

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES
H. No. 2516



Introduced by **Representative Raul C. Tupas**

EXPLANATORY NOTE

AN ACT REGULATING NOISE POLLUTION BY CREATING THE NOISE POLLUTION CONTROL BOARD (NPCB), PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

The Constitution, Article 2, Section 15 provides:

The State shall protect and promote the right to health of the people and instill health consciousness among them.

Community noise (also called environmental noise, residential noise or domestic noise) is defined as noise emitted from all sources except noise at the industrial workplace. Main sources of community noise include road, rail and air traffic; industries; construction and public work; and the neighborhood. The main indoor noise sources are ventilation systems, office machines, home appliances and neighbors.¹

A World Health Organization (WHO) report suggests that noise can affect human health and well-being in a number of ways, including annoyance reaction, sleep disturbance, interference with communication, performance effects, and effects on social behavior.

Exposure to noise has also been associated with a range of possible physical effects including colds, changes in blood pressure, other cardiovascular changes, increased doctor/hospital visits, problems with the digestive system and general fatigue. In fact, prolonged exposure to noise levels at or above 80 decibels has been medically proven to cause permanent hearing loss. Eighty decibels is equivalent to the sound produced by an alarm clock at two feet, factory noise, vacuum cleaner, heavy trucks, and loud radio music.

The World Health Organization (WHO) together with the Organization for Economic Coordination and Development (OECD) have developed their own guidelines based on the effects of the exposure to environmental noise. The growth in noise pollution is unsustainable

¹ WHO, (1999). Guidelines for Community Noise, Edited by Birgitta Berglund, World Health Organization, Thomas Lindvall, and Dietrich Schwela. Geneva, April 1999.

because it involves direct, as well as cumulative, adverse health effects. It also adversely affects future generations, and has socio-cultural, esthetic and economic effects.

The Philippines is among the countries that lack a national policy and regulation to combat noise pollution due to lack of methods to define and measure it, and to the difficulty of controlling it.

This bill, therefore, seeks to regulate noise pollution by creating the Noise Pollution Control Board (NPCB) which shall formulate and implement the policies and programs on noise pollution control. This measure also prescribes the standards and criteria in determining any violations on noise pollution and its corresponding penalties.

In view thereof, approval of this Bill is earnestly sought.


RAUL "BOBOY" C. TUPAS

HOUSE OF REPRESENTATIVES
H. No. 2516

Introduced by **Representative Raul C. Tupas**

**AN ACT REGULATING NOISE POLLUTION BY CREATING THE NOISE POLLUTION
CONTROL BOARD (NPCB), PROVIDING FUNDS THEREFOR AND FOR OTHER
PURPOSES**

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

SECTION 1. Short Title. – This Act shall be known as the “Noise Pollution Control
and Abatement Act.”

SECTION 2. Declaration of Policy. – It is hereby declared the policy of the State to
protect and promote the right to health, safety and general welfare of the people by providing
them an environment free from environmental noise due to economic development and
modern technology that disrupt the natural rhythm of life.

SECTION 3. Definition of Terms. – For purposes of this Act, the following terms shall
mean:

- a) “Ambient Noise” – the composite of noise from all sources near and far and in a given
environment, exclusive or occasional and transient intrusive noise sources and of the
particular noise source or sources to be measured;
- b) “Decibel” (dB) – a unit of level which denotes the ration between two quantities which
are proportional to power, the number of decibels corresponding to the ration of two
amounts of power is 10 of this ratio;

- 1 c) "Environmental Noise" – the sound that is emitted in the course of industrial production,
2 construction, transportation and social activities that impairs the living environment of
3 the people;
- 4
- 5 d) "Motor Vehicle" – includes, but not limited to automobiles, trucks, motorcycles, motor
6 bikes and go carts;
- 7
- 8 e) "Noise Emission" – noise discharged from the source to the living environment of the
9 neighborhood;
- 10
- 11 f) "Noise Pollution" – an unwanted human-created sound that disrupts the environment
12 and emitted sporadically or over a period of time; the dominant form of which are
13 derived from transportation sources, motor vehicles, sound system, equipment, tools,
14 apparatus, machinery and the like;
- 15
- 16 g) "Noise-sensitive Structures" – those that require a quiet environment such as
17 hospitals, schools, government offices, research institutions and residential buildings;
- 18
- 19 h) "Octave band noise analyzer" – an instrument for measurement of sound levels in
20 octave frequency band which satisfies the pertinent requirement for class 2 band
21 analyzers of the American National Standards Specifications;
- 22
- 23 i) "Person" – an individual, firm, association, co-partnership, joint venture corporation or
24 any entity, private or public in nature;
- 25
- 26 j) "Sound amplifying equipment" – any machine or device for amplification of the human
27 voice, music or any sound including the following: (1) automobile radios, stereo
28 players, phonographs for television receivers used in or heard only by the occupants
29 of the vehicle in which the same is installed; (2) radio, stereo players, phonographs or
30 television receivers used in a house or apartment within any residential zone or within
31 500 feet thereof; (3) warning devices or emergency vehicles; and (4) horns or other
32 warning devices authorized by law on any vehicle when used for traffic purposes.

