

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6022

Introduced by CIBAC Party-List Representatives
Eduardo "Bro. Eddie" C. Villanueva and Domingo C. Rivera

**AN ACT ENSURING SAFE DRINKING WATER,
AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 856,
OTHERWISE KNOWN AS THE CODE ON SANITATION OF THE
PHILIPPINES AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The Philippines is blessed with copious amount of water with a total annual renewable water resources of 479 billion cubic meters (m^3) from its surface water and groundwater sources. This translates into an annual per capita availability of about $6,100\ m^3$, which is twice that of the rest of Asia, and six times the global scarcity threshold of $1,000\ m^3$.¹

Ironically, however, as of 2017, around 8.5 million Filipinos still have no access to clean drinking water, and have to rely on unimproved, unsafe and unsustainable water sources, according to the National Water Resource Board.

Aside from access to clean water, water contamination remains a pressing issue, with heavy inorganic pollutants present in drinking water sources. According to

¹ Philippines: Water Supply and Sanitation Sector Assessment, Strategy, and Road Map. Mandaluyong City, Philippines: Asian Development Bank, 2013.

environmental organization Greenpeace, five out of 18 artesian wells in Benguet and Bulacan were found to contain nitrate levels well above the safety limit set by the World Health Organization.² Inorganic contaminants such as nitrate may cause serious health problems to the population, and may even lead to death.³ For example, in 2011, 11 people from Barangay Valencia, Cebu died due to typhoid fever after drinking water from unsafe water sources.⁴

Thus, prolonged inaction on this issue may lead to a rise in foodborne and waterborne diseases. According to Elizabeth Dowdeswell, the Executive Director of the United Nations Environment Program, "an estimated one-half of people in developing countries are suffering from diseases caused either directly by infection through the consumption of contaminated water or food, or indirectly by disease-carrying organisms such as mosquitoes, that breed in water."⁵ In the case of the Philippines, 50% of typhoid cases are due to water pollution, sanitation conditions and hygiene practices. In fact, from January to April 2018 alone, the Department of Health recorded 5,455 cases of typhoid fever that resulted in 10 reported cases of death.⁶

Given this, it is imperative that the State play an active role in ensuring all Filipinos have safe and potable drinking water by implementing a comprehensive management program on water safety planning, including water quality surveillance, adoption of risk management strategies for the protection of water supply systems, and the use of appropriate tools and instruments to properly monitor and enforce quality drinking water standards. This bill seeks to amend the existing provisions of the Sanitation Code of the Philippines on water supply. Among others, it requires the physical, bacteriological and general systematic chemical and over-all examination of water quality every two months. The result of such testing must be submitted to the Department of Health (DOH) for appropriate action and to the consumers so that they will be properly apprised of the quality of the water they are consuming.

This bill also requires all water service providers to prepare a water safety plan, and submit the same to the DOH for approval. They shall also furnish their customers

² 2018, March 8. When water causes diseases and deaths. Retrieved from: <https://businessmirror.com.ph/2018/03/08/when-water-causes-diseases-and-deaths/> (date last accessed: July 9, 2019).

³ *Id.*

⁴ *Id.*

⁵ *Id.*

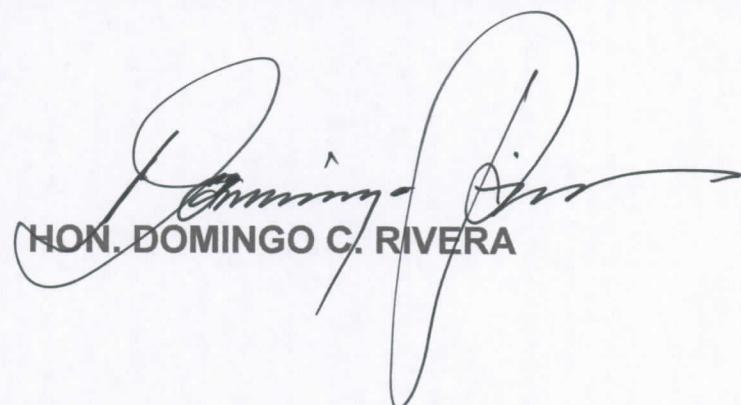
⁶ Food and Waterborne Diseases Monthly Surveillance Report No. 4. Department of Health. January to April 2018. Retrieved from: <https://www.doh.gov.ph/sites/default/files/statistics/2018%20Food%20and%20Water%20Borne%20Diseases%20Morbidity%20Week%201-21.pdf> (date last accessed: July 11, 2019).

an annual consumer confidence report which must include information regarding their current treatment techniques, monitoring procedures, and level of contaminants in the water system, among others.

