

**SEVENTEENTH CONGRESS** )  
**REPUBLIC OF THE PHILIPPINES** )  
First Regular Session )

Senate  
Office of the Secretary

75 JUL 19 NO 51

**SENATE**

**S. B. NO. 447**

RECEIVED BY: *J*

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**Introduced by SENATOR LOREN LEGARDA**

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**AN ACT REGULATING NOISE POLLUTION BY CREATING THE NOISE POLLUTION CONTROL BOARD (NPCB), PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES**

Explanatory Note

Noise pollution takes place when there is an excessive amount of noise or unpleasant sound that tends to disrupt the natural rhythm of life. Noise pollution is an environmental hazard and should not be ignored because of its alarming effects on human health. According to the World Health Organization (WHO), one of the various adverse health effects of noise pollution is hearing impairment, which is essential for a person's well-being and safety. WHO added that sudden and unexpected noise has been observed to produce marked changes in the body, such as increased blood pressure, heart rate and muscular contractions. Other impacts of noise pollution on human health and well-being are annoyance, sleep disturbance, and interference with communication, performance and social behavior effects.

This bill, therefore, seeks to regulate noise pollution by creating the Noise Pollution Control Board (NPCB) which shall formulate and implement the policies and programs on noise pollution control. This measure also prescribes the standards and criteria in determining any violations on noise pollution and its corresponding penalties.

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

  
**LOREN LEGARDA**

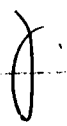
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*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

1 **SECTION 1. Short Title.** - This Act shall be known as the "Noise Pollution  
2 Control and Abatement Act."  
3

4 **SEC. 2. Declaration of Policy.** - It is hereby declared the policy of the State  
5 to protect and promote the right to health, safety and general welfare of the  
6 people by providing them an environment free from environmental noise due  
7 to economic development and modern technology that disrupt the natural  
8 rhythm of life.  
9

10 **SEC. 3. Definition of Terms.** - For purposes of this Act, the following terms  
11 shall mean:  
12

- 13 (a) "Ambient Noise" - the composite of noise from all sources near and far  
14 and in a given environment, exclusive or occasional and transient  
15 intrusive noise sources and of the particular noise source or sources  
16 to be measured;  
17 (b) "Decibel" (dB) - a unit of level which denotes the ration between two  
18 quantities which are proportional to power, the number of decibels  
19 corresponding to the ration of two amounts of power is 10 of this  
20 ratio;  
21 (c) "Environmental Noise" - the sound that is emitted in the course of  
22 industrial production, construction, transportation and social  
23 activities that impairs the living environment of the people;  
24 (d) "Motor Vehicle" - includes, but not limited to automobiles, trucks,  
25 motorcycles, motor bikes and go carts;  
26 (e) "Noise Emission" - noise discharged from the source to the living  
27 environment of the neighborhood;  
28 (f) "Noise Pollution" - an unwanted human-created sound that disrupts  
29 the environment and emitted sporadically or over a period of time; the  
30 dominant form of which are derived from transportation sources,  
31 motor vehicles, sound system, equipment, tolls, apparatus, machinery  
32 and the like;

- 1 (g) "Noise-sensitive Structures" – those that require a quiet environment  
2 such as hospitals, schools, government offices, research institutions  
3 and residential buildings;
- 4 (h) "Octave band noise analyzer – an instrument for measurement of  
5 sound levels in octave frequency band which satisfies the pertinent  
6 requirement for class 2 ban analyzers of the American National  
7 Standards Specifications;
- 8 (i) "Person" – an individual, firm, association, co-partnership, joint  
9 venture corporation or any entity, private or public in nature;
- 10 (j) "Sound amplifying equipment" – any machine or devise for  
11 amplification of the human voice, music or any sound including the  
12 following: (1) automobile radios, stereo players, phonographs for  
13 television receivers used in or heard only by the occupants of the  
14 vehicle in which the same is installed; (2) radio, stereo players,  
15 phonographs or television receivers used in a house or apartment  
16 within any residential zone or within 500 feet thereof; (3) warning  
17 devices or emergency vehicles; and (4) horns or other warning devises  
18 authorized by law on any vehicle when used for traffic purposes.
- 19 (k) "Sound Level (Noise Level)" - in decibels (dB), is the sound measured  
20 with an "A" weighing and slow responses by a sound level meter,  
21 except an impulsive or rapidly varying sounds, the fast response shall  
22 be used; and
- 23 (l) "Sound Level Meter" – an instrument including a microphone, an  
24 amplifier, an output meter, and "A" frequency weighing network for  
25 the measurement of sound levels;
- 26

