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MEMORANDUM

FOR/TO : **HON. BENNY D. ANTIPORDA**
Undersecretary for Solid Waste Management, Local Government
Units Concerns and Supervising Undersecretary for Strategic
Communication and Initiatives Service

ATTY. ANALIZA REBUELTA-TEH
Undersecretary for Finance, Information Systems and Climate Change

The Directors
Environmental Management Bureau
Legal Affairs Service
Policy and Planning Service

The Executive Director
National Solid Waste Management Commission

The Regional Director
National Ecology Center – EMB-NCR



FROM : **The Assistant Secretary**
Field Operations-Mindanao and Legislative Affairs

SUBJECT : **INVITATION FROM THE COMMITTEE ON ECOLOGY**

DATE : **17 February 2021**

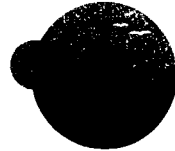
This pertains to the letter dated 17 February 2021, from **REP. GLONA G. LABADLABAD**, Chairperson, Committee on Ecology, inviting the DENR to its 4th TWG meeting on **Single-Use Plastics on 24 February 2021 (Thursday), 2:00PM via Zoom Video conferencing with Meeting ID: 879 8752 1057 Password: 862720**, and share views and comments on the draft Substitute Bill on the matter. Copy attached

Kindly inform this Office of your attendance before the scheduled date of the meeting and submit presentation, comments and/or position paper in hard and soft copy at the Legislative Liaison Office at telephone number 8920-1761 and e-mail address denrlegislative@yahoo.com for consolidation.


JOANA A. LAGUNDA, D.M., D.P.A


Encls: As Stated
/juo020

MEMO NO. 2021 - 140



February 17, 2021

HON. ROY A. CIMATU

Secretary, DENR and Chairman
National Solid Waste Management Commission

Attn: **HON. BENNY ANTIPORDA**
Usec. for SWM and LGU Concerns

Dear **Sec. Cimatu**:

We are pleased to inform you that the Committee on Ecology will hold its **4th Technical Working Group Meeting on Single-Use Plastics**. The subject House Bills and Resolutions, accessible at www.congress.gov.ph, are listed in the attached agenda. The **draft Substitute Bill** on the matter, for discussion at the TWG meeting, will follow in a separate email.

In this connection, may we invite you, or your competent representative, to the aforesaid meeting to share your views and recommendations on this draft bill. We would also appreciate receiving your position paper at least two (2) days prior to the meeting.

The meeting will be conducted via Zoom videoconference, with details as follows:

<i>Date & Time</i>	24 February 2021 (Thursday), 2:00 PM meeting room will open 30 minutes before the schedule
<i>Zoom Link</i>	https://us02web.zoom.us/j/87987521057?pwd=dW82MDUzSF10VEZnZndVckJlaXRyQT09
<i>Meeting ID</i>	879 8752 1057
<i>Passcode</i>	862720

To avoid screen-overcrowding, we would be grateful if not more than two (2) persons, yourself included, can represent your organization. To facilitate admission to the conference, may we request submission of the following information, 24 hours prior to the meeting:

- a. Participant's name and position in your organization, and
- b. Participant's Zoom name, email address and mobile number

Confirmation of attendance or any query may be coursed through hrep.ecology@gmail.com or to **Ms. Marlyn Panganiban** at 09153998806.

Thank you very much.

Very truly yours,

HON. GLONA G. LABADLABAD
Chairperson

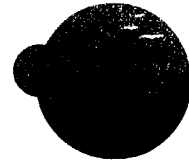
For the Chairperson:

ATTY. DILBERT N. QUETULIO
Committee Secretary



Republic of the Philippines
House of Representatives
COMMITTEE ON ECOLOGY

18TH Congress
2nd Regular Session



**4TH TECHNICAL WORKING GROUP MEETING
ON SINGLE-USE PLASTICS**

24 February 2021 (Wednesday) 2:00 P.M.
Zoom Meeting I.D.879 8752 1057| Password:862720

AGENDA

- I. CALL TO ORDER
- II. ACKNOWLEDGMENT OF RESOURCE PERSONS AND GUESTS
- III. DISCUSSION OF THE DRAFT SUBSTITUTE BILL ON SINGLE-USE PLASTICS, WHICH CONSOLIDATES THE FOLLOWING MEASURES:

