



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

COMMITTEE REPORT NO. 220

Submitted by the Committee on Natural Resources and Appropriations on
FEB 05 2020

Re: House Bill No. 6194

Recommending its approval, in substitution of House Bills Numbered 98 and 4540.
Sponsors: Representatives Elpidio F. Barzaga, Jr., Isidro T. Ungab, Maria Lourdes Acosta-Alba, and Vilma Santos-Recto

Mr. Speaker:

The Committees on Natural Resources and Appropriations, to which were referred House Bill No. 98, introduced by Representative Maria Lourdes Acosta-Alba, entitled:

**AN ACT
PROVIDING FOR THE DELINEATION OF THE SPECIFIC FOREST
LIMITS OF THE PUBLIC DOMAIN AND FOR OTHER PURPOSES**

and

House Bill No. 4540, introduced by Representative Vilma Santos-Recto, entitled:

**AN ACT
PROVIDING FOR THE DELINEATION OF THE SPECIFIC FORESTS
LIMITS OF THE PUBLIC DOMAIN AND FOR OTHER PURPOSES**

have considered the same and recommend that the attached House Bill No. 6194, entitled:

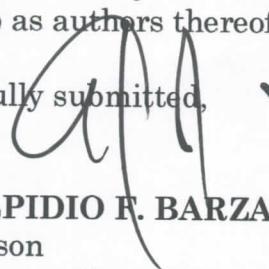
**AN ACT
PROVIDING FOR THE DELINEATION OF THE SPECIFIC FOREST
LIMITS OF THE PUBLIC DOMAIN AND FOR OTHER PURPOSES**

be approved in substitution of House Bills Numbered 98 and 4540, with Representatives Acosta-Alba, Santos-Recto, Salceda, Cua, Tejada, Violago, Gasataya, Jalosjos, Garcia (J.), Macapagal Arroyo, Calderon, Dalipe, Go, Zamora (W.), Bravo, Labadlabad, Sacdalan, Benitez, Dialog, Guico, Agabas, Singson-Meehan, Dimaporo (A.), Balindong, Bordado, Quimbo, Amatong, Almario, Defensor (L.), Delos Santos, Gaite, Vergara, Barzaga and Ungab as authors thereof.



REP. ISIDRO T. UNGAB
Chairperson
Committee on Appropriations

Respectfully submitted,



REP. ELPIDIO F. BARZAGA, JR.
Chairperson
Committee on Natural Resources

THE HONORABLE SPEAKER
House of Representatives
Quezon City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6194

(in substitution of House Bill Nos. 98 and 4540)

Introduced by Representatives Maria Lourdes Acosta-Alba, Vilma Santos-Recto, Joey Sarte Salceda, Junie E. Cua, Jose "Ping-Ping" I. Tejada, Micaela S. Violago, Greg G. Gasataya, Romeo M. Jalosjos, Jr., Jose Enrique "Joet" S. Garcia III, Juan Miguel Macapagal Arroyo, Peter John D. Calderon, Manuel Jose "Mannix" M. Dalipe, Ed Christopher S. Go, Manuel "Way Kurat" E. Zamora, Narciso R. Bravo, Jr., Glona G. Labadlabad, Joselito "Joel" S. Sacdalan, Francisco "Kiko" B. Benitez, Maximo Y. Dalog, Jr., Ramon "Mon-Mon" V. Guico III, Tyrone D. Agabas, Kristine Singson-Meehan, Abdullah D. Dimaporo, Yasser Alonto Balindong, Gabriel H. Bordado, Jr., Stella Luz A. Quimbo, Isagani S. Amatong, Joel Mayo Z. Almario, Lorenz R. Defensor, Alfred C. Delos Santos, Ferdinand R. Gaite, Rossana "Ria" Vergara, Elpidio F. Barzaga, Jr. and Isidro T. Ungab

AN ACT
PROVIDING FOR THE DELINEATION OF THE SPECIFIC
FOREST LIMITS OF THE PUBLIC DOMAIN AND FOR OTHER
PURPOSES

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

1 **SECTION 1. Short Title.** – This Act shall be known as the "Forest Land
2 Limits Act".

