



Republic of the Philippines  
**House of Representatives**  
Quezon City



**EIGHTEENTH CONGRESS**  
*Second Regular Session*

House Bill No. 9830

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**Introduced by REPRESENTATIVE ERIC L. OLIVAREZ**

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### **EXPLANATORY NOTE**

Social justice was defined in the case of *Alfante vs. Noe* as “the promotion of the welfare of all the people and the adoption by the government of measures calculated to ensure economic stability of all the component elements of society through the maintenance of a proper economic and social equilibrium in the interrelations of the members of the community. Such can be achieved either constitutionally through the adoption of measures which are legally justifiable or extra-constitutionally through the exercise of powers underlying the existence of all governments on the time-honored principle of *salus populi est suprema lex*<sup>1</sup>. Social justice, therefore, must be founded on the recognition of the necessity of interdependence among divers and diverse units of a society and of the protection that should be equally and evenly extended to all groups as a combined force in our social and economic life, consistent with the fundamental and paramount objective of the state of promoting the health, comfort, and quiet of all persons, and of bringing about “the greatest good to the greatest number”<sup>2</sup>.

Simply, the concept of social justice imparts that everyone in the country deserves equal rights, equal treatment, and equal opportunities. However, social justice is not achieved easily as people in our country belong to different statures which limit opportunities for others, thereby subjecting those affected to inequality of rights and treatment. This is the reality in our country but that does not mean that this situation cannot be improved.

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<sup>1</sup> The welfare of the people is the supreme law.

<sup>2</sup> *Alfante vs. Noe*, G.R. No. L-32362 dated 19 September 1973

One of the most famous quotations of President Ramon Magsaysay states that *“those who have less in life must have more in law”* which indeed is relevant in order to achieve social justice. In relation to this, members of the informal sector workers are faced with so much predicaments as they are not accorded the same rights as those who are employed in formal settings. Some are faced with low and fluctuating incomes, difficult working conditions, and so much more. Considering these, there must be a tool that would extend protection to their rights in order to achieve a just and humane society for all.

In order to extend protection to workers belonging in the informal sector, accord them opportunities and their rights, and ultimately take a step forward in achieving social justice, this Bill is, therefore, proposed. With the increasing trend of workers belonging in the informal sector, it is only right that this Bill which shall, among others, affirm and protect the rights of workers, standardize social security measures, establish a registration system for workers in the informal sector, be passed.

In view of the foregoing and in the pursuit of social justice, the passage of this Bill is earnestly sought.

  
**ERIC OLIVAREZ**



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1  
2 **“AN ACT PROVIDING FOR A MAGNA CARTA OF WORKERS IN**  
3 **THE INFORMAL SECTOR, INSTITUTIONALIZING**  
4 **MECHANISMS FOR IMPLEMENTATION THEREOF**  
5 **AND AMENDING FOR THE PURPOSE**  
6 **CERTAIN PROVISIONS OF REPUBLIC**  
7 **ACT NOS. 7160 AND 8282”**  
8

9 *Be it enacted in the Senate and the House of Representatives of the Republic of the*  
10 *Philippines in Congress assembled:*

11 **SECTION 1. Short Title.** – This Act shall be known as the *“Magna Carta of*  
12 *Workers in the Informal Sector”*.

13 **SECTION 2. Declaration of Policy.** – It shall be the policy of the State to  
14 promote a just and dynamic social order that will ensure the prosperity of the nation  
15 and free the people from poverty through policies that provide adequate social  
16 services and promote full employment, a rising standard of living, and an improved  
17 quality life for all.

18 Towards this end, the State shall afford protection to labor and promote full  
19 employment and equality of employment opportunities for all most especially those  
20 belonging to the informal sector.

21 The State shall guarantee the rights of all workers including those belonging to  
22 the informal sector, the rights to self-organization, humane conditions of worker and

1 to participate in policy decision-making processes affecting their rights and benefits as  
2 may be provided by law.

3 **SECTION 3. Definition of Terms. –**

4 a) **Informal Sector** shall refer to economic activities engaged in by workers  
5 and organizations that are not covered by any formal arrangements. The  
6 same are those who operate at a low level of organization with little or no  
7 division between labor and capital as factors of production.

