



'16 JUL 19 P4:46

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

RECEIVED BY: 

SENATE  
S. No. 560

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

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**AN ACT  
TO STRENGTHEN THE RECYCLING PROGRAM FOR ALL RECHARGEABLE  
BATTERIES MANUFACTURED, SOLD AND DISTRIBUTED IN THE  
PHILIPPINES, AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

As the Philippine battery industry continues to grow, risk of disposing rechargeable batteries in the solid waste stream also becomes more threatening. Disposing rechargeable batteries which commonly contain health-hazardous heavy metals such as cadmium, lead and mercury are of particular concern since these are considered as toxic waste materials. Such product, if carelessly disposed of, could expose the environment and water to lead and acid, pollute the lakes and streams, and may cause burns or danger to eyes and skin.

The use of rechargeable batteries can reduce the number of batteries and at the same time increase the amount of heavy metals entering the waste stream. To reduce toxic waste in the environment, the most effective and appropriate method to promote the reduction of toxic metals from rechargeable battery disposal is to require the battery industry to accept financial responsibility for the environmentally sound collection, transportation and recycling or proper disposal of discarded rechargeable batteries.

It is in the public interest of the Filipino people to maximize the removal of used rechargeable batteries from the solid waste stream by banning its disposal and requiring manufacturers to take back and recycle the used rechargeable batteries that are sold or disposed of in any part of the country.

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

  
ANTONIO "SONNY" F. TRILLANES IV  
Senator



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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 "Rechargeable Battery  
2 Law".  
3

4       **SEC. 2. Declaration of policy.** - It is hereby declared the public policy of the State to  
5 reduce environmental pollution, reduce the toxicity of waste materials in the solid waste  
6 stream directed to resource recovery and sanitary landfill facilities, and maximize the  
7 removal of used rechargeable batteries and products that contain rechargeable batteries, and  
8 encourage their recycling by manufacturers by banning the disposal of used rechargeable  
9 batteries from the solid waste stream and requiring manufacturers to take back and recycle  
10 the used rechargeable batteries sold or disposed of in the Philippines.  
11

12       **SEC. 3. Definition of Terms.** - For purposes of this Act, the following terms shall  
13 mean:  
14

15       a) Battery manufacturer - every person, firm or corporation that: (i) produces  
16 rechargeable batteries sold or distributed in the Philippines, or packages such batteries  
17 for sale in the Philippines, except that if such production or packaging is for a  
18 distributor having the right to produce or otherwise package that same brand of  
19 battery in the Philippines, then such distributor shall be deemed to be the battery  
20 manufacturer; or (ii) imports rechargeable batteries that are sold or distributed in the  
21 Philippines.  
22

23       b) Consumer - any person who purchases one or more rechargeable batteries, or products  
24 containing such batteries at the time of sale.  
25

26       c) Place of business - the location, at which a retailer sells or offers for sale to consumers,  
27 rechargeable batteries, or products containing such batteries at the time of sale.

1  
2 d) Rechargeable battery - any rechargeable nickel-cadmium, sealed lead, lithium ion,  
3 nickel metal hydride battery, or any other such dry cell battery capable of being  
4 recharged weighing less than twenty-five pounds, or battery packs containing such  
5 batteries, but shall not include a battery used as the principal electric power source for  
6 a vehicle, such as, but not limited to, an automobile, boat, truck, tractor, golf cart or  
7 wheelchair, for storage of electricity generated by an alternative power source, such as  
8 solar or wind-driven generators, or for memory backup in an electronic device.  
9

10 e) Retailer - a person, firm or corporation that engages in the sale of rechargeable  
11 batteries, or products containing such batteries, to a consumer in the Philippines  
12 including, but not limited to, transactions conducted through sales outlets, catalogs, by  
13 mail, telephone or the internet. For purposes of this section retailer shall not include a  
14 food store.  
15

16 **SEC. 4. Rechargeable battery disposal ban.** - No person shall knowingly dispose of  
17 rechargeable batteries as solid waste at any time anywhere in the Philippines.  
18

19 **SEC. 5. Rechargeable battery recycling program.** -  
20

21 1) Consumers shall return rechargeable batteries to a retailer that sells such batteries  
22 that are similar in shape, size and function to those to be disposed of Rechargeable  
23 batteries contained in electronic products must be removed prior to disposal of such  
24 product.  
25

26 2) Retailers shall be responsible for the following:  
27

28 a) Retailers having a place of business in any place in the "Philippines shall  
29 accept from consumers at any time during normal business hours rechargeable  
30 batteries of a similar size and shape as the retailer offers for sale. Retailers  
31 shall take up to ten such batteries per day from any person regardless of  
32 whether such person purchases replacement batteries, and retailers shall also  
33 accept as many such batteries as a consumer purchases from the retailer.  
34 Retailers shall conspicuously post and maintain, at or near the point of entry to  
35 the place of business, a legible sign, not less than 8 ½ inches by 11 inches in  
36 size, stating that used rechargeable batteries of the size and shape sold or  
37 offered for sale by the retailer may not enter the solid waste stream, and that  
38 the retail establishment is a collection site for recycling such batteries. Such  
39 sign shall state the following in letters at least one-inch in height:  
40