A. Ban/Regulation of Plastic Products

- | | |
|---|---|
| 1. H.B. 103 - Rep. Lawrence "Law" H. Fortun | 18. H.B. 4435 - Rep. Jose "Bong" J. Teves Jr. |
| 2. H.B. 139 - Rep. Geraldine B. Roman | 19. H.B. 4644 - Rep. Ria Christina G. Fariñas
and Rep. Rudys Caesar G. Fariñas I |
| 3. H.B. 499 - Rep. Robert Ace S. Barbers | 20. H.B. 4724 - Rep. Kristine Alexie B. Tutor |
| 4. H.B. 546 - Rep. Rozzano Rufino B. Biazon | 21. H.B. 5383 - Rep. Florencio G. Noel |
| 5. H.B. 574 - Rep. Greg G. Gasataya | 22. H.B. 5489 - Rep. Rodrigo A. Abellanosa |
| 6. H.B. 635 - Rep. Loren B. Legarda | 23. H.B. 5623 - Rep. Eric G. Yap and Rep. Paolo Z.
Duterte |
| 7. H.B. 1754 - Rep. Luis Raymund "LRAY" F.
Villafuerte, Jr. | 24. H.B. 5772 - Rep. Josefina B. Tallado |
| 8. H.B. 2396 - Rep. Lord Allan Jay Q. Velasco | 25. H.B. 5773 - Rep. Bienvenido M. Abante, Jr. |
| 9. H.B. 2484 - Rep. Estrellita B. Suansing and
Rep. Horacio P. Suansing, Jr. | 26. H.B. 6076 - Rep. Ramon "Mon-Mon" V. Guico III |
| 10. H.B. 2811 - Rep. Rufus B. Rodriguez | 27. H.B. 6085 - Rep. "Kuya" Jose Antonio R. Sy-
Alvarado |
| 11. H.B. 2969 - Rep. Lorenz R. Defensor | 28. H.B. 6640 - Rep. Manuel D. Cabochan III |
| 12. H.B. 3140 - Rep. Jumel Anthony I. Espino | 29. H. Res. 213 - Rep. Angelo Marcos Barba |
| 13. H.B. 3338 - Rep. Bernadette Herrera-Dy | 30. H. Res. 261 - Rep. Alberto D. Pacquiao |
| 14. H.B. 3536 - Rep. Precious Hipolito Castelo | 31. H. Res. 553 - Rep. Francisco Jose "Bingo" F.
Matugas, II |
| 15. H.B. 3537 - Rep. Precious Hipolito Castelo | |
| 16. H.B. 3725 - Rep. Joy Myra S. Tambunting | |
| 17. H.B. 4339 - Rep. Angelo Marcos Barba | |

B. Packaging Requirements / Alternatives

- | | |
|--|---|
| 32. H.B. 1837 - Rep. Rufus B. Rodriguez | 34. H.B. 6744 - Rep. Manuel D. Cabochan III |
| 33. H.B. 4827 - Rep. John Marvin "Yul Servo" C.
Nieto | 35. H. Res. 1024 - Rep. Aleta C. Suarez and
Rep. Anna Marie Villaraza-Suarez |

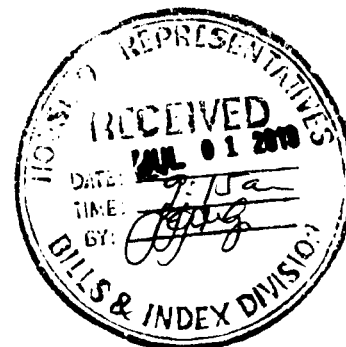
C. Plastic Packaging Waste Recovery Systems

- | | |
|---|---|
| 36. H.B. 3723 - Rep. Joy Myra S. Tambunting | 39. H.B. 5411 - Rep. Rozzano Rufino B. Biazon |
| 37. H.B. 5048 - Rep. Frederick W. Siao | 40. H.B. 6180 - Rep. Mark O. Go |
| 38. H.B. 5312 - Rep. Frederick W. Siao | 41. H.B. 6279 - Rep. Rufus B. Rodriguez |

- IV. ADJOURNMENT

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session
0103
House Bill No. _____



Introduced by Rep. LAWRENCE LEMUEL H. FORTUN

EXPLANATORY NOTE

The widespread use of plastic bags and other plastic single-use containers and products is a fact of life in our modern daily existence and there is no denying these have proven to be of convenient and practical use to us. Regrettably, however, such convenience carries with it a long-term devastating impact on the environment and the health of the public. The destructive effects of their continued use dwarf their supposed expediency.

