

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 915



Introduced by **Hon. Bernadette S. Barbers**

AN ACT
BANNING THE PRODUCTION AND USAGE OF SINGLE-USE PLASTIC PRODUCTS
NATIONWIDE, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

EXPLANATORY NOTE

Plastic is not inherently bad as it has generated significant benefits for society from the time of its invention. Unfortunately, the innovation of plastic into a single-use commodity transformed this invention into a global challenge.

Several reports showed that Philippines is among the top contributors of discarded plastic that ends up in the ocean. The country produces billions of plastics a year including single-use sachet which has become the industry standard. It ends up polluting the ocean and doing irreparable harm to wildlife.

Single-use products have been banned in several countries according to the United Nations report. Thus, it is high time for the Philippines to join this growing movement across the world. It should not be forgotten that it is the responsibility of today's generation to preserve the rhythm and harmony of nature for the full enjoyment of a balanced and healthful ecology, as duty mandated by our Constitution and by various laws.

Thus, this bill moves to impose ban on the production and usage of single-use plastic products by all establishments nationwide. It also encourages consumers to use reusable materials, while all single-use plastics already in circulation shall be collected, recycled, and properly disposed of as provided under Republic Act No. 9003 or the Ecological Solid Waste Management Act. It likewise provides appropriate penalties for violators thereof.

Through this measure, saving the environment for future generation, by reducing the impact of plastic waste pollution, is likely possible.

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


HON. BERNADETTE S. BARBERS
2nd District, Surigao del Norte

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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 “*Ban on Single-Use Plastic Products Act.*”

SECTION 2. *Prohibition.* – The ban on single-use plastic products by all business enterprises to consumers shall be in full force and in effect one year from the effectivity of this Act.

In the interim period (within 1 year), the following shall be enforced:

- a. The provision of single-use plastic in all establishments shall be strictly prohibited;
- b. Consumers shall be encouraged/diverted to use reusable materials in substitution for single-use plastics;
- c. Single-use plastic products already manufactured and in circulation shall be collected, recycled, and properly disposed of by the manufacturers and the local government units;

At the end of the 1-year period, and upon full effectivity of this Act, the further and continued provision by all business enterprises and use by consumers of single-use plastics shall be strictly prohibited.

SECTION 3. *Recycling of used single-use plastics.* – Used single-use plastic products, those manufactured or used before this Act’s effectivity, shall be recycled.

It shall be the duty of all plastic manufacturers and local government units to collect, recycle, and dispose the said single-use plastics in a manner consistent with existing laws, rules, and regulations, and ensuring that no harmful chemicals or substances are released to the environment.

SECTION 4. *Proper disposal and management of plastic wastes.* – The disposal and management of plastic waste shall be done in accordance with the provisions of Republic Act 9003.

SECTION 5. *Efforts to mitigate the negative effects of the Act on plastic manufacturers and their workers.* – To avoid exterminating an industry behind thousands of jobs, the Department of Science and Technology (DOST) is hereby tasked with assisting plastic manufacturers in researching on single-use plastic alternatives and acquiring the appropriate technology needed for the manufacture of such products.

Manufacturers of alternative products shall be given incentives provided for under the Philippine Cooperative Code of 2008, the Barangay Micro-Business Enterprise, the Omnibus Investment Code of 1987 or the Green Jobs Act of 2016, where applicable. The Department of Environment and Natural Resources and the Department of Trade and Industry, in coordination with the Department of Finance, shall provide technical and financial assistance to these manufacturers.

Local Government Units are encouraged and shall be allowed to provide additional benefits and incentives to these manufacturers within their jurisdiction, consistent with existing laws, rules, and regulations, which shall be in addition to the benefits and incentives provided for in the previous paragraph.

SEC. 6. *Penalties.* – Any violation of this Act shall be imposed the following penalties:

- a. Individuals caught using single-use plastic products shall be penalized as follows:
 - i. First Offense - A fine of Five Thousand Pesos (P5,000.00);
 - ii. Second Offense - A fine of Twenty Thousand Pesos (P20,000.00);
 - iii. Third Offense - A fine of Fifty Thousand Pesos (P50,000.00) and imprisonment of not less than six (6) months.
- b. For Business Enterprises, the following penalties shall be imposed:
 - i. First Offense - A fine of Ten Thousand Pesos (P10,000.00);
 - ii. Second Offense - A fine of Fifty Thousand Pesos (P50,000.00) and suspension of its business permit for three (3) months;
 - iii. Third Offense - A fine of Two Hundred Thousand Pesos (P200,000.00) and the suspension of their Business Permit for a period of One (1) year and imprisonment of not less than two (2) years.
- c. For Plastic Manufacturer found violating this Act, the following penalties shall be imposed:
 - i. First Offense - A fine of Fifty Thousand Pesos (Php 50,000.00);

- ii. Second Offense - A fine of One Hundred Thousand Pesos (Php 100,000.00) and suspension of Business Permit for three (3) months;
- iii. Third Offense - A fine of Two Hundred Thousand Pesos (Php 200,000.00) and imprisonment of not less than two (2) years. The said business permit shall be cancelled.

If the offender in subparagraph (b) or (c) of this Section is a corporation, trust or firm, partnership, association or any other entity, the penalty shall be imposed on the entity's responsible officers including, but not limited to, the president, chief executive officer, general manager, managing director or partner directly responsible thereof.

SEC. 7. *Implementing Rules and Regulations.* – The Department of Environment and Natural Resources, Department of Interior and Local Government, and the Department of Trade and Industry shall within 60 days, promulgate the implementing rules and regulations of this Act, following a consultation with consumer groups, plastic producers and other affected groups. Such implementing rules and regulations shall be submitted to Congress for approval.

SEC. 8. *Repealing Clause.* – All law, executive orders, rules and regulations or any part hereof inconsistent herewith are deemed repealed or modified accordingly.

SEC. 9. *Separability Clause.* – If any part or provision of this Act shall be declared unconstitutional and invalid, such declaration shall not invalidate other parts thereof which shall remain in full force and effect.

SEC. 10. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,