



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
First Regular Session



HOUSE BILL NO. 4083

Introduced by Representative Lorenz R. Defensor

EXPLANATORY NOTE

This bill prohibits the use of plastics, other non-biodegradable materials, and hazardous substances in advertising goods, services, or events, including election propaganda.

Section 16, Article II of the 1987 Constitution states:

"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."

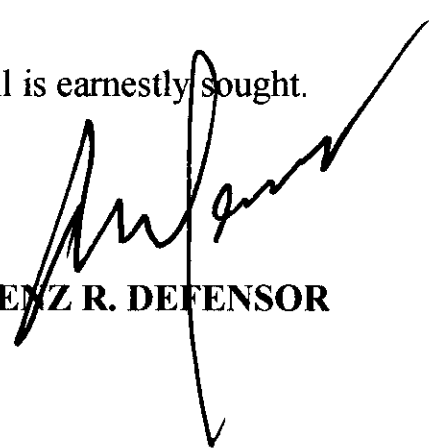
In accordance with the foregoing constitutional provision, the State shall promulgate measures to protect and preserve the environment, and promote public awareness on the need to reduce the ecological impact of plastics, other non-biodegradable materials, and hazardous substances on the environment, particularly those used in advertising goods, services, or events, including election propaganda.

Advertising materials such as billboards, posters, banner ads, streamers, pamphlets, leaflets, decals, stickers, and other similar materials have been utilized by businesses, organizations and individuals to promote their products or goods, services, or events, and also by political parties to promote the candidacy of their members or their organization during elections. These materials have been used for many years now and have significantly contributed to the adverse impacts on the environment. They represent a great part of our country's waste which usually ends up in landfills and disposal sites which are neither safe nor compliant to the standards set by Republic Act No. 9003, also known as the *"Ecological Solid Waste Management Act of 2000."* Many of these materials also end up in streams, rivers, canals, and drainage systems and

contribute to the cause of flooding. Significant quantity of these materials also reach the seas and oceans contributing to water pollution, destruction of marine ecosystems, as well as death of various species of fish and marine life.

This proposed measure seeks to prohibit and penalize any person who uses plastics, other non-biodegradable materials, and hazardous substances in advertising goods, services, or events, including election propaganda. It is hoped that this proposed measure would contribute to lessening the causes of the environment's degradation.

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



LORENZ R. DEFENSOR



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AN ACT

PROHIBITING THE USE OF PLASTICS, OTHER NON-BIODEGRADABLE MATERIALS, AND HAZARDOUS SUBSTANCES IN ADVERTISING GOODS, SERVICES, OR EVENTS, INCLUDING ELECTION PROPAGANDA, AND PROVIDING PENALTIES THEREFOR

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

SECTION 1. *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. Towards this end, the State shall promulgate measures to reduce the impact of plastics, other non-biodegradable materials, and hazardous substances on the environment, particularly those used in advertising goods, services, or events, including election propaganda.

SEC. 2. *Definition of Terms.* – As used in this Act:

(a) *Advertising* refers to the act of giving notice, announcing, or promoting a product, service, or event to the public through the use of

billboards, posters, banner advertisements, pamphlets, leaflets, decals, stickers,
and other printed materials for the purpose;

(b) *Environmentally acceptable* refers to the quality of being re-usable,
biodegradable or compostable, recyclable and not toxic or hazardous to the
environment;

(c) *Non-biodegradable materials* refer to inorganic substances with
chemical and physical properties which prevent immediate decomposition by
exposure to the natural environment;

(d) *Plastics* refer to polymeric materials that are capable of being molded
or shaped by application of heat or pressure; and

(e) *Election propaganda* refers to any matter published, printed,
displayed or exhibited in a printed material, which contains the name, image,
logo, brand, insignia, color motif, initials, and other symbol or graphic
representation that is capable of being associated with a candidate, and is
exclusively intended to draw the attention of the public or a segment thereof to
promote or oppose, directly or indirectly, the election of the candidate or
candidates to a public office.

SEC. 3. ***Prohibited Advertising and Election Propaganda Materials.*** –

The use of plastics, other non-biodegradable materials, and hazardous
substances in advertising goods, services, or events, including election
propaganda, is prohibited.

All plastics, other non-biodegradable materials, and hazardous substances
used in advertising goods, services, or events, including election propaganda,

shall be gradually phased out within one (1) year from the effectivity of this Act. Thereafter, the use of these materials and substances shall be prohibited and only advertising materials which are environmentally acceptable shall be allowed.

SEC. 4. **Penalties.** – (a) Any person, whether natural or juridical, who uses plastics, other non-biodegradable materials, and hazardous substances in advertising goods, services, or events, including election propaganda, shall suffer the penalty of imprisonment of not less than one (1) year and one (1) day to six (6) years, or a fine of not less than One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) or both, and shall not be subject to probation; and

(b) If the offender is a juridical entity, the highest ranking official, members of its board of directors or trustees, or any other official who authorized the violation shall suffer the penalty imposed under this Act. In addition, the business permit shall be suspended for one (1) year for the first offense and revoked for subsequent offenses.

SEC. 5. **Lead Agency.** – The Department of Environment and Natural Resources (DENR) is the lead agency responsible for the implementation of the provisions of this Act. The DENR shall coordinate with other government agencies including the Department of Trade and Industry, Department of the Interior and Local Government, and the Commission on Elections (COMELEC) for the effective implementation of this Act. They shall endeavor to create public awareness on the negative impact to the environment

of plastics, other non-biodegradable materials, and hazardous substances used in advertising goods, services, or events, including election propaganda.

The Secretary of Environment and Natural Resources shall furnish the Secretary of Trade and Industry, the Secretary of the Interior and Local Government, and the Chairperson of the COMELEC with the updated list of toxic substances and hazardous wastes pursuant to Section 4(a) of Republic Act No. 6969, otherwise known as the “*Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990.*”

SEC. 6. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the Secretary of Environment and Natural Resources shall, in consultation with the Department of Trade and Industry, the Department of Interior and Local Government and COMELEC, issue the necessary rules and regulations for the effective implementation of this Act.

SEC. 7. *Repealing Clause.* – All laws, presidential decrees, executive orders, rules and regulations, and other issuances, or any part thereof inconsistent with the provisions of this Act are hereby repealed, modified, or amended accordingly.

SEC. 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general publication.

Approved,