The massive use of plastic bags and other single-use plastics has been a major cause not only of litter, waste and pollution, but also floods, especially in the urban areas, that have resulted in the death of thousands and destruction of properties, not to mention the life-threatening health hazards their manufacture and use expose people to.

It is estimated that between one to five trillion plastic bags are consumed worldwide each year. Five trillion is almost ten million plastic bags a minute.¹ Many studies have shown that plastic bags and foam containers can take up to thousands of years to decompose, contaminating soil and water, and posing significant ingestion, choking and entanglement hazards to wildlife on land and in the ocean.²

In a recent report on plastic pollution by the Ocean Conservancy and McKinsey Center for Business and Environment, the Philippines has been found to be the world's third largest source of plastic pollutants leaking into the ocean and is said to have the highest plastic trash collections in the Southeast Asia. Yet, to date, the country is wanting in policies that regulate the use of plastic bags and other single-use plastics which account for over seventy percent (70%) of its plastic residual waste.

The consolation is a number of local government units in the country have already passed and implemented ordinances banning the use of plastic products especially plastic bags. However, considering the massive extent of damage single-use plastics are causing the environment, it has become incumbent upon Congress to immediately enact a national law that effectively addresses the urgent need for concrete and effective policies and mechanisms for regulation of plastics in a nationwide scale.

Towards this direction, this proposed bill seeks to regulate the production, use, recycling and disposal of plastic bags and other single-use plastics in the whole country. For its effective implementation, the measure provides for a gradual phase out of single-use plastics, a transition program for the shift to the use of biodegradable plastics, encouragement of the use of reusable bags or containers, a recovery program for return of used plastic bags, a Special Environmental Fund for Plastics Regulation, the role of local government units, a program for affected workers of the plastic industry and support for affected manufacturers of plastic products, among others.

In view of its urgency, the approval of this bill is most earnestly sought.

REP. LAWRENCE LEMUEL H. FORTUN
1st District Agusan del Norte

¹ UNEP (2018). SINGLE-USE PLASTICS: A Roadmap for Sustainability

² *Ibid*

Introduced by Rep. LAWRENCE LEMUEL H. FORTUN

AN ACT
REGULATING THE PRODUCTION, IMPORTATION, SALE, PROVISION, USE, RECOVERY, COLLECTION,
RECYCLING, AND DISPOSAL OF PLASTIC PRODUCTS

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

1 SECTION 1. **Short Title.** – This Act shall be known as the “Plastic Products Regulation Act”.

2 SEC. 2. **Definition of Terms.** – As used in this Act:

3 (a) **Biodegradable plastic product** refers to a plastic product that degrades and attains
4 molecular structure suited for biodegradation that results from the action of naturally occurring
5 microorganisms within the parameters established pursuant to this Act: *Provided*, That the materials
6 therefor shall not significantly affect food security programs of the government;

7 (b) **Commercial establishment** refers to an establishment or cluster of establishments engaged
8 in commerce or sales of goods or services including, but not limited to, market stores, shopping mall
9 outlets, supermarkets, department stores, groceries, convenience stores, food chains, restaurants,
10 cafes, bars, sari-sari stores, vendors, ambulant stalls and the like;

11 (c) **Operator** refers to a person or group of persons in control of, or having daily responsibility
12 for the daily operation of a commercial establishment which may include, but not limited to, the owner
13 of the store;

14 (d) **Plastic** is a lightweight, hygienic and resistant material that can be shaped in different ways
15 and employed in a wide range of applications.

16 (e) **Plastic bag** refers to a polymer bag designed to be provided or utilized at the point of sale
17 for carrying and transporting goods;

18 (f) **Reusable bag** refers to a washable bag, a *bayong* or any shopping bag used for carrying and
19 transporting goods, which bags are made of organic or non-organic materials and can be used several
20 times; and

21 (g) **Single-Use Plastic Products** refer to disposable and single-use plastic or foam plates, cups,
22 or food containers, utensils, cutlery, straws, stirrers, and similar products, including plastic bags used by
23 commercial establishments;

24 SEC. 3. **Biodegradable Plastic Products for Basic Services.** – Six (6) months after the effectivity of
25 this Act, commercial establishments shall provide biodegradable plastic products to their consumers.
26 Operators shall promote and make available for sale locally-made reusable bags that are made of
27 indigenous, organic or compostable materials like *abaca* and water lily. The use of eco-friendly and
28 biodegradable products as alternatives to all forms of single use plastic products shall be provided as
29 sanctioned under Section 6 of this Act.

