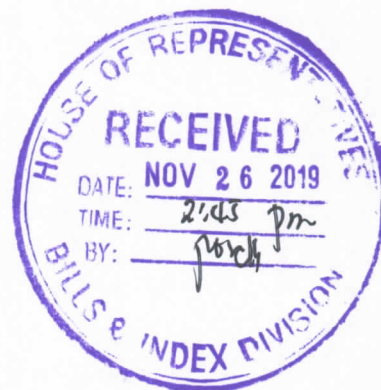


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
1st Regular Session

House Bill No. 5623



Introduced by Representatives ERIC GO YAP and PAOLO Z. DUTERTE

EXPLANATORY NOTE

The Philippines' plastic dependent economy is evidently parallel to the poverty by which much of its population is experiencing. The country's vast dependence on single use plastic is linked to the logic that when you buy commodities in smaller quantities, you are able to save more because it is cheaper. This way of thinking, however, is not true in all cases. Single use plastic at the outset may seem like it is the most economically viable option but it is only momentary, as slowly and surely, it will be more and more detrimental to our environment and to our health.

Single use plastics include sachets, sando bags, straws, stirrers, water and soda bottles, among many. These do not disintegrate in any person's lifetime yet the consumption of each person in a single day is plentiful and it is alarming. In cases where single use plastic does disintegrate, it is almost always not to its full extent because it only transforms as a microplastic, a health hazard to us all.

In October 2012, Quezon City fully implemented its Plastic Reduction Ordinance (Quezon City Ordinance No. SP-2140). Although it is among the first of its kind, this Ordinance should be considered as a band-aid solution to the evident lack of regulation on the production and distribution of plastic. This ordinance only focused on sando bags used for shopping in groceries and markets. The problems which this ordinance seeks to answer is only the tip of the iceberg to the whole spectrum of problems which plastic as a whole has caused and cost us.

It is high time that the nationwide ban on the use of single use plastic be mandated. The ban on single use plastic should be the stepping stone on the ban of plastics as a whole as it is detrimental to the environment and to society.


ERIC GO YAP


PAOLO Z. DUTERTE

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**AN ACT BANNING THE USE OF SINGLE-USE PLASTICS
NATIONWIDE TO ELIMINATE PLASTIC POLLUTION
IN THE PHILIPINES**

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 “Nationwide Single-Use Plastic Ban Act.”

SECTION 2. *Declaration of Policy.* – It is the duty of the State to ensure that its people have a safe place to live in. The protection of the environment must be given the utmost priority in policy and practice. Plastic pollution has been a major driver in the destruction of our oceans and the uncleanness of surroundings. This problem also extends in our food sources as these are affected by our plastic waste. Single-use plastics in the country serve to be detrimental and have far-reaching consequences. It is the State’s responsibility to propose and to implement possible solutions to solve this problem.

To this end. The State shall adopt a nationwide ban of single-use plastics and promote alternative methods towards sustainable development.

SECTION 3. Nationwide ban of Single-Use Plastics and Transition Program. – A nationwide ban of all single-use plastics shall be implemented within one (1) year upon the effectivity of this Act. All schools, supermarkets, shops, hotels, establishments, government offices, and industries shall implement this ban in all processes of production, distribution, consumption, and other activities that may include the use of single-use plastics. A transition program shall also be undertaken to help all concerned individuals and industries in implementing the ban. The program shall include but are not limited to the following objectives:

a. Ban all single-use plastics nationwide within the given time period. Failure to comply shall be penalized as prescribed under Section 10 of the Act.

b. Prohibit production of single-use plastics within the given time period. Failure to comply shall be penalized as prescribed under Section 10 of this Act.

c. Research and develop sustainable and cheap alternative methods, packaging, and processing of products using single-use plastics.

d. Explore and recommend good practices that can be adapted across all sectors.

e. Replace all single-use plastics to eco-friendly and sustainable alternatives.

f. Restrict importation of single-use plastics. Failure to comply shall be penalized as prescribed under Section 10 of this Act.

g. Monitor and regulate plastic recycling of existing single-use plastics and develop the recycling sector.

h. Raise awareness of the single-use plastic ban in schools, households, and workplaces and promote different sustainable practices through different media.

The program shall be developed and monitored by a multi-stakeholder committee under Section 5 of this Act.

