

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **7660**



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

EXPLANATORY NOTE

Enacted on 1978, Presidential Decree No. 1586 establishing the Environmental Impact Statement System has since then ensured that the "exigencies of socio-economic undertakings can be reconciled with the requirements of environmental quality." It provided for a full-bodied enforcement of the regulatory requirements of the environmental Impact Statements and Assessments.

However, despite the wisdom of the presidential decree, there continues to be flagrant violations of our country's environmental laws, the effects of which have all been too obviously detrimental seeing the current state of our natural environment. This can be attributed to the lackadaisical implementation of the law, the supremacy of greed over environmental awareness, and the relatively weak penalty meted against violators.

The penalty for violations under the aforementioned decree is the suspension or cancellation of his/its certificate or and/or a fine in an amount not exceeding fifty thousand pesos (P50,000) for every violation thereof. Obviously, fifty thousand pesos is nothing, but spare change compared to the profits yielded by industrial titans and mega corporations extracted through the severe degradation of our natural environment. Moreover, them being responsible for such wanton destruction, they must also be held accountable for the rehabilitation, reparation, or the restoration of the damage of their violations.

As such, under this proposed measure, the fines imposed would be scaled up to at least 500,000 pesos per violation and the legal responsibility of rehabilitating and restoration of areas on which their operations have dealt much harm shall also be charged against these felons.

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


GARY C. ALEJANO
Representative

Magdalo Parsa sa Pilipino Party-List

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1 **AN ACT**
2 **AMENDING SECTION 9 OF PRESIDENTIAL DECREE 1586 BY INCREASING THE**
3 **PENALTIES THEREOF AND FOR 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.** Section 9 of Presidential Decree 1586 (Environmental Impact Statement
9 System Law) is hereby amended as follows:
10

11 Section 9. Penalty for Violation. Any person, corporation, or partnership found
12 violating Section 4 of this Decree, or the terms and conditions in the issuance of the
13 Environmental Compliance Certificate, or of the standards, rules and regulations
14 issued by the National Environmental Protection Council pursuant to this Decree
15 shall be punished by the suspension or cancellation of his/its certificate and/or a fine in an
16 amount not [to exceed Fifty Thousand Pesos (P50,000.00)] LESS THAN FIVE
17 HUNDRED THOUSAND PESOS (P500,000) BUT NOT MORE THAN TWO
18 MILLION PESOS (P2,000,000) for every violation thereof[,] AND DEPENDING
19 ON THE EFFECT AND DAMAGE IT CAUSED, at the discretion of the National
20 Environmental Protection Security Council.
21

22 IN ADDITION TO THE PENALTIES IMPOSED ON THE PRECEDING
23 PARAGRAPH AND SUCH OTHER LIABILITIES AS MAY BE ENACTED

1 UNDER OTHER SPECIAL LAWS, ANY PERSON, PARTNERSHIP OR
2 CORPORATION FOUND VIOLATING SECTION 4 OF THIS DECREE OR THE
3 TERMS AND CONDITIONS OF THE ENVIRONMENTAL COMPLIANCE
4 CERTIFICATE SHALL BE OBLIGED TO SHOULDER THE FULL COST OF
5 THE REHABILITATION, REPARATION, OR RESTORATION OF THE DAMAGE
6 CAUSED BY ITS VIOLATION.

7
8 **SEC. 2. *Implementing Rules and Regulations.***—The Secretary of the Department of
9 Environment and Natural Resources shall promulgate the necessary rules and regulations for the
10 effective implementation of this Act.

11
12 **SEC. 3. . *Repealing Clause.***— All laws, decrees, orders, rules and regulations, or other
13 issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed.

14
15 **SEC. 4. *Appropriations. — Separability Clause.***—Should any provision herein be declared
16 unconstitutional, the same shall not affect the validity of the other provisions of this Act.

17
18 **SEC. 5. *Effectivity.***—This Act shall take effect fifteen (15) days after its publication in the
19 Official Gazette in at least two (2) newspapers of general circulation.

Approved,