conduct shall be  
17 witnessed by the ATC and OPCW representatives to  
18 ensure safe and secure disposal compliant with  
19 environmental, health, and safety standards, and  
20 consistent with our commitments under the Convention. A

1 report on the destruction and disposal shall be submitted  
2 to the ATC.

3 The cost of destruction and disposal of any chemical  
4 weapon shall be borne by the erring person.

5 In the destruction of chemical weapons, the highest  
6 priority shall be given to ensuring the safety of the people  
7 and the protection of the environment through methods  
8 that comply with national and international safety and  
9 emissions regulations: *Provided*, That the ATC, DOH,  
10 DOST, and other concerned agencies shall issue guidelines  
11 in determining the proper destruction sites: *Provided*,  
12 *further*, That prior notification shall be given to the local  
13 government unit where the destruction site is situated.

14 Open-pit burning, land burial, or dumping of  
15 chemical weapons in any body of water as a means of  
16 disposing the same are hereby prohibited.

17 SEC. 11. *Extraterritorial Application.* – The provisions  
18 of this Act shall apply to all persons within or outside the  
19 Philippines and persons on board vessels and aircraft

1 registered in, belonging to, or in possession of the  
2 Philippines, if any of the prohibited acts is committed –

3 (a) By or against a citizen of the Philippines;

4 (b) Against any property owned, leased, or used by  
5 the Philippines or any of its departments, agencies, or  
6 instrumentalities; or

7 (c) By a partnership, corporation, association, or any  
8 juridical person, which is owned or controlled by one (1) or  
9 more citizens of the Philippines.

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#### CHAPTER IV

11

#### DECLARATION AND INSPECTION

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##### SEC. 12. *Declarations.* –

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(a) The ATC shall prepare and submit annual  
declarations to the OPCW on relevant toxic chemicals,  
their precursors, and facilities in accordance with the  
Convention. Pursuant thereto, the ATC shall collect and  
manage data from any person engaged in the production,  
consumption, processing, import, and export of scheduled  
chemicals, and compile data gathered by relevant

1 government agencies pertaining to the same acts or  
2 activities.

3 (b) Supply of information. – Any person who  
4 developed, produced, acquired, processed, consumed,  
5 retained, or used toxic chemicals or their precursors, to  
6 which any provision in Parts VI through IX of the  
7 Convention’s Verification Annex applies, or who intends to  
8 carry out such activities, shall:

9 (1) Notify the ATC, within such period as it  
10 prescribes, of the chemicals and the facility through a  
11 written submission in a form approved and issued by the  
12 ATC;

13 (2) Keep a record of such chemicals, quantities, and  
14 the purpose for which the chemicals are stored in a specific  
15 facility;

16 (3) Prepare annual reports relating to the chemicals  
17 and the facility in a form approved and issued by the ATC;  
18 and

19 (4) Submit annual reports to the ATC.

1           The records and reports under paragraph (b) (1) to (4)  
2 herein must satisfy the requirements of the ATC to ensure  
3 that the Convention and the provisions of this Act and any  
4 regulation made under this Act are being complied with.

5           SEC. 13. *Inspection.* – The ATC shall issue a  
6 certificate to every member of the OPCW inspection team,  
7 containing the bearer’s name, status, authority to conduct  
8 inspections, applicable privileges, and any other  
9 information and conditions applicable to the person’s  
10 inspection activities. Every international inspector shall  
11 present the certificate to the person-in-charge.

12           Inspections, with the purpose of verifying the  
13 accuracy of the declarations submitted, shall be conducted  
14 with the consent of the person-in-charge of the facility or  
15 under a warrant issued by the courts, and shall be done at  
16 any reasonable time and consistent with the provisions of  
17 the Convention. An inspection shall also be conducted  
18 when an investigation has been initiated.



1           No inspection of a facility or any location pursuant to  
2 the Convention shall take place without the authorization  
3 of the ATC.

