

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 4092



Introduced by **Pangasinan Fifth District Representative**
HON. RAMON N. GUICO III

EXPLANATORY NOTE

The durability and versatility of plastics, paired with its relatively low cost have made it a favourite among many companies and industries for storing and packing goods. In fact, according to the UN, since the 1950s the production of plastic has outpaced that of almost any other material. Moreover, much of the plastics produced are single-use ones, which are meant to be thrown away after first usage. A bulk of plastic waste is generated in Asia, while the United States, Japan, and the European Union are the world's largest producers of plastic packaging waste per capita.

Most plastics do not biodegrade, rather they gradually break down into microplastics polluting the soil and bodies of water. It also has inimical effects to humans and wildlife. Currently, only 9% of the more or less 9 billion tons of plastics produced has been recycled. Most of the world's plastic wastes are left to litter landfills, dumps, and worse, the environment. This ceaseless proliferation of plastic waste is indicative of our increasing inability to cope with this crisis, which if left unchecked, will lead to the ballooning of our plastic wastes to a whopping 12 billion tons by year 2050.

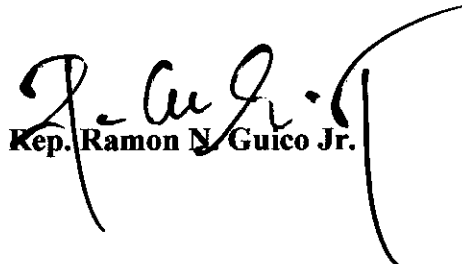
In 2017, Greenpeace revealed that the Philippines is the third-worst plastic polluter of oceans, behind only China and Indonesia. Considered as a "sachet economy" due to a large number of poor Filipinos pushed to buy cheap goods in small quantities, the Philippines have contributed to about 1.88 million tons of mismanaged plastic waste. Not only does the country's plastic waste pollute the world's oceans, it has also degraded our very own bodies of water. As a result, floods have been more severe, diseases continue to proliferate at an alarming rate, and our ecosystem is teetering on the brink of collapse.

To combat this problem, an increasing number of LGUs have initiated a ban on single-use plastics to varying effects. Spill-overs from neighboring communities who do not adopt the same policies are a common problem. To ensure that the reduction and hopefully, total eradication of plastic waste is effectively implemented, a uniform national policy banning single-use plastics must be instituted. Fortunately, Filipinos are becoming more supportive of a single-use plastic ban as evidenced by a recent SWS survey revealing that 7 out of 10 Filipinos support such measure, which effectively gives Congress a rallying cry—if it can muster enough political will to enact such reforms.

An outright ban on all single-use plastics, however is difficult to achieve. The dependence of many companies, industries, and people on plastic materials requires a gradual process of reduction and elimination. If a nationwide ban on single-use plastics is to succeed, it must be backed by rigorous research, availability of cheap alternatives, support for the transition of industries, consistent and

inclusive deliberations, and incentives for compliant industries among many others. As such, under this Act, a multi-stakeholder committee shall be created to facilitate the country's transition towards a reasonable and effective ban on single-use plastics.

As representatives of our people, we have a Constitutional, moral, and intellectual obligation to proceed with great haste on this measure. As such, immediate passage of this bill is earnestly sought.


Rep. Ramon N. Guico Jr.

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AN ACT
IMPOSING A NATIONWIDE BAN ON THE USE OF SINGLE-USE PLASTICS TO
ELIMINATE PLASTIC POLLUTION IN THE PHILIPPINES

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

1 **SECTION 1. Short Title.** – This Act shall be known as the “**Nationwide Ban on Single-Use**
2 **Plastics Act.**”

3 **SEC. 2. Declaration of Policy.** – Article II, Section 16 of the 1987 Constitution declares the
4 responsibility of the State to protect and advance the right of the people to a balanced and healthful
5 ecology in accordance with the rhythm and harmony of nature. In light of this, the State recognizes that
6 plastic pollution is a major detriment to the health of the people and the integrity of our environment,
7 declaring therefore, as a matter of state policy, the nationwide ban on the same.

8 **SEC. 3. Definition of Terms.** – For the purposes of this Act:

9 a. **Committee** refers to the Multi-Stake Holder Committee for the Nationwide Ban on
10 Single-Use Plastics.

11 b. **Single-use plastics** refer to plastic packaging intended for one-time use before being
12 thrown away or recycled. These include, but are not limited to bottles, containers, cups,
13 cutlery, food packaging, grocery bags, and straws.

14 c. **Technology Business Incubation** refers to the strategy identified by the Department
15 of Science and Technology (DOST) to promote innovation and technopreneurship
16 through the provision of a range of resources, services, and facilities.

17 **SEC. 4. Multi-stakeholder Committee for the Nationwide Ban on Single-Use Plastics.** – To
18 ensure the effective implementation of the program, a multi-stakeholder committee composed of the
19 Department of Science and Technology (DOST), the Department of Trade and Industry (DTI), the
20 Department of Environment and Natural Resources (DENR), the Department of Education (DepEd),
21 the Commission on Higher Education (CHED), the National Economic Development Authority
22 (NEDA), Bureau of Customs (BOC), Bureau of Internal Revenue (BIR), the Department of Finance
23 (DOF), the Department of Information and Communications Technology (DICT), the Securities and

Exchange Commission (SEC), the Philippine Information Agency (PIA), local government units, academe representatives across the country, industry representatives, representatives from non-governmental organizations (NGOs), and representatives from civil society shall develop and formulate accurate guidelines, strategies, and instruments for the transition program under Section 5 within one (1) year upon effectivity of this Act. The Committee shall also manage the other concerns that may arise by virtue of this Act.