1 k) "Sound Level (Noise Level)" – in decibels (dB), is the sound measured with an "A"
2 weighing and slow responses by a sound level meter, except an impulsive or rapidly
3 varying sounds, the fast response shall be used; and

4
5 l) "Sound Level Meter" – an instrument including a microphone, an amplifier, an output
6 meter, and "A" frequency weighing network for the measurement of sound levels;
7

8 **SECTION 4. *Creation of the Noise Pollution Control Board (NPCB).*** – To
9 implement the policies and attain the objectives enunciated under this Act, there is hereby
10 created the Noise Pollution Control Board (NPCB), herein referred to as the "Board" which
11 shall be under the direct supervision of the Environmental Management Bureau (EMB) of the
12 Department of Environment and Natural Resources (DENR) and shall have its principal office
13 at Metro Manila.
14

15 **SECTION 5. *Composition of the NPCB.*** – The Board shall be composed of two (2)
16 Assistant Secretaries of the DENR, as Chairman, and Vice-Chairman, respectively, who shall
17 both be appointed by the President. The following shall be members of the Board:
18

19 a) One (1) representative from the Department of Health (DOH);
20

21 b) One (1) representative from the Department of Transportation (DOTr);
22

23 c) One (1) representative from the Department of Public Works and Highways
24 (DPWH);
25

26 d) One (1) representative from the Department of Interior and Local Government
27 (DILG);
28

29 e) One (1) representative from the Department of Trade and Industry (DTI);
30

31 f) One (1) representative from the Department of Science and Technology (DOST);
32

33 g) One (1) representative from the Department of Labor and Employment (DOLE);
34

- 1 h) One (1) representative from the Housing and Urban Development Coordinating
2 Council (HUDCC);
3

4 **SECTION 6. Powers and Functions of the Board.** The Board shall have the following
5 powers and functions:
6

- 7 a) Formulate and implement such policies and programs necessary for the
8 accomplishment of the purposes of this Act;
9
- 10 b) Set up, revise and/ or modify existing noise standards consistent with economic
11 development and technology;
12
- 13 c) Determine the source, magnitude, extent, severity, causes, effects and other
14 pertinent information regarding noise pollution and take such measures, using
15 available methods and technologies, as it shall deem best to prevent or abate such
16 pollution;
17
- 18 d) Prescribe procedures and criteria for the measurement of sound level;
19
- 20 e) Conduct continuing researches and studies on the effective means for the control
21 and abatement of noise pollution;
22
- 23 f) Develop comprehensive plans for the abatement of existing noise pollution and the
24 prevention of new or imminent pollution, the implementation of which shall be
25 consistent with the national development of the country and indicating priorities
26 and programs;
27
- 28 g) Adopt, prescribe, promulgate and issue rules and regulations governing
29 compliance of the provisions of this Act;
30
- 31 h) Develop and disseminate information and educational materials to all sectors of
32 society concerning public health and other effects of noise and the most effective
33 means for noise control, through the use of materials for school curricula, volunteer
34 organizations, radio and television programs, publication and other social media;

- i) Deputize in writing or request assistance from concerned government agencies or instrumentalities for the purpose of enforcing the provisions of this Act;
- j) Issue, renew or deny permits under such conditions as it may determine to be reasonable for the prevention and abatement of noise pollution;
- k) Impose reasonable fees and charges for the issuance or renewal of permits relative to the compliance of the provisions of this Act; and
- l) Exercise and perform such other powers and functions as may be necessary or incidental to the attainment of the purposes and objectives of this Act.

