



# EXECUTIVE ORDER No. 127 - 2023 Series of 2023

# AN ORDER ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF CITY ORDINANCE NO. 296-2023, OR THE "SOCIALIZED HOUSING RESPONSIBILITY CODE"

WHEREAS, Section 16 of Republic Act No. 7160 provides that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare...xxx;

WHEREAS, the Sangguniang Panlungsod enacted and passed City Ordinance No. 296-2023, entitled "An Ordinance Instituting Policies on the Proper Use and Maintenance of all Housing Units, Facilities, and Common Areas Situated in Socialized Housing Projects of the City of Bacoor, Cavite, and Providing Penalties for Violations Hereof," with the end in mind of encouraging the private business to take a more active role in improving the City of Bacoor through the conduct of various activities which will address social, health, economic, and environmental concerns among others;

WHEREAS, the City Government of Bacoor recognizes the need to issue an Implementing Rules and Regulations pertinent to the above-mentioned Ordinance;

WHEREAS, the Office of the City Mayor of Bacoor, in coordination with the concerned city government offices, issued the above-mentioned Implementing Rules and Regulations that shall govern the "Socialized Housing Responsibility Code"

NOW, THEREFORE, I, STRIKE B. REVILLA, City Mayor of Bacoor, Cavite, by virtue of the powers vested in me by law, do hereby order for the adoption and implementation of the Implementing Rules and Regulations of City Ordinance No. 296-2023 herein attached.

# Section 1. Implementing Rules and Regulations (IRR).

Attached herein is the Implementing Rules and Regulations of City Ordinance No. 296-2023 which shall form part of this Executive Order. This shall be known as the "Implementing Rules and Regulations of Socialized Housing Responsibility Code

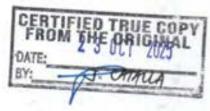
All affected offices and departments are hereby ordered to adopt the said implementing rules and regulations and be guided accordingly.

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Strict compliance and observance of all city government officials and employees to this IRR is hereby ordered.

# Section 2. Repealing Clause.

All previously issued orders and directives inconsistent with any provision found herein shall be deemed repealed, revoked or amended accordingly.

# Section 3. Separability Clause.

In the event that any provision found herein shall be judicially or administratively declared illegal or infirm, the remaining provisions shall remain in full force and effect.

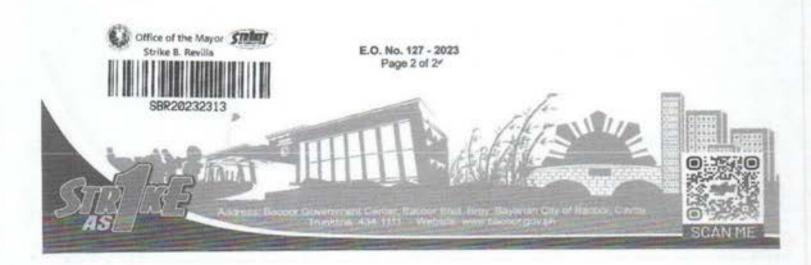
# Section 4. Effectivity Clause.

This Executive Order shall take effect immediately upon its signing and remain in full force and effect until repealed, revoked or amended accordingly.

# SO ORDERED.

Done this 1st day of December 2023 in the City of Bacoor, Province of Cavite.

STRIKE B. REVILLA
City Mayor\*





# THE IMPLEMENTING RULES AND REGULATIONS OF CITY ORDINANCE NO. 296-2023

OR

AN ORDINANCE INSTITUTING POLICIES ON THE PROPER USE AND MAINTENANCE OF ALL HOUSING UNITS, FACILITIES, AND COMMON AREAS SITUATED IN SOCIALIZED HOUSING PROJECTS OF THE CITY OF BACOOR, CAVITE, AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.

#### RULE I - GENERAL PROVISIONS

#### SECTION 1. TITLE.

These Implementing Rules and Regulations shall be known and cited as the "Implementing Rules and Regulations of City Ordinance No. 296-2023, Series of 2023 or the Socialized Housing Responsibility Code".

