

SEVENTEENTH CONGRESS
CONGRESS OF THE PHILIPPINES
First Regular Session
HOUSE OF REPRESENTATIVES

House Bill No. 1171

HOUSE OF REPRESENTATIVES

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Introduced by REPRESENTATIVE PIA S. CAYETANO

EXPLANATORY NOTE

Forests play an important role in providing the country with natural resources that contribute to economic growth and social development. These forests also provide livelihood through raw materials that will be converted into finished products.

Apart from the economic benefits, forests also serve as protection and buffer from natural disasters such as flood and erosions. However, due to the ecological disturbances brought about by the carelessness of many, lives have been lost in natural disasters that could have been averted if only our forests were preserved.

For this reason, the proposed Sustainable Forest Management Act aims to ensure that our forests are properly managed to meet the needs of the present and future generations.

The bill mandates the development of an effective and sustainable forest management strategy based on the allocation of forestland uses and by promoting land use practices that will not only be productive but will also conserve forest resources such as soil, lumber, and water. This forest management strategy will also work to protect existing forest resources, conserve our fragile biodiversity and rehabilitate deforested or denuded areas. It is also envisioned to promote and stimulate food production activities without compromising forested areas.

This bill likewise provides for a Community-Based Forest Management Program (CBFMP) to be undertaken by concerned national agencies and the local government units. With this, indigenous people and other forest-based communities will be empowered to manage, develop, utilize and protect forest resources in a sustainable way.

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

Pia S. Cayetano
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Introduced by REPRESENTATIVE PIA S. CAYETANO

AN ACT
PROVIDING FOR SUSTAINABLE FOREST MANAGEMENT

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

CHAPTER I
BASIC FORESTRY POLICIES

1 **SECTION 1. Short Title.**- This Act shall be known as the "Sustainable Forest
2 Management (SFM) Act"

3

4 **SEC. 2. Scope and Coverage.**- The provisions of this Act shall apply to all lands of
5 the public domain classified as needed for forestry purposes and all forest resources
6 found in agricultural lands: *Provided*, That all forests and forest resources found in
7 protected areas established under the National Integrated Protected Areas System
8 (NIPAS) shall be sustainably managed and developed following the provisions of
9 Republic Act No. 7586 or the NIPAS Act of 1992: *Provided further*, That all wildlife
10 resources and critical habitats found in forestlands including agricultural lands shall
11 be governed by the provisions of Republic Act No. 9147 or the Wildlife Resources
12 Conservation and Protection Act.

13

14 All forestlands and forest resources therein under the administrative
15 jurisdiction of the Autonomous Region of Muslim Mindanao (ARMM) shall be

1 managed, developed and conserved in accordance with the Regional Sustainable
2 Forest Management Act of 2003 of the ARMM.

3

4 **SEC. 3. Basic Policies.**- In pursuance of the provisions of the Constitution to
5 promote the general welfare and social justice in all phases of national development,
6 to protect and advance the right of the Filipino people to a balanced and healthful
7 ecology in accord with the rhythm and harmony of nature, and to conserve and
8 develop the patrimony of the nation, the State hereby adopts the following policies
9 relative to the management, development and conservation of forests and the
10 resources therein:

11

12 (a) Permanency of Forest Limits- The specific limits of forestlands shall be
13 fixed and demarcated and thereafter, shall not be altered except through an
14 Act of Congress;

15

16 (b) Forest Resources to promote the common good- The use of forest
17 resources shall bear a social function, responsibility, and accountability to
18 promote the common good;

19

20 (c) Sustainable and integrated management, development and conservation
21 of forest resources- The guiding principle in the sustainable and integrated
22 management, development, and conservation of forest resources shall be
23 focusing on these resources and on the people who manage, conserve, and
24 benefit from them.

