



Republic of the Philippines
House of Representatives
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 5136



Introduced by REP. RODEL M. BATOCABE, REP. ALFREDO A. GARBIN, Jr. and
REP. CHRISTOPHER S. CO

**AN ACT ESTABLISHING A SYSTEM OF ACCREDITATION FOR GARBAGE
COLLECTION SERVICE BUSINESS, PROVIDING FUNDS THEREFOR AND FOR
OTHER PURPOSES**

EXPLANATORY NOTE

This bill seeks to mandate the Environmental Management Bureau to establish and operationalize a system of accreditation for owners, contractors, and/or operators of garbage collection or hauling service businesses for a more systematized and efficient implementation RA 9003, otherwise known as the Ecological Solid Waste Management Act of 2000.

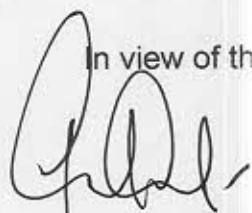
As provided for in Section 10 of RA 9003, the local government units (LGUs) shall be primarily responsible for the implementation and enforcement of the provisions of the Act within their respective jurisdictions. Also, the Act provides that segregation and collection of solid waste shall be conducted at the barangay level specifically for biodegradable, compostable and reusable wastes.

In addition, Article 3 of the same Act also provides for the minimum standards and requirements for the collection of solid waste, as well as the requirements for the use of separate collection schedules and/or separate trucks or haulers for specific types of wastes. Vehicles used for the collection and transport of solid wastes are also required to have the appropriate compartments to facilitate efficient storing of sorted wastes while in transit.

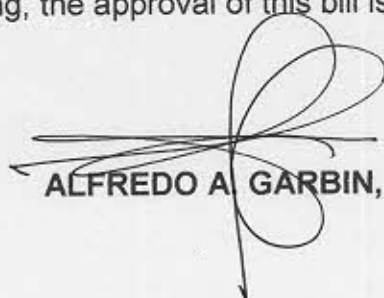
Notwithstanding these provisions of law, there seem to be some lapses in the implementation because a number of garbage collectors within Metro Manila and other cities do not have the necessary gears and equipment to protect its personnel. Some of these personnel also lack the proper training in collection and transportation of solid wastes, nor do they follow the prescribed scheduling and segregation of wastes, such that every kind of trash end up in landfills—the reusables and recyclables mixed with food wastes and hazardous wastes.

If this legislative measure is enacted into law, garbage collection businesses will be required, as part of their registration and license to conduct business, to secure the proper accreditation from the Environmental Management Bureau. These garbage collection business and/or contractors will also be subject to monitoring by the Bureau to ensure the proper implementation of the provisions of RA 9003 regarding efficient solid waste management particularly in their collection and transportation.

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



RODEL M. BATOCABE



ALFREDO A. GARBIN, Jr.



CHRISTOPHER S. CO

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 5136

Introduced by REP. RODEL M. BATOCABE, REP. ALFREDO A. GARBIN, Jr. and
REP. CHRISTOPHER S. CO

1 **AN ACT ESTABLISHING A SYSTEM OF ACCREDITATION FOR GARBAGE**
2 **COLLECTION SERVICE BUSINESS, PROVIDING FUNDS THEREFOR AND FOR**
3 **OTHER PURPOSES**
4

5 *Be it enacted by the Senate and House of Representatives of the Philippines in Congress*
6 *assembled:*
7

8 SECTION 1. *Title* – This Act shall be known and cited as the "Garbage Collection
9 Accreditation Act of 2017"

10
11 SECTION 2. *Declaration of Policy* – Recognizing the need to ensure the proper collection
12 and transportation of solid wastes from their source, it is hereby declared the policy of the
13 State to establish and operationalize a system of accreditation for businesses or
14 contractors of garbage collection service.
15

16 SECTION 3. *Definition of Terms* – For purposes of implementing this Act, the following
17 definitions shall apply:

- 18 a) Bureau shall refer to the Environmental Management Bureau;
19 b) Collection shall refer to the act of removing solid waste from the source or from a
20 communal storage point;
21 c) Municipal waste shall refer to wastes produced from activities within local
22 government units which include a combination of domestic, commercial,
23 institutional and industrial wastes and street litters;
24 d) Solid waste shall refer to all discarded household, commercial waste, non-
25 hazardous institutional and industrial waste, street sweepings, construction debris,
26 agricultural waste, and other non-hazardous/non-toxic solid waste.
27