27 **SEC. 4. Creation of the Noise Pollution Control Board (NPCB).** – To  
28 implement the policies and attain the objectives enunciated under this Act,  
29 there is hereby created the Noise Pollution Control Board (NPCB), hereinafter  
30 referred to as the "Board" which shall be under the direct supervision of the  
31 Environmental Management Bureau (EMB) of the Department of Environment  
32 and Natural Resources (DENR) and shall have its principal office at Metro  
33 Manila.

34

35 **SEC. 5. Composition of the NPCB.** – The Board shall be composed of two (2)  
36 Assistant Secretaries of the DENR, as Chairman, and Vice-Chairman,  
37 respectively, who shall both be appointed by the President. The following shall  
38 be the members of the Board:

39

- 40 (a) one (1) representative from the Department of Health (DOH);
- 41 (b) one (1) representative from the Department of Transportation and  
42 Communications (DOTC);
- 43 (c) one (1) representative from the Department of Public Works and  
44 Highways (DPWH);
- 45 (d) one (1) representative from the Department of Interior and Local  
46 Government (DILG);
- 47 (e) one (1) representative from the Department of Trade and Industry  
48 (DTI);
- 49 (f) one (1) representative from the Department the Department of Science  
50 and Technology (DOST);
- 51 (g) one (1) representative from the Department of Labor and Employment  
52 (DOLE); and
- 53 (h) one (1) representative from the Housing and Urban Development  
54 Coordinating Council (HUDCC).
- 55

1 **SEC. 6. Powers and Functions of the Board.** – The Board shall have the  
2 following powers and functions:

- 3  
4 (a) Formulate and implement such policies and programs necessary for  
5 the accomplishment of the purposes of this Act;  
6 (b) Set up, revise and/or modify existing noise standards consistent  
7 with economic development and technology;  
8 (c) Determine the source, magnitude, extent, severity, causes, effects and  
9 other pertinent information regarding noise pollution and take such  
10 measures, using available methods and technologies, as it shall deem  
11 best to prevent or abate such pollution;  
12 (d) Prescribe procedures and criteria for the measurement of sound level;  
13 (e) Conduct continuing researches and studies on the effective means for  
14 the control and abatement of noise pollution;  
15 (f) Develop comprehensive plans for the abatement of existing noise  
16 pollution and the prevention of new or imminent pollution, the  
17 implementation of which shall be consistent with the national  
18 development of the country and indicating priorities and programs;  
19 (g) Adopt, prescribe, promulgate and issue rules and regulations  
20 governing compliance of the provisions of this Act;  
21 (h) Develop and disseminate information and educational materials to all  
22 sectors of society concerning public health and other effects of noise  
23 and the most effective means for noise control, through the use of  
24 materials for school curricula, volunteer organizations, radio and  
25 television programs, publication and other social media;  
26 (i) Deputize in writing or request assistance from concerned government  
27 agencies or instrumentalities for the purpose of enforcing the  
28 provisions of this Act;  
29 (j) Issue, renew or deny permits under such conditions as it may  
30 determine to be reasonable for the prevention and abatement of noise  
31 pollution;  
32 (k) Impose reasonable fees and charges for the issuance or renewal of  
33 permits relative to the compliance of the provisions of this Act; and  
34 (i) Exercise and perform such other powers and functions as may be  
35 necessary or incidental to the attainment of the purposes and  
36 objectives of this Act.  
37

38 **SEC. 7. Secretariat of the Board.** – The Board shall establish a Secretariat  
39 which shall assist in the implementation of this Act. Its staffing pattern shall  
40 be established in coordination with the Department of Budget and  
41 Management and in accordance with the Civil Service rules and regulations.  
42

43 **SEC. 8. General Requirements and Restrictions on Noise Level and**  
44 **Control.** – The following shall be the general requirements and restrictions on  
45 noise level:  
46

- 47 (a) Any noise level caused by use or operation of radio, television receiver,  
48 musical instrument, phonograph or other similar machine or device  
49 which is audible to the human ear shall be at a distance not to exceed  
50 150 feet from the property line of the noise source, within any  
51 residential zone or within 500 feet thereof;  
52 (b) Any noise level caused by such use or operation which exceeds the  
53 ambient noise level on the premises of any other occupied property, or if  
54 a condominium, apartment, house, duplex, or attached business, within  
55 an adjoining unit, shall not exceed five (5) decibels; and

1 (c) The most modern, effective and affordable technology shall be used to  
 2 control noise emissions.

