

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **7093**



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

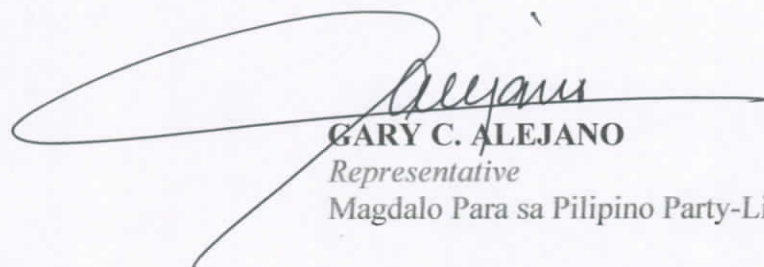
EXPLANATORY NOTE

As the Philippine battery industry continues to grow, risk of disposing rechargeable batteries in the solid waste stream also becomes more threatening. Disposing rechargeable batteries which commonly contain health-hazardous heavy metals such as cadmium, lead and mercury are of particular concern since these are considered as toxic waste materials. Such product, if carelessly disposed of, could expose the environment and water to lead and acid, pollute the lakes and streams, and may cause burns or danger to eyes and skin.

The use of rechargeable batteries can reduce the number of batteries and at the same time increase the amount of heavy metals entering the waste stream. To reduce toxic waste in the environment, the most effective and appropriate method to promote the reduction of toxic metals from rechargeable battery disposal is to require the battery industry to accept financial responsibility for the environmentally sound collection, transportation and recycling or proper disposal of discarded rechargeable batteries.

It is in the public interest of the Filipino people to maximize the removal of used rechargeable batteries from the solid waste stream by banning its disposal and requiring manufacturers to take back and recycle the used rechargeable batteries that are sold or disposed of in any part of the country.

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


GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

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AN ACT
TO STRENGTHEN THE RECYCLING PROGRAM FOR ALL RECHARGEABLE
BATTERIES MANUFACTURED, SOLD AND DISTRIBUTED IN THE PHILIPPINES,
AND FOR OTHER PURPOSES

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

1 **SECTION 1. *Short title.*** - This Act shall be known as the "Rechargeable Battery Law".

2
3 **SEC. 2. *Declaration of policy.*** - It is hereby declared the public policy of the State to
4 reduce environmental pollution, reduce the toxicity of waste materials in the solid waste stream
5 directed to resource recovery and sanitary landfill facilities, and maximize the removal of used
6 rechargeable batteries and products that contain rechargeable batteries, and encourage their
7 recycling by manufacturers by banning the disposal of used rechargeable batteries from the solid
8 waste stream and requiring manufacturers to take back and recycle the used rechargeable
9 batteries sold or disposed of in the Philippines.

10
11 **SEC. 3. *Definition of Terms.*** - For purposes of this Act, the following terms shall mean:

- 12
13 a) Battery manufacturer - every person, firm or corporation that: (i) produces rechargeable
14 batteries sold or distributed in the Philippines, or packages such batteries for sale in the
15 Philippines, except that if such production or packaging is for a distributor having the
16 right to produce or otherwise package that same brand of battery in the Philippines, then
17 such distributor shall be deemed to be the battery manufacturer; or (ii) imports
18 rechargeable batteries that are sold or distributed in the Philippines.
19
20 b) Consumer - any person who purchases one or more rechargeable batteries, or products
21 containing such batteries at the time of sale.
22
23 c) Place of business - the location, at which a retailer sells or offers for sale to consumers,
24 rechargeable batteries, or products containing such batteries at the time of sale.
25
26 d) Rechargeable battery - any rechargeable nickel-cadmium, sealed lead, lithium ion, nickel
27 metal hydride battery, or any other such dry cell battery capable of being recharged
28 weighing less than twenty-five pounds, or battery packs containing such batteries, but
29 shall not include a battery used as the principal electric power source for a vehicle, such
30 as, but not limited to, an automobile, boat, truck, tractor, golf cart or wheelchair, for

1 storage of electricity generated by an alternative power source, such as solar or wind-
2 driven generators, or for memory backup in an electronic device.

- 3
4 e) Retailer - a person, firm or corporation that engages in the sale of rechargeable batteries,
5 or products containing such batteries, to a consumer in the Philippines including, but not
6 limited to, transactions conducted through sales outlets, catalogs, by mail, telephone or
7 the internet. For purposes of this section retailer shall not include a food store.

8
9 **SEC. 4. Rechargeable battery disposal ban.** - No person shall knowingly dispose of
10 rechargeable batteries as solid waste at any time anywhere in the Philippines.

11
12 **SEC. 5. Rechargeable battery recycling program.** -

- 13
14 1) Consumers shall return rechargeable batteries to a retailer that sells such batteries that
15 are similar in shape, size and function to those to be disposed of Rechargeable batteries
16 contained in electronic products must be removed prior to disposal of such product.

- 17
18 2) Retailers shall be responsible for the following:

- 19
20 a) Retailers having a place of business in any place in the "Philippines shall accept
21 from consumers at any time during normal business hours rechargeable batteries
22 of a similar size and shape as the retailer offers for sale. Retailers shall take up to
23 ten such batteries per day from any person regardless of whether such person
24 purchases replacement batteries, and retailers shall also accept as many such
25 batteries as a consumer purchases from the retailer. Retailers shall conspicuously
26 post and maintain, at or near the point of entry to the place of business, a legible
27 sign, not less than 8 ½ inches by 11 inches in size, stating that used rechargeable
28 batteries of the size and shape sold or offered for sale by the retailer may not enter
29 the solid waste stream, and that the retail establishment is a collection site for
30 recycling such batteries. Such sign shall state the following in letters at least one-
31 inch in height:

32
33 "It is illegal to dispose of rechargeable batteries in the Philippines as solid
34 waste. We accept used rechargeable batteries for return to the manufacturer."

- 35
36 b) Retailers that sell rechargeable batteries to consumers in the Philippines through
37 non-retail outlets such as through catalogs, or by mail, telephone or the internet
38 shall provide at the time of purchase or delivery to the consumer notice of an
39 opportunity to return used rechargeable batteries at no cost to the consumer for
40 reuse or recycling.

- 41
42 c) Retailers in the Philippines shall conspicuously maintain, at a location within the
43 retail establishment convenient for use by consumers, collection boxes or other
44 suitable receptacles, supplied by the manufacturer, into which consumers may
45 deposit used rechargeable batteries.

- 46
47 3) Every battery manufacturer, or any combination of battery manufacturers working
48 together, shall:
49

- 1 a) At the battery manufacturer's own expense, arrange for the return of, and recycle
2 all used rechargeable batteries collected by retailers.
3
- 4 b) Within six months of the passage of this law, submit a plan to the head
5 commissioner of National Solid Waste Management Commission (NSWMC), or
6 any other person responsible for the Philippines' recycling programs, that
7 identifies the methods by which battery manufacturers will collect, transport, and
8 recycle rechargeable batteries collected by retailers at the expense of the battery
9 manufacturer.
10
- 11 c) Submit annual reports concerning the amount of rechargeable batteries received
12 and recycled within the Philippines, either by number or by weight; the costs of
13 such efforts; and any other relevant information to the head commissioner of
14 NSWMC or any other person responsible for the Philippines' recycling programs.
15
- 16 d) Undertake efforts to educate the citizens of the Philippines regarding the
17 appropriate ways to recycle rechargeable batteries.
18
- 19 4) The head commissioner of NSWMC, or any other person responsible for the Philippines
20 recycling programs, shall approve or reject any battery manufacturer's collection,
21 transportation, and recycling plans described in section (5)(3)(b) within thirty days of
22 submission and, if rejected, inform the battery manufacturer in writing as to any
23 deficiencies in the plan. Battery manufacturers shall amend and resubmit any rejected
24 plans for reconsideration within sixty days of notification of the rejection of said plan.
25 The head commissioner of NSWMC or any other person responsible for the Philippines'
26 recycling programs shall approve or reject said plan within thirty days of resubmission.
27
- 28 5) The head commissioner of NSWMC, or any other person responsible for the Philippines'
29 recycling programs, shall analyze the information provided by battery manufacturers
30 pursuant to Section (5)(2)(c) and publish its report in at least two (2) general newspapers
31 of national circulation every two years.
32
- 33 6) The commissioner of NSWMC, or any other person responsible for the Philippines'
34 recycling programs, shall promulgate any rules needed to implement this law.
35

36 **SEC. 6. Penalties. -**
37

- 38 1) Any person who violates section 4 of this law shall be liable for a civil penalty
39 recoverable in a proceeding before the NSWMC in the amount of two thousand pesos
40 (P2,000.00) for the first violation, four thousand pesos (P4,000.00) for a second violation
41 committed within twelve months of a prior violation and eight thousand pesos (P8,000.00)
42 for a third or subsequent violation committed within twelve months of any prior violation.
43
- 44 2) Any retailer who violates section 5 of this law shall be liable for a civil penalty in a
45 proceeding before the environmental control board in the amount of eight thousand pesos
46 (P8,000.00) for the first violation, sixteen thousand pesos (P16,000.00) for a second
47 violation committed within twelve months of a prior violation, and twenty thousand
48 pesos (P20,000.00) for a third or subsequent violation committed within twelve months
49 of any prior violation.
50

1 3) Any battery manufacturer who violates section 5 of this law shall be liable for a civil
2 penalty recoverable in a proceeding before the NSWMC in the amount of eighty
3 thousand pesos (P80,000.00) for the first violation, one hundred sixty thousand pesos
4 (P160,000.00) for a second violation committed within twelve months of a prior violation,
5 and two hundred thousand pesos (P200,000.00) for a third or subsequent violation
6 committed within twelve months of any prior violation.
7

8 **SEC. 7. Appropriations.** - The amount necessary to carry out the provisions of this Act
9 shall be provided out of the savings from the appropriations of the NSWMC for the current year.
10 Thereafter, the sum necessary for the implementation of this Act shall be appropriated in the
11 annual appropriations of the NSWMC.
12

13 **SEC. 8. Repealing Clause.** - All laws, decrees, orders, rules and regulations or parts
14 thereof inconsistent with this Act are hereby repealed or amended accordingly.
15

16 **SEC. 9. Effectivity.** - This Act shall take effect fifteen (15) days upon its publication in at
17 least two (2) general newspapers of national circulation.

Approved,