RESOLUTION ADOPTING THE GUIDELINES IN THE SELECTION OF A REPRESENTATIVE FROM THE RECYCLING SECTOR

WHEREAS, Section 2 of the Republic Act 9003 (RA 9003) otherwise known as the Ecological Solid Waste Management Act of 2000, specifically provided that the State shall “adopt a systematic, comprehensive and ecological solid waste management program that shall, among others, 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, the enactment of the Ecological Solid Waste Management Act of 2000 (Republic Act No. 9003) institutionalized the creation of the National Solid Waste Management Commission (NSWMC), composed of 14 representatives from the government and 3 representatives from the private sector.

WHEREAS, the NSWMC is mandated to oversee the implementation of the solid waste management plans and prescribe policies to achieve the objectives of the Act;

WHEREAS, Section 4 of the RA 9003 stipulates that the representatives from the private sector shall come from:
1. nongovernment organizations (NGOs) whose principal purpose is to promote recycling and the protection of air and water quality;
2. recycling industry; and
3. manufacturing or packaging industry

WHEREAS, Section 4 of the RA 9003 further stipulates that the representatives from the NGOs, recycling and manufacturing or packaging industries shall be nominated through a process designed by themselves and shall be appointed by the President for a term of three (3) years.

WHEREAS, Section 4 of the RA 9003 further stipulates that the private sector representatives of the Commission shall be appointed on the basis of their integrity, high degree of professionalism and having distinguished themselves in environmental and resource management. The members of the Commission shall serve and continue to hold office until their successors shall have been appointed and qualified. Should a member of the Commission fail to complete his/her term, the successor shall be appointed by the President of the Philippines but only for the unexpired portion of the term.

WHEREAS, during the NSWMC TWG meeting held on December 11, 2015, the recycling sector presented the process of selection of their representative;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the attached Guidelines in the Selection of a Recycling Sector Representative be adopted.

This resolution takes effect upon approval.

APPROVED 26th of January, 2016.

CRISPAN N. LAO
Representative, Recycling Industry and
Vice-Chairman, National Solid Waste Management Commission (NSWMC)
Guidelines on the selection process of the Private Sector Representative for Recycling under the National Solid Waste Management Commission, Office of the President, Republic of the Philippines

WHEREAS, The Ecological Solid Waste Management Act of the Philippines, otherwise known as RA 9003 is AN ACT PROVIDING FOR AN ECOLOGICAL SOLID WASTE MANAGEMENT PROGRAM, CREATING THE NECESSARY INSTITUTIONAL MECHANISMS AND INCENTIVES, DECLARING CERTAIN ACTS PROHIBITED AND PROVIDING PENALTIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES was signed into law in 2000;

WHEREAS, Chapter II Section 4 of the Republic Act 9003 provides for the establishment of the National Solid Waste Management Commission under the Office of the President, hereinafter referred to as the Commission;

WHEREAS, Chapter II Section 4 of the Republic Act 9003 provides for the composition and membership of the Commission. "The Commission shall be composed of fourteen (14) members from the government sector and three (3) members from the private sector." One of the private sector representatives shall be from the recycling industry;

WHEREAS, Chapter II Section 4 of the Republic Act 9003 provides that the selection process for the Private Sector Representative for the Recycling industry shall be "nominated through a process designed by themselves and shall be appointed by the President for a term of three (3) years";

WHEREAS, Part II, Rule IV Section 3 of the Implementing Rules and Regulations of RA9003 prescribes for the "Selection Process and Tenure of Office for the Private Sector Representatives". Further, that "Representatives from the NGOs, recycling and manufacturing or packaging industries shall be nominated through a process designed by themselves and shall be appointed by the President for a term of three (3) years;

WHEREAS, Part II, Rule IV Section 3 pursuant to RA9003, the appointment of private sector representatives shall be based on the following criteria:

a. Integrity;
   b. High degree of professionalism; and
   c. Distinguished themselves in the environmental and resource management sector;

WHEREAS, In any event that members of the Commission fail to complete his/her term, the successor shall also be appointed by the President but only for the unexpired portion of term.

WHEREAS, documentary requirements shall be required by the Office of the President to include, among others:
   a. NBI clearance
   b. Office of the Ombudsman clearance
   c. Sandigan Bayan clearance

WHEREAS, additional criteria developed by the industry and endorsed to the National Solid Waste Management Commission (NSVMC) shall be as follows:

b. That, each recycling sector shall be represented by their respective duly recognized and registered industry associations, and only in the absence of such, shall be represented by duly registered companies of the sector;
c. That, the association must represent member companies or groups engaged in the process of converting recyclable resources into materials through physical or chemical conversion;

d. That, companies of the sector not having an industry group must also be engaged in the process of converting recyclable resources into materials through physical or chemical conversion;

e. That, each identified association or company shall be considered as a member and shall be entitled to one vote;

f. That, additional members may be admitted by a majority vote of the members after qualification and submission of required documents such as but not limited to SEC or DTI Registration, company profile, etc.