28 Unless specifically noted otherwise, the term "solid waste" as used in this Act shall
29 not include:

- 30 1) Waste identified or listed as hazardous waste of a solid, liquid, contained
31 gaseous or semisolid form which may cause or contribute to an increase in
32 mortality or in serious or incapacitating reversible illness, or acute/chronic
33 effect on the health of persons and other organisms;
34 2) Infectious waste from hospitals such as equipment, instruments, utensils,
35 and fomites of a disposable nature from patients who are suspected to have
36 or have been diagnosed as having communicable diseases and must
37 therefore be isolated as required by public health agencies, laboratory

wastes such as pathological specimens (i.e. all tissues, specimens of blood elements, excreta, and secretions obtained from patients or laboratory animals) and disposable fomites that may harbor or transmit pathogenic organisms, and surgical operating room pathologic materials from outpatient areas and emergency rooms; and

3) Waste resulting from mining activities, including contaminated soil and debris.

e) Transfer stations shall refer to those facilities utilized to receive solid wastes, temporarily store, separate, convert, or otherwise process the materials in the solid wastes, or to transfer the solid wastes directly from smaller to larger vehicles for transport. This term does not include any of the following:

1) a facility whose principal function is to receive, store, separate, convert or otherwise process in accordance with national minimum standards, manure;

2) a facility, whose principal function is to receive, store, convert, or otherwise process wastes which have already been separated for re-use and are intended for disposals, and the operations premises of a duly licensed solid waste handling operator who is receives, stores, transfers, or otherwise processes wastes as an activity incidental to the conduct of a refuse collection and disposal business.

SECTION 4. Coverage – This Act shall apply to all garbage collection businesses, their owners, and/or operators including personnel, which enter into service contracts with local government units for the collection of municipal wastes and transportation of the same to transfer stations and/or sanitary landfills.

SECTION 5. *Supervision and Accreditation* – The Bureau shall establish and operationalize a system of accreditation to determine the qualifications of a garbage collection or hauling business. The Bureau shall have the following functions and responsibilities under this Act:

a) Examine, evaluate, and accredit the garbage collection or hauling business/contractor as prerequisites for its service contract with LGUs.

b) Issue Certificate of Accreditation to the garbage collection or hauling business/contractor upon determination that it meets the criteria for accreditation; *Provided*, That the Certificate of Accreditation shall be valid for such period as may be prescribed by the Bureau in the implementing rules and regulations of this Act; *Provided further*, That no garbage collection or hauling business/contractor shall be allowed to enter into service contracts with any LGUs without a Certificate of Accreditation;

c) Review and deny the application of any garbage collection or hauling business/contractor, which does not meet the criteria for accreditation. The garbage collection or hauling business/contractor shall be notified of the denial of its application, the reasons therefor, and the evaluator/s' recommendation in order that the business/contractor may meet the criteria for accreditation. The procedure for reconsideration of and/or effecting any corrections or amendments to the application shall be provided in the implementing rules and regulations of this Act.

1 SECTION 6. *Monitoring and Verification* – The Bureau shall monitor the garbage
2 collection or hauling business/contractor and coordinate to ensure that the provisions of
3 this Act are complied with.

4
5 SECTION 7. *Withdrawal of Accreditation* – The Bureau shall have the authority to
6 withdraw the Certificate of Accreditation, upon a determination that the garbage collection
7 or hauling business/contractor no longer meets the criteria for accreditation under Section
8 of this Act.

9
10 Section 8. *Implementing Rules and Regulations* – The Bureau, in coordination with the
11 DILG, shall formulate the implementing rules and regulations of this Act within sixty (60)
12 days after its effectivity. Such rules and regulations shall take effect fifteen (15) days after
13 their publication in a newspaper of general circulation in the Philippines.

14
15 SECTION 9. *Appropriations* - The amount necessary to carry out the operation of this Act
16 shall be included in the annual budget of the Bureau.

17
18 SECTION 10. *Separability Clause* – Should any provision of this Act be declared
19 unconstitutional, the remainder thereof not otherwise affected shall remain in full force
20 and effect.

21
22 SEC. 11. *Repealing Clause*. – All other existing laws, presidential decrees, executive
23 orders, proclamations or administrative regulations that are inconsistent with the
24 provisions of this Act are hereby repealed, amended or modified accordingly.

25
26 SEC. 12. *Effectivity* – This Act shall take effect fifteen (15) days following the completion
27 of its publication in the Official Gazette or in two (2) newspapers of general circulation.

28
29 *Approved.*