SENATE

 OFFICE OF THE SECRETARY

 THIRTEENTH CONGRESS OF THE REPUBLIC

 OF THE PHILIPPINES

 First Regular Session

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 Neceived BY:

 Introduced by SENATOR COMPAÑERA PIA S. CAYETANO

### EXPLANATORY NOTE

Living in an archipelago of 7,100 islands, we are very much dependent on the sea and other bodies of water such as rivers and lakes for our livelihood, transportation, and related industries such as tourism. It is therefore of primary importance that laws are enacted for the protection of our marine environment. Presidential Decree No. 600 as amended by Presidential Decree No. 979 was promulgated way back in 1974 and 1976 respectively. These laws impose civil and criminal liabilities against polluters such as Sulpicio Lines, owner of M/V Princess of the Orient which sank on September 25, 1998 discharging oil and other noxious chemicals into the seas killing marine life in the area and contaminating the waters from Manila Bay as far as Cavite and Bataan.

However, since the above mentioned decrees have been enacted more than twenty years ago, the penalties provided for their violation are much too low to serve as a deterrent for those who do not exercise diligence in traversing our territorial and inland navigable waters. It is therefore imperative to provide stiffer penalties commensurate to the short term as well as long term damage caused by polluters. This bill proposes the increase of the penalties provided for under the present law to a fine of not less than 8 years and 1 day nor more than 12 years or both such fine and imprisonment.

For the reasons stated above, the immediate passage of this bill is earnestly sought.

ANERA PIAS. CAYETANO

THIRTEENTH CONGRESS OF THE REPUBLIC OF THE PHILIPPINES First Regular Session

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SENATE OFFICE OF THE SECRETARY

## SENATE

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RECEIVED BY :

# S.B. No. 1802

### Introduced by SENATOR COMPAÑERA PIA S. CAYETANO

#### AN ACT

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

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

**SECTION 1.** Section 7 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 (Php5,000,000.00)** or by imprisonment of not less than [thirty days] **EIGHT (8) YEARS AND ONE (1) DAY** nor more than [one year] **TWELVE (12) 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 or fine specified in this section, and clearance of such vessel form the port of 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.** Separability Clause. – If any provision or part of this Act is declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

**SECTION 3.** *Repealing Clause.* – All provisions of laws, orders, decrees, including rules and regulations inconsistent herewith are hereby repealed or modified accordingly.

**SECTION 4.** *Effectivity.* – This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or at least two (2) national newspapers of general circulation.

Approved,