



**Republic of the Philippines  
CITY COUNCIL  
City of Manila**

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REGULAR SESSION NO. 175

8<sup>th</sup> CITY COUNCIL

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**Begun and held in the City Council on Tuesday,  
the Fifteenth day of November Two Thousand Eleven**

**ORDINANCE NO. 8282**

**AN ORDINANCE** BANNING THE USE OF ANY FORM OF PLASTIC BAGS ON DRY GOODS AND REGULATING ITS UTILIZATION ON WET GOODS, AS WELL AS THE USE OF POLYSTYRENE AND SIMILAR MATERIALS AS CONTAINERS FOR "FOOD, GOODS AND OTHER PRODUCTS" AND PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES

**PRINCIPAL AUTHORS:** HON. JOCELYN B. DAWIS – ASUNCION, HON. MARIA SHEILAH H. LACUNA – PANGAN, Majority Floor Leader. HON. NUMERO G. LIM, HON. CRISTINA A. ISIP, Hon. Ernesto M. Dionisio, Jr., Hon. Erick Ian O. Nieva, Hon. Dennis B. Alcoreza, Hon. Irma C. Alfonso-Juson, Hon. Edward M. Tan, Hon. Ruben F. Buenaventura, Hon. Ramon M. Robles, Hon. Ma. Asuncion G. Fugoso, Hon. John Marvin C. Nieto, Hon. Ernesto C. Isip, Jr., Hon. Bernardito C. Ang, Hon. Joel R. Chua, Hon. Don Juan "DJ" Bagatsing, Hon. Jocelyn J. Quintos, Hon. Louisito N. Chua, Hon. Raymundo R. Yupangco, Hon. Richard C. Ibay, Hon. Robert R. Ortega, Jr., Hon. Rafael P. Borromeo, Hon. Danilo Victor H. Lacuna, Jr., Hon. Elizabeth Z. Rivera, Hon. Casimiro C. Sison, Hon. Salvador H. Lacuna, Hon. Marlon M. Lacson, HON. EDWARD V.P. MACEDA, AND HON. FRANCISCO "Isko Moreno" DOMAGOSO, Vice-Mayor and Presiding Officer

*Is*



Be it ordained by the City Council of Manila, in session assembled, *THAT*:

**SECTION 1. TITLE.** - This shall be known as "THE ORDINANCE BANNING THE USE OF ANY FORM OF PLASTIC BAGS ON DRY GOODS AND REGULATING ITS UTILIZATION ON WET GOODS, AS WELL AS THE USE OF POLYSTYRENE AND SIMILAR MATERIALS AS CONTAINERS FOR FOOD, GOODS AND OTHER PRODUCTS, IN THE CITY OF MANILA."

**SEC. 2. AUTHORITY.** - Section 16, Article II of the 1987 Philippine Constitution mandates that: "The state shall protect and advance the right of people to a balanced and healthful ecology in accord with the rhythm and harmony of nature".

FURTHER, Section 3 (i) of R.A. 7160, otherwise known as the Local Government Code of 1991 mandates that, "the Local Government Units shall share with the national government the responsibility in the management and maintenance of ecological balance within their territorial jurisdiction x-x-x".

FURTHERMORE, Section 458 (1) (vi) of R.A. 7160, also states that: "the Sangguniang Panlungsod x-x-x shall protect the environment and impose appropriate penalties for acts which endanger the environment, x-x-x including such activities which result in pollution, acceleration or eutrophication of rivers and lakes or ecological imbalance".

FINALLY, Section 30 of R.A. 9003, otherwise known as the Philippine Ecological Waste Management Act of 2002, provides that: "no person owning, operating or conducting a commercial establishment in the country shall sell or convey at retail or possess with the intent to sell or convey at retail any products that are placed, wrapped or packaged in or on packaging which is not environmentally acceptable packaging".