8 The informal sector shall also cover workers or organizations of people  
9 involved in any business activity whose total assets do not value more than  
10 the amount of:

- 11 i. ONE HUNDRED FIFTY THOUSAND PESOS (Php150,000.00) for  
12 small transport;
- 13 ii. ONE HUNDRED FIFTY THOUSAND PESOS (Php150,000.00) for  
14 marginalized farmers;
- 15 iii. ONE HUNDRED FIFTY THOUSAND PESOS (Php150,000.00) for  
16 marginalized fisherfolks;
- 17 iv. ONE HUNDRED FIFTY THOUSAND PESOS (Php150,000.00) for  
18 small vendors with designated stalls
- 19 v. FIFTY THOUSAND PESOS (Php50,000.00) for home-based  
20 workers;
- 21 vi. FIFTEEN THOUSAND PESOS (Php15,000.00) for ambulant and  
22 street vendors.

23 Corporations, quasi-corporations, units with ten (10) or more  
24 employees, corporate farms, commercial livestock raising, and commercial  
25 fishing are excluded from the definition of informal sector;

26 b) **Informal Sector One-Stop Shop** shall refer to the designated office at the local  
27 government units where all transactions needed in the processing of business  
28 requirements needed by Informal Sector Workers in accordance with the  
29 provisions of this Act;

30 c) **Mutual Benefit Associations** shall refer to a group that provides certain  
31 benefits to its members, including financial reimbursement for specific types of  
32 losses.

33 d) **Eviction** shall refer to the dispossession of a tenant from possession of  
34 premises which he or she is occupying.

35 e) **Self-employed workers** shall refer to an individual who does not work for a  
36 specific employer who pays him or her a specific salary or wage.

1           **SECTION 4. Coverage.** – The provisions of this Act shall apply to all members  
2 of the informal sector who are operating, employed or working either as a micro-  
3 entrepreneur or is self-employed.

4           For purposes of this Act, the term “*informal sector*” shall include the following:

5           a) Micro-entrepreneurs and those who are self-employed:

6           i. Vendors, whether or not with stalls, including ambulant vendors, street  
7 vendors or those plying their goods and trades in streets and those  
8 engaged in the business of sari-sari stores which conform with the total  
9 asset value requirements as mentioned in *Section 3 (a)* of this Act;

10          ii. Small farmers;

11          iii. Marginalized fisherfolks;

12          iv. Home-based workers who are independent producers of goods or  
13 services and whose total asset value conforms with that mentioned in  
14 *Section 3 (a)* of this Act

15          v. Small transport such as, but not limited to, non-corporate operators of  
16 small marine boats or vessels for transport, tricycle, pedicabs, and the  
17 like whose total asset value conforms with the requirement mentioned in  
18 *Section 3 (a)* of this Act.

19          b) Own-account or those who are self-employed:

20          i. On-call domestic and service workers such as cleaners, laundry workers  
21 and the like;

22          ii. Barbers, manicurists, pedicurists and the like;

23          iii. Drivers of tricycles, pedicabs, and the like;

24          iv. Barkers, fare collectors, dispatchers and other workers who share in the  
25 income of non-corporate operators;

26          v. Welders and mechanics;

27          vi. Non-corporate construction workers such as but not limited to  
28 carpenters, plumbers, electrician, mason or house painters;

29          vii. Appliance technicians;

30          viii. Scavengers

31           **SECTION 5. Registration.** – Members of the informal sector shall be required  
32 to pay a registration fee of ONE HUNDRED PESOS (Php100.00) and shall register in  
33 the municipality or city where the operation is intended. The fee shall cover the cost of  
34 the issuance of the license to operate. No other fees shall be collected from the  
35 informal sector workers other than the registration fee abovementioned.

1 The registration shall entitle the informal sector business activities to  
2 development programs and benefits under this Act.

3 **SECTION 6. Informal Sector One-Stop Shop.** – All local government units  
4 shall be required to establish an Informal Sector One-Stop Shop. Such One-Stop  
5 Shop shall handle all transactions and processing of business permit applications  
6 within their respective jurisdiction.

7 The One-Stop Shop shall be responsible for the processing of the business  
8 permit of informal sector business activities. The processing shall be accomplished on  
9 the same day the application was submitted and the registration shall be released  
10 within thirty-six (36) hours upon submission of requirements. Furthermore, the local  
11 government unit concerned shall cause the posting of the checklist and flowchart of  
12 procedure of registration in at least three (3) conspicuous and public areas in their  
13 respective communities and cause the publication in a newspaper of general  
14 circulation of the same.

