



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

SEVENTEENTH CONGRESS
Third Regular Session

8748
House Bill No. _____

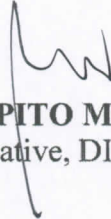


Introduced by **DIWA Party-list Representative Pepito M. Pico**

EXPLANATORY NOTE

Climate change is no longer just a mere political issue. It has already evolved into a moral issue for us. As we have experienced the worsening effects of climate change over the past years, it has now become our collective moral obligation to ensure that we take actions to somehow address this issue. Although we may be a considerably small nation who can only have so much contribution in resolving the global issue of climate change, this does not excuse us from not doing whatever we can to help combat this humanitarian concern.

One of the worst aspects of our environmental policy is our lack of effort in improving our solid waste management programs. To address such issue, we enacted the "Ecological Solid Waste Management Act of 2000". We are now 16 years into the implementation of the law, and we feel it is necessary to update the penal provisions of such law in order to effectively deter violations of such law. This bill, a re-filing of House Bill No. 770 filed by former DIWA Party-list Representative Emmeline Villar, advances our collective right to a balanced and healthful ecology in accord with the rhythm and harmony of nature. Furthermore, it is about time that we put into law, a concrete and definite program to ensure an effective waste management program. Local governments have done this through different ordinances. There is no reason we should not adopt similar, or even better programs, for the entire nation.


PEPITO M. PICO
Representative, DIWA Party-list



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Introduced by **DIWA Party-list Representative Pepito M. Pico**

AN ACT
PROVIDING FOR STIFFER FINES AND PENALTIES FOR THE ILLEGAL
DISPOSAL OF WASTE MATERIALS AND VIOLATION OF OTHER
PROHIBITED ACTS, AMENDING FOR THE PURPOSE REPUBLIC ACT
NO.9003, OTHERWISE KNOWN AS THE "ECOLOGICAL SOLID WASTE
MANAGEMENT ACT OF 2000"

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

SECTION 1. Section 49 of Republic Act No. 9003, is hereby amended to read as follows:

"SEC. 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] FIVE hundred pesos [(P300.00)] (P500.00) but not more than One thousand FIVE HUNDRED pesos [(P1,000.00)] (P1,500.00) or render community service for not less than [one] FIFTEEN [(1)](15) dayS to not more than [fifteen] THIRTY [(15)] (30) days to 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] FIVE hundred pesos [(P300.00)] (P500.00) but not more than One thousand FIVE HUNDRED pesos [(P1,000.00)] (P1,500.00) or imprisonment of not less than [one] FIFTEEN [(1)] (15) days to not more than [fifteen] THIRTY [(15)] (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 [One] TWO thousand pesos [(P1,000.00)] (P2,000.00) but not more than [Three] FIVE thousand pesos [(P3,000.00)] (P5,000.00) or imprisonment of not less than [fifteen] THIRTY [(15)] (30) days but not more than [six] TWE.LVE [(6)] (12) 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 [Five hundred thousand] ONE MILLION pesos [(P500,000.00)] (P1,000,000.00) plus an amount not less than [five] TEN percent [(5%)] (10%) but not more than [ten] TWENTY percent [(10%)] (20%)

of his net annual income during the previous year.

The additional penalty of imprisonment of a minimum period of [one] TWO [(1)] (2) yearS, but not to exceed [three] FIVE [(3)] (5) years at the discretion of the court, shall be imposed for second or subsequent violations of Sec. 48, paragraphs (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 [Ten] TWENTY thousand pesos [(P10,000.00)] (P20,000.00) but not more than [Two] FIVE hundred thousand pesos [(P200,000.00)] (P500,000.00) or imprisonment of not less than [thirty] SIX [(30)] (6) [days] MONTHS but not more than [three] FIVE [(3)] (5) 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 [One] FIVE hundred thousand pesos [(P100,000.00)] (P500,000.00) but not more than [One] FIVE million pesos [(P1,000,000.00)] (P5,000,000.00) , or imprisonment not less than [one] THREE [(1)] (3) years but not more than [six] TEN [(6)] (10) years, or both.

If the offense is committed by a corporation, partnership, or other juridical entity duly organized in accordance with 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 ten (10%) percent every [three] TWO [(3)] (2) years to compensate for inflation and to maintain the deterrent function of such fines."

SEC. 2. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,