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



**Senate**  
Office of the Secretary

22 AUG -4 P 6 :32

**SENATE**

RECEIVED BY: \_\_\_\_\_

**S.B. No. 1048**

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Introduced by **SENATOR JOEL VILLANUEVA**

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**AN ACT ENSURING SAFE DRINKING WATER,  
AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 856,  
OTHERWISE KNOWN AS THE CODE ON SANITATION OF THE  
PHILIPPINES AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

The Philippines is blessed with copious amounts of water with a total annual renewable water resource of 479 billion cubic meters (m<sup>3</sup>) from its surface water and groundwater sources. This translates into an annual per capita availability of about 6,100m<sup>3</sup>, which is twice that of the rest of Asia, and six times the global scarcity threshold of 1,000m<sup>3</sup>.<sup>1</sup>

Ironically, however, as of 2017, around 8.5 million Filipinos still have no access to clean drinking water, and have to rely on unimproved, unsafe and unsustainable water sources, according to the National Water Resource Board. The World Health Organization (WHO) and Unicef Joint Monitoring Programme for Water Supply, Sanitation and Hygiene also reported that only 47.46% of the Philippines' population had access to safely managed drinking water in 2020.<sup>2</sup>

Aside from access to clean water, water contamination remains a pressing issue, with heavy inorganic pollutants present in drinking water sources. According to environmental organization Greenpeace, five (5) out of eighteen (18) artesian wells in Benguet and Bulacan were found to contain nitrate levels well above the safety limit set by WHO.<sup>3</sup> Inorganic contaminants such as nitrate may cause serious

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<sup>1</sup> Philippines: Water Supply and Sanitation Sector Assessment, Strategy, and Road Map. Mandaluyong City, Philippines: Asian Development Bank, 2013.

<sup>2</sup> July 7, 2021. WHO-Unicef report: Nearly half of Filipinos get safe drinking water. Retrieved from: <https://newsinfo.inquirer.net/1456912/who-unicef-report-nearly-half-of-filipinos-get-safe-drinking-water#ixzz7Z7YuA61i> (Date last accessed: July 13, 2022).

<sup>3</sup> March 8, 2018. When water causes diseases and deaths. Retrieved from: <https://businessmirror.com.ph/2018/03/08/when-water-causes-diseases-and-deaths/> (Date last accessed: July 13, 2022).

health problems to the population, and may even lead to death.<sup>4</sup> In 2011, eleven (11) people from Barangay Valencia, Cebu died due to typhoid fever after drinking water from unsafe water sources.<sup>5</sup>

Thus, prolonged inaction on this issue may lead to a rise in foodborne and waterborne diseases. According to Elizabeth Dowdeswell, the Executive Director of the United Nations Environment Program, “an estimated one-half of people in developing countries are suffering from diseases caused either directly by infection through the consumption of contaminated water or food, or indirectly by disease-carrying organisms such as mosquitoes, that breed in water.”<sup>6</sup> In the case of the Philippines, fifty percent (50%) of typhoid cases are due to water pollution, sanitation conditions, and hygiene practices.

Given this, it is imperative that the State play an active role in ensuring all Filipinos have safe and potable drinking water by implementing a comprehensive management program on water safety planning, including water quality surveillance, adoption of risk management strategies for the protection of water supply systems, and the use of appropriate tools and instruments to properly monitor and enforce quality drinking water standards.

This bill seeks to amend the existing provisions of the Sanitation Code of the Philippines on water supply. Among others, it requires the physical, bacteriological and general systematic chemical and over-all examination of water quality every two months. The result of such testing shall be submitted to the Department of Health (DOH) for appropriate action and to the consumers so that they will be properly apprised of the quality of the water they are consuming.

This bill also requires all water service providers to prepare a water safety plan, and submit the same to DOH for approval. They shall also furnish their customers an annual consumer confidence report which must include information regarding their current treatment techniques, monitoring procedures, and level of contaminants in the water system, among others.

The immediate passage of this bill is earnestly sought.

