

[**PRESIDENTIAL DECREE No. 979, August 18, 1976**]

PROVIDING FOR THE REVISION OF PRESIDENTIAL DECREE NO. COO GOVERNING MARINE POLLUTION

WHEREAS, the marine environment and the living organisms which it supports are of vital importance to humanity, and all people have an interest in assuring that it is managed and protected, and its quality is not impaired ;

WHEREAS, recognizing that the capacity of the sea to assimilate waste and render them harmless, and its ability to regenerate natural resources is limited;

WHEREAS, knowing that marine pollution originates from many sources, such as dumping and discharging through the rivers, estuaries, brooks or springs;

WHEREAS, it is our responsibility to control public and private activities that cause damage to the marine environment by using the best practicable means and by developing improved disposal processes to minimize harmful wastes;

WHEREAS, there is an urgent need to prevent, mitigate or eliminate the increasing damages to marine resources as a result of pollution;

NOW, THEREFORE, I, FESDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution do hereby decree and order the following:

SECTION 1. Title.—This Decree shall be known as the Marine Pollution Decree of 1976.

SEC. 2. Statement of Policy.—It is hereby declared a national policy to prevent and control the pollution of seas by the dumping of wastes and other matter which create hazards to human health, harm living resources and marine life, damage amenities, or interfere with the legitimate uses of the sea within the territorial jurisdiction of the Philippines.

SEC. 3. Definition of Terms.—For the purposes of this Decree:

a. "Discharge" includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying or dumping but does not include discharge of effluents from industrial or manufacturing establishments, or mill of any kind.

b. "Damping" means any deliberate disposal at sea and into navigable waters of wastes or other matter from vessels, aircraft, platforms or other man-made structures at sea, including the disposal of wastes or other matter directly arising from or related to the exploration, exploitation and associated off-shore processing of sea bed mineral resources unless the same is permitted and/or regulated under this decree: Provided, That it does not mean a disposition of any effluent from any outfall structure to the extent that such disposition is regulated under the provisions of Republic Act Numbered Three Thousand Nine Hundred Thirty One, nor does it mean a routine discharge of effluent or other matter incidental to the propulsion of, or derived from the normal

operations of vessels, aircraft, platforms or other man-made structures at sea and their equipment.

c. "Oil" means oil of any kind or in any form including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredge spoil.

d. "Navigable Waters" means the waters of the Philippines, including the territorial sea and inland waters which are presently, or be in the future susceptible for use by watercraft.

e. "Vessel" means every description of watercraft, or other artificial contrivance used, or capable of being used, as a means of transportation on water.

f. "Person" includes any being, natural or juridical, susceptible of rights and obligations or of being the subject of legal relations.

g. "Refuse" means garbage, waste, wood residues, sand, lime cinders, ashes, effluents, nightsoil, tar, dye, sludges, acids, chemicals and substances other than sewage and industrial wastes that may cause pollution.

SEC. 4. *Prohibited Acts.* —Except in cases of emergency imperilling life or property, or unavoidable accident, collision, or stranding or in any cases which constitute danger to human life or property or a real threat to vessels, aircraft, platforms, or other man-made structure, or if dumping appears to be the only way of averting the threat and if there is probability that the damage consequent upon such dumping will be less than would otherwise occur, and except as otherwise permitted by regulations prescribed by the National Pollution Control Commission or the Philippine Coast Guard, it shall be unlawful for any person to—

a. discharge, dump or suffer, permit the discharge of oil, noxious gaseous and liquid substances and other harmful substances from or out of any ship, vessel, barge, or any other floating craft, or other man-made structures at sea, by any method, means or manner, into or upon the territorial and inland navigable waters of the Philippines;

b. throw, discharge or deposit, dump, or cause suffer or procure to be thrown, discharged, or deposited either from or out of any ship, barge, or other floating craft or vessel of any kind, or from the shore, wharf, manufacturing establishment, or mill of any kind, any refuse matter of any kind or description whatever other than that flowing from streets and sewers and passing therefrom in a liquid state into tributary of any navigable water from which the same shall float or be washed into such navigable water; and

c. deposit or cause, suffer or procure to be deposited material of any kind in any place on the bank of any navigable water or on the bank of any tributary of any navigable water, where the same shall be liable to be washed into such navigable water, either by ordinary or high tides, or by storms or floods, or otherwise, whereby navigation shall or may be impeded or obstructed or increase the level of pollution of such water.

SEC. 5. It shall be the primary responsibility of the National Pollution Control Commission to promulgate national rules and policies governing marine pollution