

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3939

Introduced by Honorable Carmelo F. Lazatin

EXPLANATORY NOTE

The continuous explosion of human populations and their concomitant human anthropogenic activities are exacting toll to Earth's capacity to sustain life. The destruction of many habitats and the worsening pollution in many cities of world have had alarmed many scientists and environmentalists way back in the 1970s. And in 1980s, many states, communities, organizations and individuals started clamor to end many our destructive activities to the environment and begin to collectively addressing the problems about the issue.

Starting from small group discussions and pickets to raise the issues about the environment and sustainable development, these small initiatives went big to become international conferences sanctioned by international institutions.

But the struggle to preserve and protect the environment is still a long process as the growth of human population remains alarming and many communities still practice destructive activities. One big issue that remains to be resolved is the proliferation of ultra thin polypropylene plastic material used as packaging or bagging material in our market. This kind of plastic is hard to disintegrate, and causes land and water pollution. Worse, this plastic poses threat to marine life, birds and other mammals according to many studies. Discarded plastic bags like this polypropylene material also contributes heavily for blocking drainages and worsen flooding.

The objective of this Act is to stop using this ultra thin polypropylene plastic material as packing or bagging material and to contribute in our national effort of waste minimization and encourage industries to look for other more friendly products as packing and bagging materials.

The welfare of the future Filipino generations and of the environment are non-negotiable.


CARMELO F. LAZATIN

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“AN ACT BANNING THE MANUFACTURE, DISTRIBUTION, AND SALE OF ULTRA-THIN POLYPROPYLENE PLASTIC BAGGING MATERIALS.”

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

SECTION 1. Title of the Act.- Plastic Bag Materials Act of 2011.

SECTION 2. Declaration of Policies.- It is the policy of the State to protect the environment and promote sustainable development.

SECTION 3. Scope of the Act.- Effective January 2013, the manufacture, distribution, and sale of ultra thin polypropylene plastic bag materials are hereby banned. Further, all supermarkets, groceries, retail stores, and other similar business establishments are prohibited to use ultra thin polypropylene plastic bag materials as packing or bagging materials. Further more, ambulant vendors are prohibited to sell goods using such kind of plastic materials.

SECTION 4. Penalties.- Any establishment and individual found manufacturing, distributing, selling, and using ultra thin polypropylene plastic bag materials as means of packing or bagging materials effective January 2013 shall be fined as follows:

First offense:	A fine of P5,000.00
Second offense:	A fine of P10,000.00
Third offense:	A fine of P20,000.00 and thirty (30) days imprisonment

SECTION 5. DENR responsibility. Within 90 days upon approval of this Act, the Department of Environment and Natural Resources shall formulate an Implementing Rules and Regulations and assist industries and establishments on how to comply with this Act.

SECTION 6. LGU responsibility. Local government units shall be primarily responsible in the implementation of this Act and in conducting information and education campaign program on environmental management specifically on waste minimization, waste reduction and waste recycling.

SECTION 7. Citizens act. For the purposes of enforcing the provisions of this Act or its implementing rules and regulations, any citizen may file an appropriate civil, criminal or administrative action in the proper courts/bodies against:

6.1. Any person who violates or fails to comply with the provisions of this Act its implementing rules and regulations; or

6.2. The DENR or other implementing agencies with respect to orders, rules and regulations issued inconsistent with this Act; and/or

6.3. Any public officer who willfully or grossly neglects the performance of an act specifically enjoined as a duty by this Act or its implementing rules and regulations; or abuses his authority in the performance of his duty; or, in any many improperly performs his duties under this Act or its implementing rules and regulations; Provided, however, That no suit can be filed until after thirty-day (30) notice has been given to the public officer and the alleged violator concerned and no appropriate action has been taken thereon.

SECTION 8. Seperability Clause.- If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SECTION 9. Repealing Clause.- All laws, executive orders or issuances, or any parts thereof inconsistent herewith are hereby repealed or amended accordingly.

SECTION 10. Effectivity Clause.- This Act shall take effect upon its publication in at least two (2) newspaper of general circulation.

Approved,