SECTION 7. *Secretariat of the Board.* – The Board shall establish a Secretariat which shall assist in the implementation of this Act. Its staffing pattern shall be established in coordination with the Department of Budget and Management and in accordance with the Civil Service rules and regulations.

SECTION 8. *General Requirements and Restrictions on Noise Level and Control.*
– The following shall be the general requirements and restrictions on noise level:

- a) Any noise level caused by use or operation of radio, television receiver, musical instrument, phonograph or other similar machine or device which is audible to the human ear shall be at a distance not to exceed 150 feet from the property line of the noise source, within any residential zone or within 500 feet thereof;
- b) Any noise level caused by such use or operation which exceeds the ambient noise level on the premises of any other occupied property, or if a condominium, apartment, house, duplex, or attached business, within an adjoining unit, shall not exceed five (5) decibels; and
- c) The most modern, effective and affordable technology shall be used to control noise emissions.

SECTION 9. Sound Level Measurement Procedure and Criteria. – The following are the sound level measurement procedure and criteria:

a) Any sound level measurement made pursuant to the provisions of this Act shall be measured with a sound level meter using the “A” weighing and response; except when impractical, the microphone shall be located 4 to 5 feet above the ground and 10 feet or more from the nearest reflective surface;

b) If the sound alleged to be offending is of a type or character set forth below:

1. Except for noise emanating from any electrical transformer or gas metering and pressure control equipment existing and installed prior to the effective date of the ordinance enacting this chapter, any steady tone with audible fundamental frequency or overtones have 200 Hz..... +5.

2. Repeated impulsive noise+5.

3. Noise occurring more than 5 but less than 15 minutes in any period of 60 consecutive minutes between the hours of 7:00 a.m. and 10:00 p.m. of any day+5.

c) For those cases where an objectionable noise is clearly audible, but when the level of ambient noise does not permit direct quantitative sound level “A”: measurements of the objectionable noise, sound measurements may be performed utilizing an octave band sound analyzer to determine sound level “A” limits as indicated in the Table below. This table is used to convert the sound pressure level meter readings in dB for each band to SPL in dB (A) for each band.

Table
Octave Band Noise Value Corresponding to Sound Level “A” Values

Octave Band Sound Pressure Level, dB re 0.0002 dyne/ cm

Sound level	Octave Band Center Frequency in Hz								
	31.5	63	125	250	500	1000	2000	4000	8000
"A"	31.5	63	125	250	500	1000	2000	4000	8000
35	58	50	42	35	32	29	26	23	20
40	61	54	46	40	37	34	31	28	25
45	64	58	51	45	42	39	36	33	30
50	67	61	55	50	47	44	41	38	35
55	70	64	60	55	52	49	46	43	40
60	73	68	64	60	57	54	51	48	45
65	76	72	68	65	62	59	56	53	50
70	79	76	73	70	67	64	61	58	55
75	84	81	78	75	72	69	66	63	60

SECTION 10. Criteria/ Standards for Violations of this Act. – In determining any violation of this Act, the following criteria or standards shall be considered:

- a) Level of noise;
- b) Whether the nature of the noise is usual or unusual;
- c) Whether the origin of the noise is natural or unnatural;
- d) Level and intensity of the background noise, if any;
- e) Proximity of the noise to residential sleeping facilities;
- f) Nature and zoning of the area within which the noise emanates;
- g) Density of the inhabitation of the area within which the noise emanates;
- h) Time of the day and night the noise occurs;
- i) Duration of the noise;
- j) Whether the noise is recurrent, intermittent, or constant; and
- k) Whether the noise is produced by a commercial or non-commercial activity.

1 **SECTION 11. *Procedure and Criteria for Sound Level Measurement.*** – Any sound

2 measurement made pursuant to the provisions of this section shall be measured with a sound
3 level meter using the “A” weighing and response as indicated in Section 9 hereof. Except
4 when impractical, the microphone shall be located four (4) to five (5) feet above the ground
5 and ten (10) feet or more from the nearest reflective surface. However, in those cases where
6 another elevation is deemed appropriate, the latter shall be utilized, interior sound level
7 measurements shall be made at a point at least four (4) feet from the wall, ceiling, or floor
8 nearest the noise source. Calibration of the sound level meter, utilizing an acoustic calibrator
9 shall be performed immediately prior to recording any sound level data. The ambient noise
10 level and the level of a particular noise being measured shall be the numerical average of
11 noise measurements taken at a given location during a given time period.

