

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES

0000th NO — 783

Introduced by Representative Aurelio "Dong" D. Gonzales, Jr.

EXPLANATORY NOTE

The recent flooding of the Metro Manila Area has again highlighted the precarious balance and status of our environment.

One does not have to go out and search for evidence of men's neglect of the environment. The clogged esteros in every corner of cities in Metro Manila and other urban areas will bear witness to this fact.

The bill proposes the phase-out of plastic bags, not as an answer, but as a practical contribution of our collective efforts to the many demands and needs to solve our environmental problems.

This measure is based on the concept of sacrificing some of our convenience for the sake of Mother Earth.

The rapid advances in technology, as shown by the creation of biodegradable plastics, will soften whatever increases in cost the enactment of this law will bring.


REP. AURELIO "DONG" D. GONZALES, JR
3rd District, Pampanga

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HOUSE OF REPRESENTATIVES
H. NO. — **783**

Introduced by Representative Aurelio "Dong" D. Gonzales, Jr.

AN ACT
PROVIDING FOR THE PHASE-OUT OF PLASTIC BAGS AS PACKING
MATERIALS OF GOODS SOLD OR DISPOSED BY SARI-SARI STORES,
MARKET VENDORS, DEPARTMENT STORES AND SIMILAR
ESTABLISHMENTS, PRESCRIBING PENALTIES THEREFOR AND FOR
OTHER PURPOSES

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

SECTION 1. **Statement of Policy and Principle.** — Section 16, Article 11 of the 1987 Constitution declares that " The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature"; the use of plastics is one of the causes of ecological degradation, the same being non-biodegradable; the use of plastic bags as packing materials of goods sold by business establishments can be attributed as one main factor in the environmental problems we are facing.

SECTION 2. **Prohibited Act.** The use of plastic bags as packing materials of goods sold by sari-sari stores, market vendors, department stores, and similar establishments is hereby prohibited after the phase out period as determined by this Act.

SECTION 3. **Phase-out period.** — The use of plastic bags shall be phased out within a period of two years from the effectivity of this Act.

SECTION 4. **Exemptions.** — After the phase-out period stated in Section 3 of this Act, only biodegradable plastics shall be permitted to be used. Other

biodegradable materials may also be used as packing materials, as approved by the Department of Natural Resources.

SECTION 5. Penalties – Any violation of this Act shall be penalized as follows:

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| First Offense | : | A fine of five hundred pesos (P500.00); |
| Second Offense | : | A fine of seven hundred pesos (P700.00); |
| Third Offense | : | A fine of one thousand pesos (P1,000.00) and suspension of the Business Permit for a period of thirty (30) calendar days. |

The penalty herein provided shall be imposed upon the owner, manager, administrator or proprietor, for individual proprietorships; upon all partners for general partnerships and the general partner/s for limited partnerships; the branch manager of the particular branch or the manager and the chief operating officer for incorporated businesses; and all such persons, not falling within any of the descriptions/titles above-mentioned, being in charge of the particular offending business establishment, and failing to follow the prohibitions herein defined: Provided, however, That this is without prejudice to the right of the person paying the appropriate fine to seek reimbursement of the amount paid from the owner of the enterprise or establishment.

SECTION 6. The Market Supervisors are hereby deputized to implement the provisions of this Act in the public markets under their jurisdiction.

SECTION 7. The Department of Trade and Industry and the Department of Environment and Natural Resources shall promulgate the implementing rules and regulations of this Act after consultation with consumer groups, producers of plastics and other affected sectors.

SECTION 8. The Department of Science and Technology is hereby tasked with assisting plastic manufactures in acquiring the appropriate technology required in the manufacture of biodegradable plastic bags.

SECTION 9. **Separability Clause.** – If, for any reason or reasons, any part or provisions of the Act shall be declared invalid or unconstitutional, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 10. **Repealing Clause.** – All Executive Orders and Administrative Regulations and Issuances parts thereof, which are inconsistent with any of the provisions of this Act, are hereby repealed and/or modified accordingly.

SECTION 11. **Effectivity Clause.** – This act shall take effect three (3) months after its complete publication in a newspaper of general circulation, the publication being for once a week for three (3) consecutive weeks.

Approved,