

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS

First Regular Session

House Bill No. 706



Introduced by REP. JUDY J. SYJUCO

EXPLANATORY NOTE

The Philippines has been tagged as the toxic wastes "dumping capital" of the world. Toxic wastes and materials are reportedly shipped and imported incessantly to the country for either recycling or final disposal.

The Basel Ban, a component of the Basel Convention on the Control of the Trans-boundary Movement of Hazardous Wastes and Their Disposal, was adopted and ratified by the international community, including the Philippines, to seek an end to the export of recyclable hazardous waste from member-states of the Organization for Economic Cooperation and Development (OECD) to non-OECD countries, to protect the interest of developing countries.

According to Greenpeace, an environmental group, lead acid batteries from New Zealand continue to flood into the Philippines despite an international consensus that seeks to prohibit the export of hazardous wastes from highly industrialized countries to developing ones.

Investigations conducted by the Greenpeace shows that, in three-year period from 2000 to 2002, New Zealand exported used lead acid batteries to the Philippines for recycling at Philippine Recyclers Inc. (PRI), a lead smelting plant in Marilao, Bulacan and affiliated with the car battery giant Ramcar. In 2000, New Zealand exported about 738 metric tons of used lead acid batteries to PRI, which was followed by 2,500 metric tons in 2001.

This proposed bill seeks to implement a total ban on all kinds and forms of toxic wastes and materials, for recycling or for any other use and purpose from entering the country. Likewise, permits issued to any individual or corporation for the importation of toxic wastes and materials, by any government agency, shall be revoked and declared null and void.

In view of the foregoing, immediate consideration and passage of this proposed measure is earnestly sought.

JUDY J. SYJUCO

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AN ACT
BANNING THE IMPORTATION AND DUMPING OF ALL KINDS OF TOXIC WASTES
AND MATERIALS INTO THE COUNTRY AND FOR OTHER PURPOSES

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

SECTION 1. Title – This Act shall be known as the “Toxic Wastes and Materials Ban Act of 2003”

SECTION 2. Declaration of Policy. – It is declared as the policy of the State to protect and promote the right of the people to health, and shall likewise protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

SECTION 3. Total Ban on Toxic Wastes and Materials. – All kinds and forms of toxic wastes and materials, for recycling or for any other use and purpose, are hereby declared banned from entering the country.

SECTION 4. Revocation and Nullification of Permits. – Permits issued to any individual or corporation for the importation of toxic wastes and materials, by any government agency, is hereby revoked and declared null and void.

SECTION 5. Penalties. – Any person or group of persons, in the case of a company or corporation, who shall cause the importation or entry of any toxic waste or material into the country, shall suffer the penalty of *prision mayor* to *reclusion temporal* and a fine of not less than one million pesos, but not exceeding ten million pesos.

SECTION 6. This Act shall take effect fifteen (15) days after its publication in two (2) national newspapers of general circulation. The publication shall not be later than seven (7) days after approval hereof.

Approved,