3 **SEC. 2. Declaration of Policy.** – It is the policy of the State to conserve,
4 protect and develop the forest resources of the country in order to attain
5 ecological balance, preserve valuable ecosystems, prevent environmental
6 degradation and promote sustainable development for the present and future
7 generations. To achieve these ends, Section 4 of Article XII of the Constitution
8 mandates Congress to determine by law the specific limits of forest lands and
9 national parks, marking clearly their boundaries on the ground.

10 **SEC. 3. Definition of Terms.** – As used in this Act:

1 (a) *Agricultural lands* refer to alienable or disposable lands of the
2 public domain which have been the subject of the land classification
3 system and declared as not needed for forestry purposes;

4 (b) *Delimitation* refers to the establishment of permanent boundary
5 monuments of forest land through land survey in accordance with existing
6 standards and practices;

7 (c) *Delineation* refers to the conduct of site investigation, field
8 reconnaissance and assessment, and staking of boundaries among forest
9 lands, national parks and agricultural lands verified in the field in
10 accordance with the criteria set forth under Department of Environment
11 and Natural Resources (DENR) Administrative Order No. 2008-24;

12 (d) *Forest* refers to a land with an area of more than half (0.5)
13 hectare and with tree crown cover or equivalent stocking level of more
14 than ten percent (10%). The trees should be able to reach a minimum
15 height of five (5) meters at maturity *in situ*. It consists of either closed
16 forest formations, where trees of various stories and undergrowth cover
17 more than forty percent (40%) of the ground, or open formations where
18 continuous vegetation cover more than ten percent (10%) but less than
19 forty percent (40%) of the ground. Young natural stands and all
20 plantations established for forest purposes are included in this definition.

21 (e) *Forest reservations* refer to forest lands which have been
22 reserved by the President of the Philippines for any specific purpose or
23 purposes;

24 (f) *Production forest lands* refer to forest lands available for timber
25 and agroforestry production, range lands for grazing and other forest land
26 special uses;

27 (g) *Protected Area* refers to identified portions of land or water that
28 are set aside by reason of their unique physical and biological significance,
29 and are managed to enhance biological diversity and protected against
30 destructive human exploitation;

31 (h) *Protection forest lands* refer to all areas within the forest lands
32 devoted primarily for the protection and conservation of forest resources to

ensure environmental stability, conservation of biological diversity, improvement of ecosystem functions and services, and provision of ecological and economic benefits. All mossy and primary or old growth forests and natural beach, key biodiversity areas, areas regardless of slope and vegetation cover which are highly erodible or too rocky for establishment of production forests, developed for the principal objective of establishing vegetative cover to prevent erosion, conserve water and nurture wildlife, peat swamps, freshwater swamps, and marshes, existing natural mangroves, all areas along the bank of the rivers and streams, and the shores of the seas and lakes throughout their entire length and within the zone of three (3) meters in urban areas, twenty (20) meters in agricultural areas, and forty (40) meters in forest areas, along their margins which are subject to the easement of public use in the interest of recreation, settlements, navigation, floatage, fishing and salvage, shall also be subclassified as protection forest lands. All extractive activities, including cutting of trees and mining, are banned in these protection forest lands: *Provided*, That the provisions of Republic Act No. 8371, or the "Indigenous People's Rights Act of 1997" and Republic Act No. 7586, or the "National Integrated Protected Areas System Act of 1992", as amended by Republic Act No. 11038, or the "Expanded National Integrated Protected System Act of 2018", shall be respected.

(j) *Tenured migrant communities* refer to communities within forest lands which have actually and continuously occupied such areas for five (5) years before the designation of the same as forest lands in accordance with this Act, and are solely dependent therein for subsistence.

SEC. 4. *Forest lands.* – The following shall constitute the forest lands:

(a) All lands of the public domain already classified as forest land as per existing land classification maps issued by the DENR;

(b) All permanent forest reserves proclaimed as such by the President or declared by law; and

(c) Such areas within the unclassified lands of the public domain

1 that were assessed and delineated by the DENR in accordance with
2 pertinent laws, rules and regulations and which may hereafter be
3 classified as forest land by the DENR.