4           Any foreign OPCW-designated inspector shall be  
5 accompanied by an authorized representative from the  
6 ATC or any designated government official. To facilitate  
7 the conduct of inspection, the authorized representative  
8 from the ATC or any designated government official shall  
9 direct any proper person to provide the inspectors with  
10 access to the facility being inspected, examine records  
11 related thereto, document the inspection, take samples for  
12 analysis, interview persons in the facility, and any other  
13 activity pursuant to the provisions of the Convention's  
14 Verification Annex.

15           National and local government authorities conducting  
16 inspections pursuant to their regulatory functions under  
17 existing laws are exempt from the requirements provided  
18 under this section.

19           SEC. 14. *Protection of Confidential Information.* – Any  
20 confidential information given or obtained pursuant to this

1 Act shall be disclosed only for the purpose of complying  
2 with obligations under the Convention, enforcing this Act,  
3 or dealing with a public safety emergency. Non-Disclosure  
4 Agreements shall be entered into by parties to ensure  
5 protection of said confidential information.

## 6 CHAPTER V

### 7 MISCELLANEOUS PROVISIONS

#### 8 SEC. 15. *International Cooperation and Assistance.* –

9 (a) The ATC may collaborate with other State  
10 authorities, international organizations and entities, and  
11 shall coordinate their actions to the extent required under  
12 this Act or other laws, subject to other State authorities or  
13 international organizations or entities being bound to  
14 official secrecy.

15 (b) The ATC is authorized to accept assistance from  
16 domestic or foreign sources, for purposes relevant to its  
17 mandates and functions, subject to existing laws, rules,  
18 and regulations: *Provided*, That a formal resolution of the  
19 ATC is issued allowing the specific form of assistance and  
20 sources.

1           (c) The ATC may request other State authorities  
2           and other international organizations or entities to provide  
3           relevant data or information and is authorized to receive  
4           data or information concerning:

5           (1) The nature, quantity, and utilization of  
6           scheduled chemicals or their precursors and related  
7           technologies, the places of consignment and the names of  
8           the consignees for such scheduled chemicals, precursors, or  
9           related technologies; and

10          (2) Persons taking part in the production, delivery,  
11          or brokerage of the scheduled chemicals, precursors, or  
12          technologies in subparagraph (a) herein.

13          (d) If a foreign State has entered into the  
14          appropriate reciprocity agreement with the Philippines,  
15          the ATC, on its own initiative or on request, may provide  
16          the data or information described in paragraph (c) herein  
17          to that State as long as the other competent State  
18          authority provides assurances that such data or  
19          information shall only be used:

20          (1) For purposes consistent with this Act; and

1           (2) In criminal proceedings, on the condition that  
2 they are obtained in accordance with provisions governing  
3 international juridical cooperation.

4           (e) The ATC may provide international  
5 organizations or entities with the data or information  
6 described in paragraph (d)(2) herein if the conditions set  
7 forth therein are fulfilled, in which case the requirement  
8 for reciprocity agreement is waived.

9           SEC. 16. *Confirmatory Laboratory, Containment,*  
10 *Disposal, and Related Facilities.* – The ATC shall support  
11 initiatives from and foster collaborations among  
12 government agencies, the private sector, and other  
13 stakeholders towards the establishment or designation of  
14 confirmatory laboratories, containment, decontamination,  
15 destruction, and disposal facilities, with the end in view of  
16 allowing in-country analysis and scientific assessment of  
17 samples and other materials, rapid incident response, and  
18 ensuring full implementation of the objectives of this Act  
19 and the Convention.

1 Initiatives shall refer to capacity-building efforts in  
2 accordance with international standards, including  
3 securing and maintaining proper accreditation, passing the  
4 required series of proficiency testing, setting up the  
5 necessary competencies, and providing funding support for  
6 laboratory equipment and related facilities and  
7 maintenance, antidote stock, researches, personnel  
8 retention, and other development activities.

