

[PRESIDENTIAL DECREE NO. 1484, June 11, 1978]

AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED FIFTY-TWO HUNDRED AND SEVEN ENTITLED "AN ACT PROVIDING FOR THE LICENSING AND REGULATION OF ATOMIC ENERGY FACILITIES AND MATERIALS, ESTABLISHING THE RULES ON LIABILITY FOR NUCLEAR DAMAGE, AND FOR OTHER PURPOSES"

WHEREAS, Republic Act No. 5207 entitled "The Atomic Energy Regulatory and Liability Act of 1968" was enacted to encourage, promote and assist the development and use of atomic energy for all peaceful purposes as a means to improve the health and prosperity of the inhabitants of the Philippines, contribute to the general welfare and accelerate scientific, technological, agricultural, commercial and industrial progress;

WHEREAS, the Government has entered into agreements for the installation, construction, development, maintenance and use of nuclear power plants in the Philippines to generate electric power to promote the above-enumerated objectives of the Atomic Energy Regulatory and Liability Act of 1968;

WHEREAS, the aforesaid agreements have brought to light the need for amending certain provisions of the said Act in order to further facilitate and encourage the wider use and application of atomic energy for peaceful purposes in the Philippines and as well as to attract local and international nuclear suppliers to invest and cooperate in the installation, construction, maintenance and use of nuclear power projects in the country;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and order as part of the law of the land the following:

SECTION 1. Section 3(f) of Republic Act No. 5207 is hereby amended to read as follows:

f. " 'Nuclear Damage' means loss of, life, any personal injury or any loss of, or damage to, or loss of use of property, which arises out of or results from the RADIOACTIVE, TOXIC, EXPLOSIVE OR OTHER HAZARDOUS PROPERTIES, OR ANY COMBINATION THEREOF, of nuclear fuel or radioactive products or any waste in, or of nuclear materials coming from, originating in, or sent to, a nuclear installation or from the ionizing radiation emitted by any other source of radiation inside a nuclear installation. 'PERSONAL INJURY' AS USED HEREIN MEANS ANY PHYSICAL OR MENTAL INJURY (INCLUDING DEATH), SICKNESS OR DISEASE WHETHER CAUSED DIRECTLY BY A PHYSICAL TRAUMA OR OTHERWISE."

SECTION 2. Section 3 is hereby amended by the addition of subsection (p) which shall read as follows:

p. "THE TERM 'INDIVIDUAL' MEANS A NATURAL PERSON."

SECTION 3. Section 39(b) is hereby amended to read as follows: