



Republic of the Philippines  
Quezon City

IMPLEMENTING RULES AND REGULATIONS (IRR)  
OF ORDINANCE NO. SP-2140, S-2012

**RULE I. General Provisions**

Section 1. Title

These Rules shall be known and cited as the "Implementing Rules and Regulations of Ordinance No. SP-2140, S-2012 or the Plastic Bag Reduction Ordinance".

Section 2. Purpose

These Implementing Rules and Regulations are promulgated to prescribe the procedures and guidelines for the implementation of Ordinance No. SP-2140, S-2012 in order to facilitate compliance therewith and achieve the objectives thereof.

Section 3. Scope

These Rules shall lay down the responsibilities of the Environmental Protection and Waste Management Department (EPWMD), Business Permits and Licensing Office (BPLO), Market Development and Administration Department (MDAD), Barangay Operation Center (BOC) and the Liga ng mga Barangay with respect to the implementation of the said Ordinance. These offices shall be responsible in ensuring that provisions of the Ordinance and this IRR are strictly monitored and implemented.

**RULE II. Declaration of Policy**

Section 4.


It is the policy of the Quezon City Government to be firmly committed to the implementation of the stated principles, policies and the provisions of the Constitution and Republic Act No. 7160 also known as the Local Government Code of 1991, to promote and protect people's welfare and the environment by regulating the operation of businesses within its territorial jurisdiction, particularly the retailers in consonance with Ordinance No. SP-2140, S-2012.

**RULE III. Definition of Terms**

Section 5.

For the purpose of these Implementing Rules and Regulations, the following words and phrases shall have the following meanings:

- a) "City" - the Quezon City Local Government Unit.
- b) "Department" - the Environmental Protection and Waste Management Department (EPWMD).
- c) "Plastic Recovery System Fee" - a charge or regulatory fee imposed to consumers on the use of new plastic carryout bags at the point of sale in the absence of alternative reusable bags and/or redemption of used plastic bags.
- d) "Green Fund" - a fund or money earned from the imposition of plastic recovery system fee by the retail stores intended to fund various initiatives that would benefit the environment.
- e) HDPE - High Density Polyethylene plastic or type-2 plastic material. (source: PPIA Technical Briefing on Plastics)

  
HERBERT M. BAUTISTA  
City Mayor

- f) LDPE and LLDPE - Low Density Polyethylene and Linear Low Density Polyethylene plastic or type-4 plastic, material (source: PPIA Technical Briefing on Plastics)
- g) "Ordinance" - the Plastic Bag Reduction Ordinance or SP-2140, S-2012
- h) "Plastic Bags" - plastic carryout bags given at the point of sale with handles, holes or string usually made from HDPE, LDPE/LLDPE and PP plastic material, or any other type of recyclable plastic materials with thickness not lower than 15 microns.
- i) PP - Polypropylene plastic or type-5 plastic material. (source: PPIA Technical Briefing on Plastics)
- j) "Quarterly Monitoring Report" – report that should be submitted by "Type 1 Relevant Retailers" on a regular basis to the Department using the prescribed reporting format of the Plastic Bag Reduction Task Force.
- k) Recyclable - a material that can be sorted, cleansed, and reconstituted for the purpose of using the altered form in manufacturing a new product. Recycling does not include burning, incinerating, converting, or otherwise, thermally destroying solid waste.
- l) "Relevant Recyclers" - an individual or business entity duly registered and engaged in the trading of junk materials for the purpose of recycling said materials into new products.
- m) "Relevant Retailers"- establishments located within the geographical limits of Quezon City which are commonly and are regularly engaged in retail business and duly registered as one including:

Type 1	Type 2
<ul style="list-style-type: none"> <li>• Shopping Malls</li> <li>• Supermarkets</li> <li>• Department Stores</li> <li>• Grocery Stores</li> <li>• Fast Food Chains and other food stalls</li> <li>• Drugs Stores</li> <li>• Pharmacies</li> <li>• Other similar retailers under the jurisdiction of BPLO</li> </ul>	<ul style="list-style-type: none"> <li>• Wet &amp; Dry Markets</li> <li>• Talipapa</li> <li>• Tiangge</li> <li>• Hawkers</li> <li>• Other similar retailers under the jurisdiction of MDAD</li> </ul>

- n) "Reusable bag" - a carryout bag that is specifically designed and manufactured for multiple reuse and is either (1) made of cloth or other machine washable fabric, and/or (2) made of durable plastic and/or (3) made of indigenous material like burl, rattan etc.
- o) "Used Plastic Bags" - old or second-hand plastic carryout bag with handles, holes or string usually made from HDPE, LDPE/LLDPE and PP plastic material, or any other type of recyclable plastic materials.

