

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

TWENTIETH CONGRESS
First Regular Session

House Bill No. 6267



INTRODUCED BY REP. PATRICK MICHAEL "PM" D. VARGAS

AN ACT
ESTABLISHING A TOTAL BAN ON THE IMPORTATION OF WASTE,
PROVIDING MEANS FOR ITS ENFORCEMENT, APPROPRIATIONS, AND
FOR OTHER PURPOSES

EXPLANATORY NOTE

The United Nations Environment Programme reported that Asia is the largest dumping ground for illegally traded waste, including the Philippines.

Despite the recent pronouncements and contravention of international and national regulations, large amounts of waste continue to be unlawfully exported, as a series of events in the country show.

In 1999, 120 container vans containing toxic and hazardous wastes, including hospital wastes, were illegally shipped into the country from Japan. Mislabeled trash containers that really included mixed household wastes reached Port Manila between 2013 and 2014. 2,400 tons of trash were only returned to Canada after five years of diplomatic and legal wrangling. 6,000 tons of garbage, including discarded batteries, diapers, and dextrose tubes, were sent to Misamis Oriental from South Korea in 2018. Unintentionally labeled as "assorted electronic accessories," a container of electronic garbage from Hong Kong entered the country in 2019.

These are only a few of the well-known and contentious instances of shipments of illicit garbage into the nation. According to the EcoWaste Coalition and Greenpeace, there are likely many more instances of rubbish entering the country illegally and being imported without the authorities' knowledge.

This bill establishes a total ban on the importation of waste, processed waste and its by-products. This will not only establish a national policy against the importation of waste into the Philippines and stop similar incidents in the future, particularly from more developed nations, but it will also uphold every Filipino's right to a healthy environment and prevent the worsening of our local trash problem and environmental pollution.

With the passage of this measure, we aim to send a strong message to the international community that the Philippines is not a dumping ground for their waste.

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



REP. PATRICK MICHAEL "PM" D. VARGAS

Fifth District, Quezon City

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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 “*Total Ban on the Importation of Wastes Act*”.

SECTION 2. Declaration of Policy. – IT is State policy to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. It is hereby declared a policy of the State to prohibit the entry and importation of wastes to the Philippine territory for whatever purpose to ensure environmental integrity and sustainability, protect public health and safety, and promote the overall wellbeing of the Filipino people.

SECTION 3. Total Ban on Importation of Wastes, Processed Wastes, and Waste By-Products. – It is hereby declared illegal for any person, group of persons, business, corporate entity or government office, to import, for use, treatment, processing, recycling, storage, or whatever purpose, any form and whatever amount of waste, processed waste materials, waste by-products, whether organic or inorganic, and in whatever form whether solid, liquid, liquefied, gaseous, or mixture of substances.

Imported cargoes declared as wastes or mis-declared to conceal the true waste cargo or smuggled into the country shall not be offloaded from any transport vessel and shall be immediately ordered by port authorities to depart

from the port and return the illegal cargo to its port of origin, with all costs borne by the shipper.

The Department of Transportation (DOTr), in coordination with the Department of Foreign Affairs (DFA), the Bureau of Customs (BOC), and Maritime Industry Authority (MARINA), shall take control of the seized vessel, hire the services of competent and properly certified officers and crew, and return the seized vessel to the port of origin of the contraband waste cargo.

SECTION 4. *Environmental Protection Desk at All Ports of Entry.* – To enable the proper front-line enforcement of this Act, the Department of Environment and Natural Resources (DENR), the Department of Finance (DFA) and the DOTr shall jointly establish an environmental Protection Desk at every port of entry in the country to be manned twenty-four (24) hours a day, seven (7) days a week by competent and adequately trained personnel.

SECTION 5. *Penalties.* – The relevant penal provisions of environmental and customs law, including but not limited to, the following laws shall apply as penalties to violations of this Act:

- a) Ecological Solid Waste Management Act of 2000 (Republic Act NO. 9003);
- b) Philippine Clean Air Act of 1999 (Republic Act No. 8749);
- c) Philippine Clean water Act of 2004 (Republic Act NO. 9275);
- d) Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990 (Republic Act No 6969); and
- e) Customs Modernization and Tariff Act (Republic Act No. 10863).

Transport vessels that refuse to comply with the lawful orders of port authorities to depart immediately and not to offload the imported contraband waste cargo shall be seized, and all their officers, crew, and contraband shipment consignees shall be immediately arrested for violation of this Act and of customs and environment protection laws.

The shipper of the imported contraband waste cargo shall be immediately and permanently banned from shipping or causing the transport of any cargo to the Philippines.

The implementing Rules and Regulations of this Act shall include other penalties and fines as may be deemed necessary.

SECTION 6. *Implementing Rules and Regulations (IRR).* – The Departments of Transportation, Environment and Natural Resources, Finance, Justice, and Foreign Affairs shall jointly craft, adopt, and execute the IRR of this Act within sixty (60) days from its enactment into law.

SECTION 7. *Appropriations.* – The annual budget necessary to implement this Act shall be included in the regular annual general appropriations.

SECTION 8. *Separability Clause.* – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision or part not otherwise affected shall remain in full force and effect.

SECTION 9. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent with the provisions of this Act are hereby repealed, modified, or amended accordingly.

SECTION 10. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in two (2) newspapers of general circulation in the Philippines.

Approved,