41 "It is illegal to dispose of rechargeable batteries in the Philippines as  
42 solid waste. We accept used rechargeable batteries for return to the  
43 manufacturer."  
44

- 1           b) Retailers that sell rechargeable batteries to consumers in the Philippines  
2           through non-retail outlets such as through catalogs, or by mail, telephone or  
3           the internet shall provide at the time of purchase or delivery to the consumer  
4           notice of an opportunity to return used rechargeable batteries at no cost to the  
5           consumer for reuse or recycling.  
6
- 7           c) Retailers in the Philippines shall conspicuously maintain, at a location within  
8           the retail establishment convenient for use by consumers, collection boxes or  
9           other suitable receptacles, supplied by the manufacturer, into which consumers  
10          may deposit used rechargeable batteries.  
11
- 12         3) Every battery manufacturer, or any combination of battery manufacturers working  
13          together, shall:  
14
- 15                 a) At the battery manufacturer's own expense, arrange for the return of, and  
16                 recycle all used rechargeable batteries collected by retailers.  
17
- 18                 b) Within six months of the passage of this law, submit a plan to the head  
19                 commissioner of National Solid Waste Management Commission (NSWMC),  
20                 or any other person responsible for the Philippines' recycling programs, that  
21                 identifies the methods by which battery manufacturers will collect, transport,  
22                 and recycle rechargeable batteries collected by retailers at the expense of the  
23                 battery manufacturer.  
24
- 25                 c) Submit annual reports concerning the amount of rechargeable batteries  
26                 received and recycled within the Philippines, either by number or by weight;  
27                 the costs of such efforts; and any other relevant information to the head  
28                 commissioner of NSWMC or any other person responsible for the Philippines'  
29                 recycling programs.  
30
- 31                 d) Undertake efforts to educate the citizens of the Philippines regarding the  
32                 appropriate ways to recycle rechargeable batteries.  
33
- 34         4) The head commissioner of NSWMC, or any other person responsible for the  
35          Philippines recycling programs, shall approve or reject any battery manufacturer's  
36          collection, transportation, and recycling plans described in section (5)(3)(b) within  
37          thirty days of submission and, if rejected, inform the battery manufacturer in writing  
38          as to any deficiencies in the plan. Battery manufacturers shall amend and resubmit  
39          any rejected plans for reconsideration within sixty days of notification of the rejection  
40          of said plan. The head commissioner of NSWMC or any other person responsible for  
41          the Philippines' recycling programs shall approve or reject said plan within thirty days  
42          of resubmission.  
43

1           5) The head commissioner of NSWMC, or any other person responsible for the  
2           Philippines' recycling programs, shall analyze the information provided by battery  
3           manufacturers pursuant to Section (5)(2)(c) and publish its report in at least two (2)  
4           general newspapers of national circulation every two years.

5  
6           6) The commissioner of NSWMC, or any other person responsible for the Philippines'  
7           recycling programs, shall promulgate any rules needed to implement this law.

8  
9           **SEC. 6. Penalties. -**

10  
11           1) Any person who violates section 4 of this law shall be liable for a civil penalty  
12           recoverable in a proceeding before the NSWMC in the amount of two thousand pesos  
13           (P2,000.00) for the first violation, four thousand pesos (P4,000.00) for a second  
14           violation committed within twelve months of a prior violation and eight thousand  
15           pesos (P8,000.00) for a third or subsequent violation committed within twelve months  
16           of any prior violation.

17  
18           2) Any retailer who violates section 5 of this law shall be liable for a civil penalty in a  
19           proceeding before the environmental control board in the amount of eight thousand  
20           pesos (P8,000.00) for the first violation, sixteen thousand pesos (P16,000.00) for a  
21           second violation committed within twelve months of a prior violation, and twenty  
22           thousand pesos (P20,000.00) for a third or subsequent violation committed within  
23           twelve months of any prior violation.

24  
25           3) Any battery manufacturer who violates section 5 of this law shall be liable for a civil  
26           penalty recoverable in a proceeding before the NSWMC in the amount of eighty  
27           thousand pesos (P80,000.00) for the first violation, one hundred sixty thousand pesos  
28           (P160,000.00) for a second violation committed within twelve months of a prior  
29           violation, and two hundred thousand pesos (P200,000.00) for a third or subsequent  
30           violation committed within twelve months of any prior violation.

31  
32           **SEC. 7. Appropriations. -** The amount necessary to carry out the provisions of this  
33           Act shall be provided out of the savings from the appropriations of the NSWMC for the  
34           current year. Thereafter, the sum necessary for the implementation of this Act shall be  
35           appropriated in the annual appropriations of the NSWMC.

36  
37           **SEC. 8. Repealing Clause. -** All laws, decrees, orders, rules and regulations or parts  
38           thereof inconsistent with this Act are hereby repealed or amended accordingly.

39  
40           **SEC. 9. Effectivity. -** This Act shall take effect fifteen (15) days upon its publication  
41           in at least two (2) general newspapers of national circulation.

*Approved,*