15 Furthermore, the One-Stop Shop shall maintain a comprehensive database of  
16 informal sector business activities and enterprises which have been issued licenses  
17 to operate. The database shall serve as a basis of the assessment and a monitoring  
18 tool of the growth of the informal sector.

19 **SECTION 7. Annual Dues.** – Informal sector business activities or enterprise  
20 shall pay annual dues to the Informal Sector One-Stop Shop or Treasurer of the  
21 municipality or city where they are registered and accredited starting on their second  
22 year of operations based on the following schedule:

23

a) Those with net worth amounting to less than Php25,000.00	Php250.00
b) Those with net worth amounting to Php25,000.00 but less than Php75,000.00	Php500.00
c) Those with net worth amounting to Php75,000.00 but less than Php100,000.00	Php1,000.00
d) Those with net worth amounting to Php100,000.00 but less than Php125,000.00	Php1,250.00
e) Those with net worth amounting to Php125,000.00 but less than Php150,000.00	Php1,500.00

24 A financial statement as proof of the net worth must be provided to the One  
25 Stop Shop in order to determine the annual dues to be paid.

1 The collected fee shall accrue exclusively to the municipality or city concerned  
2 and shall be used for informal sector development programs approved by the  
3 municipal or city council.

4 **SECTION 8. *Informal Sector Local Development Office*** – The Informal  
5 Sector Local Development Office (ISLDO) shall be established in every province,  
6 municipality, and city to enhance the access of the informal sectors to assistance and  
7 support.

8 The ISLDO shall also be responsible for monitoring the growth of the informal  
9 sector business activities or enterprises three (3) years after the enactment of the  
10 provisions of this Act and every three (3) years thereafter.

11 For this purpose, the local chief executives shall act as the primary overseers  
12 in the operations of ISLDO while the informal workers shall be represented by at least  
13 five (5) representatives from the informal sector workers; provided, that all subgroups  
14 shall be represented by at least one (1) representative each.

## 15 ***RIGHTS OF WORKERS IN THE INFORMAL SECTOR***

16 **SECTION 9. *Rights of Informal Sector Workers.*** – Informal sector workers  
17 shall be accorded the same rights enjoyed by all workers derived from the Philippine  
18 Constitution, the Labor Code of the Philippines, as amended, and relevant  
19 international human rights instruments and international labor standards. The workers  
20 in the informal sector shall be guaranteed the following rights:

- 21 a) Right of security of and in the workplace;
- 22 b) Right to make a living;
- 23 c) Right to just and favorable work conditions including provision of work-life  
24 balance, child care, and other facilities;
- 25 d) Right to a living wage and equal remuneration for work of equal value without  
26 distinction of any kind;
- 27 e) Right to safe and healthy working conditions safeguarding general,  
28 occupational, and reproductive health;
- 29 f) Right to basic services including affordable medical care, reproductive and  
30 other health services, low-cost housing, water sanitation, cheap and affordable  
31 electricity, and efficient and effective transportation system;
- 32 g) Right to rest, leisure, and reasonable limitation of working hours;
- 33 h) Right to maternity and paternity benefits, as provided for by law;
- 34 i) Right to equal access to education, skills training, and economic resources to  
35 develop self-reliance, especially for the youth, without discrimination

- 1 j) Right to self-organization and to negotiate collectively with government and  
2 other entities in the promotion of their welfare and in the advancement of their  
3 interests free from any political interference;
- 4 k) Right to adequate food, clothing, shelter, and standard of living, and the  
5 continuous improvement of such standard;
- 6 l) Right to be free from any form of discrimination, violence, exploitation,  
7 harassment, abuse, and any form of inhumane treatment which debases,  
8 degrades, or demeans the intrinsic worth and dignity of the worker as a human  
9 being;
- 10 m) Right to accessible social protection and safety nets, labor market programs,  
11 and social welfare interventions such as social security, health care, and  
12 insurance;
- 13 n) Right to participate in policy and decision-making processes and social  
14 dialogue including access to information and resources relevant to the  
15 promotion and protection of their rights and welfare; and
- 16 o) Right to equal and equitable access to justice for redress of grievances  
17 including alternative dispute resolution processes.

