

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 983

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REGISTRATION UNIT BILLS AND INDEX SERVICE

Introduced by **Rep. LAWRENCE LEMUEL H. FORTUN**

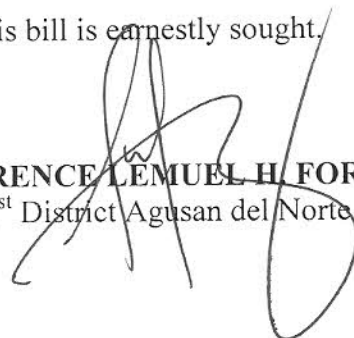
EXPLANATORY NOTE

The use by every retailer and consumer of plastic bags is a fact of life in our daily existence and millions of plastic bags have been used and continue to be used each year. The unrelenting use of plastic bags has been a major cause not only of litter, waste and pollution, but also of floods, especially in urban areas that have injured many and destroyed properties. Plastic bags clog our canals, drainages and other waterways. The waste and pollution caused by plastic bags have caused destruction to marine life and disruption of our ecosystem.

A number of local government units have already passed and implemented ordinances banning the use of plastic bags. Towards this direction, the proposed bill seeks to regulate the production, use, recycling and disposal of plastic bags in the whole country. It provides for the transition in the usage of ordinary polymer plastic bags to biodegradable plastic bags in every commercial establishment, encouragement in the use of reusable bags and the provision of recovery programs in returning used plastic bags. A version of this measure had had its success in the legislative mill of the previous congresses short of a passage into a law. It is prayed that in the 17th Congress, this measure is finally passed and approved into a law.

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

LAWRENCE LEMUEL H. FORTUN
1st District Agusan del Norte



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Introduced by Rep. LAWRENCE LEMUEL H. FORTUN

AN ACT
REGULATING THE PRODUCTION, IMPORTATION, SALE, PROVISION, USE,
RECOVERY, COLLECTION, RECYCLING AND DISPOSAL OF PLASTIC BAGS

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 “Plastic Bag Regulation
2 Act”.

3

4 **SEC. 2. Definition of Terms.** – For the purpose of this Act:

5 (a) **Biodegradable plastic bag** refers to a plastic bag that degrades and attain molecular
6 structure suited for biodegradation that results from the action of naturally occurring
7 microorganisms within the parameters established pursuant to this Act: Provided, that the
8 materials therefor shall not significantly affect food security programs of the government.

9 (b) **Commercial establishment** refers to an establishment or cluster of establishments
10 engaged in commerce or sales of goods or services including, but not limited to, market
11 stores, shopping mall outlets, supermarkets, department stores, groceries, convenience stores,
12 food chains, restaurants, cafes, bars, sari-sari stores, vendors and the like.

13 (d) **Operator** refers to a person or group of persons in control of, or having daily
14 responsibility for, the daily operation of a store which may include, but not limited to, the
15 owner of the store.

16 (e) **Plastic bag** refers to a polymer bag designed to be provided or utilized at the point
17 of sale for carrying and transporting goods.

18 (f) *Reusable bag* refers to a washable fabric bag, a *bayong* or any shopping bag used
19 for carrying and transporting goods, which bags are made of organic or nonorganic materials
20 and can be used several times.

21
22 **SEC. 3. *Biodegradable Plastic Bags.*** – Six (6) months after the effectivity of this Act,
23 commercial establishments shall provide biodegradable plastic bags to their consumers:
24 *Provided*, That they shall promote and/or make available for sale locally-made *bayong*, *buli*
25 and other reusable bags that are made of *abaca*, water lily and other organic or compostable
26 materials: *Provided, further*, That establishments may still provide other plastic bags as
27 sanctioned under Section 5 of this Act.

28 A biodegradable plastic bag shall have printed or displayed on it in a manner visible
29 to the consumer, a logo showing that it is a biodegradable plastic bag as well as the
30 manufacturing date and name of manufacturer and distributor: *Provided*, That a plastic bag
31 printed with the name or logo of the establishment shall have printed or displayed on it the
32 words “RETURN FOR RECYCLING”.

33 The Department of Trade and Industry (DTI), in coordination with the Department of
34 Environment and Natural Resources (DENR), leagues of local government units (LGUs),
35 National Solid Waste Management Commission (NSWMC), and other government and
36 private agencies and organizations concerned shall, within six (6) months from the effectivity
37 of this Act, promulgate the appropriate Philippine National Standard (PNS) for biodegradable
38 plastic bags: *Provided*, That the DTI shall consider in the PNS the effective reusability and
39 recyclability of biodegradable plastic bags.

40
41 **SEC. 4. *In-Store Recovery Program.*** – Within sixty (60) days after the effectivity of
42 this Act, the operator or cluster of operators of commercial establishments that provide plastic
43 bags to consumers as part of a purchase at retail, shall establish an in-store recovery program
44 that will give their customers an opportunity to return their used plastic bags to the
45 commercial establishments from which the plastic bags originated.

46 An in-store recovery program provided by the operator of said commercial
47 establishment shall include the following:

48 (a) A plastic bag recovery bin shall be placed at each store or cluster of stores and shall
49 be visible, easily accessible to the customer, and clearly marked that the recovery bin is
50 available for the purpose of collecting recyclable plastic bags;

51 (b) All plastic bags recovered by the store shall be collected, transported, and, whenever
52 practicable, recycled by the LGUs pursuant to Section 8 of this Act.

53 (c) The commercial establishment shall maintain records describing the recovery,
54 collection, transport, and whenever applicable, recycling and disposal of plastic bags
55 collected for a minimum of three (3) years, and every year thereafter. It shall make the
56 records available to the DTI and/or LGU, upon request, to demonstrate compliance with this
57 Act. The LGU concerned shall likewise maintain records it has recovered, collected and
58 transported for recycling or disposal, and shall make the records available to the DTI;

59 (d) The commercial establishment shall require their customers to surrender an
60 equivalent or practically equivalent plastic bag for the provision of a new plastic bag.
61 Otherwise, the customer or consumer will be charged a fixed fee of P1.00 per plastic bag,
62 which fee shall be reflected in their receipts; and

63 (e) The commercial establishment or a cluster of establishments shall make local
64 reusable bags available, whether for sale or free, to consumers within the establishment.

65 Manufacturers, distributors and exporters of the biodegradable plastic bags shall
66 participate in this program as part of their extended producers responsibility initiatives.

67
68 **SEC. 5. *Phase Out of Non-biodegradable Plastic Bags.*** – Notwithstanding the
69 provision of Section 4 of this Act, non-biodegradable plastic bags shall be gradually phased
70 out within a period of three (3) years from the effectivity of this Act. Thereafter, production,
71 importation, sale, distribution, provision or use of said bags shall be prohibited.

72
73 **SEC. 6. *Lead Agency.*** – The DTI, unless otherwise provided herein, shall be the
74 primary government agency responsible for the implementation and enforcement of this Act.

75
76 **SEC. 7. *Linkage Mechanism.*** – The DTI, in coordination with the DENR and the
77 NSWMC, shall consult, and enter into an agreement with other government agencies or
78 LGUs, or with concerned nongovernmental organizations (NGOs) or people's organizations
79 (POs), or private enterprises in the furtherance of the objectives of this Act.

80
81 **SEC. 8. *Role of Local Government Units (LGUs).*** – The LGUs shall have the
82 primary responsibility in the effort to decrease the percentage of plastic bag waste produced
83 within their respective territorial jurisdictions.