4 **SEC. 5. Determining the Specific Limits of Forest lands.** – The
5 following guidelines and procedures shall be followed in determining the specific
6 limits of forest lands in the country:

7 (a) The previously-established land classification (LC) survey lines
8 per province with their respective technical descriptions (TDs) and maps
9 shall be the basic data and information that will be used as reference
10 material in undertaking the validation, assessment and delineation
11 process.

12 (b) All completed assessment and delineation reports for a given
13 province shall be endorsed to the National Review and Evaluation
14 Committee created under Section 6 hereof for final approval.

15 (c) The same process shall be followed for other provinces with
16 ongoing assessments and delineation activities until such time that all the
17 boundaries of forest lands of the whole country shall have been delimited:
18 *Provided*, That all assessments, validations and delineations shall be
19 completed not later than one (1) year after the passage of this Act.

20 **SEC. 6. National Review and Evaluation Committee.** –Pursuant to
21 the Constitutional mandate embodied in Section 4, Article XII thereof, and in
22 view of the urgent need to establish the permanent limits of the forest lands of
23 the country, a National Review and Evaluation Committee, hereinafter referred
24 to as the Committee, is hereby created to process, evaluate and approve all
25 completed assessment and delineation reports referred to in the immediately
26 preceding section. The Committee, in its evaluation and approval of the said
27 reports, shall adhere strictly to existing established laws, policies, rules,
28 regulations and guidelines pertinent thereto.

29 The Committee shall be composed of the following:

30 (a) Secretary of the DENR as Chairperson;
31 (b) Secretary of the National Economic and Development Authority
32 (NEDA) as Vice-Chairperson;

- (c) Secretary of the Department of Interior and Local Government (DILG) as Member;
 - (d) Secretary of the Department of Agriculture (DA) as Member;
 - (e) Secretary of the Department of Agrarian Reform (DAR) as Member;
 - (f) Secretary of the Department of Human Settlements and Urban Development (DHSUD) as Member.

The assessment and delineation reports as approved by the Committee shall be adopted as constituting the final boundaries of forest lands covered by the reports. The Committee shall submit to Congress the approved assessment and delineation reports for each province which shall thereafter form part of its official records.

SEC. 7. *Demarcation and Delimitation of Final Forest Land Boundary.* – Immediately after the passage of this Act, the final forest line determined and established by the DENR shall be adopted as the final forest land boundary of the country and all monuments established shall be deemed permanent. Maps of the final forest land boundary prepared by the DENR shall be attached as an integral part of this Act as reference.

SEC. 8. Permanency of the Specific Forest Lands Limits. -- The permanent forest lands established pursuant to this Act shall not be diminished nor reduced except by an Act of Congress. The DENR, in coordination with all agencies and branches of government, shall see to it that the forest cover and vegetation therein shall be protected, preserved and enhanced.

SEC. 9. *Sub-classification of the Permanent Forest lands.* – The DENR shall undertake the sub-classification of permanent forest lands into protection forests and production forests.

SEC. 10. Recognition of the Rights of the Indigenous Cultural Communities/Indigenous Peoples and Tenured Migrant Communities. –

1 "Indigenous Peoples Rights Act (IPRA) of 1997", and Presidential Decree No.
2 705, as amended, or the "Forestry Code of the Philippines".

3 **SEC. 11. Accessibility of Record to the Public.** – All records and
4 information pertaining to the specific forest limits delineated pursuant to this
5 Act shall be made available to all local government units (LGUs), other
6 government agencies, and to the general public.

7 **SEC. 12. Land Classification Conflict Adjudication Board.** – A
8 Land Classification Conflict Adjudication Board, hereinafter referred to as the
9 Board, is hereby created to resolve controversies arising from land classification
10 as a result of the delimitation of forest lands pursuant to this Act. The Board
11 shall be composed of the following:

- 12 (a) Secretary of the Department of Justice (DOJ) as Chairperson;
13 (b) Administrator of the Land Registration Authority (LRA) as Member;
14 (c) Representative from the Integrated Bar of the Philippines (IBP) as
15 Member;
16 (d) Representative from a reputable College of Forestry as Member; and
17 (e) Representative from the private sector as Member.