30 A biodegradable plastic product shall visibly bear, a logo showing that it is a biodegradable
31 plastic product as well as the manufacturing date and name of manufacturer and distributor, and the
32 words “RETURN FOR RECYCLING” and other markings in conformity to existing Philippine National
33 Standards (PNS).

34 Within six (6) months from the effectivity of this Act, the Department of Trade and Industry (DTI),
35 in coordination with the Department of Environment and Natural Resources (DENR), Department of
36 Science and Technology (DOST), leagues of local government units (LGUs), National Solid Waste
37 Management Commission (NSWMC), and other government and private agencies and organizations
38 concerned shall, promulgate the appropriate PNS for biodegradable plastic products. The DTI shall
39 consider in the PNS the effective reusability and recyclability of these products.

40 One (1) year after the effectivity of this Act, any product that uses materials other than plastic,
41 which is practically not reusable, recyclable or safe to be in contact with food, shall not be provided to
42 consumers.

43 **SEC. 4. In-Store Recovery Program.**— Within sixty (60) days after the effectivity of this Act, the
44 operator or cluster of operators of commercial establishments that provide plastic products to
45 consumers as part of a purchase on retail, shall establish an in-store recovery program that shall give
46 their customers an opportunity to return their used plastic products to the commercial establishments
47 from which the plastic products originated.

48 An in-store recovery program provided by the operator of said commercial establishment shall
49 include the following:

50 (a) A plastic product recovery bin which shall be placed at each commercial establishment or
51 cluster of establishments shall be visible, easily accessible to the customer, and clearly marked that the
52 recovery bin is available for the purpose of collecting recyclable plastic products or for disposal through
53 industrial treatment facilities;

54 (b) A collection system whereby all plastic products recovered by the commercial establishment
55 shall be collected by the barangays, transported, and whenever practicable, recycled or disposed
56 through industrial treatment facilities by the cities and municipalities pursuant to Sec. 19 of this Act.

57 (c) A maintenance record of the commercial establishment's in-store recovery program
58 describing the recovery, collection, transport, and whenever applicable, recycling, composting and
59 disposal to industrial treatment facilities of plastic products collected for a minimum of three (3) years,
60 and every year thereafter. It shall make the records available to the DENR, DTI and concerned LGU, upon
61 request, to demonstrate compliance with this Act.

62 The LGU concerned shall monitor the implementation of this program and maintain records of the
63 volume of plastic products it has recovered, collected and transported for recycling or disposal to
64 composting facilities pursuant to this Act. It shall also make the records available to the DENR and DTI.

65 (d) A customer plastic exchange system wherein the commercial establishment shall require
66 their customers to surrender an equivalent or practically equivalent plastic bag for the provision of a
67 new plastic bag. Otherwise, the customer or consumer will be charged a fixed fee of Five pesos (Php
68 5.00) per plastic bag, which fee shall be reflected in their receipts, and shall form part of the Special
69 Environmental Trust Fund created under Sec. 13 of this Act. Manufacturers, distributors and exporters
70 of the biodegradable plastic bags shall participate in this program as part of their extended producer's
71 responsibility initiatives.

72
73 **SEC. 5. Exemptions.** — Primary plastic packaging used in the manufacture of finished products for
74 sale in the general market, and those used to pack or contain items to be distributed in relief operations
75 in times of calamities shall be excluded from the prohibitions under this Act.

76 **SEC. 6. Phaseout of Plastic Products.** — Notwithstanding the provisions of Section 4 of this Act,
77 non-biodegradable, non-reusable and non-recyclable plastic products shall be gradually phased out
78 within a period of one (1) year from the effectivity of this Act. Thereafter, production, importation, sale,
79 distribution, provision or use of said plastic products shall be prohibited.

80 **SEC. 7. Program for Affected Employees and Workers of the Plastic Industry.** — The Department
81 of Labor and Employment (DOLE), in coordination with the DTI, shall conduct studies to determine the
82 impact of this Act on affected plastic industry employees and workers.