18 **SECTION 10. *Rights of Legitimate Organizations of Workers in the***  
19 ***Informal Sector.*** – Workers in the informal sector may organize into unions or any  
20 mutual benefit association. Registration with the Department of Labor and  
21 Employment (DOLE) shall be required and the organizations shall have the following  
22 rights:

- 23 a) Right to function and act as the representatives of their members in policy and  
24 decision-making processes, collective negotiations, tripartite bodies and  
25 consultations, multi-sectoral organizations, and other similar bodies;
- 26 b) Right to establish, join, or affiliate with national federations or confederations,  
27 and international trade union organizations;
- 28 c) Right to access information from concerned government institutions and other  
29 parties that are pertinent to the protection and promotion of the rights and  
30 welfare of their members;
- 31 d) Right to own property, whether real or personal, for the use and benefit of their  
32 organizations and members;
- 33 e) Right to sue and be sued under their registered name; and
- 34 f) Undertake all other activities not contrary to law designed to benefit their  
35 organizations and members

36 **SECTION 11. *Assistance to Informal Sector Workers' Organization.*** – All  
37 concerned national government agencies, government financial institutions and local



1 government units shall include in their plans programs, projects and activities, and  
2 efforts that are supportive of the concerns of the informal sector workers'  
3 organizations.

4 **SECTION 12. Representation in Policy Making Bodies.** – The LGUs shall  
5 ensure the participation of the informal sector workers in public decision-making  
6 processes and their members shall be accorded the right to participate in all levels of  
7 public decision-making. The State shall, therefore, ensure that the informal sector  
8 workers be given mandatory representation in policy-making bodies and other  
9 legislative councils.

10 For this purpose, Sections 446, 457, and 467 of Republic Act 7160 is hereby  
11 amended to read as follows:

12 “SECTION 446. Composition. – (a) The Sangguniang  
13 Bayan, the legislative body of the municipality, shall be composed  
14 of the municipal vice mayor as the presiding officer and the regular  
15 Sanggunian members, the president of the municipal chapter of the  
16 Liga ng mga Barangay, the president of the Pambayang  
17 Pederasyon ng mga Sangguniang Kabataan, and the sectoral  
18 representatives, as members.

19 (b) In addition thereto, there shall be three (3) sectoral  
20 representatives: one (1) from the women as shall be determined by  
21 the sanggunian concerned within ninety (90) days prior to the  
22 holding of local elections, one (1) from the agricultural or industrial  
23 workers **OR INFORMAL SECTOR WORKERS**, and one (1) from  
24 other sectors, including the urban poor, indigenous cultural  
25 communities, or disabled persons.

26 (c) The regular members of the Sangguniang Bayan  
27 and the sectoral representatives shall be elected in the manner as  
28 may be provided for by law.

29 xxx

30 SECTION 457. Composition – (a) The Sangguniang  
31 Panlungsod, the legislative body of the city, shall be composed of  
32 the city vice-mayor as presiding officer, the regular Sanggunian  
33 members, the president of the city chapter of the Liga ng mga  
34 Barangay, the president of the Panlungsod na Pederasyon ng mga  
35 Sangguniang Kabataan, and the sectoral representatives, as  
36 members.

37 (b) In addition thereto, there shall be three (3) sectoral  
38 representatives: one (1) from the women as shall be determined by  
39 the sanggunian concerned within ninety (90) days prior to the

1 holding of the local elections, one (1) from the agricultural or  
2 industrial workers **OR INFORMAL SECTOR WORKERS**; and one  
3 (1) from the other sectors including the urban poor, indigenous  
4 cultural communities, or disabled persons.

5 (c) The regular members of the Sangguniang  
6 Panlungsod and the sectoral representatives shall be elected in the  
7 manner as may be provided for by law.

8 xxx

9 SECTION 467. Composition. – (a) The Sangguniang  
10 Panlalawigan, the legislative body of the province, shall be  
11 composed of the provincial vice-governor as presiding officer, the  
12 regular Sanggunian members, the president of the provincial  
13 chapter of the Liga ng mga Barangay, the president of the  
14 Panlalawigang Pederasyon ng mga Sangguniang Kabataan, the  
15 president of the provincial federation of Sanggunian members of  
16 municipalities and component cities, and the sectoral  
17 representatives, as members.

