

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 4374



Introduced by Representative GLORIA MACAPAGAL ARROYO

**AN ACT
PROVIDING FOR THE PROTECTION OF THE ENVIRONMENT
BY PROHIBITING THE DUMPING OF SEWAGE SLUDGE AND
INDUSTRIAL WASTE INTO THE SEA**

EXPLANATORY NOTE

The Philippines is widely recognized as possessing one of the richest marine sanctuaries in the world. With its bountiful resources, it becomes imperative therefore for each Filipino to take a proactive role in protecting and preserving its natural wealth. Mindful of this duty, Section 16, Article II of the Constitution enjoins the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

To breathe life to this provision, the proposed Bill seeks to criminalize the act of dumping of wastes into the sea. This measure is seen as an effective tool to deter the widespread pollution of our internal waters.

In view of this objective, the passage of this Bill is earnestly sought.


GLORIA MACAPAGAL ARROYO
2nd District, Pampanga

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

SECTION 1. *Short Title.* – This Act shall be known as the “Anti-Sea Dumping Act of 2016.”

SECTION 2. *Declaration of Policy.* – It is the declared policy of the State to promote the natural balance of the environment for the protection of human health and safety.

SECTION 3. *Definition of Terms.* – As used in this Act, the following terms shall be construed to mean as follows:

- a. “Alternative System” means any method for the management of sewage sludge or industrial waste which does not require a permit under this Act.
- b. “Excluded Material” means
 - (i) Any dredged material discharged by the Philippine Marine Corps of Engineers or discharged pursuant to a permit issued by the Secretary of Environment and Natural Resources;
 - (ii) Any waste from any industrial operation located in the Philippines discharged pursuant to a permit issued by the Secretary of Environment and Natural Resources.
- c. “Industrial Waste” means any solid, semi-solid, or liquid

d. "Interim Measure" means any short-term method for the management of sewage sludge or industrial waste which:

(i) Is used before implementation of an alternative system; and

(ii) Does not require permit under this Act.

(e) "Sewage Sludge" means any solid, semi-solid, or liquid waste generated by a wastewater treatment plant, other than an excluded material.

SECTION 4. *Prohibited Acts.* – No person shall dump into sea waters or transport for the purpose of dumping into sea water sewage sludge or industrial waste unless said person has obtained a permit issued by the Secretary of Environment and Natural Resources authorizing the transportation and dumping of said sewage sludge or industrial waste.

The Secretary of Transportation and Communications shall not issue any permit under this Act which authorizes a person to dump into ocean waters, or to transport for the purpose of dumping into sea waters, sewage sludge or industrial waste, unless that person was authorized by a permit issued by him or by a court order to dump into sea waters or to transport for the purpose of dumping into ocean waters sewage sludge or industrial waste.

SECTION 5. *Penalties.* – Any person who dumps into ocean waters or transports for the purpose of dumping into ocean waters, sewage sludge or industrial waste shall be liable in the amount of not less than One Hundred Thousand Pesos (Php100,000.00) or imprisonment of not less than six (6) months or both upon discretion of the court. If the offense is committed by a corporation, trust, firm, partnership or association, or other entity, the penalty shall be imposed upon the guilty officer or officers of such corporation, trust, firm, partnership or association or entity.

SECTION 6. *Enforcement Monitoring Report.* – Not later than six (6) months after the effectivity of this Act, the Secretary of the Department of Environment and Natural Resources, in consultation with the Secretary of the Department of Transportation and Communications, shall submit a report to Congress. The report under this section shall contain an accounting of the discharges into waters of the territorial sea, the contiguous zone and the ocean indicating:

a. The total number of discharges;

b. The location, source, volume, and potential environmental effects of each discharge;

c. The date of original issuance, review and reissuance of each discharge permit;

d. The date of discharges that have been determined by the Secretary of Environment and Natural Resources;

e. A schedule for implementing this Act and achieving compliance with the guidelines promulgated hereunder as expeditiously as practicable and an estimate of the resources

f. Recommendations for any additional legislative authorities needed to achieve compliance with such guidelines.

SECTION 7. *Separability Clause.* – If any provision of this Act is declared unconstitutional, the validity of the remainder shall not be affected thereby.

SECTION 8. *Repealing Clause.* – All laws, executive orders, letters of instructions, rules and regulations, or provisions thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,