9 SEC. 17. *Streamlining Policies and Regulations*  
10 *Governing Chemicals.* – The ATC, in coordination with the  
11 appropriate government agencies, shall facilitate the  
12 establishment of a coordination mechanism with other  
13 regulatory agencies governing chemicals in accordance  
14 with Republic Act 9485, as amended, or the “Ease of Doing  
15 Business and Efficient Government Service Delivery Act of  
16 2018”.

## 17 CHAPTER VI

### 18 FINAL PROVISIONS

19 SEC. 18. *Supplemental Application of the Revised*  
20 *Penal Code and Other Laws.* – The provisions of the

1 Revised Penal Code, Republic Act No. 11479, or the “The  
2 Anti-Terrorism Act of 2020,” Republic Act No. 10697, and  
3 other related laws shall have suppletory application to the  
4 provisions of this Act.

5 SEC. 19. *Jurisdiction.* – The Regional Trial Court  
6 shall have exclusive jurisdiction over all violations of this  
7 Act, as well as applications for ancillary writs and  
8 processes such as search warrants, seizure, and forfeiture:  
9 *Provided, That* the Regional Trial Court that first acquires  
10 jurisdiction shall exercise the same to the exclusion of all  
11 other courts unless the Supreme Court authorizes the  
12 transfer of venue.

13 SEC. 20. *Report to Congress.* – Not later than (1) year  
14 after the effectivity of this Act, the ATC shall submit an  
15 annual report to Congress giving a detailed account of its  
16 accomplishment and progress, including on the  
17 cancellation of all licenses, an updated list of scheduled  
18 chemicals, and a copy of its annual declarations to the  
19 OPCW on relevant toxic chemicals and their precursors.

1           SEC. 21. *Appropriations.* – The funds necessary for  
2 the implementation of this Act shall be charged against the  
3 current appropriations of concerned agencies of the ATC,  
4 subject to pertinent budgeting, accounting, and auditing  
5 laws, rules, and regulations. Thereafter, the funding  
6 requirements for succeeding years shall be included in the  
7 annual General Appropriations Act, subject to the usual  
8 budget preparation process.

9           SEC. 22. *Implementing Rules and Regulations.* –  
10 Within one hundred eighty (180) days from the effectivity  
11 of this Act, the ATC shall, upon consultation with relevant  
12 stakeholders, issue the rules and regulations to ensure the  
13 efficient and effective implementation of the provisions of  
14 this Act.

15           SEC. 23. *Separability Clause.* – If any provision or  
16 part of this Act is declared unconstitutional or invalid,  
17 such parts not affected thereby shall remain in full force  
18 and effect.

19           SEC. 24. *Repealing Clause.* – All laws, decrees,  
20 executive orders, rules and regulations, and other

1 issuances or parts thereof which are contrary to or  
2 inconsistent with this Act are hereby repealed, amended,  
3 or modified accordingly.

4       SEC. 25. *Effectivity.* – This Act shall take effect fifteen  
5 (15) days after its publication in the *Official Gazette* or in a  
6 newspaper of general circulation.

Approved,



## **ANNEX ON CHEMICALS**

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## A. GUIDELINES FOR SCHEDULES OF CHEMICALS

### Guidelines for Schedule 1

1. The following criteria shall be taken into account in considering whether a toxic chemical or precursor should be included in Schedule 1:
  - (a) It has been developed, produced, stockpiled or used as a chemical weapon as defined in Article II;
  - (b) It poses otherwise a high risk to the object and purpose of this Convention by virtue of its high potential for use in activities prohibited under this Convention because one or more of the following conditions are met:
    - (i) It possesses a chemical structure closely related to that of other toxic chemicals listed in Schedule 1, and has, or can be expected to have, comparable properties;
    - (ii) It possesses such lethal or incapacitating toxicity as well as other properties that would enable it to be used as a chemical weapon;
    - (iii) It may be used as a precursor in the final single technological stage of production of a toxic chemical listed in Schedule 1, regardless of whether this stage takes place in facilities, in munitions or elsewhere;
  - (c) It has little or no use for purposes not prohibited under this Convention.

