

HOUSE of REPRESENTATIVES
House Bill No. 5135

Introduced by: MA. THERESA B. BONOAN-DAVID
4th District, City of Manila

EXPLANATORY NOTE

Solid waste has remained the most visible and dangerous environmental problem of the country. Plastic wastes constitute a substantial portion, by weight and volume, of the Philippines' sordid solid waste stream.

Plastics are essentially non-biodegradable. It takes more than 100 years to dissolve them and thus, it pollutes the air and water, depletes natural resources and damages natural habitat. And recycling plastic is more expensive as compared to glass or metal materials because their sorting step or recycling phase is labor intensive and difficult.

As plastics play an increasing role in packaging and popularizing consumer products, they also take up a growing percentage of solid waste environmental challenge.

This legislation mandates that all department stores, malls, and commercial establishments shall use and utilize reusable ecologically-friendly bags and shall replace the existing plastic shopping bags they give to customers and patrons.

It is a simple approach to huge plastic wastes we generate. But solving the country's garbage problem has a lot to do with lifestyle. And this bill is submitted as a commitment that every individual must participate and must be responsible in resolving the problem...and preserving Mother Earth.

In view of the foregoing, the passage of this bill is earnestly sought.


MA. THERESA BONOAN-DAVID
4th District, City of Manila

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**AN ACT PROMOTING SOUND WASTE MANAGEMENT
BY REQUIRING ALL DEPARTMENT STORES, MALLS, AND COMMERCIAL
ESTABLISHMENTS TO UTILIZE REUSABLE ENVIRONMENT-FRIENDLY
SHOPPING BAGS AND PROVIDE THEM FREE OF CHARGE TO
CUSTOMERS AND PATRONS, AND FOR OTHER PURPOSES**

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

SECTION 1. It is the policy of the State to solve the country's complex waste problem. The right to health and right to environment of the people are accorded premier considerations. To this end, a simple waste garbage solution approach combining citizen discipline and responsible corporate management is adopted.

SECTION 2. All department stores, malls, and commercial establishments are hereby mandated to use and utilize reusable and environment-friendly shopping bags within six (6) months from the effectivity of this Act.

This Act covers all department stores, malls, and retail establishments with two (2) or more stores, sales offices or branches nationwide or those with capitalization of more than five hundred thousand pesos (Php5,000,000.00), whichever is appropriate.

Three years after the effectivity of this Act, the use of reusable and environment-friendly shopping bags is hereby mandated in all commercial establishments and shall be mandated as a requirement of registering or operating a business or commercial endeavor.

SECTION 3. All department stores, malls and commercial establishments are given freedom to choose and autonomy to adopt designs, specifications and materials taking into consideration ecological factors and solution to waste management.

The reusable environment-friendly shopping bags shall be given for free and without charge to patrons, customers, clients and shoppers. The department stores,

12-
311

malls and commercial establishments are encouraged to adopt marketing, promotions and programs that will promote implementation of this Act.

Section 4. Violations of this Act shall be imposed a penalty of revocation of license or permit to operate a business and a fine of not less than one hundred thousand pesos (Php100,000.00). Fines collected as penalties shall be constituted as a special protection of Mother Earth.

If the offender is a corporation, partnership, association or other juridical entity, the penalty shall be imposed on the officer or officers of said corporation, partnership, association or juridical entity who caused the violation.

SECTION 5. The Department of Trade and Industry and the Department of Environment and Natural Resources in consultation with all concerned stakeholders from the private sectors shall issue the necessary rules and regulations of this Act within sixty (60) days after effectivity of this Act.

The DTI and DENR shall make themselves available for consultation free of charge on the adoption and utilization of reusable and environment-friendly shopping bags.

SECTION. 6. Repealing Clause. - All laws, presidential decrees, executive orders, proclamations, rules and regulations, or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION. 7. Separability Clause. - If any provision of this Act is declared unconstitutional, the other provisions not affected thereby shall remain valid.

SECTION. 8. Effectivity Clause. - This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) newspapers of general.

Approved.