83 Likewise, in coordination with Technology Education and Skills Department Authority (TESDA),
84 plastic manufacturers, non-government and civil society organizations and institutions, the DOLE and
85 DTI shall develop a program for alternative livelihood opportunities for employees and workers in areas
86 like recycling or upcycling of used plastic products.

87 **SEC. 8. Support for Affected Plastic Manufacturers.** — The DTI, through the Board of Investments,
88 shall develop benefits and programs to assist affected plastic manufacturers to buffer the impact of this
89 Act on their industry, by creating incentives to facilitate their transition into the provision of goods and
90 services that will support the implementation of this Act,

91 **SEC. 9. Monitoring and Market Inspections.** — The DENR and DTI, in coordination with the LGUs
92 and local law enforcement agencies, shall cause the regular and routine inspection and monitoring of
93 point-of-sale stores and facilities of plastic manufacturers to determine compliance with this Act.
94 Inspection and monitoring shall include the following:

95 (a) Entry or access to the premises of operation and business, including storage rooms and
96 stockrooms;

97 (b) Inspection of off-site storage facilities, distribution centers, and transshipment points; and
98 (c) Inspect sanitary landfills to determine if only residual plastic products are being disposed of.

99 SEC. 10. **Role of the National Solid Waste Management Commission.** – The National Solid
100 Waste Management Commission (NSWMC), created pursuant to Section 4 of Republic Act No. 9003
101 shall, in addition to its functions under the said law, aid and assist in the implementation and
102 enforcement of its Act.

103 The NSWMC is hereby mandated to conduct studies to ensure the harmonious implementation
104 of this Act with the Republic Act No. 9003.

105 The DENR is hereby mandated and directed to provide the necessary financial and manpower
106 resources to enable the NSWMC to perform its additional functions as mandated in this Act.

107 SEC. 11. **Effect on LGU Ordinances Before or After the Effectivity of this Act.**– LGU ordinances in
108 relation to this Act, such as bans and prohibitions on the use of plastic products, promulgated and
109 enforced prior to the effectivity of this Act shall remain valid and subsisting: *Provided, That,* within one
110 (1) year following the promulgation of this Act, LGUs shall issue or amend their respective ordinances in
111 line with the provisions of this Act.

112 The provisions, mandates, and directives of this Act shall serve as minimum standards and
113 stipulations for LGU ordinances.

114 SEC. 12. **Information and Education Campaign.** – The DENR, in coordination with the LGUs,
115 Department of Interior and Local Government, Department of Education, Commission on Higher
116 Education, and Public Information Agency, shall conduct a continuing information and education
117 campaign on the proper regulation of plastic products in the country.

118 Such campaign shall be incorporated in and shall be in addition to the public information and
119 education campaign under section 55 of Republic Act No. 9003.

120 SEC. 13. **Labelling Requirements.** – Plastic and biodegradable plastic bags, reusable bags, and
121 recyclable paper carry-out bags as defined under this Act shall be appropriately labelled to be
122 biodegradable, non-biodegradable, or recyclables as the case may be.

123 Labes shall include the name of the manufacturer, the location where the bag was
124 manufactured, percentage of postconsumer recycled materials used, and indication of the materials,
125 chemicals, and substances used to manufacture the said product.

126 This shall also comply with any rules or regulations or product labelling as required by the
127 Republic Act no. 7494, of the Consumer Act of the Philippines.

128 SEC. 14. **Special Environmental Fund for Plastic Product Regulation.** – There is hereby created a
129 Special Environmental Trust Fund, hereinafter referred to as the Fund, to be managed by the NSWMC,
130 for Plastic Product Regulation, to be composed of levies, fees, and fines collected pursuant to the
131 implementation and enforcement of this Act.

132 The Fund shall be exclusively used for the following:

133 (a) Improve the capacity of LGUs, and local law enforcement agencies for the implementation
134 of this Act;

135 (b) Conduct of information and education campaigns on plastic products regulation and related
136 environmental awareness measures;

137 (c) Assist and provide incentives for manufactures and community-based initiatives for the
138 production of native reusable bags, as well as for non-government and civil society organizations
139 promoting proper solid waste management; and

140 (d) Augment the Solid Waste Management Fund under Republic Act No. 9003.

141 Forty percent (40%) of the fines collected under Sec. 20 of this Act shall be allocated to or
142 retained by the Barangay where the fined prohibited acts are committed in order to finance the solid
143 waste management of said unit.