3  
 4 **SEC. 9. Sound Level Measurement Procedure and Criteria.** – The following  
 5 are the sound level measurement procedure and criteria:  
 6

7 (a) Any sound level measurement made pursuant to the provisions of this  
 8 Act shall be measured with a sound level meter using the “A” weighing  
 9 and response; except when impractical, the microphone shall be  
 10 located 4 to 5 feet above the ground and 10 feet. or more from the  
 11 nearest reflective surface;

12 (b) If the sound alleged to be offending is of a type or character set forth  
 13 below:

14 1. Except for noise emanating from any electrical transformer or gas  
 15 metering and pressure control equipment existing and installed prior to  
 16 the effective date of the ordinance enacting this chapter, any steady tone  
 17 with audible fundamental frequency or overtones have  
 18 200Hz.....+5.

19 2. Repeated impulsive noise .....+5

20 3. Noise occurring more than 5 but less than 15 minutes in any period of  
 21 60 consecutive minutes between the hours of 7:00 a.m. and 10:00 p.m.  
 22 of any day .....+5.

23 (c) For those cases where an objectionable noise is clearly audible, but  
 24 when the level of ambient noise does not permit direct quantitative sound  
 25 level “A: measurements of the objectionable noise, sound measurements  
 26 may be performed utilizing an octave band sound analyzer to determine  
 27 sound level “A” limits as indicated in the Table below. This table is used  
 28 to convert the sound pressure level meter readings in dB for each band  
 29 to SPL in dB (A) for each band.

30 Table  
 31 Octave Band Noise Value Corresponding to Sound Level “A” Values  
 32

33 Octave Band Sound Pressure Level, dB re 0.0002 dyne/cm

Sound level	Octave Band Center Frequency in Hz								
	31.5	63	125	250	500	1000	2000	4000	8000
“A”	31.5	63	125	250	500	1000	2000	4000	8000
35	58	50	42	35	32	29	26	23	20
40	61	54	46	40	37	34	31	28	25
45	64	58	51	45	42	39	36	33	30
50	67	61	55	50	47	44	41	38	35
55	70	64	60	55	52	49	46	43	40
60	73	68	64	60	57	54	51	48	45
65	76	72	68	65	62	59	56	53	50
70	79	76	73	70	67	64	61	58	55
75	84	81	78	75	72	69	66	63	60

34  
 35 **SEC. 10. Criteria/Standards for Violations of this Act.** – In  
 36 determining any violation of this Act, the following criteria or standards shall  
 37 be considered:  
 38

- 39 a) Level of noise;  
 40 b) Whether the nature of the noise is usual or unusual;  
 41 c) Whether the origin of the noise is natural or unnatural;  
 42 d) Level and intensity of the background noise, if any;  
 43 e) Proximity of the noise to residential sleeping facilities;  
 44 f) Nature and zoning of the area within which the noise emanates;

- 1 g) Density of the inhabitation of the area within which the noise
- 2 emanates;
- 3 h) Time of the day and night the noise occurs;
- 4 i) Duration of the noise;
- 5 j) Whether the noise is recurrent, intermittent, or constant; and
- 6 k) Whether the noise is produced by a commercial or non-commercial
- 7 activity.
- 8

9 **SEC. 11. Procedure and Criteria for Sound Level Measurement.** - Any  
10 sound measurement made pursuant to the provisions of this section shall be  
11 measured with a sound level meter using the "A" weighing and response as  
12 indicated in Section 9 hereof. Except when impractical, the microphone shall  
13 be located four (4) to five (5) feet above the ground and ten (10) feet or more  
14 from the nearest reflective surface. However, in those cases where another  
15 elevation is deemed appropriate, the latter shall be utilized, interior sound level  
16 measurements shall be made at a point at least four (4) feet from the wall,  
17 ceiling, or floor nearest the noise source. Calibration of the sound level meter,  
18 utilizing an acoustic calibrator shall be performed immediately prior to  
19 recording any sound level data. The ambient noise level and the level of a  
20 particular noise being measured shall be the numerical average of noise  
21 measurements taken at a given location during a given time period.