# SECTION 2. PURPOSE.

These Implementing Rules and Regulations are promulgated to prescribe a framework for the effective implementation and enforcement of City Ordinance No. 296-2023, Series of 2023.

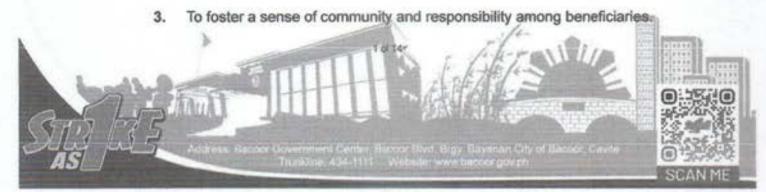
# SECTION 3. CONSTRUCTION.

The Implementing Rules and Regulations shall be construed and applied in compliance with and in furtherance of the policies and objectives of the above Ordinance.

# RULE II - DECLARATION OF POLICY

#### Section 4. It shall be the policy of the City of Bacoor.

- To maintain socialized housing projects that are critical public initiatives aimed at providing affordable, decent, and sustainable shelter for the less privileged and marginalized members of society.
- To see that socialized housing projects are maintained and used properly to preserve their purpose and longevity.



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To inculcate accountability and responsibility among beneficiaries and or them to actively maintain the community.

# RULE III - DEFINITION OF TERMS

# Section 5. The following terms shall be defined as follows:

- Alterations changes made to the housing unit or its improvements, which
  could include structural modifications, painting, installations, or other
  changes that affect the appearance or function of the property.
- Beneficiary a person or family who has been granted a residential unit as part of the socialized housing project.
- Common Areas spaces within the socialized housing project that are available for use by all beneficiaries. Common areas include parks, playgrounds, community centers, walkways, parking lots, and other shared facilities.
- 4. Community Service any actual physical activity that inculcates civic consciousness and is intended towards improving public work or promoting public service as defined under Republic Act No. 11362. Community service is a penalty that requires the violator to perform tasks or services that benefit the community, such as cleaning common areas or assisting in community development activities.
- Environmental Sustainability practices that minimize harm to the environment. This can include efficient use of resources, waste reduction, recycling, and other practices that protect the environment.
- Housing Unit a residential property awarded to a beneficiary under the socialized housing project. This can include apartments, houses, townhouses, or any other type of residential property.
- Improvements any additions, modifications, or renovations made to the housing unit, whether inside or outside, that add to its value, beauty, or functionality.
- Maintenance Fees charges that may be imposed by passing another Ordinance on beneficiaries for the socialized housing projects' upkeep, maintenance, and improvements.
- Public Officer any person employed by the government, including city employees and officials, responsible for enforcing this Ordinance and maintaining the socialized housing projects. For the purpose of this IRR, the" Public Officer" also includes the property manager of the socialized housing project.



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 Public-Private Partnership – a collaborating arrangement between the City Government and private sector entities to finance, construct, and maintain socialized housing projects.

- Reservation System the system used to book common areas for personal use. This system ensures fair access to shared facilities for all beneficiaries.
- Safety Rules guidelines put in place to protect the safety and well-being of beneficiaries. This can include rules about using common areas, fire safety, and noise levels.
- Sanitation conditions related to cleanliness and health. This can include waste disposal, cleanliness or housing units, common areas, and adherence to health and safety standards.
- 14. Security Measures systems and protocols in place to protect the residents and their property within the housing project, such as the presence of security personnel, installation of security cameras, and the like.
- Waste Management handling waste materials within the housing project, from collection to disposal, to ensure cleanliness and sanitation.

# RULE IV - SCOPE AND PURPOSES

# Section 6. Scope.

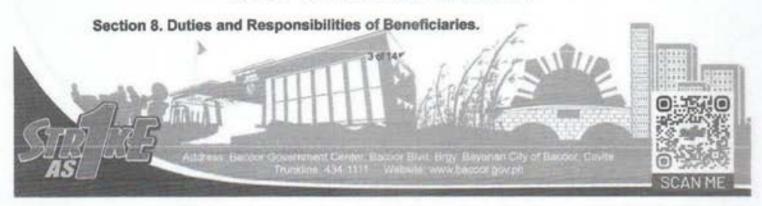
These Implementing Rules and Regulations shall be applicable to all beneficiaries of socialized housing projects located within the jurisdiction of the City of Bacoor, Cavite.