  
SENATOR JOEL VILLANUEVA JR

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<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*



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

1 **SECTION 1. Short Title.** – This Act shall be known as the "Safe Drinking Water  
2 Act."  
3

4 **SEC. 2. Declaration of Policy.** – The State shall pursue a policy of ensuring the  
5 health of the Filipino people through the provision of safe drinking water. Towards  
6 this end, the State shall promote the use of appropriate tools and instruments and  
7 control mechanisms and adopt risk management strategies for the protection of the  
8 entire water supply system against contamination that will adversely affect human  
9 health. The State shall also implement a comprehensive management program on  
10 water safety planning including water quality surveillance that ensures the safety of  
11 drinking water in all settings and ensure compliance with national standards for  
12 drinking water and other environmental laws affecting drinking water quality.  
13

14 **SEC. 3.** Section 11 of Presidential Decree No. 856 is hereby amended to read as  
15 follows:  
16

17 **Section 11. Types of Water Examinations Required**

18 The following examinations are required for drinking water:  
19

20  
21 (a) Initial examination. The physical, chemical and bacteriological  
22 examinations of water from newly constructed systems or sources are  
23 required before they are operated and opened for public use. Examination

1 of water for possible radio-active contamination should also be done  
2 initially.

3  
4 (b) Periodic examination. Water from existing sources is subject to  
5 PHYSICAL, CHEMICAL, bacteriological AND OVER-ALL QUALITY  
6 examination as often as possible but the interval shall not be longer than  
7 [six] TWO (2) months, [while general systematic chemical examination  
8 shall be conducted every 12 months or oftener. Examination of water  
9 sources shall be conducted yearly for possible radioactive contamination,]  
10 UNLESS OTHERWISE REQUIRED BY THE DEPARTMENT THROUGH  
11 APPROPRIATE REGULATIONS; *PROVIDED*, THAT NOTHING HEREIN  
12 SHALL RESTRICT THE DEPARTMENT FROM CONDUCTING RANDOM  
13 WATER QUALITY EXAMINATION AS OFTEN AS IT MAY DEEM  
14 NECESSARY AND PROPER.

15  
16 **SEC. 4.** New Section 11-A and Section 11-B of Presidential Decree No. 856 are  
17 hereby inserted to read as follows:

18  
19 **SECTION 11-A. PERMITS REQUIRED**

20  
21 DRINKING WATER SERVICE PROVIDERS, WATER LABORATORIES,  
22 AND OTHER ESTABLISHMENTS WITH DRINKING WATER SYSTEMS  
23 CATERING TO THE PUBLIC SHALL BE REGISTERED WITH THE  
24 DEPARTMENT. FOR THIS PURPOSE, THE FOLLOWING PERMITS  
25 SHALL BE SECURED FROM THE DEPARTMENT OR LOCAL HEALTH  
26 AUTHORITIES, AS THE CASE MAY BE:

- 27  
28 a) CERTIFICATE OF POTABILITY OF DRINKING WATER TO BE  
29 OBTAINED BY DRINKING WATER SERVICE PROVIDERS;  
30  
31 b) CERTIFICATE OF ACCREDITATION TO BE OBTAINED BY ALL  
32 WATER LABORATORIES AND TRAINING INSTITUTIONS THAT  
33 SHALL PARTICIPATE IN THE DRINKING WATER SAFETY  
34 PROGRAM;  
35  
36 c) CERTIFICATE OF PRODUCT REGISTRATION OF WATER  
37 SUPPLY MATERIALS, APPURTENANCES, TREATMENT  
38 TECHNOLOGIES OR DEVICES TO BE OBTAINED BY ALL  
39 ENTITIES ENGAGED IN THE PROVISION OF DRINKING WATER  
40 SUPPLY TO THE PUBLIC;  
41  
42 d) CERTIFICATE OF PROFICIENCY TO BE OBTAINED BY ALL  
43 INDIVIDUALS WHO WILL CONDUCT CAPACITY BUILDING  
44 ACTIVITIES ON WATER QUALITY ANALYSIS, WATER QUALITY  
45 TREATMENT, WATER QUALITY MONITORING AND WATER  
46 SAFETY PLANNING FROM THE DEPARTMENT;  
47  
48 e) CERTIFICATE OF WATER SAFETY PLAN ACCEPTANCE;  
49

- 1 f) DRINKING WATER SITE CLEARANCE TO BE OBTAINED BY ALL  
2 PERSONS OR ENTITIES INTENDING TO DEVELOP A DRINKING  
3 WATER SYSTEM FOR PUBLIC CONSUMPTION; *PROVIDED*,  
4 THAT NO DRINKING WATER SYSTEM SHALL BE INSTALLED  
5 AND OPERATED WITHOUT SUCH CLEARANCE;  
6  
7 g) OPERATIONAL PERMIT, WHICH MUST BE OBTAINED BEFORE  
8 USING A DRINKING WATER SYSTEM; AND  
9  
10 h) SANITARY CLEARANCE FOR ALL WATER DELIVERY VEHICLES,  
11 MOBILE WATER TANKERS AND SIMILAR VEHICLES, INCLUDING  
12 ITS APPURTENANCES.  
13

