

Republic of the Philippines
House of Representatives
Quezon City



SEVENTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 7904

INTRODUCED BY REPRESENTATIVE ALFRED VARGAS

AN ACT
INCREASING THE PENALTY IMPOSED AGAINST POLLUTERS OF
NAVIGABLE WATERS BY AMENDING SECTION 7 OF PRESIDENTIAL
DECREE NO. 979 PROVIDING FOR THE REVISION OF PRESIDENTIAL
DECREE NO. 600 GOVERNING MARINE POLLUTION

EXPLANATORY NOTE

As an archipelago, the bodies of water in our country play a vital role in domestic consumption and use, commerce, transportation, and tourism. In particular, navigable waters provide a channel for commerce and transportation of goods and services.¹ Navigable waters refer to the waters of the Philippines, including the territorial sea and inland waters, which are presently or in the future susceptible for use by watercraft.

Presidential Decree No. 979 prohibited the discharging, dumping, depositing, or throwing of any oil, noxious gaseous and liquid substances, refuse matter, or any other harmful substances to our navigable waters.² This was passed in recognition of the importance of managing and protecting our marine environment and the living organisms which support our entire ecosystem. The dumping and discharging of harmful substances to our rivers, estuaries, brooks, and springs constitute marine pollution which destroy our bodies of waters.

This law, however, was enacted in 1979 and provided a fine of only P200 to P10,000 and imprisonment of not less than thirty days. Those who violate the existing law can easily pay the fine and repeat the offenses. Given the urgency of protecting our waters and the dangers that such prohibited acts pose, there is a need to increase these penalties to effectively address marine pollution. This bill thus seeks to increase the penalty to P5 million or imprisonment of not less than 8 years and one day to 12 years. The State shall recognize its urgent responsibility to control

¹ "Navigable Waters," *The Free Dictionary*,
<https://legaldictionary.thefreedictionary.com/Navigable+Waters>

² "Presidential Decree No. 979," *The LawPhil Project*,
https://www.lawphil.net/statutes/presdecs/pd1976/pd_979_1976.html

public and private activities that cause damage to the marine environment and create measures that will prevent and mitigate the increasing damages to our marine resources.

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



ALFRED VARGAS

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

Section 1. Amendment on Section 7 of Presidential Decree No. 979. – Section of Presidential Decree No. 979 is hereby amended to read as follows:

“Section 7. Penalties for Violations. – Any person who violates Section 4 of this Decree or any regulations prescribed in pursuance thereof shall be liable for a fine of not less than [Two hundred pesos nor more than Ten thousand pesos] **FIVE MILLION PESOS** or by imprisonment of not less than [thirty days] **EIGHT YEARS AND ONE DAY** nor more than [one year] **TWELVE YEARS** or both such fine and imprisonment, for each offense, without prejudice to the civil liability of the offender in accordance with existing laws.

Any vessel from which oil or other harmful substances are discharged in violation of Section 4 or any regulation prescribed in pursuance thereof, shall be liable for the penalty of fine specified in this section, and clearance of such vessel from the port of the Philippines may be withheld until the fine is paid.

In addition to the penalties above described, the Philippine Coast Guard shall provide in its rules and regulations such reasonable administrative penalties as may be necessary for the effective implementation of this Decree.”

Section 2. 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 is hereby repealed, modified, or amended accordingly.

Section 3. *Separability Clause.* – If any provision or part of this Act is held unconstitutional or invalid, the remaining parts or provisions not affected shall remain in full force and effect.

Section 4. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,