

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



'22 NOV -9 P1 :22

SENATE
S. No. 1488

RECEIVED BY: 

Introduced by SENATOR RAMON BONG REVILLA, JR.

AN ACT
ESTABLISHING A GREEN PUBLIC PROCUREMENT PROGRAM FOR ALL
BRANCHES OF GOVERNMENT

EXPLANATORY NOTE

The government is the single largest buyer in the market. Its activities and preferences can directly affect the supply and demand chain of the national economy. At least 20% of the national budget or equivalent to almost 4% of gross domestic product was used for public procurement requirements. Such immense purchasing capacity can be harnessed to promote sustainable development.

This proposed measure seeks to establish the government as a principal catalyst in shaping sustainable practices and industries in the country by incorporating the factor of environmental impact in its procurement policies. By taking the lead in transforming the marketplace into a greener and cleaner one, it also fulfills its obligation in preserving the environment for the enjoyment of future generations. Further, the government-led initiative is expected to spill over to the private sector, heighten awareness on more sustainable practices, and encourage more enterprises to produce more environment-friendly products and processes.

This bill intends to mandate all branches and instrumentalities of the government to create and gradually implement a Green Public Procurement (GPP) Program which gives preferential treatment to sustainable products and services. This is in line with our international commitment under the 2030 Agenda for Sustainable Development, specifically Goal 12, which is to ensure sustainable consumption and

production patterns. It also aims to institutionalize and strengthen the Green Procurement Program in the offices of the executive department that was established under Executive Order 301, s. 2004.

In this light, the immediate passage of this bill is highly recommended.



RAMON BONG REVILLA, JR.

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

1 Section 1. *Short Title.* – This Act shall be known as the “*Green 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 that it plays a lead role in
5 promoting sustainable practices by incorporating environmental, economic, and social
6 factors in government decisions and processes. Further, the State, as a large
7 consumer bloc in itself, recognizes that every product or service it purchases or avails
8 of should be 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 which sets the
13 Sustainable Consumption and Production Goals, and the long-term vision embodied in
14 *Ambisyon Natin 2040*, the State shall implement programs geared towards responsible
15 and sustainable consumption and production with the end view of having a fully
16 circular economy and ensuring ecological integrity and healthy environment for current
17 and future generations.

1 *Sec. 3. Establishment of a Green Public Procurement (GPP) Program in All*
2 *Branches of Government.* – Green Public Procurement is a process whereby public
3 authorities seek to procure goods, services and works with a reduced environmental
4 impact throughout their life cycle when compared to goods, services and works with
5 the same primary function that would otherwise be procured.

6 The executive, judicial and legislative branches of government shall implement
7 a Green Public Procurement (GPP) Program to achieve sustainable consumption and
8 production in government procurement in accordance with the GPP Roadmap,
9 established by the Government Procurement Policy Board (GPPB) for the purpose,
10 consistent with the governing principles of Republic Act (RA) No. 9184, or the
11 “*Government Procurement Reform Act.*”

12 *Sec. 4. Objectives of the Green Public Procurement (GPP) Program.* –The GPP
13 Program shall the following objectives:

- 14 a. To integrate and promote the culture of making green, sustainable, and
15 informed decisions in government, especially in the implementation of existing
16 government procurement policies;
- 17 b. To require the Philippine Government Electronic Procurement System
18 (PHILGEPS) to identify all government agencies procuring consumable supplies
19 and equipment (CSE) and non-consumable supplies and equipment (non-CSE)
20 identified by GPPB, as part of the Green Procurement Roadmap;
- 21 c. To observe green criteria in government procurement whenever possible and
22 practicable, with the end view of preserving and protecting environmental
23 health through efficient use of materials and resources, prevention of pollution
24 and harmful emissions, reduction of wastage, among others;
- 25 d. To establish general and subsector targets and relevant performance indicators
26 among government agencies;
- 27 e. To develop technical specifications for CSE and non-CSE products, taking into
28 account, among others, the following processes and principles:
 - 29 i. Development of a standard template consisting of scope, key
30 environmental impact of a product in terms of its materials, composition,
31 use and eventual disposal, product specifications, evidence, verification
32 and references;

