



## SUMMARY OF CASE LAW ON WASTE PRODUCER LIABILITY

### JAPAN

We have not located a reported case of waste producer liability in the Philippines. However, the published law is interpreted to create duties for hazardous waste producers or generators.

#### **Legal basis for holding waste generator or producer liable:**

The Waste Management And Public Cleansing Law No. 137 of 1970, as amended, provides for a continuing obligation of waste producers: *“When businesses are to commission anyone else to transport or dispose of their industrial waste under the preceding 2 Paragraphs, they shall endeavor to take the necessary action for proper management of the said industrial waste in the whole process from its generation to final disposal.”* Article 12(5). [Link to English version.](#)

The law in Japan prohibits *“a [third party] contract between ... the collecting / transporting company and the disposal agent without confirming the processing capacity....”* Article 12. See [discussion](#) (Japanese).

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