



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

NINETEENTH CONGRESS
First Regular Session

House Bill No. 2171



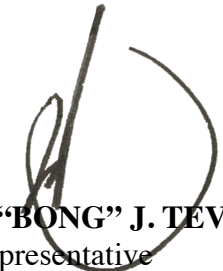
INTRODUCED BY REP. JOSE “BONG” J. TEVES, JR.

EXPLANATORY NOTE

In previous years, the Philippines has been a victim of the so called “global waste trade” when several countries such as Canada and South Korea imported tons of hazardous waste into the Philippines. Since the occurrence of the highly publicized waste importation in our country, we have yet to enact laws to prohibit the same from happening again, and to penalize the responsible persons or entities behind such importation.

Pursuant to our Constitutional duty and intergenerational responsibility to protect and advance the right of the people to a balance and healthful ecology, and considering our country’s own waste problems, this piece of legislation proposes a total ban on the importation of waste in the Philippines. Without this kind of legislation, we should expect more foreign waste shall arrive at our shores.

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


HON. JOSE “BONG” J. TEVES, JR.
Representative
TGP Partylist



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AN ACT PROHIBITING AND PENALIZING THE IMPORTATION OF WASTE

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

SECTION 1. Short Title. – This Act shall be known as the “Waste Importation Ban Act of 2022”.

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to prohibit and impose a complete ban of waste importation into the Philippine territory to prevent environmental pollution caused by such waste, and in order to safeguard human health, maintain ecological safety, and promote sustainable development of the economy and society.

SEC 3. Importation Prohibition of All Kinds of Waste or Scrap Including Recyclable Materials. – The importation of all kinds of waste or scrap, including recyclable materials, is hereby prohibited. Importer registration and importation clearances issued by government agencies under existing laws and regulations shall be cancelled and no new applications shall be accepted.

SEC. 4. Scope. – This Act shall cover the importation of all waste into the Philippine territory. For purposes of this Act, importation shall include the entry, even in transit, as well as the keeping or storage of waste, into the Philippine territory for whatever purpose.

SEC. 5. Waste, defined. – As used in this Act, waste shall mean:

- a. Scrap metals;
- b. Scrap solid plastic metals;
- c. Electronic assemblies and scrap, including used or second-hand electrical and electronic equipment, and electronic components containing hazardous substances;
- d. Scrap papers;
- e. Solid plastic waste materials, including homogenous and sorted plastic materials;
- f. Used oil, including waste oil or oil residues;
- g. Fly ash from coal-fired power plants;
- h. Incinerator ash or slag;
- i. Municipal wastes/processed engineered fuel (PEF);
- j. Refuse derived fuel (RDF);
- k. Solid recovered fuel (SRF);
- l. Neutralized phosphogypsum;
- m. Other hazardous, toxic and nuclear wastes as defined under Republic Act No. 6969 otherwise known as Toxic Substances and Hazardous and Nuclear Waste Control Act;
- n. Other solid waste as defined under Republic Act No. 9003 or the Ecological Solid Waste Management Act; and
- o. Other similar waste as may be defined by the Department of Environment and Natural Resources (DENR).

The DENR shall release a complete list of banned materials within thirty (30) days from the effectivity of this Act. The failure of the Secretary of DENR to promulgate the said list shall not prevent the implementation of this Act upon effectivity.

SEC. 6. Fines and Penalties. – Any person who misdeclares or imports or brings into the Philippine territory any waste covered by this Act, or assists in so doing, or shall receive, conceal, buy, sell or in any manner facilitate the transportation, concealment, or sale of such

goods after importation, or violates any other provision of this Act or the rules and regulations issued pursuant thereto, shall be penalized by imprisonment of not less than eight (8) years and one (1) day but not more than twelve (12) years, or a fine of not less than one million five hundred thousand pesos (P1,500,000.00) but not more than fifteen million pesos (P15,000,000.00), or both.

If the offender is a foreigner, the offender shall be deported and barred from any subsequent entry into the Philippines after service of sentence.

If the offender is a corporation, association, or other entity, the penalty shall be imposed upon the president, chief executive officer, general manager, or managing partner, in addition to payment of an exemplary damage of at least one million pesos (P1,000,000.00). If it is a foreign corporation, association, or other entity, all its responsible officers shall be deported and/or barred from entry in the Philippines, in addition the cancellation of its license to do business in the Philippines.

If the offender is a government official or employee, the penalties of dismissal from office and permanent disqualification from holding any elective or appointive position shall be imposed, in addition to the penalties provided herein.

The prohibited imported waste shall be sent back to the country of origin at the expense of the consignor, importer and/or person or entity who willfully participated in the prohibited act.

SEC. 7. Implementation of Strict Importation Monitoring and Regulatory System.

– The DENR together with the Bureau of Customs (BOC), shall implement a strict monitoring system of importation to ensure that no waste is brought into the Philippine territory under false declarations or otherwise.

SEC. 8. Separability Clause. – All laws, decrees, orders, rules and regulations inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 9. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,