These Implementing Rules and Regulations shall govern the proper use and maintenance of all housing units, shared facilities, and common areas within these projects. This includes, but is not limited to, residential units, parks, playgrounds, communal utility spaces, pathways, and other shared facilities, whether these are established by the City Government or by the National Government in case of socialized housing projects operated by the City Government.

# Section 7. Purpose.

These Implementing Rules and Regulations aim to promote responsible housing practices, ensure the longevity of the infrastructure, and foster harmonious communal living among the beneficiaries.

# **RULE V - DUTIES AND RESPONSIBILITIES**





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The beneficiaries of socialized housing projects shall have the following duties and responsibilities:

#### GENERAL GUIDELINES:

Beneficiaries shall be required to request in writing to the Property Manager in case of further qualification of the following rules and responsibilities; the Property Manager shall respond to any query within no more than 48 hours from receipt of such request:

#### Cleanliness

- Beneficiaries must maintain and clean their housing units, including shared facilities and common areas they use.
- They must observe proper waste disposal and adhere to any designated waste collection schedule.
- They must maintain the sanitation of their immediate surrounding. C.

# **Avoid Damage**

- Beneficiaries must avoid any intentional or negligent damage to their housing units, common areas, or shared facilities.
- b. Vandalism of structures, amenities, utilities, or landscaping is prohibited.

# Report Damage or Disrepair

Beneficiaries must promptly report any damage or disrepair they notice in their housing units, shared facilities, and common areas to the designated city officials and the property managers of the socialized housing project where they reside.

# Respect Other's Rights

- Beneficiaries must respect the rights and privacy of others. a.
- Minimize noise. b.
- Avoid intrusive behavior. C.
- Respect beneficiaries' right to the peaceful enjoyment of their units, d. property, or common areas.

# Comply with Rules and Regulations

- Beneficiaries must comply with all laws, rules, and regulations concerning their occupation and possession of the socialized housing units.
- Beneficiaries must follow ordinances and rules promulgated by the b. City Government and the property manager appointed by the City mayor pertaining to waste disposal, noise levels, and use of shared facilities.





6. Pay Housing Maintenance Fees and Taxes.

a. Beneficiaries must pay any mandated maintenance fees in full and on time, including Real Property Taxes, Housing Maintenance Fees, and the like as set forth in the policies and ordinances of the City of Bacoor.

#### 7. Conserve Utilities.

 Beneficiaries should exercise reasonable efforts to conserve utilities like water and electricity, both within their own housing units and in shared facilities.

8. Cooperate During Inspections.

a. Beneficiaries must cooperate during any inspections conducted by the designated city officials to ensure the proper implementation of the ordinance and the maintenance of the housing units and facilities. This includes providing access to their housing units as necessary and in accordance with the stipulated inspection policies.

9. Abide by Property Rights Policies.

a. No land, housing units, or improvements within the socialized housing projects should be sold, alienated, conveyed, encumbered, or leased by any beneficiary.

b. All properties within the socialized housing projects remain under the ownership of the City of Bacoor in accordance with the policies and objectives of the socialized housing projects.

# 10. Prohibition on Subletting

a. Beneficiaries are prohibited from subletting or renting out their housing units, or any part thereof, to others. The units are intended for the exclusive use of the designated beneficiaries and their immediate family.

# 11. Prohibition on Unauthorized Structural Changes.

a. Beneficiaries must not make any unauthorized alterations, additions, or improvements to their housing units or any other part of the socialized housing project.

b. Any modifications must be carried out in accordance with the policies set forth in the Ordinance and this IRR, and he or she must receive prior approval from designated city officials.

# 12. Preserve Public Spaces.

- a. Beneficiaries must not occupy or make private use of any common areas or public spaces within the socialized housing projects beyond their intended communal use.
- b. These spaces are for the enjoyment of all beneficiaries and should not be blacked out or enclosed for personal use.