22  
23 **SEC. 12. Prohibited Acts.** - Any person who willfully make or continue, or  
24 cause to be made or continued, any loud, unnecessary and unusual noise  
25 which disturbs the peace or quiet of any neighborhood or which causes  
26 discomfort or annoyance to any reasonable person of normal sensitiveness  
27 residing in the area shall be liable for noise pollution and punishable under  
28 this Act.

29  
30 The following shall constitute as prohibited acts punishable under this  
31 Act:

32 (a) Use or operate any radio, musical instrument, phonograph, television  
33 receiver, or other machine or device for producing, reproducing or  
34 amplification of the human voice, music, or any other sound, in such a  
35 manner as to disturb the peace, quiet, and comfort of the neighbor-  
36 occupants or any reasonable person residing or working in the area.

37 (b) Operate any air conditioning, refrigeration or heating equipment for  
38 any residence or other structure or to operate any pumping, filtering or  
39 heating equipment for any pool or reservoir in such manner as to create  
40 any noise which would cause the noise level on the premises of any other  
41 occupied property or if a condominium, apartment house, duplex, or  
42 attached business, within any adjoining unit to exceed the ambient noise  
43 level by more than five (5) decibels except when the operation of the  
44 equipment, instrument is for emergency work, periodic maintenance or  
45 testing or is reasonably necessary.

46 (c) Operate any lawn mower, back pack blower, lawn edger, riding  
47 tractor, or any other machinery, equipment, or other mechanical or  
48 electrical device, or any residential zone or within 500 feet of a residence  
49 between the hours of 10:00 p.m. and 7:00 a.m. of the following day;

50 (d) Operate or cause to be operated any machinery, equipment, tools, or  
51 other mechanical or electrical device or engage in any other activity in  
52 such manner as to create any noise which would cause the noise level  
53 on the premises of any other occupied property, or, if a condominium,  
54 apartment house, duplex, or attached business, within any adjoining  
55 unit, to exceed the ambient noise level by more than five (5) decibels.

1 (e) Use gas powered blower within 500 feet of a residence at anytime with  
2 the exception of leaf vacuum devices which operate at a sound level not  
3 to exceed 45 dB(A) at any point that is normally occupied by a customer,  
4 unless a conspicuous and legible sign is located outside such place, near  
5 each public entrance, stating.

6 (f) Operate, play, or permit the operation or playing of any radio,  
7 television receiver, phonograph, musical instrument, sound amplifying  
8 equipment, or similar device which produces, reproduces, or amplifies  
9 sound in any place o public entertainment at a sound level greater than  
10 95 dB(A) at any point that is normally occupied by a customer, unless a  
11 conspicuous and legible sign is located outside such place, near each  
12 public entrance, stating:

13 (g) Repair, rebuild, reconstruct or dismantle any motor vehicle between  
14 the hours of 8:00 p.m. of one day and 8:00 a.m. the next day within any  
15 residential property located in a residential zone or within 500 feet  
16 thereof and that a reasonable person residing in the area experienced  
17 discomfort or annoyance and the activity is audible to the human ear at  
18 a distance in excess of 150 feet from the property line of the noise;

19 (h) Create any noise which cause the noise level on the premises of any  
20 occupied residential property, or if a condominium, apartment house or  
21 duplex, within any adjoining unit, to exceed the ambient noise level by  
22 more than five (5) decibels.

23 (i) Operate any motor-driven vehicle upon any property or unreasonably  
24 accelerate the engine of any vehicle, or sound, blow or operate the horn  
25 or other warning device of such vehicle as to disturb the peace, quiet and  
26 comfort of any neighborhood or of any reasonable person residing in the  
27 area, provided that the activity is audible to the human ear at a distance  
28 in excess of 150 feet from the property line of the noise source creating  
29 any noise which would cause the noise level on the premises of any  
30 occupied residential property, or if a condominium, apartment house or  
31 duplex, within any adjoining unit, to exceed the ambient noise level by  
32 more than five (5) decibels.

33 (j) Sound, blow or operate any music, chimes or bells, or any similar  
34 sound device, amplified or otherwise, within 200 feet of any residential  
35 building between the hours of 9:00 p.m. and 7:00 a.m. of the next day.