**RULE IV.**

**Section 6.**

**HERBERT M BAUTISTA**  
City Mayor

**Oversight Arrangements**

**Creation and Composition of the Plastic Bag Reduction Task Force**

Upon effectivity of the Ordinance and after public hearing, a Task Force shall be created and shall be composed of the following:

Lead Agency : Environmental Protection and Waste Management Department (EPWMD)

Members : Liga ng mga Barangay  
Market Development and Administration Department (MDAD)  
Business Permits and Licensing Office (BPLO)  
Barangay Operation Center (BOC)

Section 7. Function of the Task Force

The Task Force shall ensure the successful implementation of the Ordinance and this IRR by carrying out the following tasks:

- a) Draft and implement the Implementing Rules and Regulations (IRR) of the Ordinance. It may also adopt and amend guidelines, rules and regulations and forms to implement the Ordinance.
- b) BPLO will be in-charge of ensuring that Type 1 Relevant Retailers are submitting "Quarterly Monitoring Reports" to the Department to include, among others, the following information:
  - No./ Volume/ Weight of used plastic bags recovered/ redeemed
  - Name of partner recycler/s, Office Address and Contact No.
  - No. of reusable bags sold
  - No./ Volume/ Weight of new plastic bags sold
  - Amount of green fund (gross) collected
  - Projects implemented using the green fund
  - Incentive program for consumers
  - Promotional activities

A reporting template shall be provided by the Task Force to facilitate the reporting of Type 1 Relevant Retailers.

- c) MDAD will be in-charge of ensuring the compliance of Type 2 Relevant Retailers and will report to the Department the activities of Type 2 Relevant Retailers which are pertinent to the Ordinance and this IRR.
- d) BOC and the Liga ng mga Barangay shall collect from the barangays and submit to the Department from time to time an updated list of Relevant Retailers in their respective jurisdiction. They will also be in-charge of mobilizing the barangays for the effective dissemination of pertinent information about the Ordinance and its IRR.
- e) EPWMD will facilitate the deputation of Environment Police as needed in the monitoring of Relevant Retailers and their compliance to the Ordinance and this IRR. The Department shall also be responsible in consolidating all information submitted by the relevant retailers.
- f) To encourage awareness, the Task Force shall also undertake massive information, education and communication campaigns such as forums and orientations and distribution of reference materials and signages.

Section 8. Funding

Funding for the operation of the Task Force shall be taken from the General Fund of the City Government.

**RULE V. Plastic Bag Reduction Guidelines**

Section 9. Regulations on the use of Plastic Bags



HERBERT M. BAUTISTA  
City Mayor

The following regulations shall be imposed on the use of plastic bags as carryout bag at the point of sale:

- a) Distribution of plastic carryout bags at the point of sale by Type 1 Relevant Retailers lower than the regulated minimum thickness of 15 microns is prohibited under this Ordinance. To ensure this, all Type 1 Relevant Retailers shall submit to the EPWMD a certification and/or laboratory test report and analysis on the thickness of the plastic bags used from the Department of Science and Technology (DOST) or any other national government agency.
- b) To ensure the recovery of plastic carryout bags from the waste stream, the following shall be strictly implemented by Type 1 Relevant Retailers:
  - b.1) Consumers who will not bring with them reusable bags shall be charged with a Plastic Recovery System Fee for each of the new plastic carry out bag that will be given at the point of sale.
  - b.2) Plastic Recovery System Fee will not be imposed to consumers who will redeem clean, dry and folded used plastic bag of any type, brand or size in exchange for the new plastic bag that will be given at the point of sale.
  - b.3) The Plastic Recovery System Fee shall be indicated in the customer's transaction receipt as a reminder that they can save money if they use reusable bags and/or if they bring used plastic bags in exchange for a new plastic bag.
- c) Stall owners/lessees of Type 2 Relevant Retailers will not be allowed to directly distribute plastic carryout bags at the point of sale as provided in subsection 5(h).

