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SENATE  
P.S. Res 646

RECEIVED BY: *ju*

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Introduced by Senator Poe

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**RESOLUTION**

**URGING THE PROPER SENATE COMMITTEE TO REVIEW THE IMPLEMENTATION OF REPUBLIC ACT NO. 9004 OR THE ECOLOGICAL SOLID WASTE MANAGEMENT ACT OF 2000 AND OTHER PERTINENT LAWS AND LOCAL ORDINANCES, WITH THE OBJECTIVE OF INCREASING PENALTIES AGAINST OFFENDERS TO FURTHER PROTECT THE DECLINING STATE OF THE ENVIRONMENT AND ULTIMATELY AVERT A GARBAGE CRISIS**

Whereas, Article II, Section 16 of the 1987 Philippine Constitution guarantees that the "State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature";

Whereas, Republic Act No. 9003 passed in 2000 emphasizes solid waste avoidance and volume reduction through source reduction and waste minimization measures, with the protection of public health and the environment as the primary goal;

Whereas, Chapter 6, Section 48, Paragraph 1 of RA 2003 prohibits the "littering, throwing, dumping of waste matters in public places, such as roads, sidewalks, canals, *esteros* or parks, and establishment, or causing or permitting the same";

Whereas, under Chapter 6, Section 49.a, any person who violates Section 48, paragraph (1) shall, upon conviction, be punished with a fine of not less than P300 but not more than P1,000 or render community service for not less than one day to not more than 15 days to an LGU where such prohibited acts are committed, or both";

Whereas, in Metro Manila, the Metropolitan Manila Development Authority (MMDA) issued Regulation Number 99-006 which also prohibits littering and throwing of garbage or any kind of waste in open or public places.

It also requires all business establishments, public or private, to maintain the cleanliness of their frontages and immediate surroundings;

Whereas, under the MMDA regulation, violators shall be penalized by administrative fine of P500 or community service of one day. Failure to pay the administrative fine the violator shall be penalized, after conviction, by a fine of P1,000 or imprisonment of three to seven days of *arresto menor* or both at the discretion of the court;

Whereas, several local governments had also issued ordinances on proper solid waste management, but these remain loosely implemented or not implemented at all;

Whereas, in Singapore, for example, fines for littering range from SGD500 to a SGD5,000 while in Hong Kong, a fixed penalty of HK\$1,500 is being implemented;

Whereas, it is necessary to increase the penalties under the law to reverse the habit of littering in public places;

Whereas, use of incinerators was banned in 1999 with the passage of Republic Act No. 8749 or the Philippine Clean Air Act, but some quarters were eyeing the use of incinerators to solve the garbage problem and to provide alternative sources of energy;

Be it resolved, that the proper Senate committee should conduct a review of the implementation of Republic Act No. 9004 or the Ecological Solid Waste Management Act of 2000 and other pertinent laws and local ordinances with the end in view of increasing penalties against offenders to further protect the declining state of the environment and ultimately avert a garbage crisis.

Adopted,

  
GRACE POE