#### Prohibition on Commercial Use.



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a. Beneficiaries must not use their housing units, common areas, or any facilities within the socialized housing projects for commercial purposes.

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14. Inform Change in Circumstances

a. Beneficiaries must inform the designated officials of any changes in their family or financial circumstances that may affect their eligibility for continued participation in socialized housing projects.

#### 15. Maintain Peace and Order.

Beneficiaries must actively maintain peace and order within the socialized housing project where they are residing.

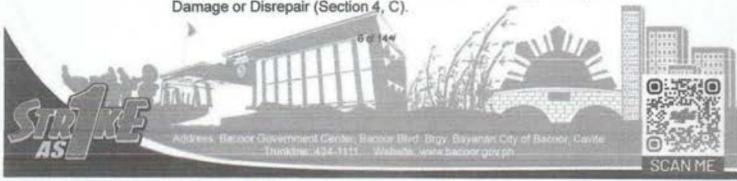
 Engaging in any criminal activity, getting into fights with neighbors, playing loud music at night, and other activities that disrupt peace and harmony in the community shall not be tolerated.

# RULE V - SPECIFIC RULES ON DUTIES AND RESPONSIBILITIES

# Section 9. Duty to Report Damage or Disrepair.

The following guidelines shall be observed in fulfilling the duty of beneficiaries to report damages or disrepair of their socialized housing unit, common areas, shared facilities, amenities, utilities, or landscaping.

- All kinds of damage, whether substantial or negligible, must be reported by the beneficiaries to the property manager.
- If their means permit, beneficiaries must take photographs of the damage they witnessed.
- The property manager shall maintain a logbook of all reported damages to his or her office stating therein the following information:
  - The date when the damage was witnessed.
  - b. The date, area, or location of the damage.
  - c. The person who reported the damage.
  - d. Any facts or circumstances surrounding the cause of the damage or the damage itself.
- The beneficiary who reported the damage must sign the logbook of the property manager.
- Reporting the damage to the property manager does not equate to liability on the part of the reporting beneficiary unless he or she intentionally or negligently caused the damage.
- 6. A beneficiary who caused the damage and subsequently failed to report the same to the property manager shall not only be liable for violating his duty to avoid damage (Section 4, B) but also for violating his duty to Report Damage or Disrepair (Section 4, C).







The following guidelines shall be observed in the fulfillment of the duty of beneficiaries to comply with rules and regulations:

- Property Managers shall post the rules and regulations that must be complied with by the Beneficiaries in the common areas.
- Beneficiaries will issue a duly notarized undertaking to fully commit themselves and their families to the observance of all rules and regulations pertaining to their occupation and possession of socialized housing units.

# Section 11. Duty to Pay Housing Maintenance Fees and Taxes.

The following guidelines shall be observed in the fulfillment of the duty of beneficiaries to pay housing maintenance fees and taxes.

- If applicable and allowed by law, beneficiaries shall pay the appropriate real property taxes for their respective units.
- A copy of the Original Receipt issued by the Office of the City Treasurer will be submitted to the Property Manager to prove their compliance.

# Section 12. Duty to Abide by Property Rights Policies.

No instrument allowing the selling, transferring, ceding, or conveying of the housing unit or any rights or interest pertaining thereto shall be executed by a beneficiary of the same in favor of others or third persons.

# Section 13. Duty Against Subletting.

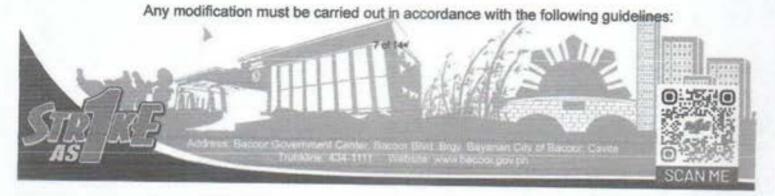
No beneficiary is allowed to sublet, lease, or rent their respective housing units.