Only those plastic bags that have no handles, holes or strings (e.g., "labo" plastic) commonly used for wrapping unpacked fresh foods and cooked foods at supermarkets, wet & dry markets, restaurants, canteen and the like, shall be allowed to be used as the usage of such plastic bag is justified on the grounds of public hygiene. Only primary packaging shall be allowed and examples of these food items are as follows:

- c.1) Fresh foods which are exempted shall only refer to wet products such as pork, beef, chicken, fish and other seafood and marine products.
- c.2) Other re-packed products such as cooking oil, soy sauce, vinegar, refreshments (i.e. palamig), etc. are also exempted.

Section 10. Plastic Recovery System Fee for new plastic carryout bags given at the point of sale by Type 1 Relevant Retailers

- a) All Type 1 Relevant Retailers shall charge and collect a fixed amount of two pesos (P2.00) per plastic bag regardless of its size.
- b) Primarily, the imposition of the Plastic Recovery System Fee seeks to change consumer behavior rather than generate fund. It is a move towards shifting habits from mindless consumption to a lifestyle that is anchored on the 3 R's of Waste Management, namely, reduce, reuse and recycle.
- c) The Plastic Recovery System Fee also seeks to regulate the generation of wastes from plastic carryout bags by creating an economic option for consumers to use reusable carryout bags and/or redeem used plastic bags for new plastic bags.
- d) The imposition of the Plastic Recovery System Fee will remind consumers that bringing their own carryout bags and/ or redeeming used plastic bags will not only save money but will also save precious resources by recovering and recycling plastic bags.



HERBERT M. BAUTISTA  
City Mayor



- e) The Plastic Recovery System Fee shall be earmarked for a green fund that shall be maintained by the Type 1 Relevant Retailers to fund other initiatives that would benefit the environment. Projects to be implemented must be coordinated with the EPWMD and/or done in partnership with the EPWMD as the lead agency tasked to implement the City's environmental program.
- f) Appropriate taxes, as promulgated by existing laws, rules and regulations, will be imposed upon the green fund that will be maintained by the retailer.

Section 11. "Reusable Bags" as carryout bags

All relevant retailers may provide the following reusable bags as carryout bags to be purchased by the consumer for a minimum fee. It may be made available in the respective checkout counters or in designated retailer stalls, purposely for multiple reuse and to reduce the use of plastic bags as carryout bag. Appropriate sizes and designs may be provided for the purpose:

- a) "Reusable Shopping Bag" - Reusable bag to be used for shopping and buying groceries. Applicable for shopping malls, supermarkets and grocery stores.
- b) "Take-out Bag" - reusable bag to be used for carrying food and drinks for two or more persons, applicable, for fast food chains.
- c) "Agora Bag" - reusable bag to be used in carrying goods from wet and dry markets such as meat, fish, vegetables, fruits and other goods. The market management may assign an area within the market where this bag can be purchased.
- d) "Medicine Bag" - reusable bag or medicine kit appropriate to carry small quantity of medicines such as tablets and capsules, bottled syrups/suspensions and the like. Applicable for drugstores and pharmacy.

Section 12. Incentives for using "Reusable Bags" and/or the Redemption of Used "Plastic Bags"


To mainstream the use of reusable bags as well as encourage the redemption of used plastic carryout bags for recycling, Type 1 Relevant Retailers are hereby instructed to formulate appropriate incentives to consumers, which may include, but not limited to the following:

- a) "Point System Scheme" - For those stores implementing the point system scheme to their regular customers, additional points may be given to those who are using reusable shopping bag and/or redeeming used plastic bags.
- b) "Green Lane" - All stores shall provide special counters or express lanes to be called as "green lane" to cater to customers using reusable bags and/or those redeeming used plastic carryout bags to encourage greater number of stakeholders in the observance of the Ordinance. This will also serve as an information and advocacy measure in caring for the environment.

Relevant Retailers are allowed to formulate its own mechanics for its incentive schemes that will generate goodwill and patronage from its loyal customers.

