



Philippines



Updates on National Laws/ Regulations relevant to the implementation of the Basel Convention



Import of Recyclable Materials containing Hazardous Substances and Export of Hazardous Wastes (Chapter 10 of Department Administrative Order 2013-22)

Proposed Amendments:

1. The importation of wastes or other forms of garbage to be used as alternative fuel are prohibited.
2. Recovered papers are excluded from the ban on waste and recyclable materials.
3. Only recycling and cement co-processing facilities can register as Importer of secondary raw (recyclable) materials.

Import of Recyclable Materials containing Hazardous Substances and Export of Hazardous Wastes (Chapter 10 of Department Administrative Order 2013-22)

Proposed Amendments:

4. Importation of “Neutralized Phosphogypsum” (or synthetic gypsum) to be used as retarder in cement production is not regulated under RA 6969”.
5. Export of recyclable materials containing hazardous substances specifically used lead-acid batteries (ULABs) and used or waste (industrial and vegetable) oil shall not be allowed.

Target: October 2021



Guidelines on the Environmentally Sound Management (ESM) of Waste Electrical and Electronic Equipment (WEEE)

Salient Features or Provisions:

1. Enhance the definition to distinguish waste EEE from used or second-hand EEE.
2. Allow importation of used or second-hand EEE for repair and refurbishment purposes.

Target: August 2021

Responses to the Amendments of the Basel Convention Annexes on Plastic Waste





Status of country's response: Ongoing (under consideration)

In relation to the growing problem of plastic pollution and marine litter, the **Philippines supported the Norway's proposal** to reclassify solid plastics from Annex IX [List B] (non-hazardous waste) to Annex II (wastes that require special consideration) of the Basel Convention, which, in effect, would require exporting countries to obtain prior-informed consent (PIC) from transit and importing countries prior to the transboundary movement of scrap plastics can commence.

Based on our current regulation, the importation of Solid Plastic Materials (or scrap plastic) is regulated in the Philippines and requires an Importation Clearance from our office. However, **notification/prior-informed consent is not required or waived.**

Challenges in the Local Implementation of the Plastic Amendment

1. Difficult to interpret the terminology of the Annexes.
2. Laws are in place. However, there are some difficulties on its enforcement. For example, our difficulty of ensuring that the Solid Plastic Materials being imported are compliant with the limiting conditions (homogeneous/unmixed and free from contamination of any hazardous substances) stipulated in our domestic law/regulation.

Interpretation of terms in Annex II (Y48) and Annex IX (B3011)

(a) almost free from contamination and other types of wastes

In the Philippines, importation of Solid Plastic Materials (SPMs) has a condition that the material should be homogenous and not contaminated with any types of hazardous wastes listed in our domestic law/regulation (DENR Administrative Order 2013-22). Further, the term used in the said policy is “Solid Plastic Materials” instead of “plastic wastes”.

Interpretation of terms in Annex II (Y48) and Annex IX (B3011)

(b) almost exclusively consisting of.....

This means that the importation of Solid Plastic Materials (SPMs) should only contain one (1) type of plastic and should not be mixed with other types of recyclable material or waste.

(c) destined for recycling in an environmentally sound manner

All imported Solid Plastic Materials (SPMs) are destined for recycling (i.e. extrusion and pelletizing). A big percentage of plastic products in the country come from recycled plastics. The Environmental Management Bureau (EMB) monitors and inspects the companies or entities that intend to import (SPMs) as their secondary raw material. Importers' facilities are required to be inspected to determine their capability and capacity to process and recycle the SPM and validate their compliances with the existing local environmental laws/regulations.

Will your country also regulate or control imported plastic wastes that leave State of Origin in 2020 and will arrive at your country after January 1st 2021?

Yes. We will regulate or control and continue to allow the importation of homogenous recyclable plastic materials since local requirements and procedures are provided in our local rules and regulations.

