

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 1355**



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**Introduced by Rep. Precious Hipolito Castelo**

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**EXPLANATORY NOTE**

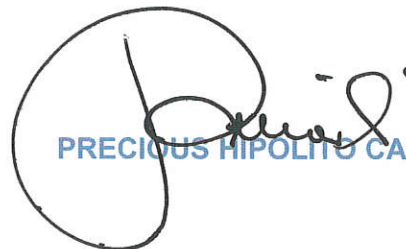
The past few months, the Philippines was involved in a diplomatic row as trash from Canada that arrived in 2013 and 2014 has been festering in shipping containers in Philippine ports. Various environmental groups have called for the reimportation of the controversial shipment of garbage back to Canada.

The Basel Convention prohibits the transportation of hazardous waste from country to country within the Pacific. The Philippines signed the Basel Convention on March 22, 1989 and the treaty was ratified by Congress in October 1993.

Furthermore, there is a Constitutional duty to protect and advance the right of the people to a balanced and healthful ecology. Considering that the Philippines has a huge problem on the proper disposal, and management of garbage, this bill congruent with the Constitutional duty, seeks to prohibit the importation of trash for whatever purpose, including wastes that are meant to be used as recyclable materials.

We cannot be used by other developed nations as a dump site and we cannot allow foreign wastes materials on our shores.

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

  
**PRECIOUS HIPOLITO CASTELO**

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**AN ACT PROHIBITING THE IMPORTATION OF SOLID WASTE MATERIALS**

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

SECTION 1. *Short Title.* - This Act shall be known as the "Prohibition of Importation of Solid Waste Materials Act."

SEC. 2. *Declaration of Policy.* - It is State policy to protect and promote the right to health of the people and instill health consciousness in them. It is hereby declared a policy of the State to prohibit the entry of solid waste into the Philippine territorial limits for whatever purpose to prevent and control environmental pollution.

SEC. 3. *Prohibition of Importation of Solid Waste and Its Use.* - It shall be unlawful to import any solid waste, as defined in Republic Act No. 9003 and its Implementing Rules and Regulations, into or within the Philippine territory, for use, treatment, or processing of the same.

SEC. 4. *Penalties.* - Any entity or person who shall import any solid waste for use, treatment, or processing is in violation of this Act shall be punished with imprisonment of twelve years and one day to twenty years, at the discretion of the court.

If the offender is a foreigner, the offender shall be deported and barred from any subsequent entry into the Philippines after service of sentence.

If the violation is by a business entity, the owner, president, manager, or most senior officers shall be liable for the offense. A penalty of at least Five Hundred Thousand Pesos (Php 500,000.00) shall be imposed. In addition, the license or registration of manufacturer, importer, distributor, or retailer may be cancelled or revoked, upon showing of any violation of this Act.

If the offender is a government official or employee, the penalties of automatic dismissal from office and permanent disqualification from holding any elective or appointive position shall be imposed, in addition to the penalties provided herein.

SEC. 5. *Obligation to transport the prohibited solid waste.* - The person or firm responsible for or connected with the unlawful importation of solid waste shall have the obligation to transport or send back to the port or origin such prohibited wastes. If the importer cannot be ascertained, the carrier shall be responsible for transporting such solid waste back to the port of origin or pay the exemplary damage of at least Five Hundred Thousand Pesos (Php 500,000.00) or both.

SEC. 6. *Appropriations.* – The amount necessary to carry out the provisions of this Act shall be included in the budget of concerned government agencies in the General Appropriations Act of the year following its enactment into law and thereafter.

SEC. 7. *Implementing Rules and Regulations.* – Within sixty (60) days from the approval of this Act, the Department of Environment and Natural Resources and the Department of Trade and Industry shall formulate and promulgate the necessary rules and regulations to implement the provisions of this Act.

SEC. 8. *Separability Clause.* – If any provision or section of this Act is held invalid or unconstitutional, the other provisions and sections not affected thereby shall remain in full force and effect.

SEC. 9. *Repealing Clause.* – All laws, presidential decrees, executive orders, or issuances, or any part thereof which are inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

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

Approved,