36 (k) Install, operate or use any vehicle theft alarm system that emits or  
37 causes the emission of an audible sound, which is not, or does not  
38 become, automatically and completely silenced within five (5) minutes;

39 (l) Use of sound amplifying equipment out of the normal, adequate and  
40 tolerable sound level causing public nuisance of loud and unnecessary  
41 noise;

42 (m) Install, use, or operate a loud speaker or sound amplifying  
43 equipment in a fixed or movable position or mounted upon any sound  
44 truck for the purpose of giving instructions, directions, talks, addresses,  
45 lectures, or transmitting music to any persons or assemblages of persons  
46 in or upon any public street, alley, side walk, part or place, or other  
47 public property is prohibited between the hours of 4:30 p.m. and 9:00  
48 a.m. of the following day, except when the operation or use of sound  
49 amplifying equipment for noncommercial purposes in all residential  
50 zones is within 500 feet thereof and is used for regularly scheduled  
51 operative functions by any school or for the usual and customary  
52 purposes of any church. In all other zones and is within 500 feet of any  
53 residential zone, the operation or use of sound amplifying equipment for  
54 commercial purposes is prohibited between the hours of 9:00 p.m. and  
55 8:00 a.m. of the following day;

1 (n) Modify the exhaust system of a motor vehicle in a manner that shall  
2 amplify or increase the noise emitted by the engine of the motor vehicle  
3 in excess of the noise emitted by the muffler installed on the motor  
4 vehicle in the manufacturer's original design; and

5 In all other zones, except such portions thereof as may be included with 500  
6 feet of any residential zone, the operation or use of sound amplifying  
7 equipment for noncommercial purposes is prohibited between the hours of  
8 10:00 p.m. and 7:00 a.m. of the following day and the only sounds permitted  
9 shall be either music, human speech, or both.

10  
11 Sound emanating from sound amplifying equipment shall be limited in  
12 volume, tone and intensity when the sound is not audible at a distance in  
13 excess of 200 feet from the sound equipment. In no event shall the sound be  
14 loud and raucous or unreasonably jarring, disturbing, annoying or a nuisance  
15 to reasonable persons of normal sensitiveness within the area of audibility.

16  
17 Except as provided in (m) above, no sound amplifying equipment shall be  
18 operated upon any property adjacent to and within 200 feet of any hospital  
19 grounds or any school or church building while in use.

20  
21 **SEC. 13. Penalties.** - Any person who shall violate any of the provisions of  
22 Section 12 hereof, upon conviction, be subject to a fine of not less than Ten  
23 Thousand Pesos (P10,000) but not more than Fifty Thousand Pesos (P50,000)  
24 or imprisonment of not less than two (2) months but not more than one (1)  
25 year, or both, upon the discretion of the court.

26 In case any violation of this Act is committed by a partnership,  
27 corporation, association or any juridical person, the partner, president, director  
28 or manager who consents to or knowingly tolerates such violation shall be held  
29 liable as a co-principal.

30  
31 **SEC. 14. Formulation of a Comprehensive Anti-Noise Pollution Program.** -  
32 There shall be a comprehensive program to be formulated by the Department of  
33 Environment and Natural Resources, Department of Health, and the  
34 Department of Public Works and Highways, in coordination with other  
35 concerned government agencies and private entities, within one (1) year from  
36 the effectivity of this Act.

37  
38 **SEC. 15. Implementing Rules and Regulations.** - The Secretary of the  
39 DENR, in coordination with the DOH, DILG, DOLE, DPWH, HUDCC shall,  
40 within thirty (30) days from the effectivity of this Act, promulgate the rules and  
41 regulations to implement its provisions.

42  
43 **SEC. 16. Appropriations.** - To implement the provisions of this Act, such  
44 amount as may be necessary is hereby authorized to be appropriated from the  
45 National Treasury. Thereafter, the amount necessary for its operation shall be  
46 included in the annual appropriations of the DENR.

47  
48 **SEC. 17. Separability Clause.** - If any provisions or part hereof, is declared  
49 invalid or unconstitutional, the remainder of the law not otherwise affected  
50 shall remain valid and subsisting.

51  
52 **SEC. 18. Repealing Clause.** - Any law, presidential decree or issuance,  
53 executive order, letter of instruction, administrative order, rule or regulation  
54 contrary to or inconsistent with the provisions of this Act is hereby repealed,  
55 modified or amended accordingly.



1 **SEC. 19. Effectivity Clause.** - This Act shall take effect fifteen (15) days  
2 after its publication in at least two (2) newspapers of general circulation.

3

4 Approved,