The immediate passage of this bill is earnestly sought.



HON. EDUARDO "BRO. EDDIE" C. VILLANUEVA


HON. DOMINGO C. RIVERA

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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 "Safe Drinking Water Act."

2
3 **SECTION 2. Declaration of Policy.** – The State shall pursue a policy of ensuring the
4 health of the Filipino people through the provision of safe drinking water. Towards this
5 end, the State shall promote the use of appropriate tools and instruments and control
6 mechanisms and adopt risk management strategies for the protection of the entire
7 water supply system against contamination that will adversely affect human health.
8 The State shall also implement a comprehensive management program on water
9 safety planning including water quality surveillance that ensures the safety of drinking
10 water in all settings and ensure compliance with national standards for drinking water
11 and other environmental laws affecting drinking water quality.

12
13 **SECTION 3.** Section 11 of Presidential Decree No. 856 is hereby amended to read
14 as follows:

15
16 **Section 11. Types of Water Examinations Required**

17
18 The following examinations are required for drinking water:

1 (a) Initial examination. The physical, chemical and bacteriological examinations
2 of water from newly constructed systems or sources are required before they
3 are operated and opened for public use. Examination of water for possible radio-
4 active contamination should also be done initially.
5

6 (b) Periodic examination. Water from existing sources is subject to PHYSICAL,
7 CHEMICAL, bacteriological AND OVER-ALL QUALITY examination as often as
8 possible but the interval shall not be longer than [six] TWO months, [while
9 general systematic chemical examination shall be conducted every 12 months
10 or oftener. Examination of water sources shall be conducted yearly for possible
11 radioactive contamination,] UNLESS OTHERWISE REQUIRED BY THE
12 DEPARTMENT THROUGH APPROPRIATE REGULATIONS; PROVIDED,
13 THAT NOTHING HEREIN SHALL RESTRICT THE DEPARTMENT FROM
14 CONDUCTING RANDOM WATER QUALITY EXAMINATION AS OFTEN AS IT
15 MAY DEEM NECESSARY AND PROPER.
16

17 **SECTION 4.** New Section 11-A and Section 11-B of Presidential Decree No. 856 are
18 hereby inserted to read as follows:

19 **SECTION 11-A. PERMITS REQUIRED**

20 DRINKING WATER SERVICE PROVIDERS, WATER LABORATORIES AND
21 OTHER ESTABLISHMENTS WITH DRINKING WATER SYSTEMS CATERING
22 TO THE PUBLIC SHALL BE REGISTERED WITH THE DEPARTMENT. FOR
23 THIS PURPOSE, THE FOLLOWING PERMITS SHALL BE SECURED FROM
24 THE DEPARTMENT OR LOCAL HEALTH AUTHORITIES, AS THE CASE MAY
25 BE:
26

- 27 a) CERTIFICATE OF POTABILITY OF DRINKING WATER TO OBTAINED
28 BY DRINKING WATER SERVICE PROVIDERS;
29
30 b) CERTIFICATE OF ACCREDITATION TO BE OBTAINED BY ALL WATER
31 LABORATORIES AND TRAINING INSTITUTIONS THAT SHALL
32 PARTICIPATE IN THE DRINKING WATER SAFETY PROGRAM;
33
34 c) CERTIFICATE OF PRODUCT REGISTRATION OF WATER SUPPLY
35 MATERIALS, APPURTENCES, TREATMENT TECHNOLOGIES OR
36 DEVICES TO BE OBTAINED BY ALL ENTITIES ENGAGED IN THE
37 PROVISION OF DRINKING WATER SUPPLY TO THE PUBLIC;
38
39 d) CERTIFICATE OF PROFICIENCY TO BE OBTAINED BY ALL
40 INDIVIDUALS WHO WILL CONDUCT CAPACITY BUILDING ACTIVITIES
41 ON WATER QUALITY ANALYSIS, WATER QUALITY TREATMENT,
42 WATER QUALITY MONITORING AND WATER SAFETY PLANNING
43 FROM THE DEPARTMENT;
44
45 e) CERTIFICATE OF WATER SAFETY PLAN ACCEPTANCE;
46
47 f) DRINKING WATER SITE CLEARANCE TO BE OBTAINED BY ALL
48 PERSONS OR ENTITIES INTENDING TO DEVELOP A DRINKING
49
50

1 WATER SYSTEM FOR PUBLIC CONSUMPTION; PROVIDED, THAT NO
2 DRINKING WATER SYSTEM SHALL BE INSTALLED AND OPERATED
3 WITHOUT SUCH CLEARANCE;

- 4 g) OPERATIONAL PERMIT, WHICH MUST BE OBTAINED BEFORE
5 USING A DRINKING WATER SYSTEM;
6
7 h) SANITARY CLEARANCE FOR ALL WATER DELIVERY VEHICLES,
8 MOBILE WATER TANKERS AND SIMILAR VEHICLES, INCLUDING ITS
9 APPURTENANCES.