18 (b) In addition thereto, there shall be three (3) sectoral  
19 representatives: one (1) from the women as shall be determined by  
20 the Sanggunian concerned within ninety (90) days prior to the  
21 holding of the local elections, one (1) from the agricultural or  
22 industrial workers **OR INFORMAL SECTOR WORKERS**, and one  
23 (1) from other sectors including the urban poor, indigenous cultural  
24 communities, or disabled persons.

25 (c) The regular members of the Sangguniang  
26 Panlalawigan and the sectoral representatives shall be elected in  
27 the manner as may be provided for by law.”

## 28 ***SOCIAL PROTECTION OF THE INFORMAL SECTOR WORKERS***

29 **SECTION 13. Social Security Coverage.** – Accredited informal sector workers  
30 shall be entitled to social security coverage along with the benefits provided under  
31 Republic Act No. 8282, otherwise known as “An Act Further Strengthening the Social  
32 Security System thereby amending for this purpose, Republic Act No. 1161, as  
33 amended, otherwise known as the Social Security Law”, provided that the  
34 corresponding monthly contributions of small farmers shall be remitted every six (6)  
35 months scheduled every post-harvest of farm produce. For this purpose, Section 22-  
36 A of Republic Act 8282 is hereby amended to read as follows:



1           **SECTION 17. Policy on Eviction and Demolition.** – Registered workers in  
2 the informal sector who have no permanent working site shall not be deprived of their  
3 livelihood by being unjustly ejected from their workplaces without due process.  
4 Eviction and demolition shall only take place for just cause, in accordance with  
5 pertinent laws, and with prior notice and consultation along with a provision of  
6 relocation to other viable workplaces.

7           Responsible officers or persons who conduct the eviction and/or demolition  
8 without due process shall be held administratively liable under this Act.

9           In case eviction or demolition is warranted, the person authorized to conduct  
10 the same shall issue a receipt of the itemized products and other materials seized from  
11 the affected worker in the informal sector. Failure to issue the receipt shall warrant  
12 administrative liability against the person who conducted the eviction or demolition.

13           Finally, whenever an eviction or demolition takes place, the responsible officer  
14 or government agency that conducted the same shall ensure that violence and/or  
15 unreasonable force are not committed in the conduct of its operations. Nothing herein  
16 shall deprive the aggrieved informal sector worker the right to file criminal and/or civil  
17 actions, whenever applicable.

18           **SECTION 18. Relocation of Vending Sites.** – Before the closure, sale, or  
19 demolition of any public market, all affected market vendors shall be relocated by  
20 the LGU concerned to a temporary or new public market.

21           Notice of the intention to close, sell, or demolish any public market shall be  
22 made to all concerned vendors at least sixty (60) days before the actual transfer or  
23 relocation to another market site. Within the sixty-day period after the issuance of  
24 notice, the LGU shall conduct consultations with affected vendors on the relocation  
25 implementation of the relocation.

26           Pending the designation of a viable vending area, vendors occupying a public  
27 place or places not previously designated as a vending site shall be provided with a  
28 viable temporary site by the LGU concerned. Notice of temporary transfer shall be  
29 given to the vendors at least fifteen (15) days before the actual transfer. The same  
30 shall apply to vendors who are granted with permits but whose workplaces are  
31 withdrawn from the list of allowable vending sites.

32           Finally, should a new public market be constructed in place of an old market  
33 that is closed, sold, or demolished, market vendors with stalls displaced from their  
34 workplaces shall be given priority in the assignment of stalls in the new market.

35           **SECTION 19. Relocation of Terminals.** – Designated tricycle and pedicab  
36 terminals shall not, without any prior notice and consultation with the transport groups  
37 concerned, be arbitrarily relocated. Likewise, relocation of terminals shall only be  
38 effected through an ordinance. After the enactment of the ordinance relocating said  
39 terminals, notice of intention to relocate terminals shall be given to all small transport  
40 groups and the affected community at least sixty (60) days before the actual relocation.

1       **PROHIBITED ACTS CONCERNING ENGAGEMENT OF INFORMAL WORKERS**

2               **SECTION 20. *Applicability of the Provisions of the Labor Code.*** – The  
3 Labor Code shall apply where an employer-employee relationship exists between an  
4 employer and a worker in the informal economy.