The property manager may reasonably inspect the housing units of beneficiaries at any time of the day and afternoon. For this purpose, the property manager is allowed to conduct random and surprise inspections during the day or afternoon.

The property manager must exercise extreme caution and employ a conservative, and must diligently observe the privacy rights of beneficiaries for Inspections during nighttime or beyond 5:00 PM.

# Section 14. Duty Against Unauthorized Structural Changes.

No beneficiary is allowed to make constructions or introduce alterations, additions, or improvements to their housing units or any part of the housing project.



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The request form shall specify the alteration, addition, or improvement that

will be introduced to the housing unit.

The beneficiary shall execute an undertaking withholding and waiving any liability to the City Government for his/her introduction of alterations, additions, or any improvements.

- Any introduction of alterations, additions, or improvements subject to the preceding number shall be at the cost of the Beneficiary-applicant.
- In case there is an urgent need to make necessary repairs to avoid imminent danger to life and property, the beneficiary is allowed to do so at his cost, Provided that he will report the damage and the repairs he/she made within twenty-four (24) hours from the happening of the damage.
- In case of ordinary repairs of ordinary damage due to wear and tear to the housing unit, except to those alterations, additions, or improvements introduced to the housing unit at his/her behest, such ordinary repairs shall be shouldered by the City Government; Provided that the beneficiary has submitted a request for the same following the steps in nos. 1 and 2 of this section.

# Section 15. Duty Against Commercial Use.

Beneficiaries shall not use housing units, common areas, or any facilities within the socialized housing projects for commercial purposes. The housing units shall be exclusively devoted to residential purposes.

Activities such as but not limited to the following are prohibited in relation to the use of the housing units, common areas, or any other facilities of the housing project: sari-sari stores, repair shops, manufacturing, restaurants, food production houses. laundry shops, tailoring, office space, and other forms businesses enterprises.

When areas are specifically designated to allow commercial activities, Property Managers shall make available a request form for beneficiaries to accomplish and submit to the former for the commercial use of specifically designated areas.

# Section 16. Duty to Inform Change in Circumstances.

Beneficiaries must inform Property Managers in writing of any changes in their family or financial circumstances that may affect their eligibility for continued participation in the socialized housing projects.

The Property Manager shall issue a specific form for this purpose for the Beneficiary to accomplish. The Beneficiary shall state whether or not he/she has encountered a disqualification from the continued use of the housing unit. Failure to discharge this duty shall constitute a violation of Section 7 (L) of City Ordinance No. 296-2023.







# **RULE V - MAINTENANCE POLICIES**

In order to ensure the longevity and functionality of the socialized housing projects, the following maintenance policies shall be observed:

# Section 17. Regular Maintenance Schedule and Maintenance Reporting System.

A general monthly inspection of the housing units, shared facilities, and common areas shall be conducted by Property Managers of the housing units to determine solely whether or not there is a need for maintenance and repair of the same.

Property Managers shall issue an appropriate form for the beneficiaries to complete to report any issue or concern related to the maintenance of housing units, shared facilities, and common areas. The Property Manager shall act upon the request for maintenance or repairs in no more than 48 hours from receipt.

# Section 18. Individual Maintenance Responsibility.

Beneficiaries are responsible for the day-to-day maintenance and cleanliness of their own housing units and immediate surroundings. This includes regular cleaning, minor repairs, and upkeep to prevent any damage or deterioration, following Rule V, Section 14 of this IRR.

# Section 19. Ecological Management System.

Property Managers shall implement comprehensive waste management, pest control, maintenance of green spaces and landscaping systems, sanitation protocols, waste reduction, and recycling policies established and implemented within the socialized housing projects upon the recommendation of the City Environment and Natural Resources Office.

# Section 20. Policies for Common Areas.

The following guidelines shall govern the use of Common Areas:

- All beneficiaries of the socialized housing projects have equal access to common areas.
- Property Managers are charged to establish a schedule and rules for using the common areas to ensure fair access and avoid overcrowding.
- The City Government and Beneficiaries have a shared responsibility for the upkeep of common areas. Costs shall be primarily shouldered by the City Government.



