

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 143

HOUSE OF REPRESENTATIVES	
RECEIVED	
DATE:	<u>30 JUN 2016</u>
TIME:	<u>4:35pm</u>
BY:	<u>[Signature]</u>
REGISTRATION UNIT BILLS AND INDEX SERVICE	

Introduced by REPRESENTATIVE MARIA LOURDES ACOSTA-ALBA

EXPLANATORY NOTE

One of the key legislative agenda of the Aquino administration under the Philippine Development Plan 2011-2016 is the passage of a permanent forest line bill. This policy direction intends to pursue the action plan by identifying and providing the specific boundaries limits of forestlands per province, and delineate areas in which no other land use may prevail.

This proponent is therefore re-filing House Bill No. 4988 in consolidation with House Bill No. 3578 and two (2) other similar House Bills of the same subject during the 16th Congress, House Bills Nos. 1625 and 2041, as per Committee Report No. 425 of the House Committee on Natural Resources, which I principally authored.

This measure puts flesh to the Constitutional mandate of ascertaining the specific boundaries of forest and protected areas, with the objective of conserving and protecting these areas from further degradation. This measure also proposes to establish a National Review and Evaluation Committee to conduct competent review, assessment, and validation of existing boundaries of forest lands, and shall recommend to Congress such boundaries.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


MARIA LOURDES ACOSTA-ALBA
First District, Bukidnon

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Introduced by REPRESENTATIVE MARIA LOURDES ACOSTA-ALBA

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

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

SECTION 1. *Short Title.* – This Act shall be known as the “Final Forest Limits Act.”

SEC. 2. *Declaration of Policy.* – It is the policy of the State to conserve, protect and develop the forest resources of the country in order to attain ecological balance, preserve valuable ecosystems, prevent environmental degradation, and promote sustainable development for the present and future generations. To achieve these ends, Section 4, Article XII of the 1987 Constitution mandates Congress to determine by law the specific limits of forest lands, marking clearly their boundaries on the ground.

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

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

(b) *Delimitation* refers to the establishment of land classification boundaries and the monumenting thereof following ground survey;

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

(d) *Forest lands* refer to all lands of the public domain already classified as forest land in existing land classification maps issued by the DENR, including all permanent forest reserves proclaimed as such by the President of the Republic of the Philippines or declared by

law, and such areas within the unclassified lands of the public domain that have been assessed and delineated by the DENR in accordance with pertinent laws, rules and regulations; and

(e) *Protected area* refers to identified portions of land and water set aside by reason of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation.

SEC. 4. *What Constitutes Forest Lands.* – The following shall constitute forest lands:

(a) All lands of the public domain already classified as forest land in 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 that have been assessed and delineated by the DENR in accordance with pertinent laws, rules and regulations.

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

(a) The previously established land classification survey lines of each province, with their respective technical descriptions (TDs) and maps, shall be the basic data and information to be used as reference material in undertaking the validation, assessment and delineation process;

(b) All completed assessment and delineation reports for a given province shall be endorsed to the National Review and Evaluation Committee as created herein for final approval; and

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

SEC. 6. *Creation of the National Review and Evaluation Committee.* – In line with the objective of establishing permanent limits of the forest lands of the country, a National Review and Evaluation Committee is hereby created to process, evaluate and approve all completed assessment and delineation reports referred to in Section 5(b) of this Act. The Committee, in its evaluation and approval of the reports, shall strictly adhere to existing established laws, policies, rules, regulations and guidelines pertinent thereto.

(d) The Secretary of the Department of Agriculture (DA), as member; and

(e) The Secretary of the Department of Agrarian Reform (DAR), as member.

Upon approval of the assessment and delineation reports, the Committee shall submit the same to Congress which shall, on the basis of the same, enact the appropriate Act constituting the final boundaries of the forest lands of the Philippines.

