

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

TWENTIETH CONGRESS
Second Regular Session

House Bill No. **11356**



Introduced by: **REPRESENTATIVE ERIC L. OLIVAREZ**

EXPLANATORY NOTE

Access to clean, safe, accessible, and well-maintained toilet and sanitation facilities is a basic public-health and public-dignity concern. Yet in many public places, including markets, parks, transport areas, tourist destinations, and government centers, adequate sanitation facilities remain insufficient, inaccessible, poorly maintained, or unavailable to the public.

The absence of reliable public sanitation facilities can contribute to poor hygiene, environmental contamination, open defecation, and preventable health and safety risks. It disproportionately affects children, senior citizens, persons with disabilities, pregnant person, persons with mobility limitations, workers, commuters, and other vulnerable members of the public.

While existing laws provide sanitation and accessibility requirements for particular establishments and facilities, there remains a need for a coordinated framework that specifically addresses public access to sanitation facilities across high-use public places.

This measure therefore mandates the provision, maintenance, or designation of compliant public toilets and sanitation facilities; establishes minimum standards for cleanliness, water, handwashing, safety, privacy, accessibility, and gender responsiveness; and requires local government units to prepare Public Sanitation Access Plans identifying existing facilities, access gaps, priority areas, maintenance responsibilities, and financing options.

The measure also promotes the use and upgrading of existing facilities before new construction, provides for phased implementation, and establishes coordination among the Department of Health, local government units, and other concerned agencies. It further harmonizes the measure with existing sanitation and accessibility

laws, including Republic Act No. 11311, to avoid duplication and double penalties.

The enactment of this measure will strengthen the country's sanitation system by ensuring that the public can reasonably access facilities that are not only available, but also safe, clean, accessible, functional, and worthy of human dignity.

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


ERIC L. OLIVAREZ

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

TWENTIETH CONGRESS
Second Regular Session

House Bill No. **11356**

Introduced by: **REPRESENTATIVE ERIC L. OLIVAREZ**

**“AN ACT
MANDATING THE ESTABLISHMENT OF ACCESSIBLE,
SAFE, CLEAN, GENDER-RESPONSIVE, AND WELL-
MAINTAINED PUBLIC TOILETS AND SANITATION
FACILITIES IN PUBLIC PLACES, TRANSPORT
TERMINALS, TOURIST AREAS, MARKETS, PARKS, AND
GOVERNMENT CENTERS, AND FOR OTHER PURPOSES”**

*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 "*Public Toilet and Sanitation Access Act*".

SECTION 2. Declaration of State Policy. - It is the policy of the State to protect and promote the right to health and ensure dignified, equitable, safe, clean, accessible, gender-responsive, and inclusive access to public toilets and sanitation facilities in public places and other areas where people regularly congregate, work, travel, transact, or obtain public services.

The State recognizes adequate sanitation and hygiene facilities as essential to public health, environmental protection, human dignity, accessibility, public safety, and local development, with particular consideration for children, senior citizens, persons with disabilities, pregnant person, persons with mobility limitations, and other vulnerable groups.

SECTION 3. Definition of Terms. - For purposes of this Act:

- a) "*Public Toilet*" refers to a toilet, restroom, comfort room, or similar facility intended or designated for public use, whether

operated by a government entity or a private person or entity pursuant to law, regulation, agreement, or designation;

- b) “*Sanitation Facility*” refers to a facility or combination of facilities intended to support hygienic sanitation and public toilet use, including public toilets, handwashing facilities, water supply, sanitary waste receptacles, menstrual hygiene disposal facilities, and diaper-changing areas, where applicable;
- c) “*Covered Public Place*” includes public markets; transport terminals, stations, stops, and similar passenger facilities; parks and plazas; tourist areas; government centers and public service facilities; public hospitals; schools and other educational institutions when their facilities are made available for public events or public use, subject to applicable education and facility standards; and other high-use public areas identified pursuant to this Act and its implementing rules and regulations;
- d) “*Accessible Facility*” refers to a sanitation facility designed, constructed, equipped, operated, and maintained for safe and reasonably independent use by persons with disabilities, senior citizens, pregnant person, persons with mobility limitations, and other persons requiring accessible facilities, consistent with Batas Pambansa Blg. 344, Republic Act No. 7277, as amended, and applicable standards; and
- e) “Operator” refers to any person or entity responsible, by ownership, law, regulation, contract, lease, franchise, agreement, or other lawful arrangement, for the administration, operation, management, or maintenance of a covered public place or sanitation facility.

SECTION 4. Mandatory Public Toilet Access Program and Minimum Sanitation Standards. - The following minimum standards and requirements are hereby established:

- a) Local government units and operators of covered public places shall, within their respective powers and available resources, ensure reasonable public access to safe, clean, functional, accessible, and hygienic public toilets by providing, maintaining, or designating existing compliant sanitation facilities, taking into account population, pedestrian or user volume, operating hours, the nature of the area, geographic conditions, and existing facilities;