### Guidelines for Schedule 2

2. The following criteria shall be taken into account in considering whether a toxic chemical not listed in Schedule 1 or a precursor to a Schedule 1 chemical or to a chemical listed in Schedule 2, part A, should be included in Schedule 2:
  - (a) It poses a significant risk to the object and purpose of this Convention because it possesses such lethal or incapacitating toxicity as well as other properties that could enable it to be used as a chemical weapon;
  - (b) It may be used as a precursor in one of the chemical reactions at the final stage of formation of a chemical listed in Schedule 1 or Schedule 2, part A;
  - (c) It poses a significant risk to the object and purpose of this Convention by virtue of its importance in the production of a chemical listed in Schedule 1 or Schedule 2, part A;
  - (d) It is not produced in large commercial quantities for purposes not prohibited under this Convention.

### Guidelines for Schedule 3

3. The following criteria shall be taken into account in considering whether a toxic chemical or precursor, not listed in other Schedules, should be included in Schedule 3:
  - (a) It has been produced, stockpiled or used as a chemical weapon;
  - (b) It poses otherwise a risk to the object and purpose of this Convention because it possesses such lethal or incapacitating toxicity as well as other properties that might enable it to be used as a chemical weapon;
  - (c) It poses a risk to the object and purpose of this Convention by virtue of its importance in the production of one or more chemicals listed in Schedule 1 or Schedule 2, part B;
  - (d) It may be produced in large commercial quantities for purposes not prohibited under this Convention.

## B. SCHEDULES OF CHEMICALS

The following Schedules list toxic chemicals and their precursors. For the purpose of implementing this Convention, these Schedules identify chemicals for the application of verification measures according to the provisions of the Verification Annex. Pursuant to Article II, subparagraph 1 (a), these Schedules do not constitute a definition of chemical weapons.

(Whenever reference is made to groups of dialkylated chemicals, followed by a list of alkyl groups in parentheses, all chemicals possible by all possible combinations of alkyl groups listed in the parentheses are considered as listed in the respective Schedule as long as they are not explicitly exempted. A chemical marked "\*" on Schedule 2, part A, is subject to special thresholds for declaration and verification, as specified in Part VII of the Verification Annex.)

<u>Schedule 1</u>	(CAS registry number)
A. Toxic chemicals:	
(1) O-Alkyl ( $\leq C_{10}$ , incl. cycloalkyl) alkyl (Me, Et, n-Pr or i-Pr)-phosphonofluoridates	
e.g. Sarin: O-Isopropyl methylphosphonofluoridate	(107-44-8)
Soman: O-Pinacolyl methylphosphonofluoridate	(96-64-0)
(2) O-Alkyl ( $\leq C_{10}$ , incl. cycloalkyl) N,N-dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidocyanidates	
e.g. Tabun: O-Ethyl N,N-dimethyl phosphoramidocyanidate	(77-81-6)
(3) O-Alkyl (H or $\leq C_{10}$ , incl. cycloalkyl) S-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonothiolates and corresponding alkylated or protonated salts	
e.g. VX: O-Ethyl S-2-diisopropylaminoethyl methyl phosphonothiolate	(50782-69-9)
(4) Sulfur mustards:	
2-Chloroethylchloromethylsulfide	(2625-76-5)
Mustard gas: Bis(2-chloroethyl)sulfide	(505-60-2)
Bis(2-chloroethylthio)methane	(63869-13-6)
Sesquimustard: 1,2-Bis(2-chloroethylthio)ethane	(3563-36-8)
1,3-Bis(2-chloroethylthio)-n-propane	(63905-10-2)
1,4-Bis(2-chloroethylthio)-n-butane	(142868-93-7)
1,5-Bis(2-chloroethylthio)-n-pentane	(142868-94-8)
Bis(2-chloroethylthiomethyl)ether	(63918-90-1)
O-Mustard: Bis(2-chloroethylthioethyl)ether	(63918-89-8)

- (5) Lewisites:
- Lewisite 1: 2-Chlorovinylchloroarsine (541-25-3)  
 Lewisite 2: Bis(2-chlorovinyl)chloroarsine (40334-69-8)  
 Lewisite 3: Tris(2-chlorovinyl)arsine (40334-70-1)
- (6) Nitrogen mustards:
- HN1: Bis(2-chloroethyl)ethylamine (538-07-8)  
 HN2: Bis(2-chloroethyl)methylamine (51-75-2)  
 HN3: Tris(2-chloroethyl)amine (555-77-1)
- (7) Saxitoxin (35523-89-8)
- (8) Ricin (9009-86-3)
- (13) P-alkyl (H or  $\leq C_{10}$ , incl. cycloalkyl) N-(1-(dialkyl( $\leq C_{10}$ , incl. cycloalkyl)amino))alkylidene(H or  $\leq C_{10}$ , incl. cycloalkyl) phosphonamidic fluorides and corresponding alkylated or protonated salts
- e.g. N-(1-(di-n-decylamino)-n-decylidene)-P-decylphosphonamidic fluoride (2387495-99-8)  
 Methyl-(1-(diethylamino)ethylidene)phosphonamidofluoridate (2387496-12-8)
- (14) O-alkyl (H or  $\leq C_{10}$ , incl. cycloalkyl) N-(1-(dialkyl( $\leq C_{10}$ , incl. cycloalkyl)amino))alkylidene(H or  $\leq C_{10}$ , incl. cycloalkyl) phosphoramidofluoridates and corresponding alkylated or protonated salts
- e.g. O-n-Decyl N-(1-(di-n-decylamino)-n-decylidene)phosphoramidofluoridate (2387496-00-4)  
 Methyl (1-(diethylamino)ethylidene)phosphoramidofluoridate (2387496-04-8)  
 Ethyl (1-(diethylamino)ethylidene)phosphoramidofluoridate (2387496-06-0)
- (15) Methyl-(bis(diethylamino)methylene)phosphonamidofluoridate (2387496-14-0)
- (16) Carbamates (quaternaries and bisquaternaries of dimethylcarbamoyloxypyridines)  
 Quaternaries of dimethylcarbamoyloxypyridines:
- 1-[N,N-dialkyl( $\leq C_{10}$ )-N-(n-(hydroxyl, cyano, acetoxy)alkyl( $\leq C_{10}$ )) ammonio]-n-[N-(3-dimethylcarbamoyloxy- $\alpha$ -picolonyl)-N,N-dialkyl( $\leq C_{10}$ ) ammonio]decane dibromide (n=1-8)
- e.g. 1-[N,N-dimethyl-N-(2-hydroxy)ethylammonio]-10-[N-(3-dimethylcarbamoyloxy- $\alpha$ -picolonyl)-N,N-dimethylammonio]decane dibromide (77104-62-2)
- Bisquaternaries of dimethylcarbamoyloxypyridines:  
 1,n-Bis[N-(3-dimethylcarbamoyloxy- $\alpha$ -picolonyl)-N,N-dialkyl( $\leq C_{10}$ ) ammonio]-alkane-(2,(n-1)-dione) dibromide (n=2-12)
- e.g. 1,10-Bis[N-(3-dimethylcarbamoyloxy- $\alpha$ -picolonyl)-N-ethyl-N-methylammonio]decane-2,9-dione dibromide (77104-00-8)