Categorization of non-hazardous plastic wastes in the country:

a) Case of PET

	
<input type="checkbox"/> Y48 <input checked="" type="checkbox"/> B3011 <input type="checkbox"/> case-by-case	<input type="checkbox"/> Y48 <input checked="" type="checkbox"/> B3011 <input type="checkbox"/> case-by-case
	
<input type="checkbox"/> Y48 <input checked="" type="checkbox"/> B3011 <input type="checkbox"/> case-by-case	

Categorization of non-hazardous plastic wastes in the country:

b) Plastic wastes that were generated from the process other than product manufacturing

	
<input type="checkbox"/> Y48 <input checked="" type="checkbox"/> B3011 <input type="checkbox"/> case-by-case	<input type="checkbox"/> Y48 <input checked="" type="checkbox"/> B3011 <input type="checkbox"/> case-by-case
	
<input type="checkbox"/> Y48 <input checked="" type="checkbox"/> B3011 <input type="checkbox"/> case-by-case	<input type="checkbox"/> Y48 <input checked="" type="checkbox"/> B3011 <input type="checkbox"/> case-by-case

Categorization of non-hazardous plastic wastes in the country:

c) Plastics derived from used electrical and electronic equipment or E-waste

	
<input checked="" type="checkbox"/> Y48 <input type="checkbox"/> B3011 <input type="checkbox"/> case-by-case	<input checked="" type="checkbox"/> Y48 <input type="checkbox"/> B3011 <input type="checkbox"/> case-by-case
	
<input checked="" type="checkbox"/> Y48 <input type="checkbox"/> B3011 <input type="checkbox"/> case-by-case	<input checked="" type="checkbox"/> Y48 <input type="checkbox"/> B3011 <input type="checkbox"/> case-by-case

Categorization of non-hazardous plastic wastes in the country:

d) Other cases

 <p>(Pre-consumer plastic that can be used as raw material)</p> <p><input type="checkbox"/> Y48 <input type="checkbox"/> B3011 <input checked="" type="checkbox"/> case-by-case</p>	 <p>(Non-visible contents of compressed pre-consumer plastic that can be used as raw material)</p> <p><input type="checkbox"/> Y48 <input checked="" type="checkbox"/> B3011 <input type="checkbox"/> case-by-case</p>
 <p>(off-cut or punchout generated from production process, single type plastic and single color)</p> <p><input type="checkbox"/> Y48 <input checked="" type="checkbox"/> B3011 <input type="checkbox"/> case-by-case</p>	 <p>PVC cable (shredded)</p> <p><input checked="" type="checkbox"/> Y48 <input checked="" type="checkbox"/> cable code (A1190 or B1115) <input type="checkbox"/> case-by-case</p>

 <p>Clean plastic waste coated by dirty packaging</p> <p><input checked="" type="checkbox"/> Y48 <input type="checkbox"/> B3011 <input type="checkbox"/> case-by-case</p>	 <p>Plastic blending different type of polymers, so-called "polymer-alloy", (e.g., PC/ABC)</p> <p>*Can it be considered single type of polymer?</p> <p><input type="checkbox"/> Y48 <input checked="" type="checkbox"/> B3011 <input type="checkbox"/> case-by-case</p>
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Categorization of non-hazardous plastic wastes in the country:

If possible, the country of export through the Basel Competent Authority in coordination with the Customs Bureau will issue a Certification that the contents of the shipment to be exported are not wastes. An inspection by the authorities on the contents of the shipment should be done as basis for the certification or any applicable document. This will be an additional document aside from the prior-informed consent.

Actions to be undertaken to effectively implement the plastic amendment

- Raise awareness of importers and exporters
 - ✓ Disseminating information through seminars or other means
 - ✓ Involvement of importers and exporters in public consultations on updating of policies
- Sharing information with related implementing agencies
 - ✓ Establishing a domestic communication council/meeting
 - ✓ Creating plans for joint inspection/inspection strengthening month or others
 - ✓ Memorandum of Understanding on Enhanced Border Protection

Importation of mixed wastes in the Philippines has been a recurring problem in recent years due to false declarations made. The Philippines share with the stand of other Asian countries on the proposal of Norway to require exporting countries to obtain prior-informed consent from transit and importing countries prior to the transboundary movement of scrap plastic commences. In fact, the Philippines had supported the proposal of Norway prior to its adoption during the last Basel COP14. Exchange of information between and among Parties in the Asian Region must be established through the initiation of this Network the to know the restrictions, conditions, requirements and procedures being implemented in relation to the importation of scrap plastics in other Asian countries.

Questions or Clarifications?

Salamat Po!

Thank you!

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