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 The rules shall be posted by Property Managers in a conspicuous place located in the common areas.

- 5. Use of the common areas shall be on a "first-come-first-served" basis.
- The policies for common areas will be reviewed periodically and updated as needed.

# RULE VI - PROHIBITED ACTIVITIES AND PENALTIES

#### Section 21. Prohibited Activities.

The following activities and their respective elements related to duties, maintenance policies, and common area policies established in Sections 4,5 and 6 of City Ordinance No. 296-2023:

 Non-payment of Maintenance Fees or Late Payment of Maintenance Fees.

#### Elements:

- Maintenance fees are already due and demandable;
- The Beneficiary failed to pay the fees on time or refused to pay them altogether;

This violation shall not apply when the beneficiary availed of the temporary suspension of payments as provided in Section 8 of City Ordinance No. 296-2023.

2. Unauthorized Sale or Lease.

#### Elements:

- A beneficiary is a holder, possessor, or occupant of a housing unit.
- He/she transferred his/her interest over the housing unit through sale, lease, or any mode of conveyance;

The beneficiary, the receiver, or any person facilitating the transfer of interest over the housing unit shall be liable for violation of unauthorized sale or lease without prejudice to other crimes found in the Revised Penal Code, Special Laws, or other City Ordinances.

# 3. Unauthorized Alterations

#### Elements:

- A beneficiary by himself/herself or through other persons introduces any form of alteration or construction to the housing unit.
- The introduction of the alteration or construction is made without the approval of the Property Manager.





# 4. Failure to Maintain Cleanliness

# Elements:

a. A beneficiary is found by the Property Manager to be in violation of Section 5 of City Ordinance No. 296-2023 and has been given a written citation by the Property Manager.

 The beneficiary cited for uncleanliness has disregarded the warning or failed to clean the housing unit or area with clutter or mess.

# 5. Unsafe Practices.

Engaging in practices that pose a threat to safety, such as storing flammable materials improperly.

#### 6. Sanitation Violations.

Failing to adhere to sanitation guidelines as provided by the City Government.

# 7. Unfair Use of Common Areas

Use of common areas that deny other beneficiaries fair access. This may include occupying a common area for a period of time beyond what is authorized or preventing others from using it.

# 8. Damage to Common Areas

Causing damage to common areas, whether intentional or due to neglect.

# 9. Violation of Noise Levels

# Elements:

- a. A person creates excessive noise in common areas:
- The peace and comfort of other beneficiaries are disrupted.

# 10. Gross Misuse of Reservation System

# Elements:

- A beneficiary availed of the reservation system for common areas;
- The beneficiary misused the availing of the reservation system to abuse, confuse, or cause mischief in the process of reservations.

# 11. Repeated Policy Violations.

#### Elements

- The beneficiary has incurred a violation contained in the Ordinance or this IRR;
- The beneficiary incurred another violation contained in the Ordinance or this IRR during the subsistence of the previous violation.





# 12. Other Actions.

Any other action or omission that constitutes a serious threat to the safety. cleanliness, orderliness, and overall welfare of the community or that violates the spirit of this Ordinance.

#### Section 22. Penalties.

Any person found violating the prohibited activities in the Ordinance or these Implementing Rules and Regulations shall be required to perform community service, assisting the City Government in maintaining the common areas.

The number of hours required shall be fixed by the court.

Failure to comply with the community service order will cause the re-arrest of the beneficiary in accordance with Republic Act No. 11362 and will make the beneficiary forfeit the right to avail of future socialized housing projects of the City Government.

In case of violation of the community service order, the penalty to be imposed is imprisonment of 2 months.

In case of non-payment of maintenance fees, the defaulting beneficiary shall, in addition to the sentence provided in the preceding paragraph, be required to pay the maintenance fees that they missed, plus a late payment charge of 0.5% per month of delay until fully paid.

All penalties collected shall be allocated to the fund for maintenance and improvements of the socialized housing projects.