18 **SEC. 13. Powers and Functions of the Adjudication Board.** – The
19 Board shall have the following powers and functions:

- 20 (a) Adjudicate cases on land conflicts and adverse claim before it for
21 resolution;
22 (b) Summon witnesses, administer oaths, take testimony and require
23 submission of reports;
24 (c) Compel production of books and documents and answers to
25 interrogatories; and
26 (d) Issue subpoena *duces tecum*, writs of possession, writs of execution and
27 other writs to enforce its orders and decisions.

28 In any proceeding before the Board, the Rules of Evidence prevailing in
29 courts of law or equity shall not be controlling and it is the spirit and intention of
30 this Act that shall govern. The Board shall use all reasonable means to ascertain
31 the facts in each case speedily and objectively. The findings of fact of the Board
32 shall be conclusive and binding on the parties and its decision or order shall be

1 final and executory.

2 A petition for review on *certiorari* may be filed by the aggrieved party with
3 the Supreme Court within thirty (30) days from receipt of the order or decision of
4 the Board.

5 **SEC. 14. Monitoring, Evaluation, and Reporting System.** – To attain
6 the objectives of this Act, a field monitoring, evaluation, and reporting system
7 shall be adopted by the Secretary of the DENR to afford up-to-date information
8 on the state of the country's forest lands after their delineation and ensure that
9 these lands are protected and conserved.

10 **SEC. 15. Appropriations.** – The Secretary of the DENR shall include in
11 the Department's program the implementation of this Act, the initial funding of
12 which shall be charged against the current year's appropriations of the
13 Department and thereafter shall be included in the annual General
14 Appropriations Act.

15 Funds for the implementation of the provisions of this Act shall be
16 supplemented from any available official development assistance (ODA) and
17 from joint projects between agencies of the Philippines and an assisting country.
18 Local government units shall also allocate counterpart funds to be taken from
19 their internal revenue allotment (IRA) and other LGU income for the delineation
20 of the forest limits within their respective territorial jurisdictions.

21 **SEC. 16. Implementing Rules and Regulations.** – Within ninety (90)
22 days from the effectivity of this Act, the Secretary of the DENR shall issue the
23 corresponding rules and regulations for the effective implementation of this Act.

24 **SEC. 17. Separability Clause.** – If any section or provision of this Act is
25 held unconstitutional or invalid, the remaining sections or provisions with the
26 provisions not affected thereby shall continue to be in full force and effect.

27 **SEC. 18. Repealing Clause.** – All laws, decrees, letters of instruction,
28 executive orders, rules and regulations and other issuances or parts thereof
29 inconsistent with this Act are hereby repealed or modified accordingly.

30 **SEC. 19. Effectivity.** – This Act shall take effect fifteen (15) days after its
31 publication in the Official Gazette or in a newspaper of general circulation

32 Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FACT SHEET 6194

HOUSE BILL NO. 98 and 4540

AN ACT
PROVIDING FOR THE DELINEATION OF THE
SPECIFIC FOREST LIMITS OF THE PUBLIC DOMAIN

Introduced by: REPRESENTATIVES MARIA LOURDES ACOSTA-
ALBA AND VILMA SANTOS-RECTO

Committee Referral: COMMITTEE ON NATURAL RESOURCES,
COMMITTEE ON APPROPRIATIONS

Committee Chairperson: REPRESENTATIVE ELPIDIO F. BARZAGA, JR.,
REPRESENTATIVE ISIDRO T. UNGAB

OBJECTIVE:

- To delineate the specific limits of forest lands for the conservation, protection, and development of the country's forest resources

KEY PROVISIONS:

- Identifies what constitutes the forest lands.
- Provides the guidelines in determining the specific limits of forest lands
- Creates the National Review and Evaluation Committee to approve boundary assessment and delineation reports.
- Adopts an evaluation system that would monitor the state of the country's forest lands after their delimitation.
- Creates an Adjudication Board to resolve land conflicts.
- Creates Congressional Oversight Committee to oversee the implementation of the proposed Act.

RELATED LAWS:

- The 1987 Constitution
- Presidential Decree No. 705 – Revised Forestry Code
- Republic Act No. 6371 – Indigenous People's Rights Act