RESOLUTION AUTHORIZING THE OFFICIAL REPRESENTATIVE FROM THE NON-GOVERNMENT ORGANIZATION (NGO) TO THE NATIONAL SOLID WASTE MANAGEMENT COMMISSION, TO ISSUE ENDORSEMENTS AND REPRESENT THE COMMISSION TO THE ENVIRONMENTAL OMBUDSMAN PERTAINING TO NON-COMPLIANCE OF LGUS WITH THE PROVISIONS OF RA 9003

WHEREAS, Republic Act 9003 otherwise known as the Ecological Solid Waste Management Act of 2000 provides for the adoption of a systematic, comprehensive and ecological solid waste management program which shall, among others,

1. ensure the protection of public health and environment;
2. utilize environmentally-sound methods that maximize the utilization of valuable resource conservation and recovery;
3. Retain primary enforcement and responsibility of solid waste management with local government units while establishing a cooperative effort among the national government, other local government units, non-government organizations and the private sector;

WHEREAS, Section 4 of the RA 9003 provides for the creation of the National Solid Waste Management Commission (NSWMC) that shall, among others, develop a mechanism for the imposition of sanctions for the violation of environmental rules and regulations (Section 5, i).

WHEREAS, Article 2 Section 10 of RA 9003 provides that pursuant to the relevant provisions of RA no. 7160, otherwise known as the Local Government Code, the LGUs shall be primarily responsible for the implementation and enforcement of the provisions of this Act within their respective jurisdictions.

WHEREAS, Section 16 of RA 7160 provides that 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... promote health and safety, and enhance the right of the people to a balanced ecology.

WHEREAS, Section 17 of RA 7160 provides that every local government unit are responsible for the efficient and effective provision of basic services and facilities including but not limited to, services and facilities related to general hygiene and sanitation, beautification, and solid waste collection;

WHEREAS, inspection reports from the Regional Offices of the Environmental Management Bureau reveals that a number of local government units are still non-compliant to the provisions of the RA 9003.

WHEREAS, Article 7 Section 50 of RA 9003 provides that Local government officials and officials of government agencies concerned who fail to comply with and enforce rules and regulations promulgated relative to the RA 9003 shall be charged administratively in accordance with RA 7160 and other existing laws, rules and regulations

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NOW THEREFORE, pursuant to the above provisions, the official representative from the Non-Government Organization (NGO) to the National Solid Waste Management Commission, is authorized to issue endorsements and represent the commission to the Environmental Ombudsman pertaining to non-compliance of LGUs with the provisions of RA 9003.

ADOPTED this 11th day of December 2015.

CRISPION N. LAO
Representative, Recycling Industry and
Vice-Chairman, National Solid Waste Management Commission (NSWMC)