

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SIXTEENTH CONGRESS

_____ Regular Session
House Bill No. 6524



Introduced by: Rep. EVELIO R. LEONARDIA

EXPLANATORY NOTE

It is enshrined in our Constitution that the State shall promote and protect the right to health of the people, instill health consciousness among them and adopt an integrated and comprehensive approach to health development. However, much needs to be addressed in terms of health-related legislation to accomplish and sustain these constitutional ideals. The elimination of open defecation and urination, for instance, is the primary objective of improving access to universal sanitation.

It is noncontroversial that in highly-urbanized areas and low-income local government units (LGUs), there is a rife myriad of health problems. Particular in the source of these problems are open defecation and urination in public places, even in rivers and open trenches in close proximity to the living space of others.

While open defecation and urination causes little to no harm when done in low population areas, it becomes a cogent issue when it occurs in highly populated places as it stimulates and perpetuates disease and poverty.

Open defecation and urination in public places reflect a lack of sanitation and hygiene and a lack of discipline in governmental regulation. The aforesaid problems are a significant factor in causing various and widespread diseases such as diarrhea, intestinal worm infections, typhoid, hepatitis, polio, trachoma, and others.

There are also environmental concerns to consider against open defecation and urination in public. Open defecation, in particular, can contribute to water pollution when rain flushes the feces into surface water or unprotected or broken wells.

Urinating in public may also pose as a public nuisance or disorderly conduct as it can lead to indecent exposure or public lewdness. Within the purview of the New Civil Code, a nuisance is an act, omission, establishment, business, condition of property or anything else which injures or endangers the health or safety of others or annoys or offends the senses.

Such act could create a problem to nearby establishments and residences in keeping up with sanitation regulations and hygiene preferences. It could also affect businesses financially as the stench of urine and the sight of feces could drive away customers. That being said, it is apparent that urine smell contributes to odor pollution and can affect the economy of the country and harm tourism efforts.

This bill seeks to prohibit open defecation and urination in public places to curtail the spread of contagious diseases, preserve the environment, protect and promote the economy and boost tourism in the country. The same will also help build environmental and health awareness among citizens in terms of sanitation and hygiene.

This issue will be addressed by a coordinated implementing and monitoring arm led by the LGUs, the Department of Health (DOH) and the Department of Science and Technology (DOST).

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



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Introduced by Rep. **EVELIO R. LEONARDIA**

**AN ACT PROHIBITING URINATION AND DEFECATION IN PUBLIC PLACES,
APPROPRIATING FUNDS THEREFOR, 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 "Public Urination and Defecation Prohibition Act of 2016."

SECTION 2. *Declaration of Policy.* It is a policy of the State to protect and promote the right to health, safety and welfare of the people and instill health awareness and consciousness among them.

SECTION 3. *Definition of Terms.* For the purposes of this Act, these terms are defined as follows:

A. "To defecate" - to discharge waste matter from the bowels

B. "Public Place" - generally an indoor or outdoor area, whether privately or publicly owned, to which the public have access by right or by invitation, expressed or implied, whether by payment of money or not, and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops

C. "To urinate" - to discharge urine from the body

SECTION 4. *Prohibited Acts.* No person or persons shall carelessly or intentionally defecate or urinate in public on any private property or on a public place, except in public urinals, as may be provided by the local government unit concerned.

SECTION 5. *Penalties.* Any person caught urinating or defecating in public places shall be charged with the corresponding penalties, to wit:

A. First Offense - A fine of Five Hundred Pesos (PhP 500.00);

B. Second Offense - A fine of One Thousand Pesos (PhP 1, 000.00)

C. Third Offense - A fine of Two Thousand Pesos (PhP 2, 000.00) and compulsory attendance in a seminar conducted by the Department of Health in coordination with local health units or in case of insolvency, the individual found

violating the foregoing provisions shall be subject to a subsidiary imprisonment of not more than thirty (30) days, or both such fine and imprisonment at the discretion of the court.

SECTION 6. *Implementing and Monitoring Agency.* The Department of Health (DOH) in coordination with local government units and the Department of Science and Technology (DOST) shall issue the necessary rules and regulations for the effective implementation of this Act within sixty (60) days after its effectivity. They shall also conduct regular evaluation of the implementation of this Act.

SECTION 7. *Appropriations.* Appropriations needed for the implementation of this Act shall be derived from the Internal Revenue Allotment (IRA) of the LGUs and from sources provided by the Department of Health and other government agencies.

SECTION 8. *Repealing Clause.* All laws, decrees, executive orders, presidential issuances, rules and regulations, or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 9. *Separability Clause.* If any provision of this Act is declared unconstitutional or otherwise invalid, the validity of the other provisions shall not be affected thereof.

SECTION 10. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,