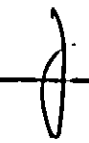


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



'16 JAN 26 P3:11

SENATE
S. No. 3148

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

AN ACT
ESTABLISHING A MARINE DEBRIS RESEARCH, PREVENTION, AND
REDUCTION PROGRAM

EXPLANATORY NOTE

The Constitution, Article 2, Section 16, provides:

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.

Being an archipelagic country, all internal waters and seas of the Philippines are considered a natural resource of utmost importance.

Ocean and coastal areas are regions of remarkably high biological productivity, are of considerable importance for a variety of recreational and commercial activities, and provide a vital means of transportation.

Ocean and coastal resources are limited and susceptible to change as a direct and indirect result of human activities, and such changes can impact the ability of the ocean to provide the benefits upon which the nation depends.

Marine debris, including plastics, derelict fishing gear, and a wide variety of other objects, have a harmful and persistent effect on marine flora and fauna and can have adverse impacts on human health.

A study conducted by the University of Nottingham in the United Kingdom found that plastic debris in the marine environment is a persistent problem that has rapidly increased over the past forty years. The main sources are commercial fishing debris such

as lines and nets, packaging material discarded from vessels, and litter from land based sources such as beach litter. Most of these products degrade very slowly, at a slower rate in the sea than in the air, and so persist for considerable periods of time. Floating net fragments, monoline rope, can carriers, and packaging bands can entangle individual animals. Smaller plastic particles may be ingested by marine mammals, seabirds, turtles and fish, possibly blocking the digestive tract or causing ulcerations and damage to the stomach lining.

Marine debris is also a hazard to navigation, putting mariners and rescuers, their vessels, and consequently the marine environment at risk, and can cause economic loss due to entanglement of vessel systems.

Like many global environmental problems, marine pollution requires proper environmental planning. Insufficient knowledge and data on the source, movement, and effects of plastics and other marine debris in marine ecosystems has hampered efforts to develop effective approaches for addressing marine debris.

Lack of resources, inadequate attention to this issue, and poor coordination at the national level has undermined the development and implementation of a national program to address marine debris, both domestically and regionally.

The purpose of this bill is to establish programs within the Department of Environment and Natural Resources to: (1) help identify, determine sources of, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with other national and local entities; (2) develop a national information clearinghouse to enable researchers to study the sources, scale and impact of marine debris more efficiently; and (3) take appropriate action in the

international community to prevent marine debris and reduce concentrations of existing debris on a global scale.¹


MIRIAM DEFENSOR SANTIAGO
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¹ This bill was originally filed during the Fourteenth Congress, Third Regular Session.



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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Marine Debris
2 Research, Prevention, and Reduction Act.”

3 SECTION 2. *Implementing Agency.* – The Environmental Management Bureau
4 (EMB) of the Department of Environment and National Resources shall implement the
5 provisions of this Act; the Bureau Director shall be designated as program administrator.

6 SECTION 3. *Program Components.* – The EMB with the assistance of the
7 Philippine Coast Guard and the Department of Interior and Local Government and in
8 coordination with other relevant agencies shall:

9 (A) Develop and implement a Marine Debris Prevention and Removal Program to
10 reduce and prevent the occurrence and adverse impacts of marine debris on the marine
11 environment and navigation safety.

12 (B) Undertake marine debris mapping, identification, impact assessment,
13 prevention, and removal efforts, with a focus on marine debris posing a threat to living
14 marine resources, particularly species identified as endangered or threatened or protected,
15 including –

1 (1) The establishment of a process, building on existing information
2 sources maintained by other government agencies, educational institutions and
3 non-government organizations [or cataloguing and maintaining an inventory of
4 marine debris and its impacts found in the internal waters of the Philippines and
5 the Philippines' exclusive economic zone, including location, material, size, age,
6 and origin, and impacts on habitat, living marine resources, human health, and
7 navigation safety;

8 (2) The creation of measures to identify the origin, location, and projected
9 movement of marine debris within the Philippines internal waters, the Philippines'
10 exclusive economic zone, and the high seas, including the use of oceanographic,
11 atmospheric, satellite, and remote sensing data; and

12 (3) The development and implementation of strategies, methods, priorities,
13 and a plan for preventing and removing marine debris from the Philippines'
14 internal waters and within the Philippines' exclusive economic zone, including
15 development of local or regional protocols for removal of derelict fishing gear.

