CONGRESS OF THE PHILIPPINES
THIRTEENTH CONGRESS
First Regular Session



HOUSE OF REPRESENTATIVES

House Bill No. 1459

INTRODUCED BY **HON. CYNTHIA A. VILLAR**

EXPLANATORY NOTE

The burden of enforcing environmental laws has always been a pressing responsibility of the Government. While this is as it should be, those who benefit much from the exploitation and over-utilization of the environment have oftentimes escaped responsibility.

For years, cases of air, land and water pollution due to industrial wastes have been taking a great toll on man and nature. Chemicals and their by-products, metal and glass scraps, have increased environmental risks and endanger numerous communities.

Many industries abuse natural resources such as land, water, plant and wildlife species for profit, in violation of law or without giving due consideration to the people dependent on these resources for survival.

In communities where industries exist and in areas where there are economic and commercial activities, it is always the residents and their means of livelihood that are affected in cases of grave ecological disasters resulting from such activities.

Rivers and other bodies of water, a source of daily income and sustenance to many of our people, are oftentimes polluted due to toxic wastes emitted by factories. There are cases where villages lose fertile land areas needed for food production because of the extractive methods of mines and quarries. Realization of these tragedies come too late to the great prejudice and suffering of the residents of the locality.

It is therefore imperative that existing industries, companies, or any other firms engaged in any economic activity should assume a measure of responsibility concerning the exploitation of natural resources.

The enactment of this bill is highly recommended.

CYNTHIA A. VILLAR

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AN ACT TO REQUIRE INDUSTRIES, FACTORIES, COMPANIES, OR ANY INSTITUTION, FIRM OR ESTABLISHMENT USING CHEMICALS AND THEIR BY-PRODUCTS FOR PRODUCTION, TO DEVELOP AND PROMOTE A COMMUNITY ENVIRONMENT INFORMATION PROGRAM

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

SEC. 1. *Title.* - This Act shall be known and referred to as the "Community Environmental Information Program Act of 2004".

SEC. 2. *Declaration of Policy.* - It is hereby declared the policy of the State to maintain the ecological balance of nature by providing measures that will protect ecological systems necessary for the survival of mankind and instill the responsibility of protecting the environment to those groups of people who derive raw materials from natural resources.

SEC. 3. *Coverage.* - This Act covers all industries, corporations, business firms and establishments that derive raw materials, whether solid, liquid or gas, from the communities, or those that produce and discard their by-products in the community.

SEC. 4. *Purposes*. - The Act intends to:

(a) Require all corporations, government or private institutions, to:

(1) Take the responsibility of ensuring that all its activities or operations for production do not pollute water and land bodies within, near or adjacent to its immediate location and do not deplete existing natural resources bases for raw materials, and thus endanger the ecological balance of community ecosystems;

(2) Orient the residents of communities of the possible risks of the chemicals being used for production as well as the type and volume of the raw materials taken from the environment for use in it production; and

(3) Educate the residents of communities on the safety measures being adopted by the industries or corporations in cases of accidents.

(b) Enable community residents to protect the environment by being informed and taking part in monitoring the compliance of industries to this Act.

SEC. 5. *Implementation*. - Implementation of this Act shall consider the following processes:

(a) Information dissemination - through reading materials distribution in the form of one-page leaflets, preferably written in Filipino or the local dialect;

(b) Format of Publication - An industry, corporation and the like, shall publish a document providing the following information: (i) Name of

the industry or corporation; (ii) Address of the industry of corporation; (iii) Names of owner/s or operator/s; (iv) Chemicals used - type, physical characteristics, form, characteristics and the like; (v) Type and volume of raw materials or natural resources used -water bodies, land, plant and wildlife; (vi) By-products and wastes generated, their volume and their manner of disposal; and (vii) Safety measures adopted by the company especially in cases of emergency.

SEC. 6. *Rules and Regulations.* - The Department of Environment and Natural Resources, in consultation with the local government units, shall promulgate the rules and regulations to implement this Act and monitor r violations or compliance thereto.

SEC. 7. *Penalty.* - Failure to comply with the provisions of this Act or the rules and regulations issued pursuant thereto shall be punishable by a suspension of the license to operate and an additional fine amounting to at least twenty-five percent (25%) of the monthly operating costs until remedial measures have been fulfilled.

SEC. 8. *Repealing Clause.* - All laws and regulations inconsistent herewith are hereby suspended or modified accordingly.

SEC. 9. *Effectivity.* - This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or in any two (2) newspapers of general circulation.

Approved,