

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **4181**



Introduced by **HON. GUS S. TAMBUNTING**

EXPLANATORY NOTE

This piece of legislation seeks to reduce or minimize the use of plastic bags which destroy the environment. This Act shall be known as "The Plastic Bag Recycling Act of 2016."

What's wrong with plastic bags? Plastics bags are seen as a symbol of a wasteful society as they are a form of packaging that is often not essential.

Plastic bags are a problem for various reasons. Plastic carryout bags and film plastic are not biodegrade. The bags break down into smaller and smaller toxic bits that contaminate soil and waterways.

There are many efforts being made around the world to combat this problem and reduce the use of these bags. As a single use disposable form of packaging, plastic bags are typically used for a short period of time but take hundreds of years to break down in landfill. Plastic bags are an extremely visible and unsightly component of litter. If plastic bags continue to be used, the number of bags littering the environment will increased over time.

Salient provisions of this proposal requires that retailers establish an at-store recycling program and to offer reusable bags (such as canvas or cloth).

This representation further finds and determines that we must reduce the use of plastic bags and encourage the use of reusable bags in order to reduce and decrease litter and benefit the environment.

The proposed recycling program furthers and favors programs that maximize material reuse and recycling and programs that use energy efficient recycling processes.

More so, it is policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

Hence, urgent passage of this legislation is urgently sought.


GUS S. TAMBUNTING

FACTS AND FIGURES

Which bags are proposed to be banned?

Light-weight plastic bags made of polyethylene polymer with a thickness of less than 35 microns (a micron is 1000th of a millimetre). These bags are generally used by supermarkets and take-away food outlets.

Which bags will not be banned?

- Barrier bags - the type dispensed from a roll to hold items such as loose fruit and vegetables
- Heavier style retail bags (boutique bags) - the type usually used by clothing and department stores
- Bags designed for multiple use such as 'green' bags
- Compostable bags that meet the Australian Standard and paper bags
- Bin liners for purchase

What about degradable bags?

A range of bags claim to be degradable in different conditions. Some degradable bags are made partly or wholly of polyethylene. Only **compostable** biodegradable bags are excluded from the proposed ban. These bags are usually made of some form of starch or other compostable material.

Plastic bag bans around the world

South Australia joins an increasing number of countries that already restrict plastic shopping bags or plan to do so:

AFRICA: Rwanda and Eritrea banned the bags outright, as has Somaliland, an autonomous region of Somalia. South Africa, Uganda and Kenya have minimum thickness rules, and Ethiopia, Ghana, Lesotho and Tanzania are considering similar measures.

BANGLADESH: The first large country to ban bags in 2002. Bangladesh blamed millions of discarded bags for blocking drains and contributing to floods that submerged much of the country in 1988.

BHUTAN: The isolated Himalayan country banned plastic shopping bags, street advertising and tobacco in 2007, as part of its policy of foster "Gross National Happiness".

CHINA: The ban on ultra-thin bags that goes into force on June 1 will cut pollution and save valuable oil resources, the State Council, or cabinet, says. In May 2007 Hong Kong proposed a 50 cent "polluter pays" levy on plastic shopping bags.

ENGLAND: In May 2007 the village of Modbury in south Devon became Europe's first plastic bag-free town, selling reusable and biodegradable bags instead. London's 33 councils plan to ban ultra-thin bags from 2009 and tax others.

FRANCE: In 2005, French lawmakers voted to ban non-biodegradable plastic bags by 2010. The French island of Corsica became the first to ban plastic bags in large stores in 1999.

INDIA: The western State of Maharashtra banned the manufacture, sale and use of plastic bags in August 2005, after claims that they choked drains during monsoon rains. Other states banned ultra-thin bags to cut pollution and deaths of cattle, sacred to Hindus, which eat them.

IRELAND: A plastic bag tax was passed in 2002. The tax created an initial 90 percent drop in bag use, according to the Environment Ministry, through usage gradually rebounded.

ITALY: Outright ban to be introduced from 2010.

TAIWAN: A partial ban in 2003 phased out free bags in department stores and supermarkets and disposable plastic plates, cups and cutlery from fast outlets. Most stores charge people who don't bring their own T\$1 (\$0.03).

UNITED STATES: San Francisco became the first and only US city to outlaw plastic grocery bags in April 2008. The ban is limited to large supermarkets.

Source: Planet Ark, May 28, 2008

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AN ACT
INSTITUTIONALIZING THE CREATION OF "THE PLASTIC BAG RECYCLING ACT
OF 2016" AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* – This Act shall be known as "The Plastic Bag Recycling Act of 2016."

SECTION 2. *State Policy.* – It is the policy of the State to protect and advance the rights of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

SECTION 3. *Purpose.* – To encourage the use of reusable bags amongst consumers and retailers and to reduce the consumption of single-use bags, and to require an at-store recycling program for plastic bags.

SECTION 4. *Objective.* – To determine and implement programs that maximize material reuse, recycling and programs that use energy efficient processes.

SECTION 5. *Coverage.* – A retail establishment that provides plastic carryout bags to its customers as a result of the sale of consumer goods.

SECTION 6. *At-Store Recycling Program.* – The operator of a store shall establish an at-store recycling program pursuant to the provisions of this Act that provides an opportunity for the public to return to the store plastic carryout bags from retail store or any other retail source.

SECTION 7. *Penalties.* – Any operator who violates any provision of this article shall be punished by a fine not to exceed P100,000.00 for a first offence; by a fine not to exceed P150,000 for a second offence; and by a fine not to exceed P200,000 for a third and each subsequent offence committed in any twelve-month period. Each day that an operator fails to comply with this article shall constitute a separate and distinct violation.

SECTION 8. *Implementing Rules and Regulations.* – The Department of Environment and Natural Resources (DENR) together with the stakeholders and other

related government agencies and entities shall promulgate the rules and regulations as it deems necessary and appropriate for the implementation and enforcement of the provisions of this Act.

SECTION 9. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, presidential proclamation, rules, regulations or parts thereof inconsistent with the provisions of this Act, are hereby repealed, modified, or amended accordingly.

SECTION 10. *Separability Clause.* – If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SECTION 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,