12
13 **SECTION 12. *Prohibited Acts.*** – Any person who willfully make or continue, or cause

14 to be made or continued, any loud, unnecessary and unusual noise which disturbs the peace
15 or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable
16 person of normal sensitiveness residing in the area shall be liable for noise pollution and
17 punishable under this Act.

18
19 The following shall constitute as prohibited acts punishable under this Act:

- 20
21 a) Use or operate any radio, musical instrument, phonograph, television receiver, or
22 other machine or device for producing, reproducing or amplification of the human
23 voice, music, or any other sound, in such a manner as to disturb the peace, quiet,
24 and comfort of the neighbor occupants or any reasonable person residing or
25 working in the area;
- 26
27 b) Operate any air conditioning, refrigeration or heating equipment for any residence
28 or other structure or to operate any pumping, filtering or heating equipment for any
29 pool or reservoir in such manner as to create any noise which would cause the
30 noise level on the premises of any other occupied property or if a condominium,
31 apartment house, duplex, or attached business, within any adjoining unit to exceed
32 the ambient noise level by more than five (5) decibels except when the operation

1 of the equipment, instrument is for emergency work, periodic maintenance or
2 testing or is reasonably necessary;

3
4 c) Operate any lawn mower, back pack blower, lawn edger, riding tractor, or any other
5 machinery, equipment, or other mechanical or electrical device, or any residential
6 zone or within 500 feet of a residence between the hours of 10:00 p.m. and 7:00
7 a.m. of the following day;

8
9 d) Operate or cause to be operated any machinery, equipment, tools, or other
10 mechanical or electrical device or engage in any other activity in such manner as
11 to create any noise which would cause the noise level on the premises of any other
12 occupied property, or, if a condominium, apartment house, duplex, or attached
13 business, within any adjoining unit, to exceed the ambient noise level by more than
14 five (5) decibels;

15
16 e) Use gas powered blower within 500 feet of a residence at any time with the
17 exception of leaf vacuum devices which operate at a sound level not to exceed 45
18 dB(A) at any point that is normally occupied by a customer, unless a conspicuous
19 and legible sign is located outside such place, near each public entrance, stating;

20
21 f) Operate, play, or permit the operation or playing of any radio, television receiver,
22 phonograph, musical instrument, sound amplifying equipment, or similar device
23 which produces, reproduces, or amplifies sound in any place or public
24 entertainment at a sound level greater than 95 dB(A) at any point that is normally
25 occupied by a customer, unless a conspicuous and legible sign is located outside
26 such place, near each public entrance, stating;

27
28 g) Repair, rebuild, reconstruct or dismantle any motor vehicle between the hours of
29 8:00 p.m. of one day and 8:00 a.m. the next day within any residential property
30 located in a residential zone or within 500 feet thereof and that a reasonable person
31 residing in the area experienced discomfort or annoyance and the activity is
32 audible to the human ear at a distance in excess of 150 feet from the property line
33 of the noise;

- 1 h) Create any noise which cause the noise level on the premises of any occupied
2 residential property, or if a condominium, apartment house or duplex, within any
3 adjoining unit, to exceed the ambient noise level by more than five (5) decibels.
- 4
- 5 i) Operate any motor-driven vehicle upon any property or unreasonably accelerate
6 the engine of any vehicle, or sound, blow or operate the horn or other warning
7 device of such vehicle as to disturb the peace, quiet and comfort of any
8 neighborhood or of any reasonable person residing in the area, provided that the
9 activity is audible to the human ear at a distance in excess of 150 feet from the
10 property line of the noise source creating any noise which would cause the noise
11 level on the premises of any occupied residential property, or if a condominium,
12 apartment house or duplex, within any adjoining unit, to exceed the ambient noise
13 level by more than five (5) decibels;
- 14
- 15 j) Sound, blow or operate any music, chimes or bells, or any similar sound device,
16 amplified or otherwise, within 200 feet of any residential building between the hours
17 of 9:00 p.m. and 7:00 a.m. of the next day;
- 18
- 19 k) Install, operate or use any vehicle theft alarm system that emits or causes the
20 emission of an audible sound, which is not, or does not become, automatically and
21 completely silenced within five (5) minutes;
- 22
- 23 l) Use of sound amplifying equipment out of the normal, adequate and tolerable
24 sound level causing public nuisance of loud and unnecessary noise;
- 25
- 26 m) Install, use, or operate a loud speaker or sound amplifying equipment in a fixed or
27 movable position or mounted upon any sound truck for the purpose of giving
28 instructions, directions, talks, addresses, lectures, or transmitting music to any
29 persons or assemblages of persons in or upon any public street, alley, side walk,
30 part or place, or other public property is prohibited between the hours of 4:30 p.m.
31 and 9:00 a.m. of the following day, except when the operation or use of sound
32 amplifying equipment for noncommercial purposes in all residential zones is within
33 500 feet thereof and is used for regularly scheduled operative functions by any
34 school or for the usual and customary purposes of any church. In all other zones

