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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1205



Introduced by REP. FAUSTINO 'INNO' A. DY V

EXPLANATORY NOTE

This bill seeks to require the use of materials with recycled content in the construction of public buildings and other infrastructure projects.

Section 16, Article II of the 1987 Constitution provides:

“SEC. 16. The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.”

Congress has passed several environmental laws to realize this principle, but despite those environmental laws in place, the degradation of the environment continues.

Republic Act No. 9003, otherwise known as the “Ecological Solid Waste Management Act of 2000,” aims to reduce the volume of solid wastes through reuse and recycling.

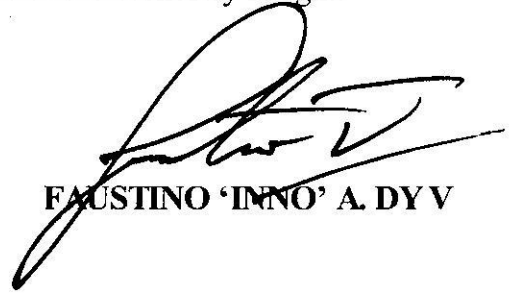
This proposed measure intends to supplement Republic Act No. 9003 in reducing the volume of solid wastes by requiring the use of building materials with recycled content in the construction of public buildings and other infrastructure projects, including projects that are privately funded. These building materials with recycled content are made from the combination of raw and recycled materials.

There are building materials with recycled content that are already in the market, like the eco-brick. Eco-brick is made by mixing wet cement and shredded plastic laminates, which are commonly known as sachets. The process of incorporating plastic

laminates in an eco-brick helps reduce the volume of wastes that are sent to landfills or incinerators. Eco-bricks are not only environmentally friendly but are also aesthetically superior, stronger, and cost-effective compared to regular hollow blocks.

The use of building materials with recycled content also encourages the business sector to make an investment in the manufacturing of these materials, and promote recycling for a cleaner and healthier environment.

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



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HOUSE BILL NO. 1205

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AN ACT
REQUIRING THE USE OF BUILDING MATERIALS WITH RECYCLED
CONTENT IN THE CONSTRUCTION OF PUBLIC BUILDINGS AND OTHER
PUBLIC INFRASTRUCTURE PROJECTS

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

SECTION 1. Short Title. – This Act may be cited as the “Green Building Materials Act.”

SECTION 2. Declaration of Policy. – It is the policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. The State promotes sustainable use and development of the natural resources of the country and conserves the environment for the benefit of the present and future generations. Towards this end, the government shall promote the use of building materials with recycled content in public buildings and other public infrastructure projects.

SECTION 3. Building Materials With Recycled Content. – All officials of the national and local governments and those of the government-owned and controlled corporations shall, prior to the approval of construction of public buildings and public infrastructure projects, including those which are privately funded, require as part of the specifications the use of building materials with recycled content without compromising the structural integrity and safety, and in compliance with the existing laws, rules, and regulations issued by the Department of Public Works and Highways.

For purposes of this Act, “public buildings” refer to structures that are constructed using public funds and are accessible to the public such as government offices, halls of

justice, health facilities, school buildings, and the like. "Public infrastructures" refer to facilities or development projects that are financed and operated by the government, including projects under Republic Act No. 6957, as amended, commonly known as the "Philippine Build-Operate-Transfer (BOT) Law," such as roads, bridges, ports, railways, water and power systems, and telecommunications facilities.

"Building materials with recycled content" are products made from waste materials that are generated from manufacturing processes or by end-users of products in combination with raw materials.

SECTION 4. Exemptions. – The use of building materials with recycled content is not required in the following instances:

1. The structural integrity and safety of the buildings or infrastructure projects are compromised;
2. The use of building materials with recycled content on the building or infrastructure projects violates Presidential Decree No. 1096, otherwise known as the "National Building Code of the Philippines," Republic Act No. 9184, as amended, otherwise known as the "Government Procurement Reform Act," and other existing laws, rules, and regulations; and
3. The type and size of building materials with recycled content to be used in the projects are not available in the market.

SECTION 5. Registry of Materials. – The Bureau of Research and Standards under the Department of Public Works and Highways shall establish a registry of building materials with recycled content that are available in the market. The registry must contain, among others, the properties of the materials, the proportion of the raw and recycled materials in each type and size, and the kind of recycled materials used in manufacturing the building products.

The Bureau of Research and Standards shall test the properties of the materials of every type and size to determine the quality and standards. The building materials with recycled content may only be included in the registry after passing the current material standards. The Bureau of Research and Standards shall update the registry in case of changes in the material standards, and a new building material with recycled content becomes available in the market.

The registry of materials shall serve as reference for all government agencies and private entities in the construction of public buildings and other infrastructure projects on what building materials with recycled content are available in the market.

SECTION 6. Construction Specifications. – The construction specifications must clearly state the building materials with recycled content to be used in a building or infrastructure project. The Department of Public Works and Highways and other

regulatory agencies may not approve the construction specifications of a public building or public infrastructure project if the materials indicated do not include building materials with recycled content and the building or project is not exempted from the use of these materials as provided under Section 4 of this Act.

SECTION 7. Monitoring. – The Department of Public Works and Highways shall monitor the implementation and construction of all public buildings and public infrastructure projects, and ensure that the implementing agencies and private entities are using building materials with recycled content required in this Act. For public buildings and public infrastructure projects duly designated to local government units pursuant to Paragraph (c), Section 17 of Republic Act No. 7160, as amended, otherwise known as the “Local Government Code of 1991,” the local chief executive shall monitor the required use of building materials with recycled content.

SECTION 8. Administrative Sanction. – Any public officer who approves a project specification for the construction of a public building or public infrastructure project that does not comply with Section 3 and Section 4 of this Act shall be administratively liable under existing laws, rules and regulations.

SECTION 9. Implementing Rules and Regulations. – Within ninety (90) days from the effectivity of this Act, the Secretary of Public Works and Highways shall issue the necessary rules and regulations for the effective implementation of this Act.

SECTION 10. Repealing Clause. – All laws, orders, issuances, rules and regulations inconsistent with the provisions of this Act are repealed or modified accordingly.

SECTION 11. Separability Clause. — If any part of this Act shall be declared unconstitutional for any reason whatsoever, such declaration shall in no way affect the other parts or sections of this Act.

SECTION 12. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,