

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

22 JUL 13 P5 24

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SENATE

S. No. 556

Introduced by Senator **PIA S. CAYETANO**

AN ACT
ESTABLISHING A SUSTAINABLE PROCUREMENT PROGRAM FOR ALL
DEPARTMENTS, BUREAUS, OFFICES, AND AGENCIES OF THE GOVERNMENT

EXPLANATORY NOTE

The government, as one of the largest consumers in the national economy, has a significant influence to shape the market supply towards more sustainable and green products. It also has the duty to be a responsible consumer in the market, leading by example for private establishments on responsible consumption and production.

As one of the countries that adopted the United Nations 2030 Agenda for Sustainable Development, our country is committed to integrate the Sustainable Development Goals (SDGs) in the national development plans and policies. Sustainable public procurement responds to the ideals of SDG 12 on responsible consumption and production.

Sustainable procurement aims to support sustainable development by meeting human development goals while ensuring the capacity of the environment to provide for socio-economic vitality. Such procurement targets the consumption of green products with less environmental impacts and at the lowest life cycle costs possible.

First filed in the 18th Congress by the undersigned, this bill seeks to compel all departments, bureaus and agencies of the government to practice sustainable procurement of their input goods and services, as part of the country's commitment

to the United Nations 2030 Agenda for Sustainable Development. It aims to establish a Sustainable Procurement Program in these agencies, with the objective of promoting sustainable policy decisions, crafting sustainability criteria in public purchases, and developing programs to incentivize suppliers of sustainable products. A capacity-building program for government agencies will also be initiated to provide the necessary technical support to technical staff for the effective implementation of this bill on the ground.


In view of the foregoing, the immediate passage of this bill is earnestly sought.

Pia S. Cayetano
PIA S. CAYETANO *psb*



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Be it enacted by the Senate and House of Representatives of the Philippines in the Congress assembled:

1 Section 1. *Short Title.* – This Act shall be known as the “*Sustainable Public*
2 *Procurement Act*”.

3 Sec. 2. *Declaration of Policy.* – The State recognizes that sustainable
4 development is a necessary policy for nation-building, and its lead role in promoting
5 sustainable practices by incorporating environmental, economic and social factors in
6 government decisions and processes. Further, the State, as a large consumer bloc in
7 itself, recognizes that every product or service it purchases or avails of should be
8 evaluated for its sustainability.

9 As a party to the United Nations 2030 Agenda for Sustainable Development,
10 the State remains committed to achieving the seventeen (17) Sustainable
11 Development Goals (SDGs) by 2030.

12 Guided by the SDGs and their targets, particularly SDG 12 (Sustainable
13 Consumption and Production), and the long-term vision embodied in *AmBisyon Natin*
14 *2040*, the State shall implement programs geared towards responsible and sustainable
15 consumption and production with the end view of having a fully circular economy.

16 Sec. 3. *Establishment of a Sustainable Procurement Program in all Government*
17 *Agencies.* – All government departments, offices, and agencies shall establish their
18 respective Sustainable Procurement Program, which shall take into consideration the
19 lowest life-cycle cost of products and services.

1 For purposes of this Act, "*lowest life-cycle cost*" means the lowest total cost of
2 owning, operating and maintaining a product or service over its useful life, including
3 fuel and water, energy, labor, and replacement components, determined on the basis
4 of a systematic evaluation and comparison of alternative products and services.

5 The Sustainable Procurement Program shall likewise include a coding system
6 for packaging materials and products to facilitate waste recycling and reuse as
7 mandated in Article 4, Section 27 of Republic Act 9003 otherwise known as Ecological
8 Solid Waste Management Act.

9 *Sec. 4. Objectives of the Sustainable Procurement Program.* – The Sustainable
10 Procurement Program shall have the following objectives:

11 (a) To promote the culture of making sustainable and informed decisions in
12 government, especially in the purchase and use of different products;

13 (b) To include sustainability criteria in public tenders, whenever possible and
14 practicable;

15 (c) To establish the specifications and requirements for products or services to be
16 considered sustainably advantageous; and

17 (d) To develop programs for suppliers of sustainable products and services.

18 *Sec. 5. Submission to Government Procurement Policy Board.* – All agencies
19 shall submit their respective Sustainable Procurement Programs to the Government
20 Procurement Policy Board (GPPB) within six (6) months from the effectivity of this Act.
21 Such Program shall be fully implementable within eighteen (18) months from
22 effectivity of this Act. The GPPB shall in turn submit a regular report to the Congress
23 of the Philippines on the performance and compliance of the different agencies with
24 this Act.

25 *Sec. 6. Third-Party Verification.* – The GPPB shall appoint a competent third-
26 party verifier of claims of sustainability of products and services. The third-party
27 verifier shall provide a list of all certified sustainable products, which shall be updated
28 regularly to reflect additions or deletions based on criteria to be established by the
29 GPPB.

30 *Sec. 7. Capacity-Building of Government Agencies.* – The GPPB shall provide
31 the necessary technical assistance to assist government agencies in understanding
32 and implementing Sustainable Public Procurement.

1 *Sec. 8. Implementing Rules and Regulations.* - Within thirty (30) days from the
2 effectivity of this Act, the GPPB shall promulgate and issue the necessary guidelines
3 for the effective implementation of this Act. The implementing rules and regulations
4 issued pursuant to this section shall take effect thirty (30) days after its publication in
5 two (2) national newspapers of general circulation.

6 *Sec. 9. Separability Clause.* – If any provision or part hereof is held invalid or
7 unconstitutional, the remainder of the law or the provision not otherwise affected shall
8 remain valid and subsisting.

9 *Sec. 10. Repealing Clause.* – All laws, presidential decrees, executive orders,
10 rules and regulations contrary to or inconsistent with the provisions of this Act are
11 hereby repealed, modified, or amended accordingly.

12 *Sec. 11. Effectivity Clause.* – This Act shall take effect fifteen (15) days after
13 its publication in the Official Gazette or in a newspaper of general circulation.

Approved,