144 SEC. 15. **Access to Information.** – The public shall have access to records, reports, or information
145 concerning the implementation and mandates of this Act.

146 Such documents shall be available for inspection or reproduction during normal business hours:
147 *Provided, That* the DENR, DTI or concerned LGU may consider a record, report or information or
148 particular portions thereof confidential and may not be made public when such would divulge trade
149 secrets, production or sales figures or methods, production or processes unique to such manufacturer,
150 seller, or distributor, or would otherwise tend to affect adversely the competitive position of such
151 manufacturer.

152 SEC. 16. **Citizens Suit.** – For the purposes of enforcing the provisions of this Act or its
153 implementing rules and regulations, any citizen may file an appropriate civil, criminal, or administrative
154 action in the proper courts or bodies against:

155 (a) any person who violates or fails to comply with the provisions of this Act and its
156 implementing rules and regulations; or

157 (b) the DENR or other implementing agencies with respect to orders, rules and regulations
158 issued inconsistent with this Act; and/or

159 (c) any public officer who willfully or grossly neglects the performance of an Act specifically
160 enjoined as a duty by this Act or its implementing rules and regulations, abuses authority in the
161 performance of duty, or, in any manner improperly performs the duties under this Act or its
162 implementing rules and regulations: *Provided, however,* That no suit can be filed until after a thirty-day
163 (30) notice has been given to the public officer and the alleged violator concerned, and no appropriate
164 action has been taken thereon.

165 The court shall exempt such action from the payment of filing fees and statements upon *prima*
166 *facie* evidence of the non-enforcement or violation complained of, and likewise exempt the plaintiff
167 from the filing of an injunction bond for the issuance of preliminary injunction.

168 In the event that the citizen should prevail, the court shall award reasonable attorney's fees,
169 moral damages and litigation costs as appropriate.

170 **SEC. 17. *Suits and Strategic Legal Action Against Public Participation.*** – Where a suit is brought
171 against a person who filed an action as provided in Section 15 of this Act, or against any person,
172 institution or government agency that implements this Act or any other consumer related laws, rules,
173 and regulations, it shall be the duty of the investigating prosecutor or the court, as the case may be, to
174 immediately make a determination within not exceeding thirty (30) days whether said legal action has
175 been filed to harass, vex, exert undue pressure or stifle such legal resources of the person complaining
176 or enforcing the provisions of this Act. Upon determination thereof, evidence warranting the same, the
177 investigating prosecutor or the court shall dismiss the case and award the attorney's fees and double
178 damages.

179 This provision shall also apply and benefit public officers who are sued for acts committed in
180 their official capacity, there being no grave abuse of authority, and done in the course of enforcing this
181 Act, its rules, regulations, and guidelines.

182 **SEC. 18. *Lead Implementing Agency.*** – The DENR, unless otherwise provided herein, shall be the
183 primary government agency responsible for the implementation and enforcement of this Act.

184 The DENR as the lead agency together with the DTI, Department of Interior and Local
185 Government (DILG), and NSWMC shall issue the Implementing Rules and Regulations within sixty (60)
186 days from the approval of this Act.

187 In the furtherance of the objectives of this Act, the DENR and the NSWMC, in coordination
188 with the DTI, shall consult, and enter into an agreement with other government agencies, LGUs,
189 concerned non-governmental organizations (NGOs), people's organizations (POs), or private enterprises.

190 **SEC. 19. *Role of Local Government Units (LGUs).*** – The LGUs shall have the primary responsibility
191 in the effort to decrease the percentage of plastic product wastes produced within their respective
192 territorial jurisdictions.

193 For this purpose, they shall be primarily responsible for the collection, transportation, recycling
194 and disposal of plastic products recovered to industrial treatment facilities pursuant to this Act. The
195 LGUs may enjoin the participation of other concerned government agencies, private entities and
196 industries.

197 The DOST, in coordination with the National Ecology Center, shall provide the LGUs with technical
198 assistance, trainings and continuing capability-building programs to attain the objectives of this Act.

199 **SEC. 20. *Fines and Penalties.*** – Violations of Sections 3,4 and 6 of this Act, and the deliberate
200 misrepresentation of the vendor, distributor or manufacturer shall be penalized in the following
201 manner:

202 (a) A fine of not less than Two hundred fifty thousand pesos (P250,000.00) but not exceeding Five
203 hundred thousand pesos (P500,000.00) for the first offense; and

204 (b) A fine of not less than Five hundred thousand pesos (P500,000.00) but not exceeding Seven
205 hundred fifty thousand pesos (P750,000.00) for the second offense; and

206 (c) Automatic revocation of its business permit for the third offense.

