

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

FIFTEENTH CONGRESS  
First Regular Session

H. B. No. 617

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Introduced by HONORABLE JUAN EDGARDO "SONNY" M. ANGARA

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EXPLANATORY NOTE

The Constitution in Article 2, Section 13 provides that:

Section 13. The State recognizes the vital role of the youth in nation- building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

Last February 2006, St. Andrew's School in Paranaque City faced closure following the complaint of parents of students exposed to mercury. A total of 19 students were confined at the Philippine General Hospital (PGH) while other parents said their children are beginning to develop rashes in different parts of the body. Some 35 students were exposed to mercury when a student accidentally opened a beaker containing mercury.

Mercury is a heavy, silvery d-block metal, and is one of six elements that are liquid at or near room temperature and pressure. Mercury and most of its compounds are extremely toxic and are generally handled with care; in cases of spills involving mercury (such as from certain thermometers or fluorescent light bulbs) specific cleaning procedures are used to avoid toxic exposure. It can be inhaled and absorbed through the skin and mucous membranes, so containers of mercury are securely sealed to avoid spills and evaporation.

The dangers of mercury spills cannot be overlooked. A study has shown that acute exposure (4-8 hours) to calculated elemental mercury levels of 1.1 to 44 mg/m<sup>3</sup> resulted in chest pain, dyspnea, cough, hemoptysis, impairment of pulmonary function, and evidence of interstitial pneumonitis.

Acute exposure to mercury vapor has been shown to result in profound central nervous system effects, including psychotic reactions characterized by delirium, hallucinations, and suicidal tendency. Occupational exposure has resulted in broad-ranging functional disturbance, including erethism, irritability, excitability, excessive shyness, and insomnia. With continuing

exposure, a fine tremor develops and may escalate to violent muscular spasms. Tremor initially involves the hands and later spreads to the eyelids, lips, and tongue. Long-term, low-level exposure has been associated with more subtle symptoms of erethism, including fatigue, irritability, loss of memory, vivid dreams, and depression.

This bill aims to prevent the accidental elemental mercury spills in schools to protect our school children from the adverse effects of mercury spills.

A handwritten signature in black ink, appearing to read 'Sonny', with a long, sweeping horizontal line extending to the right.

**JUAN EDGARDO "SONNY" M. ANGARA**  
Representative  
Lone District, Province of Aurora

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Introduced by Honorable JUAN EDGARDO "SONNY" M. ANGARA

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AN ACT  
BANNING AND PROHIBITING THE USE, PURCHASE AND STORAGE OF ELEMENTAL  
MERCURY IN ALL PUBLIC AND PRIVATE SCHOOLS AND OTHER EDUCATIONAL  
INSTITUTIONS AND FOR OTHER PURPOSES

*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 "*Safe Schools Mercury Reduction Act of 2010.*"

**SEC. 2. *Declaration of Policy.*** – It shall be the policy of the State to protect its citizens from the effects of toxic chemical substances that present unreasonable risk and/or injury to health or the environment by prohibiting the use, purchase and storage of mercury and mercury instruments in all public and private schools and other educational institutions.

**SEC. 3. *Elimination of the Use of Elemental Mercury.*** – Except as otherwise provided in this section, no public or private school or educational institution in the country shall purchase, use or store any quantity of free flowing elemental mercury for any purpose, nor purchase, use or store any instrument which contains mercury including, but not limited to, thermometers, barometers, sphygmomanometers and manometers. If no reasonably acceptable mercury-free alternative exists for any instrument prohibited under this Act, a school or educational institution may use such type of instrument as long as it contains the lowest mercury content readily available in the market.

**SEC. 4. *Penalties.*** – Any person or entity who shall violate any provision of this Act shall, upon conviction, be meted the penalty of not less than five (5) years of imprisonment or a fine of not less than One hundred thousand pesos (P100,000.00) but not more than One million pesos (P1,000,000.00) or both such imprisonment and fine, at the discretion of the court, if the violation resulted to injury to health.

In case of death, the penalties imposable under the Revised Penal Code shall be imposed upon the violators.

**SEC. 5. *Implementing Rules and Regulations.*** – The Secretary of the Department of Health, in consultation with the Department of Environment and Natural Resources, the Department of Education and the Commission on Higher Education, shall issue and promulgate the rules and regulations needed to implement the provisions of this Act which shall require public and private schools and other educational institutions in the country to dispose of or recycle any quantity of elemental mercury and instruments containing mercury in a manner which is least harmful to the environment and in accordance with prescribed international standards. The said agencies shall compile, produce and distribute to all public and private schools and other educational institutions in the country, materials explaining the hazards associated with the exposure to elemental mercury and the actions that may be taken to reduce such hazards.

**SEC. 6. *Separability Clause.*** – If, for any reason, any part of or provision of this Act is declared unconstitutional, such parts not affected thereby shall remain in full force and effect.

**SEC. 7. *Repealing Clause.*** – Any law, executive order, letter of instruction, rule and regulation, circular, issuance or any part thereof inconsistent with any of the provisions of this Act is hereby repealed, modified or amended accordingly.

**SEC. 8. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in any newspaper of general circulation.

*Approved,*