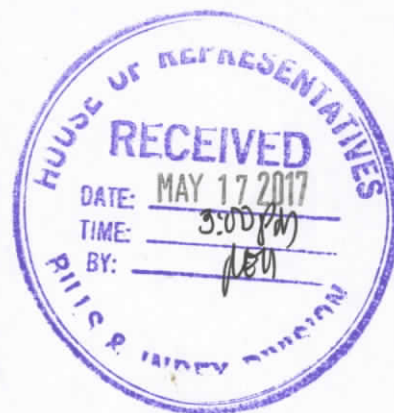


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

5668
HOUSE BILL NO. _____



Introduced by REP. Michael L. Romero and Enrico A. Pineda

EXPLANATORY NOTE

It is hereby a policy of the state to:

- (1) Ensure the protection of the public health and environment;
- (2) Utilize environmentally-sound methods that maximize the utilization of valuable resources and encourage resource conservation and recovery;
- (3) Set guidelines and targets for solid waste avoidance and volume reduction through source reduction and waste minimization measures, including composting, recycling, re-use, recovery, green charcoal process, and others, before collection, treatment and disposal in appropriate and environmentally sound solid waste management facilities in accordance with ecologically sustainable development principles;
- (4) Ensure the proper segregation, collection, transport, storage, treatment and disposal of solid waste through the formulation and adoption of the best environmental practice in ecological waste management excluding incineration;

(5) Promote national research and development programs for improved solid waste management and resource conservation techniques, more effective institutional arrangement and indigenous and improved methods of waste reduction, collection, separation and recovery;

(6) Encourage greater private sector participation in solid waste management;

(7) Retain primary enforcement and responsibility of solid waste management with local government units while establishing a cooperative effort among the national government, other local government units, non- government organizations, and the private sector; and

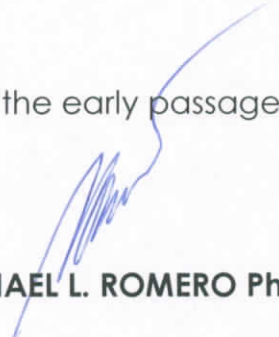
(8) Encourage cooperation and self-regulation among waste generators through the application of market-based instruments.

(9) Institutionalize public participation in the development and implementation of national and local integrated, comprehensive, and ecological waste management programs; and

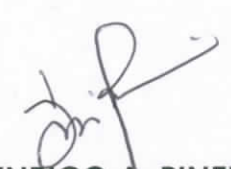
(10) Strengthen the integration of ecological solid waste management and resource conservation and recovery topics into the academic curricula of formal and non-formal education in order to promote environmental awareness and action among the citizenry.

This House Bill seeks to foster the imposition of all existing rules and regulations, providing stiffer penalties and sanctions, and providing additional and continuing funding.

Thus, the early passage of this bill is earnestly requested.



MICHAEL L. ROMERO Ph.D



ENRICO A. PINEDA

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. **5668**

Introduced by REP. Michael L. Romero and Enrico A. Pineda

AN ACT
AMENDING REPUBLIC ACT NO.9003, OTHERWISE KNOWN AS THE
“Ecological Solid Waste Management Act of 2000”, TO ADOPT A
MORE SYSTEMATIC, COMPREHENSIVE AND ECOLOGICAL SOLID WASTE
MANAGEMENT PROGRAM, TO FOSTER THE IMPOSITION OF ALL
EXISTING POLICIES AND GUIDELINES, INCREASING ITS PENALTIES AND
SANCTIONS, AND FOR OTHER PURPOSES

*Be it enacted by the Senate and House of Representative of the
Philippines in congress assembled:*

SECTION 1. DECLARATION OF POLICY -

Section 49 of Republic Act No. 9003, is hereby amended to read as follows:

Section 49. Fines and Penalties -

(a) Any person who violates Sec. 48 paragraph (1) shall, upon conviction, be punished with a fine of not less than Three thousand pesos (**₱3,000.00**) but not more than Ten thousand

pesos **(P10,000.00)** or render community service for not less Ten **(10)** days but not more than Thirty **(30)** days to an LGU where such prohibited acts are committed, or both;

(b) Any person who violates Sec. 48, pars. (2) and (3), shall, upon conviction be punished with a fine of not less than Three thousand pesos **(P3,000.00)** but not more than Ten thousand pesos **(P10,000.00)** or imprisonment of not less than Ten **(10)** days but not more than Thirty **(30)** days, or both;

(c) Any person who violates Sec. 48, pars. (4), (5), (6) and (7) shall, upon conviction, be punished with a fine of not less than Five thousand pesos **(P5,000.00)** but not more than Ten thousand pesos **(P10,000.00)** or imprisonment of not less than Thirty **(30)** days but not more than six (6) months, or both;

(d) Any person who violates Sec. 48, pars (8), (9), (10) and (11) for the first time shall, upon conviction, pay a fine of Seven hundred fifty thousand pesos **(P750,000.00)** plus the amount not less than five percent (5%) but not more than ten percent (10%) of his net annual income during the previous year.

The additional penalty of imprisonment of a minimum period of one (1) year but not to exceed three (3) years at the discretion of the court, shall be imposed for second or subsequent violations of Sec. 48, pars. (9) and (10).

(e) Any person who violates Sec. 48, pars. (12) and (13) shall, upon conviction, be punished with a fine not less than Thirty thousand pesos **(P30,000.00)** but not more than Three

hundred thousand pesos (**P300,000.00**) or imprisonment of not less than Ninety (**90**) days but not more than three (3) years, or both;

(f) Any person who violates Sec. 48, pars. (14), (15) and (16) shall, upon conviction, be punished with a fine not less than Two hundred fifty thousand pesos (**P250,000.00**) but not more than One million pesos (**P1,000,000.00**), or imprisonment not less than one (1) year but not more than six (6) years, or both.

If the offense is committed by a corporation, partnership, or other juridical identity duly recognized in accordance with the law, the chief executive officer, president, general manager, managing partner or such other officer-in-charge shall be liable for the commission of the offense penalized under this Act.

If the offender is an alien, he shall, after service of the sentence prescribed above, be deported without further administrative proceedings.

The fines herein prescribed shall be increased by at least Fifteen (**15%**) percent every Five (**5**) years to compensate for inflation and to maintain the deterrent functions of such fines

SECTION 2. ADDITIONAL AND CONTINUING APPROPRIATIONS -

The state shall hereby appropriate an additional Twenty million pesos (**P20,000,000.00**) as additional operational and organizational funding from the Commission and the National Ecology Center as well as the

expenses of the local government units (LGUs) to carry out the mandate of this Act,

The amount of Twenty million pesos **(P20,000,000.00)** is hereby appropriated from the Organizational Adjustment Fund on the year of the effectivity of this Act, and every year thereafter.

Additional requirements shall be charged to the appropriations under the current General Appropriations Act (GAA).

Thereafter, such sum as may be needed for the continued implementation of this Act shall be included in the annual General Appropriations Act (GAA).

SECTION 3. IMPLEMENTING RULES AND REGULATIONS. – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 4. REPEALING CLAUSE. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 5. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 6. EFFECTIVITY CLAUSE. – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least

two (2) national newspapers of general circulation whichever comes earlier.

Approved,