SEC. 7. *Demarcation and Delimitation of Final Forest Land Boundary.*— Immediately after the final forest line has been determined and designated by law, the DENR shall delimit and establish the appropriate permanent boundary monuments on the ground.

SEC. 8. *Permanency of the Specific Forest Limits.* — The permanent forest lands so established by law shall be conserved and shall not be increased nor diminished except by law. The DENR, in coordination with all concerned agencies and branches of the government, shall ensure that the forest cover and other resources therein shall be protected and enhanced.

SEC. 9. *Recognition of the Rights of Upland Dwellers.* — Consistent with the provisions of Republic Act No. 7160 or the “Local Government Code of 1991” and Republic Act No. 8371 or the “The Indigenous Peoples Rights Act of 1997”, the rights of indigenous cultural communities and other upland dwellers shall be recognized and respected in the ground delineation of the permanent forest limits.

SEC. 10. *Monitoring, Evaluation and Reporting System.* — To attain the objectives of this Act, a field monitoring, evaluation and reporting system shall be adopted by the Secretary of the DENR to regularly keep track of the state of the country’s forest lands after their delineation. Towards this end, at the opening of each session of Congress, the President shall submit a report to Congress on the status of the forest lands based on the verified evaluation of the Secretary of the DENR.

SEC. 11. *Creation of an Adjudication Board to Resolve Controversies on Land Conflicts/Adverse Claims.* — A Land Conflict Adjudication Board is hereby created to resolve controversies arising from boundary conflicts and adverse claims as a result of the

delimitation of forest lands to be conducted pursuant to this Act. The Board shall be composed of the following:

- (a) The Secretary of the Department of Justice (DOJ), as Chairperson;
 - (b) The Administrator of the Land Registration Authority (LRA), as member;
 - (c) A representative from the Integrated Bar of the Philippines (IBP), as member;
 - (d) A representative from the academe coming from a College of Forestry, as member;
- and
- (e) A representative from the private sector, as member.

SEC. 12. *Powers and Functions of the Board.* – The Board shall exercise the following powers and functions:

- (a) Adjudicate cases on land conflicts and adverse claims brought before it for resolution;
- (b) Summon witnesses, administer oaths, take testimonies and require the submission of reports;
- (c) Compel production of books and document answers to interrogations; and
- (d) Issue *subpoena duces tecum*, writs of possession, writs of execution and other writs to enforce its orders and decisions.

SEC. 13. *Accessibility of Record to the Public.* – All records and information pertaining to the specific forest limits delineated pursuant to this Act shall be made available to all local government units (LGUs), other government agencies and to the general public.

SEC. 14. *Congressional Oversight Committee on the Delineation of the Permanent Forest Limits.* – There is hereby created a Congressional Oversight Committee to oversee the implementation of this Act composed of seven (7) Members from the Senate Committee on Environment and Natural Resources and seven (7) Members from the House of Representatives Committee on Natural Resources.

The Congressional Oversight Committee shall exist for a period of five (5) years. Thereafter, its oversight functions shall be exercised by the Committee on Environment and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives, acting separately. The Secretariat of the Congressional Oversight Committee shall come from the Secretariat personnel of the Committees of the Senate and the House of Representatives.

SEC. 15. *Appropriations.* – The Secretary of the DENR shall include in the Department's program the implementation of this Act, the initial funding of which shall be charged against the current year's appropriations of the Department. Thereafter, such amount

as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

Funds for the implementation of the provisions of this Act shall be supplemented by any available official development assistance (ODA) and by joint projects between agencies of the Philippines and an assisting country.

For the delineation of the forest limits within their respective territorial jurisdictions, LGUs may also allocate counterpart funds from their respective internal revenue allotments (IRA) and from other LGU income.

SEC. 16. *Implementing Rules and Regulations.* – Within three (3) months from the effectivity of this Act, the Secretary of the DENR shall issue the corresponding implementing rules and regulations for the implementation of this Act.

SEC. 17. *Separability Clause.* – If any portion of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions not affected.

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

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

Approved,