B. Precursors:

- (9) Alkyl (Me, Et, n-Pr or i-Pr) phosphoryldifluorides  
e.g. DF: Methylphosphonyldifluoride (676-99-3)
- (10) O-Alkyl (H or  $\leq C_{10}$ , incl. cycloalkyl) O-2-dialkyl  
(Me, Et, n-Pr or i-Pr)-aminoethyl alkyl  
(Me, Et, n-Pr or i-Pr) phosphonites and  
corresponding alkylated or protonated salts  
e.g. QL: O-Ethyl O-2-diisopropylaminoethyl  
methylphosphonite (57856-11-8)
- (11) Chlorosarin: O-Isopropyl methylphosphonochloridate (1445-76-7)
- (12) Chlorosoman: O-Pinacolyl methylphosphonochloridate (7040-57-5)

## Schedule 2

### A. Toxic chemicals:

- (1) Amiton: O,O-Diethyl S-[2-(diethylamino)ethyl] phosphorothiolate and corresponding alkylated or protonated salts (78-53-5)
- (2) PFIB: 1,1,3,3,3-Pentafluoro-2-(trifluoromethyl)-1-propene (382-21-8)
- (3) BZ: 3-Quinuclidinyl benzilate (\*) (6581-06-2)

### B. Precursors:

- (4) Chemicals, except for those listed in Schedule 1, containing a phosphorus atom to which is bonded one methyl, ethyl or propyl (normal or iso) group but not further carbon atoms,  
e.g. Methylphosphonyl dichloride (676-97-1)  
Dimethyl methylphosphonate (756-79-6)
- Exemption: Fonofos: O-Ethyl S-phenyl ethylphosphonothiolothionate (944-22-9)
- (5) N,N-Dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidic dihalides
- (6) Dialkyl (Me, Et, n-Pr or i-Pr) N,N-dialkyl (Me, Et, n-Pr or i-Pr)-phosphoramidates
- (7) Arsenic trichloride (7784-34-1)
- (8) 2,2-Diphenyl-2-hydroxyacetic acid (76-93-7)
- (9) Quinuclidin-3-ol (1619-34-7)
- (10) N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethyl-2-chlorides and corresponding protonated salts
- (11) N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-ols and corresponding protonated salts
- Exemptions: N,N-Dimethylaminoethanol and corresponding protonated salts (108-01-0)  
N,N-Diethylaminoethanol and corresponding protonated salts (100-37-8)
- (12) N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-thiols and corresponding protonated salts
- (13) Thiodiglycol: Bis(2-hydroxyethyl)sulfide (111-48-8)
- (14) Pinacolyl alcohol: 3,3-Dimethylbutan-2-ol (464-07-3)



### Schedule 3

#### A. Toxic chemicals:

- |     |                                     |            |
|-----|-------------------------------------|------------|
| (1) | Phosgene: Carbonyl dichloride       | (75-44-5)  |
| (2) | Cyanogen chloride                   | (506-77-4) |
| (3) | Hydrogen cyanide                    | (74-90-8)  |
| (4) | Chloropicrin: Trichloronitromethane | (76-06-2)  |

#### B. Precursors:

- |      |                          |              |
|------|--------------------------|--------------|
| (5)  | Phosphorus oxychloride   | (10025-87-3) |
| (6)  | Phosphorus trichloride   | (7719-12-2)  |
| (7)  | Phosphorus pentachloride | (10026-13-8) |
| (8)  | Trimethyl phosphite      | (121-45-9)   |
| (9)  | Triethyl phosphite       | (122-52-1)   |
| (10) | Dimethyl phosphite       | (868-85-9)   |
| (11) | Diethyl phosphite        | (762-04-9)   |
| (12) | Sulfur monochloride      | (10025-67-9) |
| (13) | Sulfur dichloride        | (10545-99-0) |
| (14) | Thionyl chloride         | (7719-09-7)  |
| (15) | Ethyldiethanolamine      | (139-87-7)   |
| (16) | Methyldiethanolamine     | (105-59-9)   |
| (17) | Triethanolamine          | (102-71-6)   |

