Republic of the Philippines
Province of Cebu
SANGGUNIANG PANLALAWIGAN
Cebu Capitol, Cebu City

15th SP **126th** **Session**

EXCERPT FROM THE MINUTES OF THE 9th REGULAR SESSION, CY 2022 HELD BY THE SANGGUNIANG PANLALAWIGAN OF CEBU, AT THE SESSION HALL, LEGISLATIVE BUILDING, CAPITOL COMPOUND, CEBU CITY ON MARCH 14, 2022.

PRESENT:

Hon. Yolanda L. Daan	Presiding Officer Pro Tempore (Acting Presiding Officer)
Hon. Christopher R. Baricuatro	Majority Floor Leader
Hon. Raul D. Bacaltos	Sanggunian Member
Hon. Edsel A. Galeos	Sanggunian Member
Hon. John Ismael B. Borgonia	Sanggunian Member
Hon. Victoria G. Corominas-Toribio	Sanggunian Member
Hon. Andrei Duterte	Sanggunian Member
Hon. Thadeo Jovito M. Ouano	Sanggunian Member
Hon. Glenn Anthony O. Soco	Sanggunian Member
Hon. Caroline S. Bacaltos	Sanggunian Member (PCL)
Hon. Jerico Q. Rubio	Sanggunian Member (PPSK)

ON OFFICIAL BUSINESS:

Hon. Horacio V. Franco	Assistant Majority Floor Leader
Hon. Jose Mari D. Salvador	Sanggunian Member
Hon. Kerrie Keane G. Shimura	Sanggunian Member
Hon. Celestino A. Martinez III	Sanggunian Member (FABC)

ON LEAVE:

Vice Governor Hilario P. Davide III	Presiding Officer
Hon. Miguel Antonio A. Magpale	Sanggunian Member
Hon. Jerome Christian V. Librando	Sanggunian Member

RESOLUTION NO. 510-2022

AUTHOR: HON. CHRISTOPHER R. BARICUATRO

WHEREAS, under Section 16 of the Local Government Code of 1991, every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;

WHEREAS, in a 2015 study conducted by Ocean Conservancy and McKinsey Center for Business and Environment, the Philippines was found to be the third biggest source of plastic waste in oceans globally, accounting for 5.9% of the total mismanaged plastic waste in the world's seas;

WHEREAS, plastic pollution in general and plastic waste in particular remain a major threat to the people and to the whole environment of the Province of Cebu, damaging the sublime image of the whole island which was just declared as one among the best in the world, drawing nearly Two (2) Million travelers annually for its pristine beaches and dive sites;

WHEREAS, single-use plastic bottles are rarely recycled, which means they go into a landfill where they never truly decompose;

WHEREAS, there is a great need to address plastic pollution and encourage the implementation of zero waste practices for our environment and for our future;

WHEREAS, in an effort to reduce the amount of plastic being tossed away by hotel guests, a number of the world's largest hotel chains, in the likes of Marriott International and InterContinental Hotels Group and Hilton Hotels and Resorts, among others, have made the switch to utilize larger, refillable pump-topped bottles or bulk dispensers instead of those personal-sized bottles;

NOW, THEREFORE, on motion of Majority Floor Leader/Author, **Hon. CHRISTOPHER R. BARICUATRO**, duly seconded by Member, **Hon. EDSEL A. GALEOS**, be it

RESOLVED to enact, as it is hereby **ENACTED,** the following:

ORDINANCE NO. 2022-02

AN ORDINANCE PROHIBITING HOTELS, MOTELS, RESORTS AND OTHER SIMILAR ESTABLISHMENTS FROM PROVIDING AND SELLING MINI OR PERSONAL-SIZED PLASTIC BOTTLES, CONTAINERS AND SACHETS FOR TOILETRIES.

The **Sangguniang Panlalawigan of Cebu**, hereby **ORDAINS**, that:

Section 1. ***Short Title.*** This Ordinance shall be known as "A Ban on Miniature Toiletry Plastic Bottles and Sachets".

Section 2. ***Declaration of Policy.*** It is a State policy to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. Furthermore, it is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them.

In this light, the State recognizes the need to institute mechanisms to prevent pollution and promote a healthier environment through appropriate policies, such as waste management, reduction of waste materials at source, and encouraging the use of sustainable products that will help curb plastic pollution.

Section 3. ***Scope.*** This Ordinance applies to the provision of mini or personal-sized plastic bottles/containers for toiletries, such as liquid soap, shampoo, shower gel, conditioner, lotion, and toothpaste by hotels, motels, resorts, and other similar establishments like pension and lodging houses and Airbnb-dwelling places.

Section 4. ***Definition of Terms.*** For purposes of this Ordinance, the following terms shall be understood as follows:

HOTEL	-	an establishment providing accommodations, meals, and other services for travelers and tourists.