Section 13. Plastic Bag Recovery & Recycling Mechanism

- a) Relevant Recyclers - The Department shall provide a list of relevant recyclers to all stores that will buy used plastic bags. All plastics bags accumulated by stores shall be directly sold to the recyclers of their choice.
- b) Waste Markets - The stores may also bring their accumulated used plastic bags to the waste markets provided by the Department. The schedule of the Waste Markets are as



HERBERT M. BAUTISTA  
City Mayor

follows:

- SM Supermalls: Every 1<sup>st</sup> Friday and Saturday of the month  
(SM North EDSA, SM Fairview, SM Sta. Mesa, SM Novaliches)
- Trinoma Mall: Every 4<sup>th</sup> Friday of the month

All stores and shopping malls are likewise directed to implement their own Waste Markets in their respective areas to ensure that there will be enough venues where used plastic bags as well as other recyclable materials may be redeemed. The Department may also designate additional venues for the waste market or may alter existing schedules for advancement purposes.

**RULE VI. Penal Provisions**

**Section 14. Enforcement and Penalties.**

- a) Any establishment that violates the provisions of this Ordinance and its IRR shall be charged of an infraction and shall be penalized by:
- a.1) 1<sup>st</sup> Offense: A fine not exceeding P1, 000.00
  - a.2) 2<sup>nd</sup> Offense: A fine not exceeding P3, 000.00
  - a.3) 3<sup>rd</sup> Offense: A fine not exceeding P5,000.00 and cancellation of Business Permit.
- b) An Environmental Violation Receipt (EVR) shall be issued to the violator by the Department or any other Environment Police that has been deputized by the City Government. These Environmental Enforcers must carry with them a Mission Order duly signed by the Head of the EPWMD indicating full authorization to implement the Ordinance and its IRR. Once an EVR has been issued, the violator must proceed to the EPWMD Office within seven (7) working days for the issuance of the Order of Payment and make the necessary payment to the City Treasurer's Office. If an establishment fails to settle his/her liability within the given time, the case shall be referred to the City Legal Office for appropriate action.

**RULE VII. Final Provisions**

**Section 15. Separability Clause**

If for any reason, any provision, section, or part of the Ordinance and its IRR is declared not valid by a court of competent jurisdiction, such judgment shall not affect or impair the remaining provisions, sections, or part which shall continue to be in force and effect.

**Section 16. Applicability Clause**

All other matters relating to the impositions in the Ordinance shall be governed by pertinent provisions of existing laws and other ordinances.

**Section 17. Repealing Clause**

All ordinances, rules and regulations, or parts thereof, in conflict with, or inconsistent with any of the provisions of the Ordinance are hereby repealed or modified accordingly.

**Section 18. Dissemination**

The Administrative Management Office shall furnish the Department of Environment and Natural Resources, Department of the Interior and Local Government, Metropolitan Manila

Development Authority and the Office of the President, copies of this Implementing Rules and Regulations along with Ordinance No SP-2140, S-2012 which shall be made an integral part of this Rules and Regulations.

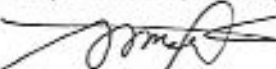
Section 19. Effectivity

There shall be a grace period of three (3) months from the date of enactment of the Ordinance for the conduct of massive information campaign and another three (3) months for a warning violation with no penalties and other charges. Thereafter, the Ordinance and its IRR shall take effect after publication in a newspaper of general circulation and posting in the official website of the Quezon City Government.

Recommending Approval:



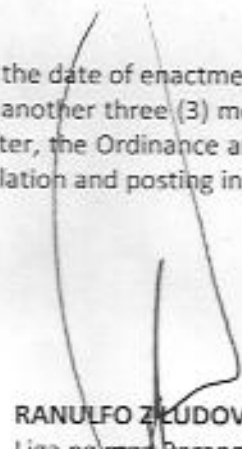
**DOROTHY A DELARMENTE-BAGTING**  
City Councilor, 1<sup>st</sup> Congressional District



**DONATO C MATIAS**  
City Market Administrator



**JORGE P FELIPE**  
Barangay Operations Center




**RANULFO Z LUDOVICA**  
Liga ng mga Barangay President



**GARRY D C DOMINGO**  
Business Permits and Licensing Officer

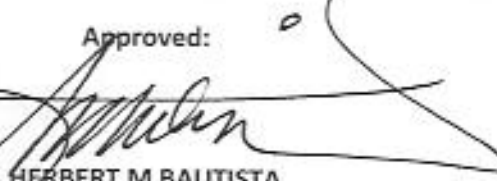


**FREDERIKA M RENTOY**  
Environmental Protection and  
Waste Management Department



**ALDRIN C CUÑA MNSA**  
Chief of Staff

Approved:



**HERBERT M BAUTISTA**  
MAYOR

On 10 September 2012