5               **SECTION 21. *Prohibited Acts.*** – The following acts shall be deemed  
6 prohibited:

7               a) *Hazardous Work Conditions.* – Any worker shall not be engaged in any  
8 hazardous work, activity, or undertaking neither shall the worker be exposed to  
9 hazardous working conditions. The rights of all workers under Republic Act No.  
10 11058, otherwise known as “An Act Strengthen Compliance with Occupational  
11 Safety and Health Standards and Provide Penalties for Violations Thereof”,  
12 shall be applicable

13              b) *Non-compliance Republic Act No. 7610, as amended by Republic Act No. 9231*  
14 *in the employment of minors.* – Workers of minor age shall not render work  
15 between ten o'clock in the evening and six o'clock in the morning of the  
16 following day. Furthermore, workers of minor age shall not be allowed to render  
17 work beyond their mental and physical capabilities. The employer of minors  
18 shall be responsible in providing the minor workers with access to elementary  
19 or secondary education, either through traditional schooling or alternative  
20 learning system.

21              c) *Bonded Labor.* – A worker shall not be allowed to use his/her future services  
22 as a collateral for any loan or advances made or to be made to the person who  
23 contracted the worker's services. Additionally, no person shall be allowed to  
24 bind the worker to a continued employment as a mode of payment for any loan  
25 or advances that the worker concerned has made to the former.

26              d) *Recruitment or Finders' Fees.* – Worker in the informal sector shall not be  
27 charged a recruitment fee or finder's fee even if the worker was sourced through  
28 an employment agency or a third party.

29              e) *Interference and Coercion.* – The following shall be considered prohibited acts  
30 of interference and coercion:

31                   i. Preventing any worker from exercising his/her rights;

32                   ii. Preventing any worker from joining or assisting an organization for  
33 purposes not contrary to law;

34                   iii. Preventing any worker from carrying out his/her duties or functions in an  
35 organization or to penalize the same for any lawful action performed in  
36 that capacity;

37                   iv. Harassing, threatening, coercing, or intimidating any worker that results  
38 in preventing him or her from performing his or her duties and functions;

- 1 v. Transferring, penalizing, or terminating the services of a worker without  
2 valid or legal ground; and
- 3 vi. Other acts that diminish the independence and freedom of the workers'  
4 organization to direct its own affairs
- 5 f) *Non-compliance with Minimum Labor Standards and Occupational Health and*  
6 *Safety Standards.* – The terms and conditions of employment of workers in the  
7 informal sector shall be in line with the minimum standards prescribed by law.  
8 Lack of formality in the work arrangement shall not be a cause to violate the  
9 minimum standards prescribed by law. It shall be sufficient that there is control  
10 on how the work is to be done at the time of the engagement or economic  
11 dependence of the worker on the employer is present.

12 **SECTION 22. *Violation of Prohibited Acts.*** – Any person who shall commit  
13 any of the prohibited acts set forth in the preceding paragraphs of this Act shall be  
14 punished by a fine of not less than TWENTY THOUSAND PESOS (Php20,000.00) but  
15 not more than TWO HUNDRED THOUSAND PESOS (Php200,000.00) or by  
16 imprisonment of ONE (1) year to SIX (6) years, or both at the discretion of the court.

17 **FINAL PROVISIONS**

18 **SECTION 23. *Implementing Rules and Regulations.*** – The departments and  
19 agencies charged with the implementation of the provisions of this Act shall, within  
20 ninety (90) days after the effectivity of this Act, formulate the necessary rules and  
21 regulations for its effective implementation.

22 **SECTION 24. *Separability Clause.*** – If any provision of this Act is declared  
23 invalid or unconstitutional, the other provisions not affected thereby shall remain  
24 valid and subsisting.

25 **SECTION 25. *Repealing Clause.*** – All acts, executive orders, memorandum  
26 circulars/guidelines and other issuances or parts thereof which are inconsistent with  
27 this Act are hereby repealed or modified accordingly.

28 **SECTION 26. *Effectivity.*** – This Act shall take effect fifteen (15) days after its  
29 publication in the Official Gazette or in two (2) newspapers of general circulation.

30 **APPROVED.**