16 (C) Improve efforts and actively seek to prevent and reduce fishing gear losses, as
17 well as to reduce adverse impacts of such gear on living marine resources and navigation
18 safety, including –

19 (1) research and development of alternatives to fishing gear posing threats
20 to the marine environment and methods for marking gear used in specific fisheries
21 to enhance the tracking, recovery, and identification of lost and discarded gear;
22 and

23 (2) development of voluntary or mandatory measures to reduce the loss
24 and discarding of fishing gear.

25 (D) Establish outreach activities and education of the public and other
26 stakeholders, such as the fishing industry, fishing gear manufacturers, and other marine-

1 dependent industries, on sources of marine debris, threats associated with marine debris
2 and approaches to identify, determine sources of, assess, reduce, and prevent marine
3 debris and its adverse impacts on the marine environment and navigational safety,
4 including outreach and education activities through public-private initiatives.

5 (E) Take appropriate action in the international community to prevent marine
6 debris and reduce concentrations of existing debris on a global scale.

7 SECTION 4. *Grants.* – Financial assistance, in the form of grants, shall be
8 provided through the Marine Debris Prevention and Removal Program for projects to
9 accomplish the purposes of this Act.

10 (A) *Fifty percent (50%) Percent Matching Requirement.* –

11 (1) Except as provided in subparagraph (B) national funds for any project
12 under this section may not exceed 50 percent of the total cost of such project. For
13 purposes of this subparagraph, the project proponent's share of the project costs
14 may be provided by in-kind contributions and other noncash support.

15 (2) Waiver - The Environment Management Bureau may waive all or part
16 of the matching requirement under subparagraph (A) if the Administrator
17 determines that no reasonable means are available through which applicants can
18 meet the matching requirement and the probable benefit of such project outweighs
19 the public interest in such matching requirement.

20 (B) *Eligibility.* – Any natural resource management authority of a local
21 government unit or other government authority whose activities directly or indirectly
22 affect research or regulation of marine debris, and any educational or nongovernmental
23 institutions with demonstrated expertise in a field related to marine debris, are eligible to
24 submit to the EMB a marine debris proposal under the grant program.

1 **(C) Grant Criteria and Guidelines.** – Within 180 days after the date of enactment
2 of this Act, the EMB shall promulgate necessary guidelines for implementation of the
3 grant program, including development of criteria and priorities for grants. Such priorities
4 may include proposals that would reduce new sources of marine debris and provide
5 additional benefits to the public, such as recycling of marine debris or use of
6 biodegradable materials. In developing those guidelines, the EMB shall consult with –

7 (1) national, regional, and local governmental entities with marine debris
8 experience;

9 (2) marine-dependent industries; and

10 (3) non-governmental organizations involved in marine debris research,
11 prevention, or removal activities.

12 **(D) Project Review and Approval.** – The EMB shall review each marine debris
13 project proposal to determine if it meets the grant criteria and supports the goals of the
14 Act. Not later than 120 days after receiving a project proposal under this section, the
15 EMB shall –

16 (1) Provide for external merit-based peer review of the proposal;

17 (2) After considering any written comments and recommendations based
18 on the review, approve or disapprove the proposal; and

19 (3) Provide written notification of that approval or disapproval to the
20 person who submitted the proposal.

21 **(E) Project Reporting.** – Each grantee under this section shall provide periodic
22 reports as required by the Administrator. Each report shall include all information
23 required by the Administrator for evaluating the progress and success in meeting its
24 stated goals, and impact on the marine debris problem.

1 SECTION 5. *Appropriations.* – The amount necessary to carry out the provisions
2 of this Act are hereby authorized to be appropriated from the National Treasury.

3 SECTION 6. *Separability Clause.* – If any provision of this Act is held invalid or
4 unconstitutional, the same shall not affect the validity and effectivity of the other
5 provisions hereof.

6 SECTION 7. *Repealing Clause.* – All laws, decrees, orders, and issuances, or
7 portions thereof, which are inconsistent with the provisions of this Act, are hereby
8 repealed, amended or modified accordingly.

9 SECTION 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after
10 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

/Im13Dec2015