SEC. 5. Transition Program. – The transition program to be developed and formulated by the Committee under Section 4 of this Act shall aim to:

- a. Target the most problematic single-use plastics by conducting a baseline assessment to identify such plastics, including the current causes, extent, and impacts of their mismanagement;
- b. Formulate fair and equitable strategies and instruments for the thorough implementation of the nationwide ban through regulatory, economic, informative, and voluntary means with consideration to the country's socioeconomic standing, including the assessment of the appropriateness of the plan in addressing the problems identified;
- c. Assess the potential social, economic, and environmental impacts, both positive and negative, of the preferred strategies and instruments for the implementation of the nationwide ban;
- d. Identify and engage key stakeholder groups to ensure broad buy-in.;
- e. Raise public awareness about the harms of single-use plastics, including a clear explanation of key policy decisions and the concurrent punitive measures that shall follow;
- f. Promote alternatives before any ban or levy on single-use plastics is enforced by ensuring that the pre-conditions for their uptake in the market are in place through research and development, technology business incubation, public-private partnerships, support for recycling projects, and reducing or abolishing taxes on the import of materials used to make alternatives among other strategies as the Committee may determine;
- g. Provide incentives to compliant industries by introducing tax rebates or other conditions to support its transition;
- h. Use revenues collected from taxes or levies on single-use plastics to maximize the public good;
- i. Enforce measures, strategies, and instruments chosen by the Committee effectively by making sure that there is clear allocation of roles and responsibilities; and
- j. Monitor and adjust the chosen measures if necessary and update the public on their progress.

1 The transition program shall gradually be implemented by the Committee within a span of 10
2 (10) years after which the ban on single-use plastics shall be complete, final, and irreversible unless
3 otherwise determined by Congress.

4 **SEC. 6. Regulations for New Businesses.** – During the transition period, all companies and
5 industries are to gradually reduce the production and use of single-use plastics in a rate determined by
6 the Committee; *Provided*, That, the Committee shall take into consideration the availability and
7 appropriateness of proposed alternatives during such period in determining such rates.

8 After the transition period, the production and use of single-use plastics, as specifically
9 prohibited by the Committee, shall be penalized under Section 8 of this Act. Single-use plastics from
10 companies or industries already in circulation prior to the ban shall be declared and recycled
11 accordingly. New businesses that will be registered under relevant agencies upon effectivity of this Act
12 shall already adopt a no single-use plastic policy.

13 **SEC. 7. Continuing Multi-stakeholder Consultations on Good Practices.** – The Committee,
14 together with other industry representatives shall hold annual meetings, consultations, and knowledge-
15 sharing. This shall be an avenue to discuss the impact of the ban, explore new initiatives, and facilitate
16 the adaptation of effective mechanisms.

17 **SEC. 8. Penal Provisions.**—The following are the imposed penalties of those in violation of
18 the Act herewith:

19 **a. Establishments using single-use plastics after the transition period and in excess**
20 **of declared data:** A fine of Fifty Thousand Pesos (P50,000.00) for the first offense. A
21 fine of One Hundred Thousand Pesos (P100,000.00) and the suspension of business
22 permits and relevant registration for a period of six (6) months for the second offense. A
23 fine of Two Hundred Thousand Pesos (P200,000.00) and the suspension of their
24 business permits and registrations under relevant agencies for a period of one (1) year
25 for the third offense.

26 **b. Production of single-use plastics after the transition period:** A fine of One
27 Hundred Thousand Pesos (P100,000.00) for the first offense. A fine of Two Hundred
28 and Fifty Thousand Pesos (P250,000.00) and the suspension of their business permits
29 and relevant registrations for a period of one (1) year and six (6) months for the second
30 offense. A fine of Three Hundred Thousand Pesos (P300,000.00) and the cancellation of
31 their business permits and relevant registrations.

32 **c. Importation of Single-Use Plastics:** A fine of Two Hundred Thousand Pesos
33 (P200,000.00) and the suspension of business permits and relevant registrations for a
34 period of two (2) years for the offense. After the suspension is lifted, the Bureau of
35 Customs shall blacklist the offender from trading for a period of six (6) months. A fine
36 of Four Hundred Thousand Pesos (P400,000.00) and the cancellation of business
37 permits and relevant registrations for the second offense.

1 **SEC. 9. Appropriations.**—The amount necessary for the effective implementation of this Act
2 shall be included in the annual General Appropriations Act.

3 **SEC. 10. Repealing Clause.**—All laws, decrees, executive orders or parts thereof inconsistent
4 with the provisions of this Act is hereby repealed or modified accordingly.

5 **SEC. 11. Separability Clause.**—If any part or provision of this Act is declared invalid or
6 unconstitutional, the other parts not otherwise affected shall remain in full effect and force.

7 **SEC. 12. Effectivity.**—This Act shall take effect fifteen (15) days after its publication in the
8 Official Gazette or at least two newspapers of general circulation.

Approved,