**SEC. 3. DEFINITION OF TERMS.** - For the purpose of this Ordinance, the following terms are defined as follows:

- a) Cloth bag – also known as *katsa*. This refers to reusable packaging materials made of cloth used in the packaging of flour, wheat and other similar goods.
- b) Dry goods – refers to any product that does not require refrigeration or freezing to maintain freshness.
- c) Dry market – generally refers to a store with products that do not require refrigeration or freezing to maintain freshness.
- d) Plastic bags – also known as sando bags, pouch, plastic shopping bags, and plastic film bags. It is a type of packaging material made of thin, plastic film (polyethylene) used for storing and transporting food and other products, whether commercial or industrial.
- e) Polystyrene – also known as Styrofoam™ or Styropor®. This refers to a synthetic resin that is a polymer of styrene often used as food containers, disposable cups, plates, etc.
- f) Plastic waste – refers to any plastic packaging material thrown as waste.
- g) Primary packaging materials – refers to types of packaging for storing and transporting wet produce, snacks, frozen goods, hardware, etc.
- h) Secondary packaging materials – refers to types of packaging for wet goods to provide support to any primary packaging.
- i) Wet goods – refers to any product that requires refrigeration or freezing to maintain freshness (e.g., fish, meat, poultry products, fruits, vegetables, beverages and cooked food in cafeterias and *karinderias*).
- j) Wet market – generally refers to a store with products that require refrigeration or freezing to maintain freshness. These include the wet section in public markets, supermarkets, mini marts, restaurants, cafeterias and *karinderias*.





- k) Woven bags – also known as *bayong*. This refers to biodegradable packaging materials made of buri, bamboo strips, rattan strips, water lily and other similar materials.

**SEC. 4. PROHIBITION ON THE USE OF PLASTIC BAGS FOR DRY GOODS.** - No business establishment shall use plastic bags as packaging materials for dry goods.

**SEC. 5. REGULATING THE USE OF PLASTIC BAGS FOR WET GOODS.** - No business establishments dealing with wet goods shall use plastic bags as secondary packaging material.

**SEC. 6. PROHIBITION ON THE USE OF POLYSTYRENE.** - No business establishment shall use polystyrene and other similar materials as containers for food, goods and other products.

**SEC. 7. PROHIBITION ON THE SELLING OF PLASTIC BAGS.** - No business establishments shall offer or sell plastic bags to be used as secondary packaging material or as primary packaging material for dry goods.

**SEC. 8. PROHIBITION ON THE COLLECTION OF SOILED PLASTIC WASTES.** - Plastic bags discarded and/or other similar plastic wastes must be cleaned and dried prior to collection of barangays for proper disposal

**SEC. 9. ASSISTANCE AND REGULAR REPORTING.** - The Department of Public Services (DPS) of the City of Manila shall monitor the effective implementation of this Ordinance. The DPS shall conduct a study on the feasibility of providing alternative packaging for the disposition and marketing of products, so as not to affect the flow of trade and commerce in the City.

**SEC. 10. INFORMATION, EDUCATION AND COMMUNICATION CAMPAIGN.** - Upon the approval of this Ordinance, the City shall conduct a massive information, education and communication campaign using quad media (i.e., print, radio, television and the Internet) and shall promote biodegradable and reusable packaging.

**SEC. 11. IMPLEMENTING RULES AND REGULATIONS (IRR).** - Within thirty (30) days from the approval of this Ordinance, the City Mayor shall issue the necessary rules and regulations for its proper and effective implementation.

**SEC. 12. MORATORIUM.** - All business establishments and/or individuals are hereby given one (1) year to comply with this Ordinance from the date of its passage.

**SEC. 13.** The DPS is hereby mandated to provide a program wherein livelihood projects shall be implemented for the manufacture and distribution of eco-friendly packaging made from pandan leaves, banana leaves, buri leaves, bamboos, water lilies and other similar materials in replacement of polystyrene containers and plastic bags. This livelihood project must be coordinated with concerned offices to help the residents of Manila earn additional income.

**SEC. 14. PROHIBITED ACTS.** - Food and commercial business establishments and/or individuals are prohibited from:

- a) Selling and providing plastic bags to consumers as primary packaging materials for dry goods;
- b) Selling and providing plastic bags to consumers as secondary packaging materials for wet goods,
- c) Selling and providing polystyrene packaging as containers.





## EXPLANATORY NOTE

THERE was a time in the history of our City when its landscape was crisscrossed with tributary streams of the mighty Pasig River,

In the course of time, however, these rivulets gradually disappeared such that the once proud City, borne out of the teeming delta where Rajah Solaiman established the first community, became the favorite destination and eventual place of abode of people from across the land.

The Manila of today is a far cry from that bygone era and we see it today as a bustling City—highly urbanized, in fact, that we have inevitably used its once murmuring streams into sewerage canals and bog deposits—all contributory to the massive pollution and the destruction of fluvial life in this erstwhile river of our dreams.

A glance at this historic waterway would reveal that it is oftentimes strewn with flotsams of plastic bags, dead animals, plain trash and human waste that we can only hope that someday, the efforts of government in restoring it to its old glory will bear fruit;

But the main culprit is plastic, which is an alarming reality as revealed by ecologists.

