

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

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5118



Introduced by: Manila Teachers Representative
VIRGILIO S. LACSON

INTRODUCTORY NOTE

The Constitution provides that the State must promote the general welfare for the enjoyment of the people. As such, it is imperative for the State to promote and provide basic social services to all citizens especially the underprivileged and the marginalized, which include, among others, the provision of good infrastructure for the enjoyment of the citizens.

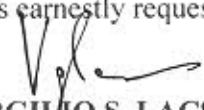
The use of free and functional toilets must also be covered by the delivery of the State of good infrastructure to the citizenry as the availability and access to the same affect the quality of our businesses and determine the level of dignity and quality of life of a community.

In all efforts to achieve national prosperity and progress, government initiative alone cannot suffice to attain the desired national objectives. Hence, the cooperation of all sectors particularly the private sectors is highly warranted. However, a number of our establishments charge fees for the use of toilets. Given the shortage of free and good comfort rooms in the country, the underprivileged and the marginalized are forced to defray the costs for human comfort which in other countries are given for free of use.

The World Bank study in 2007 on the economic impacts of sanitation in Southeast Asia provides that the Philippines annually loses an approximate of \$9 Billion of economic output due to poor sanitation or lack thereof. An estimate of 9.1 Million Filipinos use open toilet, relying on streets or in the fields, while 15.2 million use public toilets. On the part of the government, agencies bared plans to construct and rehabilitate public toilets in airports, seaports and train stations across the country to boost and improve tourism. While additional infrastructure is needed, criminalizing the practice of charging of fees for the use of toilets is necessary to better serve the public.

This bill seeks to prohibit the collection or solicitation of fees from any person using toilets in both public and commercial areas in order to give access to the public especially the underprivileged and the marginalized and likewise provide an alternative solution in the shortage of public toilets in the country.

In view of the foregoing, the swift and urgent approval of this measure is earnestly requested


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AN ACT
PROHIBITING THE COLLECTION OR SOLICITATION OF USAGE FEES FOR
TOILETS IN BOTH PUBLIC AND COMMERCIAL PLACES, APPROPRIATING
FUNDS AND PROVIDING MECHANISMS THEREFOR

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 “**Free Toilet Use Act of 2017**”

SEC. 2. *Declaration of Policy* – It is a state policy to promote general welfare for the enjoyment of the people. Likewise, the State also values the promotion of basic services to the citizenry especially the underprivileged and the marginalized.

SEC. 3. *Administration, Implementation and Monitoring* – The Department of Interior and Local Government (DILG) and the Local Government Units (LGUs) shall administer and monitor the implementation of this Act. They shall provide the Implementing Rules and Regulations for the same.

SEC. 4. *Prohibited Acts* – No public and commercial establishment shall collect or solicit fees from any person for the use of toilets within their premises.

SEC. 5. *Penalties* – Any public or commercial establishment violating the foregoing provision shall be charged with the following penalties:

- A. First Offense – A fine of Ten Thousand Pesos (P10,000.00)
- B. Second Offense – A fine of Twenty Thousand Pesos (P20,000.00) or one year imprisonment at the discretion of courts

In case of business establishments owned by a partnership, the partners who own such establishment shall be held liable such as the head and/or the manager of corporations found violating the law

SEC. 6. *Appropriations* – The appropriations needed for the implementation of this Act shall be shouldered primarily by the DILG and the LGUs through their Internal Revenue Allotment (IRA)

SEC. 7. *Repealing Clause* – All laws, decrees, orders, ordinances, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 8. *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.

SEC. 9. *Effectivity* – This shall take effect fifteen (15) days after publication in at least two (2) newspapers of general circulation.

Approved,