10 COVERED ESTABLISHMENTS SHALL ALSO REGISTER PORTABLE
11 WATER TEST KITS AND WATER TREATMENT TECHNOLOGY OR DEVICES
12 WITH THE DEPARTMENT.

13
14 **SECTION 11-B. WATER SAFETY PLAN**

15 WITHIN ONE (1) YEAR FROM THE EFFECTIVITY OF THIS ACT, ALL
16 DRINKING WATER SERVICE PROVIDERS SHALL DEVELOP WATER
17 SAFETY PLANS FOR THEIR WATER SUPPLY SYSTEMS, AND ENSURE ITS
18 IMPLEMENTATION AFTER ITS APPROVAL. AN APPROVED WATER
19 SAFETY PLAN SHALL BE VALID FOR THREE YEARS, UNLESS
20 SUSPENDED OR SOONER REVOKED BY THE DEPARTMENT.

21 FOR THIS PURPOSE, THE DEPARTMENT SHALL DEVELOP TOOLS,
22 STANDARDS AND GUIDELINES FOR WATER SAFETY PLAN PROCESSES
23 AND SUPPORT SERVICES.

24
25 **SECTION 5.** Section 12 of Presidential Decree No. 856 is hereby amended to read
26 as follows:

27
28 **Section 12. Examining Laboratories and Submission of Water Samples**

29 The examination of drinking water shall be performed only in private or
30 government laboratories duly accredited by the Department. THE
31 DEPARTMENT SHALL PRESCRIBE APPROPRIATE GUIDELINES WITH
32 RESPECT TO THE CONDUCT, MANNER AND MEASURES REQUIRED FOR
33 THE EXAMINATION OF DRINKING WATER QUALITY.

34 It is the responsibility of operators of water systems to submit to accredited
35 laboratories water samples for examination in a manner and at such intervals
36 prescribed UNDER SECTION 11 OF THIS ACT OR by the Department
37 THROUGH APPROPRIATE REGULATIONS.

38
39 THE RESULTS OF SUCH MONITORING SHALL BE SUBMITTED TO THE
40 DEPARTMENT FOR APPROPRIATE ACTION, AND TO THE CONSUMERS
41 CONCERNED. THE SAME SHALL ALSO BE POSTED CONSPICUOUSLY IN
42 THE ESTABLISHMENT.

1 IN THE EVENT THAT THE ESTABLISHMENT FAILS TO COMPLY WITH AN
2 APPLICABLE MAXIMUM CONTAMINANT LEVEL, OR FAILS TO COMPLY
3 WITH THE TREATMENT TECHNIQUE REQUIRED BY THE DEPARTMENT,
4 OR FAILS TO PERFORM SUCH MONITORING, THE DEPARTMENT SHALL
5 BE AUTHORIZED TO ORDER THE IMMEDIATE SUSPENSION OF THE
6 OPERATIONS OF THE ESTABLISHMENT OR TAKE OTHER STEPS AS MAY
7 BE NECESSARY TO ENSURE THE SAFETY OF DRINKING WATER.

8 THE DEPARTMENT SHALL PROMPTLY NOTIFY THE PUBLIC OF SUCH
9 OCCURRENCE, AT THE EXPENSE OF THE CONCERNED
10 ESTABLISHMENT. THE NOTICE SHALL CONSIST OF, BUT NOT LIMITED
11 TO, THE FOLLOWING:

- 13 a) NATURE OF THE VIOLATION;
- 14 b) CONTAMINANT LEVEL OF WATER SUPPLY;
- 15 c) POTENTIAL HEALTH EFFECTS TO THE POPULATION;
- 16 d) POPULATION AT RISK;
- 17 e) STEPS BEING TAKEN TO CORRECT VIOLATION;
- 18 f) TELEPHONE NUMBER OR CONTACT NUMBER OF THE OWNER,
19 OPERATOR OR DESIGNEE OF THE PUBLIC WATER SYSTEM;
- 20 g) NECESSITY OF SEEKING ALTERNATIVE WATER SUPPLIES; AND
- 21 h) PREVENTIVE MEASURES THAT SHALL BE TAKEN BY CONSUMERS
22 UNTIL THE VIOLATION IS CORRECTED.