- b) Without prejudice to applicable standards under Presidential Decree No. 856, public toilets and sanitation facilities shall, as applicable, provide adequate and safe water; functional toilets and handwashing facilities with soap or appropriate cleansing agents; adequate lighting and ventilation; privacy and safety features; sanitary waste receptacles; menstrual hygiene disposal facilities; appropriate diaper-changing facilities where necessary; accessibility features consistent with applicable laws; appropriate signage; and regular cleaning, disinfection, repair, and maintenance;
- c) Covered public places shall provide gender-responsive and inclusive sanitation facilities that respect privacy, dignity, and safety. Where appropriate, separate facilities for women and men and accessible facilities shall be provided;
- d) Public toilets shall be reasonably available during the operating hours of the covered public place and shall not be unnecessarily locked or rendered unavailable. Temporary closure for cleaning, repair, emergency, or public safety purposes shall be allowed, provided alternative access is made available whenever practicable;
- e) No fee shall be charged for ordinary use of a basic public toilet established, maintained, or designated by a government entity. Where a privately operated facility is designated as a required public sanitation facility, basic public access shall likewise be provided without charge, subject to applicable laws and regulations, including Republic Act No. 11311, otherwise known as “An Act to Improve Land Transportation Terminals, Stations, Stops, Rest Areas and Roll-On/Roll-Off Terminals, Appropriating Funds therefor, and for Other Purposes”;
- f) Each covered local government unit shall, in accordance with the standards and timelines prescribed in the implementing rules and regulations, prepare and periodically update a “Public Sanitation Access Plan” identifying existing facilities, sanitation and accessibility gaps, priority and high-use areas, maintenance responsibilities, financing options, and measures for achieving reasonable public sanitation access; and
- g) Existing compliant facilities shall, where feasible, be utilized, upgraded, rehabilitated, or designated before new facilities are constructed.

SECTION 5. Implementing Agency. - The Department of Health (DOH) shall be the lead implementing agency, without prejudice to the specific regulatory and enforcement authority vested by existing laws in other government agencies, and shall coordinate with the Department of the Interior and Local Government (DILG), Department of Public Works and Highways (DPWH), Department of Tourism (DOT), Department of Transportation (DOTr), Department of Environment and Natural Resources (DENR), National Commission on Disability Affairs (NCDA), local government units, and other concerned agencies and stakeholders.

The DOH shall establish national minimum sanitation and public-health standards and oversee implementation and monitoring, while concerned agencies shall perform functions within their respective mandates. The DILG shall assist in coordinating and monitoring local government compliance with Public Sanitation Access Plans.

SECTION 6. Penalties and Remedies. - Any owner, operator, administrator, or other person responsible for a covered public place or sanitation facility who willfully or repeatedly fails to comply with this Act, its implementing rules and regulations, or a lawful order issued pursuant thereto shall, after due notice and opportunity to correct the violation, be subject to administrative sanctions, including corrective orders and other appropriate measures, as prescribed by the implementing rules and regulations.

Where a violation is separately punishable under the Code on Sanitation of the Philippines, Batas Pambansa Blg. 344, Republic Act No. 7277, as amended, Republic Act No. 11311, the National Building Code, environmental laws, local ordinances, or other applicable laws, the penalties and remedies provided therein shall likewise apply.

For facilities covered by Republic Act No. 11311, the penalties prescribed therein shall govern violations of requirements specifically imposed by that Act. No person shall be subjected to duplicative penalties under this Act and another law for the same act or omission where the penalties arise from the same regulatory requirement.

Any person may file a complaint concerning non-compliance before the appropriate local health office or other office designated in the implementing rules and regulations.

SECTION 7. Appropriations. - The amount necessary for the initial implementation of this Act shall be charged against the current appropriations of the concerned agencies and local government units,

insofar as authorized under existing budgeting, accounting, and auditing laws.

Thereafter, such sums as may be necessary shall be included in the annual General Appropriations Act and appropriate local government budgets, subject to existing laws, rules, regulations, and fiscal capacity.

Implementation shall be phased, giving priority to high-use, underserved, sanitation-deficient, and vulnerable areas. Existing facilities, rehabilitation, grants, donations, public-private partnerships, and other lawful financing arrangements may be utilized where appropriate.

Nothing in this Act shall require an expenditure in excess of an appropriation duly authorized by law.

SECTION 8. Implementing Rules and Regulations. - Within ninety (90) days from the effectivity of this Act, the DOH, in coordination with concerned agencies, local government units, and relevant stakeholders, shall promulgate the rules and regulations necessary for its implementation.

The implementing rules and regulations shall establish the national minimum standards and criteria for reasonable public sanitation access; accessibility and gender-responsive requirements; cleaning, maintenance, inspection, and operating standards; water, wastewater, sewerage and septage requirements, consistent with existing laws, standards, and regulatory requirements; procedures for Public Sanitation Access Plans; designation of existing facilities; complaints and enforcement; phased implementation; and inter-agency coordination and monitoring.

SECTION 9. Separability Clause. - If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected thereby shall remain in full force and effect.

SECTION 10. Harmonization and Non-Repeal Clause. - Nothing in this Act shall be construed to repeal, amend, diminish, or impair the provisions of Presidential Decree No. 856, otherwise known as the "Code on Sanitation of the Philippines"; Republic Act No. 7160, otherwise known as the "Local Government Code of 1991"; Batas Pambansa Blg. 344, otherwise known as the "Accessibility Law"; Republic Act No. 7277, as amended; Republic Act No. 11311, otherwise known as "An Act to Improve Land Transportation Terminals, Stations, Stops, Rest Areas and Roll-On/Roll-Off Terminals, Appropriating

Funds therefor, and for Other Purposes;” the National Building Code; or other applicable laws and regulations.

This Act shall be construed as supplemental to existing laws. Facilities covered by Republic Act No. 11311 shall continue to comply with the specific requirements and enforcement mechanisms provided therein, while this Act shall apply to matters not specifically governed by such law, insofar as consistent therewith.

No provision of this Act shall be construed to authorize duplicative penalties for the same act or omission where the penalties arise from the same regulatory requirement.

SECTION 11. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved.