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SENATE

Senate Bill No. 2125

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Introduced by Senator Cynthia A. Villar

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**AN ACT  
PROVIDING A FRAMEWORK FOR NATIONAL SUSTAINABLE SANITATION  
PROGRAM, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

One out of every five Filipino households do not have access to sanitary toilet system. Recent data from United Nations Children's Fund show that 28% of the population is subjected to indignities of having to defecate in the open, in plastic bags or buckets disposed on rivers and garbage bins. The embarrassment of our countrymen compelled to do this for want of proper toilet facility hits right at the core of their beings. Sanitation as a human right goes deep and touches on the basic dignity of every person.

The large number of those without access to proper toilet facilities is alarming considering that health and well-being are closely connected to sanitation. The prevalence of sanitation-related diseases, such as cholera and amoebiasis, is an indication not only of unhygienic conditions our people are daily exposed to, but of the extent of poverty faced by the majority of Filipinos. In fact, diarrhea is one of the leading cause of morbidity in the Philippines.

For many years, vital reforms on the delivery of health and sanitation services have been pushed at the back-burner. The small health budget has lead to limited access of health services. Instead of sustained and concrete programs, the health sector resorts to short term expedient solutions to decades-old health and sanitation concerns. Little importance is given to sanitation despite the passage of the Clean Water Act of 2004 and the rising incidence of water-borne diseases outbreaks, the continued disregard of the importance of sustainable sanitation is also reflected on the high morbidity rate especially of children and pregnant women.

Sustainable sanitation does not end with the availability of a toilet facility inside the house, it extends to complete community-wide sanitation systems designed to properly treat and dispose waste. It involves a comprehensive review and implementation of the national sanitation program taking into consideration the practices and standards applicable to Philippine setting.

This bill seeks to promote sustainable sanitation by strengthening and expanding the services of the Sanitation Unit of the Department of Health, and by amending Sections 3 and 103 of Presidential Decree 856 also known as the Sanitation Code.

In view of the foregoing, immediate approval of this measure is earnestly sought.

  
CYNTHIA A. VILLAR

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1 **AN ACT**  
2 **PROVIDING A FRAMEWORK FOR NATIONAL SUSTAINABLE SANITATION**  
3 **PROGRAM, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES**  
4

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

7  
8 Section 1. *Short Title.* This Act shall be known as the "*National Sustainable*  
9 *Sanitation Act of 2014*".

10  
11  
12 Sec. 2. *Declaration of Policy.* The State shall pursue a policy on sustainable  
13 sanitation to protect public health and human development as a fundamental human  
14 right. As such, it shall be the guided by the following policy statements:

- 15  
16 1) Sanitation is both a social and economic good. It is essential for basic health  
17 and dignity of the person.  
18  
19 2) Sanitation policies, plans and programs must be localized and its  
20 management decentralized at the lowest level possible.  
21  
22 3) Sanitation is a responsibility of all citizens. Different stakeholders must be  
23 involved in promoting good sanitation and hygiene practices.  
24  
25 4) Sanitation systems must be financially sustainable, economically affordable,  
26 socially and culturally acceptable.  
27  
28 5) Good sanitation contributes to environmental sustainability and penalizes  
29 polluters.  
30  
31 6) Sanitation services must be responsive and shall include capacity  
32 development for consideration of appropriate technologies, financing and  
33 management options at various levels.  
34  
35 7) Proper resource conservation, re-use, recycle and recovery of sanitation by-  
36 products will be considered.  
37  
38 8) Access to sanitation should be equitable and sensitive to gender  
39 differences.  
40  
41 9) Efficient water governance includes sanitation.

1           **Sec. 3. *Definition of Terms.*** As used in this Act, the following terms shall mean:

2  
3           a) **Ecological Sanitation** - refers to a system that separates urine and feces  
4           and provides for the safe recycling of excreta resources (plant nutrients and  
5           organic matter) to crop production in such a way that the use of non-renewable  
6           resources is minimized;

7  
8           b) **Excreta** - refers to both human feces and urine;

9  
10          c) **Sanitation** - refers to a wide range of services and arrangements pertaining  
11          to the hygienic and proper management of human excreta and community liquid  
12          wastes to safeguard the health of individuals and communities. This is usually  
13          concerned with preventing diseases by hindering pathogens or disease-causing  
14          organisms found in excreta and wastewater from entering the environment and  
15          coming into contact with people and communities. This also involves the  
16          construction of adequate collection and disposal/reuse facilities and the  
17          promotion of proper hygiene behavior so that facilities are effectively used at all  
18          times;

19  
20          d) **Septage** - means the sludge produced on individual onsite wastewater  
21          disposal systems, principally septic tanks and cesspools;

22  
23          e) **Sewage** - means water-borne human or animal wastes excluding oil or oil  
24          wastes removed from residences, buildings, institutions, industrial and  
25          commercial establishments;

26  
27          f) **Sewerage** - refers to any system or network of pipelines, ditches, channels  
28          or conduits including pumping stations, lift stations and force mains, service  
29          connections including other constructions, devices and appliances appurtenant  
30          thereof, which includes the collection, transport, pumping and treatment of  
31          sewage to a point of disposal;

32  
33          g) **Sludge** - means any solid, semi-solid or liquid waste or residue generated  
34          from a wastewater treatment plant, water supply treatment plant, or water control  
35          pollution facility, or any other such waste having similar characteristics and  
36          effects;

37  
38          h) **Sustainable sanitation system** - a system that protects and promotes human  
39          health, minimizes environmental degradation and the depletion of the resource  
40          base. It is technically and institutionally appropriate, while maintaining social  
41          acceptability and economic viability in the long term;

42  
43          i) **Treatment** - means any method, technique, or process designed to alter the  
44          physical, chemical or biological and radiological character or composition of any  
45          waste or wastewater to reduce or prevent pollution;

46  
47          j) **Universal Coverage** - one hundred percent (100%) of total households have  
48          their own sanitary toilet facilities;

49  
50          k) **Zero Open Defecation** - refers to the state of no defecation in open public  
51          places; a community is said to have zero open defecation when 100% of its  
52          households have their own sanitary toilets.

1       **Sec. 4. *The Strengthening of the Sanitation Unit.*** For purposes of carrying out the  
2 declared policy in Section 2, it is hereby established that the present Sanitation Unit,  
3 hereinafter called the Unit, under the Department of Health be strengthened through  
4 additional support services and appropriate funds as per recommendation of the  
5 Department of Health. It shall be an autonomous unit directly under the Office of the  
6 Health Secretary.

7  
8       The Unit shall be headed by an Administrator who is a sanitation engineer, or  
9 equivalent qualification, with at least five (5) years distinguished service and experience  
10 in any of the following fields: waterworks, sanitation management, and health. The  
11 administrator shall receive compensation, benefits, privileges and other emoluments  
12 equivalent to an Undersecretary of the DOH.

13  
14  
15       **Sec. 5. *Objectives of the Unit.*** The Unit shall have the following objectives:

- 16  
17       1) To establish the policy guidelines for the implementation of sustainable  
18 sanitation including regulatory and institutional arrangements;
- 19  
20       2) To promote rapid expansion of sanitation coverage throughout the  
21 Philippines in partnership with different stakeholders; and
- 22  
23       3) To set national targets and directions that will guide national and local  
24 plans and programs on sustainable sanitation.

25  
26  
27       **Sec. 6. *Powers and Functions of the Unit.*** The Unit shall oversee the preparation  
28 and implementation of local sustainable sanitation management plans and prescribe  
29 policies to achieve the objectives of this Act.

30  
31       The Unit shall undertake the following activities:

- 32  
33       1) Prepare and regularly update the National Sustainable Sanitation  
34 Management Framework;
- 35  
36       2) Lead inter-agency implementation of the National Sustainable Sanitation  
37 Program;
- 38  
39       3) Develop and implement a program to provide technical and other capability  
40 building assistance and support to local government units in the  
41 development and implementation of local sustainable sanitation plans;
- 42  
43       4) Review and monitor national agency and local government sustainable  
44 sanitation plans in accordance with its rules and regulations;
- 45  
46       5) Develop and implement a national pro-poor sanitation program that will  
47 target to achieve zero open defecation nationwide and one hundred percent  
48 sanitation coverage of all households by 2016;
- 49  
50       6) Establish and manage the Sanitation Program Fund of the DOH;
- 51  
52       7) Monitor and regularly report to the public, through the DOH, the national  
53 account for sanitation;
- 54  
55       8) Formulate the necessary education promotion, information campaign and  
56 social marketing strategies;

- 1 9) Spearhead the research and development of the knowledge and skills on  
2 technology, management and financing options for sustainable sanitation;  
3
- 4 10) Encourage community participation and other partnership modalities in the  
5 different areas of sustainable sanitation service delivery chain;
- 6 11) Propose and adopt policy, standards, regulations and guidelines relative to  
7 the implementation of this Act and other related laws;  
8
- 9 12) Promote knowledge, standards, skills and proper hygiene behaviour for  
10 appropriate and sustainable sanitation solutions in schools and in  
11 emergency situations;
- 12
- 13 13) Develop a program for the development, training and professionalization of  
14 sanitary inspectors in partnership with their national organization; and  
15
- 16 14) Facilitate the organization, registration and regulation of Sanitation Service  
17 providers.  
18  
19

20 **Sec. 7. *Role of the Department of Interior and Local Government.*** The  
21 (Department of Interior and Local Government) DILG shall formulate its own sustainable  
22 sanitation strategy that will ensure that all the capacities of LGUs are enhanced and are  
23 assisted in developing and updating their local sustainable sanitation plans, and in the  
24 regular inclusion of sustainable sanitation in the LGU annual investment and  
25 development plans. They will also assist in over-all sector monitoring and assessments  
26 and maintenance of a database.  
27  
28

29 **Sec. 8. *Role of the Department of Public Works and Highways.*** The Department  
30 of Public Works and Highways (DPWH) shall implement the National Sewerage and  
31 Septage Management Plan (NSSMP) for highly urbanizing cities as provided for in the  
32 Philippine Clean Water Act of 2004. It shall ensure that the implementation of the  
33 NSSMP is in partnership with the LGUs. It will also develop its own sustainable  
34 sanitation strategy that will ensure proper installation of adequate and sustainable toilet  
35 and hand washing facilities for men, women, disabled persons, of the public, and  
36 employees in all government buildings.  
37  
38

39 **Sec. 9. *Role of the Housing and Land Use Regulatory Board and its attached***  
40 ***agencies such as the National Housing Authority and the Housing and Urban***  
41 ***Development Coordinating Council.*** The HLURB, NHA, and HUDCC shall develop its  
42 own sustainable sanitation plans consistent with this Act that will:  
43

- 44 a. Ensure that appropriate sustainable sanitation systems are adequately  
45 provided for in all its housing projects; and  
46
- 47 b. Identify their agency targets and budgets for sanitation.  
48  
49

50 **Sec. 10. *Role of the Local Water Utilities Administration.*** The Local Water  
51 Utilities Authority (LWUA) will develop its sustainable sanitation strategy and action plan  
52 aimed to assist water utilities (not limited to water districts) who will implement  
53 sustainable sanitation initiatives. It will also ensure that at least five percent (5%) of its  
54 total loan products are allocated for sanitation, sewerage and septage management  
55 projects. As much as possible, it will also provide access to innovative financing  
56 schemes and capacity development of the water districts.

1  
2  
3       **Sec. 11. *Role of the National Water Resources Board.*** The National Water  
4 Resources Board (NWRB), as the main economic regulator of the water sector provided  
5 for in the Water Code shall be the economic regulator for sewerage and septage  
6 management. The sanitation economic regulatory guidelines shall be developed by the  
7 NWRB and it should cover the following tasks:

- 8           1)   Promotion of operating efficiency and performance indicators;  
9           2)   Service standard specification and monitoring;  
10          3)   Ensure asset serviceability over time;  
11          4)   Promotion of water use efficiency;  
12          5)   Safety net regulations; and  
13          6)   Customer service responsiveness.

14  
15       In special areas where there is a different economic regulator for the water  
16 service provider (such as those regulated by contract), the regulator assumes  
17 responsibility for sanitation and sewerage regulation. Their regulatory guidelines should  
18 be consistent with the national economic regulatory guidelines for sanitation that will be  
19 developed by the NWRB. In such cases, the NWRB shall serve as the appellate body  
20 for complaints between the service provider and the consumers.  
21  
22

23       **Sec. 12. *Role of the Municipal/City Local Government Units.*** The local  
24 government units (LGUs) are mandated to ensure that basic sanitation services are  
25 provided to their constituents. Consistent with the provisions of the local government  
26 code, it is hereby mandated that:  
27

28           1)   Sanitation Unit in each city or municipality be established. The Sanitation  
29 Unit will be under the local health departments to be headed by a Sanitation Engineer or  
30 its equivalent. This unit shall be composed of the head and a team of sanitary  
31 inspectors. This unit shall be responsible for the development and implementation of the  
32 local sustainable sanitation plans and programs and shall recommend local legislation  
33 as deemed necessary.  
34

35           2)   LGUs will develop their local sustainable sanitation plans that respond to  
36 their local situation and priority needs and furnish the Unit a copy of the plan for  
37 monitoring and technical assistance.  
38

39           3)   They will work with different stakeholders and service providers such as  
40 Water Districts, small private entrepreneurs, and community-based associations to  
41 develop the plan and ensure its implementation and enforcement of the national  
42 policies.  
43

44           4)   They will develop local policies and ordinances which defines its strategies  
45 and stipulates penalties and fines for violations for open defecation and for other  
46 unsanitary behaviors that affect public health.  
47

48           5)   The LGUs shall allocate at least 10% of their 20% development funds for  
49 improvement of sanitation, the amount of which shall be regularly reported and

1 accounted for separately. The sanitary fees levied by the LGUs shall be solely  
2 allocated for sanitation related projects.

3  
4 6) The LGUs will develop programs and incentive schemes to achieve  
5 universal coverage of their total household population having their own sanitary toilet  
6 facilities within a reasonable time frame as indicated in their sustainable sanitation plan.

7  
8 7) The LGUs shall also ensure the provision, operation and maintenance of  
9 adequate sanitary toilet facilities for men and women in public places such as public  
10 markets, bus terminals, public parks, public basketball courts/gymnasiums. They shall  
11 also ensure adequate operation and maintenance of public school buildings.

12  
13 8) The LGUs will work with communities and households to create demand  
14 for sanitation improvement through health and hygiene awareness programs.

15  
16  
17 **Sec. 13. *Role of Provincial LGUs.*** The Provincial LGUs will assist the Municipal  
18 and City LGUs by:

- 19  
20 1) Ensuring compliance with the national policy, norms and standards;  
21  
22 2) Developing provincial legislation, norms and standards;  
23  
24 3) Monitoring progress of the LGUs in meeting their targets;  
25  
26 4) Allocating portion of their IRA to provide for counterpart support financing  
27 tomunicipal/city LGUs; and  
28  
29 5) Providing for the establishment, operation and maintenance of at least one  
30 septage treatment facility for the province.

31  
32 **Sec. 14. *Role of the Department of Education.*** The Department of Education  
33 (DepEd) shall ensure that all schools have adequate number of sustainable sanitary  
34 toilet facilities for the students. No school building is considered complete without  
35 proper toilet facilities. The DepEd shall immediately address the access gaps by giving  
36 priority to schools that maybe used as evacuation centers. All of these information shall  
37 be identified in their sustainable sanitation action plan which should indicate their  
38 targets, plans and budgets within a given timeframe.

39  
40 **Sec. 15. *Role of the Inter-Agency Committee on Environmental Health.*** The  
41 Inter-Agency Committee on Environment Health (IACEH) shall be a high level inter-  
42 agency platform to ensure coordination and monitoring of agency performance. They  
43 will address emerging bottlenecks that constrain achievement of universal coverage.

44  
45 **Sec. 16. *Role of the Department of Finance.*** The Department of Finance will  
46 take responsibility for ensuring equitable and practical funding and financing  
47 arrangements that will enable the provincial and municipal LGUs to finance their  
48 sanitation plans and programs.

49  
50  
51 **Sec. 17. *Role of Civil Society.*** Non-government organizations and community-  
52 based organizations can include but are not limited to health and hygiene awareness  
53 promotion and education; training and capacity development; facilitating community

1 participation; implementing community-based sanitation improvement projects;  
2 monitoring plan implementation; and piloting demonstration projects.  
3  
4

5 **Sec. 18. *Individual Excreta and Sewage Disposal System.*** All houses and  
6 buildings shall have an excreta and sewage disposal system as approved by the local  
7 Sanitation Inspector and provided for in Section 19.  
8  
9

10 **Sec. 19. *Sewerage and Sewage Treatment System.*** All households and  
11 buildings covered by the system shall be connected to the sewer.  
12  
13

14 **Sec. 20. *Approval of the Department.*** The approval of the Department shall be  
15 required in the following matters:  
16

- 17 1. The construction of any approved type of individual excreta and sewage disposal  
18 system;
- 19 2. Plans, designs, and specifications of individual excreta and sewage disposal  
20 System;
- 21 3. Plans, designs and specifications of sewerage and sewage treatment systems;  
22 and
- 23 4. Methods of disposal of sludge and/or septage from excreta or sewage disposal  
24 treatment facilities.  
25  
26  
27  
28  
29

30 **Sec. 21. *Achieving Universal Sanitation Coverage.*** The Unit, in coordination with  
31 IACEH and the LGUs shall spearhead a sustainable sanitation campaign aimed at  
32 achieving universal sanitation coverage in the country that will:  
33

- 34 1. Raise awareness and cultivate demand for improved sanitation at LGU level;
- 35 2. Achieve zero open defecation in all barangays in the country by 2016;
- 36 3. Ensure that all households will have their own sanitary toilet facility;
- 37 4. Ensure that LGUs provide a support system for disposing human excreta,  
38 household wastewater and refuse which is acceptable to users, safe, hygienic,  
39 easily accessible and which does not have an unacceptable impact on the  
40 environment; and
- 41 5. Trigger LGUs to develop their sustainable sanitation plans and programs and  
42 allocate resources for its implementation.  
43  
44  
45  
46  
47  
48

49 **Sec. 22. *The National Sustainable Sanitation Plan.*** The DOH thru the Sanitation  
50 Unit shall prepare a five-year (5) National Sustainable Sanitation Plan consistent with  
51 the Sustainable Sanitation Framework within one (1) year from the approval of this Act.  
52  
53

54 **Sec. 23. *The Local Sustainable Sanitation Plan.*** The Local Government Units shall  
55 prepare its respective five-year (5) Sustainable Sanitation Plans consistent with the  
56 Sustainable Sanitation Framework Plan within one (1) year from the approval of this  
57 Act.





1 counterpart assistance from DOH, DENR and DPWH for the implementation of their  
2 sanitation programs.

3  
4

5 *Sec. 26. Separability Clause.* If, for any reason, any section or provision of this  
6 Act is declared unconstitutional or invalid, such other sections or provisions not affected  
7 thereby shall remain in full force and effect.

8  
9

10 *Sec. 27. Repealing Clause.* Any law, presidential decree or issuance, executive  
11 order, letter of instruction, administrative order, rule or regulation contrary to or  
12 inconsistent with the provision of this Act is hereby repealed, modified or amended  
13 accordingly.

14 *Sec. 28. Effectivity.* This Act shall take effect fifteen (15) days after its  
15 publication in at least two (2) national newspapers of general circulation.

16  
17

18 *Approved,*

19