31 **SECTION 6.** A new Section 12-A is hereby inserted to read as follows:
32

33 **SECTION 12-A. CONSUMER CONFIDENCE REPORT**

34

35 A DRINKING WATER SERVICE PROVIDER SHALL FURNISH ITS
36 CUSTOMERS AN ANNUAL REPORT ON THE QUALITY OF THE DRINKING
37 WATER IT PROVIDES AND THE CONTAMINANTS, IF ANY, FOUND
38 THEREIN.

39 THE ANNUAL REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE
40 FOLLOWING:

- 43 a) INFORMATION ON THE SOURCE OF THE WATER DISTRIBUTED;
- 44 b) ENUMERATION OF PRIMARY PARAMETERS INDICATED BY THE
45 PHILIPPINE NATIONAL STANDARDS FOR DRINKING WATER
46 (PNSDW);
- 47 c) MAXIMUM CONTAMINANT LEVEL INDICATED BY PNSDW;

- 1
- 2 d) CURRENT TREATMENT TECHNIQUES UTILIZED BY THE DRINKING
- 3 WATER SERVICE PROVIDER;
- 4
- 5 e) MONITORING PROCEDURES UTILIZED BY THE DRINKING WATER
- 6 SERVICE PROVIDER;
- 7
- 8 f) LEVEL OF CONTAMINANT IN THE WATER SYSTEM WITHIN THE
- 9 YEAR;
- 10
- 11 g) ANY CONTAMINANT FOR WHICH THERE HAS BEEN A VIOLATION OF
- 12 THE MAXIMUM CONTAMINANT LEVEL DURING THE YEAR
- 13 CONCERNED, AND A BRIEF STATEMENT IN PLAIN LANGUAGE
- 14 REGARDING THE HEALTH CONCERNs THAT RESULTED IN THE
- 15 REGULATION OF THE CONTAMINANT, AS PROVIDED BY THE
- 16 DEPARTMENT;
- 17
- 18 h) INFORMATION ON THE LEVELS OF UNREGULATED CONTAMINANTS
- 19 IDENTIFIED BY THE DEPARTMENT;
- 20
- 21 i) A STATEMENT THAT THE PRESENCE OF CONTAMINANTS IN THE
- 22 DRINKING WATER DOES NOT NECESSARILY INDICATE THAT THE
- 23 DRINKING WATER POSES A HEALTH RISK AND THAT MORE
- 24 INFORMATION ABOUT CONTAMINANTS AND POTENTIAL HEALTH
- 25 EFFECTS CAN BE OBTAINED BY CALLING THE DEPARTMENT;
- 26
- 27 j) MEASURES THAT MAY BE ADOPTED BY THE CONSUMERS TO KEEP
- 28 THEIR WATER SUPPLY FREE FROM CONTAMINATION; AND
- 29
- 30 k) SUCH OTHER ADDITIONAL INFORMATION AS THE DEPARTMENT
- 31 DEEMS APPROPRIATE FOR PUBLIC EDUCATION.

32

33 THE ANNUAL REPORT SHALL BE PROVIDED TO CONSUMERS EVERY

34 TWELVE (12) MONTHS THROUGH ELECTRONIC MEDIA, HAND DELIVERY,

35 POSTING, OR OTHER METHODS APPROVED BY THE DEPARTMENT.

36

37

38 **SECTION 7. Penalties.** – A water service provider that fails to comply with the

39 provisions of this Act shall be liable for a fine of Fifty Thousand Pesos (Php50,000.00)

40 for every day of continuing violation, without prejudice to any other penalties that may

41 be imposed upon it in accordance with other relevant laws, rules and regulations.

42

43 **SECTION 8. Appropriations.** – The amount necessary to effectively carry out the

44 provisions of this Act shall be included in the General Appropriations Act.

45

46 **SECTION 9. Implementing Rules and Regulations.** – The Department of Health,

47 in consultation with the concerned stakeholders and relevant government agencies,

48 shall promulgate the implementing rules and regulations for the effective

49 implementation of this Act within ninety (90) days from the effectivity of this Act.

50

1 **SECTION 10. Repealing Clause.** – All laws, decrees, orders, ordinances, rules and
2 regulations or parts thereof inconsistent with this Act are hereby repealed or modified
3 accordingly.
4

5 **SECTION 11. Separability Clause.** – If any provision of this Act is declared
6 unconstitutional or invalid, the remainder of the Act shall not be affected by such
7 declaration.
8

9 **SECTION 12. Effectivity.** – This Act shall take effect fifteen (15) days from the date
10 of its publication in the Official Gazette or in at least two (2) newspapers of general
11 circulation.
12

13 **Approved,**