14 COVERED ESTABLISHMENTS SHALL ALSO REGISTER PORTABLE  
15 WATER TEST KITS AND WATER TREATMENT TECHNOLOGY OR  
16 DEVICES WITH THE DEPARTMENT.  
17

#### 18 **SECTION 11-B. WATER SAFETY PLAN**

19

20 WITHIN ONE (1) YEAR FROM THE EFFECTIVITY OF THIS ACT, ALL  
21 DRINKING WATER SERVICE PROVIDERS SHALL DEVELOP WATER  
22 SAFETY PLANS FOR THEIR WATER SUPPLY SYSTEMS, AND  
23 ENSURE ITS IMPLEMENTATION AFTER ITS APPROVAL. AN  
24 APPROVED WATER SAFETY PLAN SHALL BE VALID FOR THREE (3)  
25 YEARS, UNLESS SUSPENDED OR SOONER REVOKED BY THE  
26 DEPARTMENT.  
27

28 FOR THIS PURPOSE, THE DEPARTMENT SHALL DEVELOP TOOLS,  
29 STANDARDS AND GUIDELINES FOR WATER SAFETY PLAN  
30 PROCESSES AND SUPPORT SERVICES.  
31

32 **SEC. 5.** Section 12 of Presidential Decree No. 856 is hereby amended to read as  
33 follows:  
34

#### 35 **Section 12. Examining Laboratories and Submission of Water** 36 **Samples**

37

38 The examination of drinking water shall be performed only in private or  
39 government laboratories duly accredited by the Department. THE  
40 DEPARTMENT SHALL PRESCRIBE APPROPRIATE GUIDELINES WITH  
41 RESPECT TO THE CONDUCT, MANNER, AND MEASURES REQUIRED  
42 FOR THE EXAMINATION OF DRINKING WATER QUALITY.  
43

44 It is the responsibility of operators of water systems to submit to accredited  
45 laboratories water samples for examination in a manner and at such  
46 intervals prescribed UNDER SECTION 11 OF THIS ACT OR by the  
47 Department THROUGH APPROPRIATE REGULATIONS.  
48

49 THE RESULTS OF SUCH MONITORING SHALL BE SUBMITTED TO  
50 THE DEPARTMENT FOR APPROPRIATE ACTION, AND TO THE

1 CONSUMERS CONCERNED. THE SAME SHALL ALSO BE POSTED  
2 CONSPICUOUSLY IN THE ESTABLISHMENT.

3  
4 IN THE EVENT THAT THE ESTABLISHMENT FAILS TO COMPLY WITH  
5 AN APPLICABLE MAXIMUM CONTAMINANT LEVEL, OR FAILS TO  
6 COMPLY WITH THE TREATMENT TECHNIQUE REQUIRED BY THE  
7 DEPARTMENT, OR FAILS TO PERFORM SUCH MONITORING, THE  
8 DEPARTMENT SHALL BE AUTHORIZED TO ORDER THE IMMEDIATE  
9 SUSPENSION OF THE OPERATIONS OF THE ESTABLISHMENT OR  
10 TAKE OTHER STEPS AS MAY BE NECESSARY TO ENSURE THE  
11 SAFETY OF DRINKING WATER.

12  
13 THE DEPARTMENT SHALL PROMPTLY NOTIFY THE PUBLIC OF  
14 SUCH OCCURRENCE, AT THE EXPENSE OF THE CONCERNED  
15 ESTABLISHMENT. THE NOTICE SHALL CONSIST OF, BUT NOT  
16 LIMITED TO, THE FOLLOWING:

- 17  
18 a) NATURE OF THE VIOLATION;  
19  
20 b) CONTAMINANT LEVEL OF WATER SUPPLY;  
21  
22 c) POTENTIAL HEALTH EFFECTS TO THE POPULATION;  
23  
24 d) POPULATION AT RISK;  
25  
26 e) STEPS BEING TAKEN TO CORRECT VIOLATION;  
27  
28 f) TELEPHONE NUMBER OR CONTACT NUMBER OF THE OWNER,  
29 OPERATOR OR DESIGNEE OF THE PUBLIC WATER SYSTEM;  
30  
31 g) NECESSITY OF SEEKING ALTERNATIVE WATER SUPPLIES;  
32 AND  
33  
34 h) PREVENTIVE MEASURES THAT SHALL BE TAKEN BY  
35 CONSUMERS UNTIL THE VIOLATION IS CORRECTED.