1 and is within 500 feet of any residential zone, the operation or use of sound
2 amplifying equipment for commercial purposes is prohibited between the hours of
3 9:00 p.m. and 8:00 a.m. of the following day;

4
5 n) Modify the exhaust system of a motor vehicle in a manner that shall amplify or
6 increase the noise emitted by the engine of the motor vehicle in excess of the noise
7 emitted by the muffler installed on the motor vehicle in the manufacturer's original
8 design; and

9
10 In all other zones, except such portions thereof as may be included with 500 feet of any
11 residential zone, the operation or use of sound amplifying equipment for noncommercial
12 purposes is prohibited between the hours of 10:00 p.m. and 7:00 a.m. of the following day
13 and the only sounds permitted shall be either music, human speech, or both.

14
15 Sound emanating from sound amplifying equipment shall be limited in volume, tone and
16 intensity when the sound is not audible at a distance in excess of 200 feet from the sound
17 equipment. In no event shall the sound be loud and raucous or unreasonably jarring,
18 disturbing, annoying or a nuisance to reasonable persons of normal sensitiveness within the
19 area of audibility.

20
21 Except as provided in (m) above, no sound amplifying equipment shall be operated upon any
22 property adjacent to and within 200 feet of any hospital grounds or any school or church
23 building while in use.

24
25 **SECTION. 13. Penalties.** – Any person who shall violate any of the provisions of
26 Section 12 hereof, upon conviction, be subject to a fine of not less than Ten Thousand Pesos
27 (P10,000) but not more than Fifty Thousand Pesos (P50,000) or imprisonment of not less
28 than two (2) months but not more than one (1) year, or both, upon the discretion of the court.

29
30 In case any violation of this Act is committed by a partnership, corporation, association
31 or any juridical person, the partner, president, director or manager who consents to or
32 knowingly tolerates such violation shall be held liable as co-principal.

1 **SECTION. 14. *Formulation of a Comprehensive Anti-Noise Pollution Program.* –**

2 There shall be a comprehensive program to be formulated by the Department of Environment
3 and Natural Resources, Department of Health, and the Department of Public Works and
4 Highways, in coordination with other concerned government agencies and private entities,
5 within one (1) year from the effectivity of this Act.

6
7 **SECTION. 15. *Implementing Rules and Regulations.* –** The Secretary of the DENR,

8 in coordination with the DOH, DILG, DOLE, DPWH, HUDCC shall, within thirty (30) days from
9 the effectivity of this Act, promulgate the rules and regulations to implement its provisions.

10
11 **SECTION. 16. *Appropriations.* –** To implement the provisions of this Act, such

12 amount as may be necessary is hereby authorized to be appropriated from the National
13 Treasury. Thereafter, the amount necessary for its operation shall be included in the annual
14 appropriations of the DENR.

15
16 **SECTION. 17. *Separability Clause.* –** If any provisions or part hereof, is declared

17 invalid or unconstitutional, the remainder of the law not otherwise affected shall remain valid
18 and subsisting.

19
20 **SECTION. 18. *Repealing Clause.* –** Any law, presidential decree or issuance,

21 executive order, letter of instruction, administrative order, rule or regulation contrary to or
22 inconsistent with the provisions of this Act is hereby repealed, modified or amended
23 accordingly.

24
25 **SECTION. 19. *Effectivity Clause.* –** This Act shall take effect fifteen (15) days after

26 its publication in at least two (2) newspapers of general circulation.

27
28 Approved,