MOTEL	- a roadside hotel designed primarily for motorists, typically having the rooms arranged in a low building with the parking directly outside.
RESORT	- a place that is a popular destination for vacations or recreation or that is frequented for a particular purpose.
PENSION HOUSE	- a lodging that is usually exquisite and thus more affordable than a hotel.
LODGING HOUSE	- a house in which rooms are rented, especially a house other than an inn or a hotel.
AIRBNB ROOMS	- a platform from which people can rent out their properties or spare rooms to guests.
TOILETRIES	- articles used in washing and taking care of one's hygiene, such as soap, shampoo, shower gel, conditioner, lotion, and toothpaste.
MINI/PERSONAL-SIZED	- refers to the size of small plastic bottles or containers, the contents of which are typically 100ml or below and are intended to comprise an individual serving. This includes mini-bar/round soaps, the weight of which is 30 grams or below.
SACHET	- a plastic wrapper containing small portions of toiletry products, including but not limited to shampoo or bar soap.

Section 5. ***Prohibited Acts.*** It is unlawful for owners, proprietors, operators, managers, hotels, motels, resorts, or establishments of similar nature to provide and to offer for sale to their guests, visitors, and clients mini or personal-sized plastic bottles/containers for toiletries, such as liquid soap, shampoo, shower gel, conditioner, lotion, and toothpaste.

Section 6. ***Prohibition and Phase Out of Mini or Personal-sized Plastic Bottles/Containers for Toiletries.*** The start of the implementation of this Ordinance shall be on the **1st day of April 2023.**

Section 7. ***Phase Out Plan for Mini or Personal-sized Plastic Bottles/Containers for Toiletries.*** A plan to phase out mini or personal-sized plastic bottles/containers for toiletries and other personal care products shall be formulated within Three (3) months before the effectivity of this Ordinance by the Department of Environment and Natural Resources (DENR) with the cooperation of the Department of Tourism (DOT), Department of Trade and Industry (DTI), Department of the Interior and Local Government (DILG), other concerned agencies of the government and the Hotel Resort and Restaurant Association of Cebu, Inc. (HRRACI).

The Phase Out Plan shall cover the following:

1. Prohibition of mini or personal-sized plastic bottles/containers for toiletries by hotels, motels, resorts, and other establishments of the same kind during the interim period.

2. Awareness-raising to encourage consumers, guests, visitors, and clients to use larger, refillable pump-topped bottles or other convenient alternatives in lieu of mini or personal-sized bottle amenities.

3. Collection, recycling, and proper disposal of mini or personal-sized bottles/containers already in circulation prior to the effectivity of the ban.

4. Establishment of recycling centers in local government units.

Section 8. *Compliance Monitoring.* The DENR and DOT, in coordination with the LGUs through their Local Tourism Offices and the Provincial Tourism Office-Province of Cebu, shall conduct regular inspection and monitoring of hotels, motels, resorts, and other establishments of similar kind to ensure that they are compliant with the provisions of this Ordinance.

The LGUs shall issue certification to hotels, motels, resorts, and other establishments of similar kind who have complied with the provisions of this Ordinance. The certification of compliance shall be necessary for the renewal of their local business permits.

It is hereby encouraged that hotels, motels, resorts, and other establishments of similar kind provide their guests and visitors with larger, refillable pump-topped bottles or bulk dispensers instead of those personal-sized bottles.

Section 9. *Penalties.* The following penalties shall be imposed for every violation of Section 5 hereof.

First Offense	-	a fine of One Thousand Pesos (P1,000.00).
Second Offense	-	a fine of Three Thousand Pesos (P3,000.00) and the suspension of business permit for Six (6) months.
Third Offense	-	a fine of Five Thousand Pesos (P5,000.00) and the cancellation/revocation of business permit for One (1) year. Thereafter, the hotel, motel, resort, or such business establishment shall not be eligible to apply for a business permit for the said period, and approval of business permit is contingent with proof of measures undertaken to comply with this Ordinance and other relevant laws, rules and regulations.

Section 10. *Separability Clause.* If any provision of this Ordinance shall be held to be invalid, illegal, or unenforceable, the remaining provisions shall not in any way be affected or impaired thereby.

Section 11. *Repealing Clause.* All previous issuances, ordinances, rules and regulations or parts thereof that are in conflict with the provisions of this Ordinance are hereby repealed, amended, or modified accordingly.

Section 12. *Effectivity.* This Ordinance, upon approval, shall be published in a newspaper of general circulation in the Province of Cebu and shall take effect on April 01, 2023.

ENACTED AND CARRIED UNANIMOUSLY.

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Certified true and correct:

PULCHRA MARIE E. ACEVEDO
Secretary to the Sangguniang Panlalawigan

ATTESTED:

YOLANDA L. DAAN
Acting Presiding Officer

GWENDOLYN F. GARCIA
Provincial Governor

APPROVED: _____

Published: (Unsigned)
Thursday, January 5, 2023
(SUNSTAR)

COPY FOR:

Governor Gwendolyn F. Garcia

Department of Environment and Natural Resources (DENR)-Region VII

Department of Tourism (DOT)-Region VII

Department of Trade and Industry (DTI)-Region VII

Department of the Interior and Local Government (DILG)-Region VII

Hotel Resort and Restaurant Association of Cebu, Inc. (HRRACI)

Provincial Tourism Office

All Component Cities and Municipalities
Province of Cebu

*Forwarded for signature on
March 18, 2022
*Returned unsigned on
December 27, 2022

COPY FURNISHED:

Hon. Christopher R. Baricuatro

PMEA/nmo