- 1 ii. Extensive research of GPP technical specifications, taking into account
- 2 international and national specifications of countries with extensive GPP
- 3 experience;
- 4 iii. Document comments and feedback on the technical specifications of the
- 5 various products;
- 6 iv. Conduct of environmental impact studies of a product in terms of its
- 7 materials composition, use, and eventual disposal;
- 8 v. Include employment generation, safe working environment, and supply-
- 9 chain management in the formulation of long-term sustainability criteria.
- 10 f. To establish a system for the development of core green criteria, which shall
- 11 be gradually enhanced and adjusted, and including the same in the project
- 12 requirements developed by procuring entities; and
- 13 g. To develop programs for manufacturers and suppliers of green and sustainable
- 14 products and services for relevant government agencies.

15 *Sec. 5. Functions of the Government Procurement Policy Board (GPPB).* – The
16 GPPB shall perform the following functions in implementing this Act:

- 17 a. Protect the national interest in all matters affecting public procurement, giving
- 18 due regard to the country's regional and international obligations;
- 19 b. Ensure the incorporation of the concept of sustainability in the procurement
- 20 activities of the government. The GPP Program shall be implemented in phases,
- 21 taking into account the readiness of both the government agencies, as well as
- 22 green product suppliers, to implement the program;
- 23 c. Centralize the information on GPP guidelines and procedure, green criteria,
- 24 green product listing of information and verification methods;
- 25 d. Design and conduct capacity building and training programs for government
- 26 procuring entities and green products suppliers and service providers,
- 27 particularly the Micro, Small and Medium Enterprises (MSMEs), to encourage
- 28 consistency in delivering green products and services, and efficiency in
- 29 implementing the GPP requirements;
- 30 e. The GPPB shall develop incentive schemes, such as recognition or awards for
- 31 GPP performing units to increase motivation and catalyze action for better
- 32 performance and environmental stewardship; and

1 f. Establish monitoring and evaluation mechanisms.

2 Sec. 6. *Submission of Plans and Reports.* – All agencies shall submit their
3 respective GPP Programs to the GPPB, the specific requirements and mechanisms of
4 which shall be defined in the rules and regulations (IRR) to be promulgated to
5 implement this Act. The GPPB shall, in turn, submit an annual report to the Committee
6 on Sustainable Development Goals, Innovation and Futures Thinking of the Senate of
7 the Philippines and Committee on Sustainable Development Goals of the House of
8 Representatives on the compliance of the different agencies with the provisions of this
9 Act.

10 Sec. 7. *Verification by Agencies.* – All agencies of the government are mandated
11 to conduct verification on the compliance of the goods or items being procured with
12 the green criteria established by the GPPB, along with the other technical specifications
13 required by the agency for the particular procurement, in accordance with the relevant
14 provisions of RA 9184 and its IRR. The GPPB shall provide a list of testing centers for
15 reference of the agencies in the conduct of the verification, which shall be updated
16 regularly based on the green criteria established by the GPPB for specific goods and
17 items included in the GPP Program

18 Sec. 8. *Capacity Building of Government Agencies.* – The GPPB shall implement
19 regular capacity building programs to develop the skills of government agencies in
20 understanding and implementing the government’s GPP Program through the
21 following:

- 22 a. Conduct of relevant training needs assessment of the public sector;
23 b. Provision of technical assistance to suppliers, particularly the MSMEs; and
24 c. Conduct of public awareness campaigns on green procurement, among others.

25 Sec. 9. *Separability Clause.* – If any provision or part hereof is held invalid or
26 unconstitutional, the remainder of the law or the provision or part not otherwise
27 affected shall remain in full force and effect.

28 Sec. 10. *Repealing Clause.* – Any law, presidential decree or issuance, executive
29 order, letter of instruction, administrative order, rule, or regulation contrary to, or
30 inconsistent with, the provisions of this Act are hereby repealed, modified, or amended
31 accordingly.

1 Sec. 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its
2 complete publication in the *Official Gazette* or in two (2) newspapers of general
3 circulation in the Philippines.

Approved,