207 For purposes of the imposition of appropriate fines hereof, the DTI shall establish classification of
208 commercial establishments based on their capitalization.

209 **SEC. 21. *Administrative Action.*** – Without prejudice to the right of any person to file an
210 administrative action, the DENR shall, on its own instance or upon verified complaint by any person,
211 institute administrative proceedings in the proper forum against any natural or juridical person who
212 violates any of the provisions of this Act with respect to:

213 (a) Standards and limitations provided by this Act; or
214 (b) Such Orders, rules or regulations issued by the DENR with respect to such standard or
215 limitation.

216 SEC. 22. **Independence of Action.**—The filing of an administrative suit against such person or entity
217 does not preclude the right of any other person to file any criminal or civil action.

218 SEC. 23. **Enforcement.** — The enforcement of the penal provision of this Act shall be made through
219 the DENR, in coordination with the Office of the Mayor of the LGU concerned.

220 SEC. 24. **Joint Congressional Oversight Committee.** — The Joint Congressional Oversight
221 Committee created under Section 60 of Republic Act No. 9003, shall likewise monitor the
222 implementation of this Act and review the implementing rules and regulations promulgated by the
223 DENR. The Joint Committee shall be co-chaired by the Chairpersons of the House Committee on Ecology
224 and the Senate Committee on Environment.

225 SEC. 25. **Implementing Rules and Regulations.** — The DENR, in coordination with the DTI, the
226 NSWMC and other relevant government agencies and organizations shall, within ninety (90) days from
227 the effectivity of this Act, promulgate the implementing rules and regulations (IRR) governing this Act.

228 SEC. 26. **Appropriations.** — The amount necessary to carry out the provisions of this Act shall be
229 charged against the current year's appropriations of the concerned agencies. Thereafter, such sums as
230 may be necessary for the operation and maintenance of this Act shall be included in the annual General
231 Appropriations Act.

232
233 SEC. 27. **Separability Clause.** — If, for any reason, any provision of this Act or part thereof is
234 declared unconstitutional or invalid by a court of competent jurisdiction, the other provisions or parts
235 hereof not affected shall remain in full force and effect.

236 SEC. 28. **Repealing Clause.** — All laws, decrees, orders, issuances, ordinances, rules and regulations
237 or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

238 SEC. 29. **Effectivity.** — This Act shall take effect fifteen (15) days after its publication in the *Official*
239 *Gazette* or in a newspaper of general circulation.

240
241 Approved,



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

0139

House Bill No. _____

Introduced by Representative **GERALDINE B. ROMAN**

EXPLANATORY NOTE

The State aims to “protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature,” and to “protect and promote the right of the people to health and instill health consciousness among them.”¹ The United Nations aims to eliminate plastic pollution to keep the oceans safe and clean.² What has the Philippines done to promote these policies? Sadly, very little. According to reports, the Philippines is the world’s third largest source of plastic pollution.³ Thus, we see plastic waste, consisting of single-use plastic products (*e.g.*, plastic bags, bottles, straws, cutlery, coffee stirrers, and sachets, to name just a few) littering our esteros, landfills, sewage systems, riverbanks, sea coast, and waterways. Plastic waste clog our drainage systems and waterways, contributing to flooding, and poison the environment. And because it does not degrade easily, plastic waste can remain in the environment for thousands of years. Studies further show that, given the ubiquitous nature of plastics, we unknowingly eat and inhale microplastics, and that the “most effective way to reduce human consumption of microplastics will likely be to reduce the production and use of plastics.”⁴

This bill seeks to phase out and eventually prohibit single-use plastic products and to promote the recycling and proper disposal of plastic products.

¹ PHILIPPINE CONSTITUTION, Article II, Sections 15-16.

² United Nations Sustainable Development Goal No. 14.

³ 2015 Report Ocean Conservancy and McKinsey Center for Business and Environment.

⁴ “People eat, inhale plastics but don’t know it,” PHILIPPINE DAILY INQUIRER (June 7, 2019), <https://newsinfo.inquirer.net/1127706/people-eat-inhale-plastics-but-dont-know-it>.

The passage of this bill is earnestly sought.


GERALDINE B. ROMAN