

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. **3268**



Introduced by **HON. JOSEFINA B. TALLADO**

**AN ACT BANNING SINGLE-USE PLASTICS NATIONWIDE AND
APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

Former Department of Environment and Natural Resources Secretary Roy Cimatu during a Stratbase Group Forum in Taguig City on December 5, 2019 revealed that Philippines is in a Garbage Crisis brought about by plastic wastes. By 2019, the Philippines is ranked as the third highest source of ocean plastic pollution with an estimated 2.7 million metric tons of plastic waste according to a 2015 report on plastic pollution by the Ocean Conservancy charity and the McKinsey Centre for Business and Environment. **By contrast, todays consensus places the Philippines first, generating 360,000 tons of ocean-bound plastic annually, more than three (3) times that of the next-highest country.**

This alarming garbage crisis prompts us to expedite the dire need to revisit and enhance our solid waste management policies particularly our approach to the wanton utilization of single-use plastics like sachets, sando bags, straws, stirrers, plastic bottles and cups, and the like, that contribute to a lot of solid waste.

While there are several local legislation or ordinances that already bans single-use plastics, the same needs to be adopted nationwide for it to be totally effective. This bill seeks to do just that.

Section 16 of Article II of the 1987 Philippine Constitution declared that 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.

A bill seeking a nationwide ban on single-use plastic is therefore a step in the right direction to arrest the garbage crisis in our country, and is, consistent with the constitutional mandate of protecting and saving our environment for future generations.

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


HON. JOSEFINA B. TALLADO
Representative
1st District, Camarines Norte

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

SECTION 1. Short Title – This act shall be known as the Nationwide Single-Use Plastic Ban Act.”

SECTION 2. Declaration of Policy – It is the duty of the State to ensure that its people have a safe place to live in. The protection of the environment must be given the utmost priority in policy and practice. Plastic pollution has been a major driver in the destruction of our oceans and the uncleanness of surroundings. This problem also extends in our food sources as these are affected by our plastic waste. Single-use plastics in the country serve to be detrimental and have far-reaching consequences. It is the State’s responsibility to propose and to implement possible solutions to solve this problem.

To this end, the State shall adopt a nationwide ban of single-use plastics and promote alternative methods towards sustainable development.

SECTION 3. Nationwide Ban of Single-Use Plastics and Transition Program – A nationwide ban of all single-use plastics shall be implemented within one (1) year upon the effectivity of this Act. All schools, supermarkets, shops, hotels, establishments, government offices, and industries shall implement this ban in all processes of production, distribution, consumption, and other activities that may include the use of single-use plastics. A transition program shall also be undertaken to help all concerned individuals and industries in implementing the ban. The program shall include but are not limited to the following objectives:

- Ban all single-use plastics nationwide within the given time period. Failure to comply shall be penalized as prescribed under Section 9 of the Act.
- Prohibit production of single-use plastics within the given time period. Failure to comply shall be penalized as prescribed under Section 9 of this Act.
- Research and develop sustainable and cheap alternative methods, packaging, and processing of products using single-use plastics.

- Explore and recommend good practices that can be adapted across all sectors.
- Replace all single-use plastics to eco-friendly and sustainable alternatives.
- Restrict importation of single-use plastics. Failure to comply shall be penalized as prescribed under Section 9 of this Act.
- Monitor and regulate plastic recycling of existing single-use plastics and develop the recycling sector.
- Raise awareness of the single-use plastic ban in schools, households, and workplaces and promote different sustainable practices through different media.

The program shall be developed and monitored by a multi-stakeholder committee under Section 4 of this Act.

SECTION 4. *Multi-stakeholder Committee for the Nationwide Single-Use Plastic Ban and Transition Program*

– To ensure the effective implementation of the program, the Department of Science and Technology (DOST), the Department of Trade and Industry (DTI), the Department of Environment and Natural Resources (DENR), the Department of Education (DepEd), the Commission on Higher Education (CHED), the Department of Economy, Planning, and Development (DEPDEV), Bureau of Customs (BOC), the Department of Finance (DOF), the Department of Information and Communications Technology (DICT), the Securities and Exchange Commission (SEC), local government units, academe representatives across the region, industry representatives (hospitality, manufacturing, enterprise, etc.), representatives from non-government organizations, and representatives from civil society shall develop and formulate accurate guidelines and appropriate mechanism for the transition program and the nationwide ban of single-use plastics. The Committee shall also manage other concerns that may arise from this Act.

SECTION 5. *Incentives for Compliant/Establishments and Industries* – Companies, establishments, Schools, Industries, and other entities that have complied with the ban and program within the given time period shall be subject to incentives and tax rebates under reasonable conditions. This shall be determined by the Committee under Section 5 of this Act.

SECTION 6. *Support for Sustainable Business Initiatives, Research and Development, and Promotion of the Recycling Sector* – Tax incentives shall be provided to companies willing to invest in plastic recycling equipment or in manufacturing of eco-friendly alternatives. Academe and other similar firms shall also be given support and/or grants for research and development of eco-friendly and sustainable alternatives to single-use plastics. Business in the recycling sector shall be given access to financial, infrastructural, technical, and knowledge support from the government.

SECTION 7. *Declaration of Plastic Products and Regulation for New Businesses* – Existing single-use plastics of companies and industries under this Act shall be declared and shall be recycled accordingly. The production of new single-use plastics outside the declared data after the given time period shall be penalized under relevant agencies upon the effectivity of this Act shall already adopt a no single-use plastic policy. Other standards and regulations shall be determined by the Committee under Section 9 of this Act.

SECTION 8. Continuing Multi-stakeholder Consultations on Good Practices – The Committee, together with other industry representatives shall hold annual meetings, consultations, and knowledge-sharing for a period of five (5) years upon the effectivity of this Act. This shall be an avenue to discuss the impact of the ban, explore new initiatives, and facilitate the adaptation of effective mechanism in different industries.

SECTION 9. Penal Provisions – The following are the imposed penalties of those in violation of the Act:

- *Establishments using single-use plastics after the given time period and outside its declared data:* A fine of Fifty Thousand Pesos (Php50,000.00) for the first offense. A fine of One Hundred Thousand Pesos (Php100,000.00) and the suspension of their business permits and registrations under relevant agencies for a period of six (6) months for the second offense. A fine of Two Hundred Thousand Pesos (Php200,000.00) and the suspension of their business permits and registrations under relevant agencies for a period of one (1) year for the third offense.
- *Companies' production of single-use plastics after the given time period:* A fine of One Hundred Thousand Pesos (Php100,000.00) for the first offense. A fine of Two Hundred Fifty Thousand Pesos (Php250,000.00) and the suspension of their business permits and registrations under relevant agencies for a period of one (1) year and six (6) months for the second offense. A fine of Three Hundred Fifty Thousand Pesos (Php350,000.00) and the cancellation of their business permits and registrations under relevant agencies.
- *Importation of single-use plastics by companies:* A fine of Two Hundred Thousand Pesos (Php200,000.00) and the suspension of their business permits and registrations under relevant agencies for a period of two (2) years for the offense. After the suspension is lifted, the company shall be black-listed by the Bureau of Customs from trading for a period of six (6) months. A fine of Four Hundred Thousand Pesos (Php400,000.0) and the cancellation of their business permits and registrations under relevant agencies for the second offense.

SECTION 10. Appropriation. – The amounts necessary to implement this Act shall be included in the General Appropriations Act.

SECTION 11. Implementing Rules and Regulations. – Within sixty (60) days from the effectivity of this Act, the Multi-Stakeholder Committee mentioned in Section 4 hereof shall promulgate the necessary rules and regulations to implement this Act.

SECTION 12. Separability Clause – If for any reason, part of the provision of this Act shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 13. Repealing Clause – All laws, decrees, orders, rules, and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 14. Effectivity Clause – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two newspapers of general circulation.

Approved.