SECTION 4. Multi-stakeholder Committee for the Nationwide Single-Use Plastic Ban and Transition Program. – To ensure the effective implementation of the program, the Department of Science and Technology (DOST), the Department of Trade and Industry (DTI), the Department of Environment and Natural Resources (DENR), the Department of Education (DepEd), the Commission on Higher Education (CHED), the National Economic Development Authority (NEDA), Bureau of Customs (BOC), the Department of Finance (DOF), the Department of Information and Communications Technology (DICT), the Securities and Exchange Commission (SEC), local government units, academe representatives across the region, industry representatives (hospitality, manufacturing, enterprise, etc.), representatives from non-government organizations, and representatives from civil society shall develop and formulate accurate guidelines and appropriate mechanism for the transition program and the nationwide ban of single-use plastics. The Committee shall also manage other concerns that may arise from this Act.

SECTION 5. Incentives for Compliant / Establishments and Industries. Companies, Establishments, Schools, Industries, and other entities

that have complied with the ban and program within the given time period shall be subject to incentives and tax rebates under reasonable conditions. This shall be determined by the Committee under Section 5 of this Act.

SECTION 6. Support for Sustainable Business Initiatives, Research and Development, and Promotion of the Recycling Sector. Tax incentives shall be provided to companies willing to invest in plastic recycling equipment or in manufacturing of eco-friendly alternatives. Academe and other similar firms shall also be given support and/or grants for research and development of eco-friendly and sustainable alternatives to single-use plastics. Businesses in the recycling sector shall be given access to financial, infrastructural, technical, and knowledge support from the government. These measures shall be determined by the Committee under Section 5 of this Act.

SECTION 7. Declaration of Plastic Products and Regulation for New Businesses. Existing single-use plastics of companies and industries under this Act shall be declared and shall be recycled accordingly. The production of new single-use plastics outside the declared data after the given time period shall be penalized under Section 10 of this Act. New businesses that will be registered under relevant agencies upon the effectivity of this Act shall already adopt a no single-use plastic policy. Other standards and regulations shall be determined by the Committee under Section 10 of this Act.

SECTION 8. Continuing Multi-stakeholder Consultations on Good Practices. - The Committee, together with other industry representatives shall hold annual meetings, consultations, and knowledge-sharing for a period of five (5) years upon the effectivity of this Act. This shall be an avenue to discuss the impact of the ban, explore new initiatives, and facilitate the adaptation of effective mechanism in different industries.

SECTION 9. Penal Provisions. - The following are the imposed penalties of those in violation of the Act herewith:

1. Establishments using single-use plastics after the given time period and outside its declared data: A fine of fifty thousand pesos (50,000) for the first offense. A fine of one hundred thousand pesos (P100,000) and the suspension of their business permits and registrations under relevant agencies for a period of six (6) months for the second offense. A fine of two hundred thousand pesos (P200,000) and the suspension of their business permits and registrations under relevant agencies for a period of one (1) year for the third offense.

2. Companies' production of single-use plastics after the given time period: A fine of one hundred thousand pesos (P100,000) for the first offense. A fine of two hundred fifty thousand pesos (P250,000) and the suspension of

their business permits and registrations under relevant agencies for a period of one and a half (1.5) years for the second offense. A fine of three hundred fifty thousand pesos (350,00) and the cancellation of their business permits and registrations under relevant agencies.

3. Importation of single-use plastics by companies: A fine of two hundred thousand (200,000) and the suspension of their business permits and registrations under relevant agencies for a period of two (2) years for the offense. After the suspension is lifted, the company shall be black-listed by the Bureau of Customs from trading for a period of six (6) months. A fine of four hundred thousand (400,000) and the cancellation of their business permits and registrations under relevant agencies for the second offense.

SECTION 10. Fund Sources. – The amounts necessary to implement this Act shall be included in the annual General Appropriations Act.

SECTION 11. Implementing Rules and Regulations. – Within sixty (60) days from the effectivity of this Act, the promulgate the necessary rules and regulations to implement this Act.

SECTION 12. Separability Clause. – If for any reason or reasons, part of the provision of this Act shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 13. Repealing Clause. – All laws, decrees, orders, rules, and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 14. Effectivity Clause – This Act shall take effect fifteen (15) days following its publication in the Official Gazette and at least two (2) newspapers of general circulation.

Approved,