36  
37 **SEC. 6.** A new Section 12-A is hereby inserted to read as follows:

38  
39 **SECTION 12-A. CONSUMER CONFIDENCE REPORT**

40  
41 A DRINKING WATER SERVICE PROVIDER SHALL FURNISH ITS  
42 CUSTOMERS AN ANNUAL REPORT ON THE QUALITY OF THE  
43 DRINKING WATER IT PROVIDES AND THE CONTAMINANTS, IF ANY,  
44 FOUND THEREIN.

45  
46 THE ANNUAL REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO,  
47 THE FOLLOWING:

- 48  
49 a) INFORMATION ON THE SOURCE OF THE WATER DISTRIBUTED;  
50

- 1 b) ENUMERATION OF PRIMARY PARAMETERS INDICATED BY THE  
2 PHILIPPINE NATIONAL STANDARDS FOR DRINKING WATER  
3 (PNSDW);  
4  
5 c) MAXIMUM CONTAMINANT LEVEL INDICATED BY PNSDW;  
6  
7 d) CURRENT TREATMENT TECHNIQUES UTILIZED BY THE  
8 DRINKING WATER SERVICE PROVIDER;  
9  
10 e) MONITORING PROCEDURES UTILIZED BY THE DRINKING  
11 WATER SERVICE PROVIDER;  
12  
13 f) LEVEL OF CONTAMINANT IN THE WATER SYSTEM WITHIN THE  
14 YEAR;  
15  
16 g) ANY CONTAMINANT FOR WHICH THERE HAS BEEN A  
17 VIOLATION OF THE MAXIMUM CONTAMINANT LEVEL DURING  
18 THE YEAR CONCERNED, AND A BRIEF STATEMENT IN PLAIN  
19 LANGUAGE REGARDING THE HEALTH CONCERNS THAT  
20 RESULTED IN THE REGULATION OF THE CONTAMINANT, AS  
21 PROVIDED BY THE DEPARTMENT;  
22  
23 h) INFORMATION ON THE LEVELS OF UNREGULATED  
24 CONTAMINANTS IDENTIFIED BY THE DEPARTMENT;  
25  
26 i) A STATEMENT THAT THE PRESENCE OF CONTAMINANTS IN  
27 THE DRINKING WATER DOES NOT NECESSARILY INDICATE  
28 THAT THE DRINKING WATER POSES A HEALTH RISK AND  
29 THAT MORE INFORMATION ABOUT CONTAMINANTS AND  
30 POTENTIAL HEALTH EFFECTS CAN BE OBTAINED BY CALLING  
31 THE DEPARTMENT;  
32  
33 j) MEASURES THAT MAY BE ADOPTED BY THE CONSUMERS TO  
34 KEEP THEIR WATER SUPPLY FREE FROM CONTAMINATION;  
35 AND  
36  
37 k) SUCH OTHER ADDITIONAL INFORMATION AS THE  
38 DEPARTMENT DEEMS APPROPRIATE FOR PUBLIC  
39 EDUCATION.  
40

41 THE ANNUAL REPORT SHALL BE PROVIDED TO CONSUMERS  
42 EVERY TWELVE (12) MONTHS THROUGH ELECTRONIC MEDIA,  
43 HAND DELIVERY, POSTING, OR OTHER METHODS APPROVED BY  
44 THE DEPARTMENT.  
45

46 **SEC. 7. Penalties.** – A water service provider that fails to comply with the  
47 provisions of this Act shall be liable for a fine of Fifty Thousand Pesos  
48 (Php50,000.00) for every day of continuing violation, without prejudice to any other  
49 penalties that may be imposed, in accordance with other relevant laws, rules and  
50 regulations.

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**SEC. 8. Appropriations.** – The amount necessary to effectively carry out the provisions of this Act shall be included in the annual General Appropriations Act.

**SEC. 9. Implementing Rules and Regulations.** – Within ninety (90) days from the effectivity of this Act, the Department of Health, in consultation with the concerned stakeholders and relevant government agencies, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

**SEC. 10. Repealing Clause.** – All laws, decrees, orders, ordinances, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

**SEC. 11. Separability Clause.** – If any provision of this Act is declared unconstitutional or invalid, the remainder of the Act shall not be affected by such declaration.

**SEC. 12. Effectivity.** – This Act shall take effect fifteen (15) days from the date of its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

**Approved,**