Paleontologists have revealed that plastic, in its crude form, had been used by man since the dawn of history, however, it was a German Chemist by the name of Hermann Staudinger who laid the theoretical foundation on which the plastics industry was built and since then, this material has had a tremendous impact on our way of life that it is now used in almost everything from spoons to cups, from toys to tables, or from computers or radio components to the interior of aircrafts and vehicles, among other multifarious uses.

Plastic has in fact made our lives easier because of its multifaceted functions, such that we may no longer live with ease and leisure without it. We now use plastic bags for wrapping groceries, meat products, vegetables, rice, cereals, beans, cooked food, water, iced candy, soup, and all sorts of commercial items that we buy from sidewalk vendors, sari-sari stores and malls. These thin plastic bags of all sizes are simply all over the place - from the small villages to the big cities.

But there is however a stark reality that has caused alarm the world over and this is the discovery that plastic is non-biodegradable and therefore contributory to the destruction of the environment and the endless, massive flooding of our streets and communities year in and year out because they clog our sewers and drainage systems

We have seen its impact in the perennial flooding of our thoroughfares during the rainy season so that no matter how we improve or install wider and bigger sewer pipes, plastic bags will always give us persistent and nagging problems. And not only that, it is the material that makes our rivers and estuaries (esteros) non-navigable and virtually dead because they impede the continuous flow of water.

Thus, the time has now come for us, the leaders and policy makers of our beloved City, to put our foot down and lead the nation in banning plastic wrapping bags—at least—from our business establishments in order to promote its disuse and eventually restore our environment no matter how slow it could be as long as we can be assured of a better and cleaner future for the succeeding generations





It is high time that the City of Manila must impose prohibitions in the use of plastic bags in order to stop the practice of indiscriminate disposal and protect what remains of our environment. More so, that there is a worldwide resistance on the use of this material notably in America and Europe, so that Manila, as the national capital, must spearhead in imposing a ban for the entire nation.

**SEC. 15. GRADUATED PENALTY CLAUSE.** - The following penalties shall be imposed upon any business establishment who shall violate any of the prohibited acts stated above.

- a) First Offense – A fine of One Thousand Pesos (PhP 1,000.00) and a signage outside the establishment stating the offense
- b) Second Offense – A fine of Two Thousand Five Hundred Pesos (PhP 2,500.00) and a signage outside the establishment stating the offense
- c) Third Offense – A fine of Five Thousand Pesos (PhP 5,000.00) and/or an imprisonment of not more than six (6) months upon the discretion of the court and in the case of a business establishment, a cancellation of their license to operate for a period of one (1) year

**SEC. 16. SEPARABILITY CLAUSE.** - If any part of this Ordinance is declared as unconstitutional or unlawful, such declaration shall have no effect on the other parts or sections hereof that are not declared unlawful or unconstitutional

**SEC. 17. REPEALING CLAUSE.** - All previous ordinances, orders, rules and regulations or parts thereof which are inconsistent with any provisions of this Ordinance are hereby deemed repealed or modified accordingly

**SEC. 18. EFFECTIVITY CLAUSE.** - This Ordinance shall take effect upon its approval.

This Ordinance was finally enacted by the City Council of Manila on July 31, 2012.

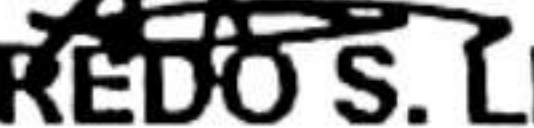
PRESIDED BY

  
**FRANCISCO "Isko Moreno" DOMAGOSO**  
Vice-Mayor and Presiding Officer  
City Council, Manila

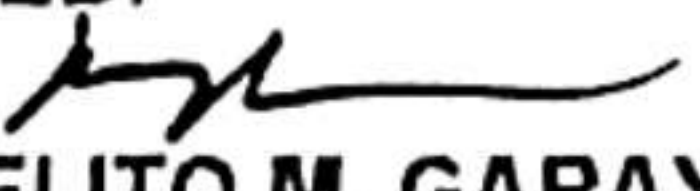
ATTESTED:

  
**LUCH R. GEMPIS, JR.**  
City Government Dept. Head III  
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON SEP 03 2012.

  
**ALFREDO S. LIM**  
Mayor  
City of Manila

ATTESTED:

  
**RAFAELITO M. GARAYBLAS**  
City Government Dept. Head VII  
(Secretary to the Mayor)