WHEREAS, the following duly registered and recognized organizations that will comprise the members of the Philippine Recycling Industry are as follows:

National Organizations
1. Philippine Chamber of Commerce and Industry (PCCI)
2. Federation of Philippine Industries (FPI)
3. Philippine Alliance for Recycling and Material Sustainability (PARMS)
4. National Recycling Organization of the Philippines (NROP)

Paper Sector
5. Philippine Paper Manufacturers Association, Inc. (PPMAI)
6. Technological Association of Pulp and Paper Industry (TAPPI)

Plastic Sector
7. Philippine Plastics Industry Association, Inc. (PPIA)
8. Polystyrene Packaging Council of the Philippines (PPCP)
9. PET Manufacturers Association of the Philippines (PETMAP)

Glass Sector
10. Flat Glass Association of the Philippines Inc. (FGAPI)
11. Glass Manufacturers Association of the Philippines (GMAPI)

Aluminum and Steel
12. Tin Can Manufacturers Association of the Philippines (TCMAPI)
13. Philippine Iron and Steel Institute (PISI)
14. Philippine Steel Rolling Mills Association (PSRMA)

Battery
15. Philippine Association of Battery Manufacturers (PABMA)

Cement
16. Cement Manufacturing Association of the Philippines, Inc. (CEMAP)

Whereas, additional members may be included by a majority vote of the members.

Whereas, the election process shall be as follows:

a. The sitting Commissioner for the Recycling Sector of the NSWMC shall call for a meeting through a formal notice for the purpose of conducting the election prior to or immediately after the expiration of his term of office;

b. The Department of Trade and Industry (DTI) official representative to the Commission or his alternate and the NSWMC Secretariat's Executive Director shall be invited to witness the conduct of elections;
c. A quorum for the meeting shall be established by a majority of the members;
d. The body shall form an election committee to handle the election process;
e. Any member may nominate a qualified candidate for the position;
f. The nominee(s) shall be required to be present and formally accept the nomination;
g. Any member may move to close the nomination process;
h. Each member shall be entitled to one vote. Proxy votes shall be allowed;
i. The candidate with the most number of votes shall be declared as the official Commissioner/Private Sector Representative for Recycling to the National Solid Waste Management Commission and serve the industry for the prescribed term of three (3) years;
j. An alternate representative shall also be elected following the same process;
k. In the event of a vacancy of the position, the same process will be undertaken to elect the Commissioner and his alternate for the unexpired portion of term;

RESOLVED, that these guidelines is hereby approved by the members comprising the Philippine Recycling Sector;

RESOLVED FURTHER, that the approved guidelines shall be endorsed to the National Solid Waste Management Commission for endorsement in the form of a Resolution.

Attested by:

Mr. Jesus Reyes, Chair, Environment Committee
Philippine Chamber of Commerce and Industry (PCCI)

Mr. Peter Quintana, Chair, Environment Committee
Federation of Philippine Industries (FPI)

Mr. Crispian Lao, President
Philippine Alliance for Recycling and Material Sustainability (PARMS)

Mr. Nelson de Luna, President
National Recycling Organization of the Philippines (NROP)

Mr. Ray Geganto, Executive Director
Philippine Paper Manufacturers Association, Inc. (PPMAI)
Mr. Edgar Tang, President
Technological Association of Pulp and Paper Industry (TAPPI)

Mr. Teo Kee Bin, President
Philippine Plastics Industry Association, Inc. (PPIA)

Mr. Henry Gaw, President
Polystyrene Packaging Council of the Philippines (PPCP)

Ms. Carmencita Abelardo, President
PET Manufacturers Association of the Philippines (PETMAP)

Mr. Renato Ermita, President
Flat Glass Association of the Philippines

Mr. Peter Javier
Glass Manufacturers Association of the Philippines (GMAPI)

Ms. Cecil Bautista
Tin Can Manufacturers Association of the Philippines, Inc. (TCMAPI)

Mr. Joel Ronquillo, VP Technical Affair
Philippine Iron and Steel Institute (PISI)

Mr. Edgar Marquez, Quality Assurance Manager
Philippine Steel Rolling Mills Association (PSRMA)

Mr. Francis Isip, Alternate of the President
Philippine Association of Battery Manufacturers (PABMA)