



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 2967

Introduced by TGP Party-list Representative Jose "Bong" J. Teves, Jr.

EXPLANATORY NOTE

In 2017 and 2018, the Philippines became a dumping site of imported trash, particularly from Canada and South Korea. These two incidents of trash dumping indicate that the Philippines is well in the path of the so-called "global waste trade."

Pursuant to our Constitutional duty and intergenerational responsibility to protect and advance the right of the people to a balance and healthful ecology, and considering our own trash problems, this bill, which is a counterpart of Senate Bill No. 18 filed by Senator Franklin M. Drilon, proposes a complete ban on waste importation in the Philippines. By completely banning the importation of waste, we prevent the Philippines from being a dumping site of more advanced economies. Also, this will aid our country's desire to address the current dismal state of accumulation of waste in our land and waters, which endangers our environment and the health of its people. Without a complete ban in place, the Philippines should expect more foreign waste arriving at our shores.

In view of the foregoing, the urgent passage of this bill is earnestly sought.

JOSE "BONG" J. TEVES, JR.
Representative, TGP Party-list



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AN ACT PROHIBITING AND PENALIZING THE IMPORTATION OF WASTE

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

1 **Section 1. Short Title.** – This law shall be known as the "Waste Importation
2 Ban Act of 2019".

3 **Sec. 2. Declaration of Policy.** – It is hereby declared the policy of the State
4 to prohibit and impose a complete ban of waste importation into the Philippine
5 territory to prevent environmental pollution caused by such waste, and in order to
6 safeguard human health, maintain ecological safety, and promote the sustainable
7 development of the economy and society.

8 **Sec. 3. Importation Prohibition of All Kinds of Waste or Scrap**
9 **Including Recyclable Materials.** – The importation of all kinds of waste or scrap,
10 including recyclable materials, is hereby prohibited. Importer registration and
11 importation clearances issued by government agencies under existing laws and
12 regulations shall be cancelled and no new applications shall be accepted.

13 **Sec. 4. Scope.** - This Act shall cover the importation of all waste into the
14 Philippine territory. For purposes of this Act, importation shall include the entry, even
15 in transit, as well as the keeping or storage of waste, into the Philippine territory for
16 whatever purpose.

17 **Sec. 5. Waste, defined.** – As used in this Act, waste shall mean:

- 18 a. Scrap metals;
- 19 b. Scrap solid plastic materials;
- 20 c. Electronic assemblies and scrap, including used or second-hand electrical
21 and electronic equipment, and electronic components containing
22 hazardous substances;
- 23 d. Scrap papers;
- 24 e. Solid plastic waste materials, including homogenous and sorted plastic
25 materials;
- 26 f. Used oil, including waste oil or oil residues;
- 27 g. Fly ash from coal-fired power plants;
- 28 h. Incinerator ash or slag;
- 29 i. Municipal wastes/processed engineered fuel (PEF);
- 30 j. Refuse derived fuel (RDF);
- 31 k. Solid recovered fuel (SRF);
- 32 l. Neutralized phosphogypsum;
- 33 m. Other hazardous, toxic and nuclear wastes as defined under Republic Act
34 No 6969 otherwise known as Toxic Substances and Hazardous and
35 Nuclear Waste Control Act;
- 36 n. Other solid waste as defined under RA 9003 or Ecological Solid Waste
37 Management Act; and
- 38 o. Other similar waste as may be defined by the Department of Environment
39 (DENR).

40 The Department of Environment and Natural Resources (DENR) shall release
41 a complete list of banned materials within thirty (30) days from this Act's effectivity.
42 The failure of the Secretary of DENR to promulgate the said list shall not prevent the
43 implementation of this Act upon effectivity.

44 **Sec. 6. Fines and Penalties.** – Any person who misdeclares or imports or
45 brings into the Philippine territory any waste covered by this Act, or assists in so
46 doing, or shall receive, conceal, buy, sell or in any manner facilitate the
47 transportation, concealment, or sale of such goods after importation, or violates any
48 other provision of this Act or the rules and regulations issued pursuant thereto, shall
49 be penalized by imprisonment of not less than eight (8) years and one (1) day but
50 not more than twelve (12) years, or a fine of not less than One Million Five Hundred
51 Thousand Pesos (P1,500,000.00) but not more than Fifteen Million Pesos
52 (P15,000,000.00), or both.

53 If the offender is a foreigner, the offender shall be deported and barred from
54 any subsequent entry into the Philippines after service of sentence.

55 If the offender is a corporation, association, or other entity, the penalty shall
56 be imposed upon the president, chief executive officer, general manager, or
57 managing partner, in addition to the payment of an exemplary damage of at least
58 One Million Pesos (P1,000,000.00). If it is a foreign corporation, association, or other
59 entity, all its responsible officers shall be deported and/or barred from entry into the
60 Philippines, in addition the cancellation of its license to do business in the
61 Philippines.

62 If the offender is a government official or employee, the penalties of
63 automatic dismissal from office and permanent disqualification from holding any
64 elective or appointive position shall be imposed, in addition to the penalties provided
65 herein.

66 The prohibited imported waste shall be sent back to the country of origin at
67 the expense of the consignor, importer and/or person or entity who willfully
68 participated in the prohibited act.

69 **Sec. 7. Implementation of Strict Importation Monitoring and**
70 **Regulatory System.** - The DENR, together with the Bureau of Customs, shall
71 implement a strict monitoring system of importation to ensure that no waste is
72 brought into the Philippine territory under false declarations or otherwise.

73 **Sec. 8. Separability Clause.** - If any provision of this Act is declared
74 unconstitutional or invalid, the provisions not affected thereby shall continue to be in
75 full force and effect.

76 **Sec. 9. Repealing Clause.** -All laws, decrees, orders, rules and regulations
77 inconsistent with the provisions of this Act are hereby repealed, amended or
78 modified accordingly.

79 **Sec. 10. Effectivity.** - This Act shall take effect fifteen (15) days after its
80 publication in the Official Gazette or in a newspaper of general circulation.

Approved,