# Section 23. Dispute Resolution and Administrative Appeal.

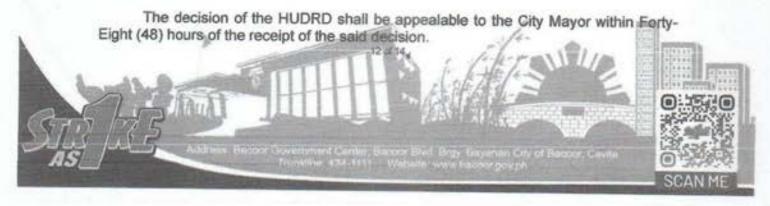
The Property Manager shall issue a notice in writing to any beneficiary found to be violating any provision of the Ordinance or this Implementing Rules and Regulations.

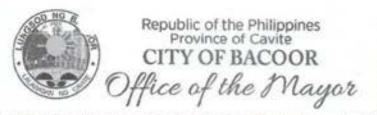
The beneficiary who is notified of his violation may appeal the same in writing to the Property Manager by stating his or her reasons for his or her appeal.

The Property Manager shall decide the appeal of the beneficiary within twenty-four (24) hours of receipt of the said appeal.

The decision of the Property Manager shall be appealable to the head of the Housing and Urban Development and Resettlement (HUDRD) Department of the City Government of Bacoor within Forty-Eight (48) hours of receipt of the property manager's decision.

The Head of the HUDRD shall decide the appeal within Forty-Eight (48) hours from receipt of the appeal.







Failure to follow the prescribed periods in this Implementing Rules and Regulations is deemed a waiver of the right to administratively appeal the findings and decisions of the Property Manager.

# Section 24. Suspension of Fines for Humanitarian Considerations.

If maintenance fees are imposed, the City Mayor of Bacoor is granted the discretionary power to suspend the payment of maintenance fees in certain cases for humanitarian considerations.

A beneficiary who intends to request the suspension of his or her maintenance fees shall comply with the following guidelines:

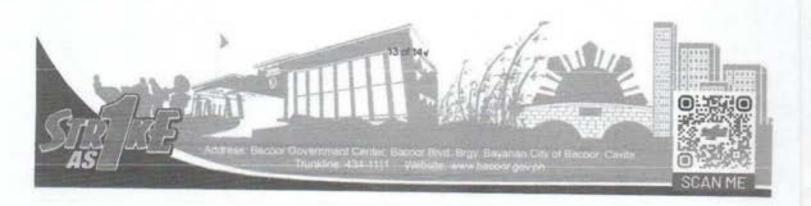
- The beneficiary must submit a written application addressed to the City Mayor by clearly stating the reason for the request;
- 2. The application must contain supporting documents depending on the grounds or circumstances alleged in the application. These are medical certificates, proof of unemployment, death certificates, proof of income, or any other document that may substantiate his or her claim. In case of a natural calamity, a certification from the Bacoor Disaster Risk Reduction and Management Office (BDRRMO) may be required.
- In case the application is denied, the beneficiary has the right to appeal the decision in writing within fifteen (15) days of receiving the decision of the City Mayor. The City Mayor's decision on the appeal shall be final.

In no case shall the said suspension of payments exceed a period of three (3) months.

Suspension of payments may be considered in the following circumstances:

- Natural Calamities:
- 2. Serious Illness:
- Sudden Unemployment;
- 4. Death in the Family;
- Acts of goodwill by the beneficiary or where the beneficiary has shown consistent compliance with the Ordinance and has made significant contributions to the community;
- Analogous Circumstances.

Suspension of the payments as provided in this section shall not be deemed a waiver of the obligation to pay the maintenance fees. The beneficiary is still expected to comply on or before the end of the period of suspension of payments.





# **MISCELLANEOUS PROVISIONS**

# Section 25. Separability.

If any provision of this IRR shall be declared invalid or unconstitutional by a court of proper jurisdiction, it shall not affect all other provisions of this IRR not so declared invalid or unconstitutional.

# Section 26. Repeal.

All Executive Orders, Memorandum Orders, Administrative Orders, Resolutions, and other Orders inconsistent with the provisions of this IRR are hereby repealed.

# Section 27. Effectivity.

This IRR shall take effect immediately.