25

26 In carrying out the above policies, the following strategies shall be pursued:
27

28 (i) Watershed as the basic forestland management unit- Forestlands shall
29 be managed, developed and conserved utilizing watershed as the
30 basic management unit and under the principles of sustainable and
31 multiple-use management, including conservation of biological
32 diversity;

- (ii) Forest as a functional system unit- Forest, whether for protection or production, is a functional ecosystem unit which could be conserved and used sustainably and the benefits derived from it shared equitably;
 - (iii) Multi-sectoral participation- The participation of all sectors of society in sustainable forestland management, development and conservation shall be promoted. Equitable sharing of the benefits derived from forestlands and the resources therein shall be ensured at all times;
 - (iv) Community-based forest management (CBFM) as a principal strategy- Vesting access rights and responsibilities to forest-dependent families, local communities, and indigenous peoples to undertake the management and development of appropriate forestland resources on a sustainable basis shall have precedence over other strategies;
 - (v) Protection of forestlands and natural resources as priority concern- The protection of forestlands, especially protection forests and the natural resources therein shall be given priority concern in order to ensure environmental stability, conserve biological diversity, improve ecosystem functions and services, and provide long-term ecological and economic benefits;
 - (vi) Reforestation as a priority measure- Reforestation shall be undertaken as a priority measure to rehabilitate and restore the ecosystem functions and services of open and/or denuded and degraded forestlands as well as improve the economic and ecological benefits of local communities concerned;
 - (vii) Security of tenure of stakeholders- In pursuance of the principles of sustainable and multi-use forest management and equitable access to forest resources, a secured tenure shall be guaranteed to stakeholders concerned;

(viii) Professionalism in forest service- A dynamic, professional and people-oriented forest service shall be established and fully supported by the government.

SEC. 4. *Definition of Terms.*- As used in this Act, the following terms shall be defined as follows:

(a) "Afforestation" shall refer to the planting of trees or the artificial establishment of forest in areas that were not previously forested.

(b) "Agroforestry" shall refer to a strategy for the sustainable management of land which increases their overall productivity by properly combining agricultural crops and/or livestock with forest crops simultaneously or sequentially through the application of management practices which are compatible with the local climate, topography, slope, soil, as well as the cultural patterns or customary laws of the local communities.

(c) "Agricultural Lands" shall refer to Alienable and Disposable (A&D) lands of the public domain which have been delimited, classified and declared as such, pursuant to the provisions of Commonwealth Act No. 141, as amended, otherwise known as the Public Land Act.

(d) "Ancestral Domains" shall refer to all areas generally belonging to Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by ICCs/IPs, themselves or through their ancestors, communally or individually since time immemorial, continuously to the present except when interrupted by war, *force majeure* or displacement by force, deceit, stealth or as a consequence of government projects or any other voluntary dealings entered into by government and private individuals, corporations, and which are necessary to ensure their economic, social and cultural welfare. It shall include ancestral land, forests, pasture, residential, agricultural, and other lands individually owned whether alienable and disposable or otherwise, hunting grounds, burial grounds, worship areas, bodies of water, mineral and other natural resources, and

1 lands which may no longer be exclusively occupied by ICCs/IPs but from which they
2 traditionally had access to for their subsistence and traditional activities, particularly
3 the home ranges of ICCs/IPs who are still nomadic and/or shifting cultivators,
4 pursuant to Republic Act No. 8371 or the Indigenous Peoples Rights Act (IPRA) and
5 subject to Section 56 thereof.

6

7 (e) "Ancestral Lands" shall refer to land occupied, possessed and utilized by
8 individuals, families and clans who are members of the ICCs/IPs since time
9 immemorial, by themselves or through their predecessors-in-interest, under claims of
10 individual or traditional group ownership, continuously to the present except when
11 interrupted by war, *force majeure* or displacement by force, deceit, stealth, or as a
12 consequence of government projects and other voluntary dealings entered into by
13 government and private individuals/corporations, including, but not limited to,
14 residential lots, rice terraces or paddies, private forests, swidden farms and tree lots,
15 pursuant to Republic Act No. 8371 or the Indigenous Peoples Rights Act (IPRA) and
16 subject to Section 56 thereof.

17

18 (f) "Biological Diversity or Biodiversity" shall refer to the variability and variety
19 among living organisms including, *inter alia*, terrestrial, marine and other aquatic
20 ecosystems and the ecological complexes of which they are part. This includes
21 diversity within the species (genetic diversity), between species (species diversity),
22 and among ecosystems (ecosystem diversity).

23

24 (g) "Buffer Zones" shall refer to identified areas outside the boundaries of and
25 immediately adjacent to protected areas pursuant to Section 8 of Republic Act No.
26 7586 or the National Integrated Protected Areas System (NIPAS) Act that need
27 special development control in order to avoid or minimize harm to the protected area.

28

29 (h) "Climate Change" shall refer to a change in climate that can be identified
30 by changes in the mean and/or variability of its properties and that persists for an
31 extended period typically decades or longer, whether due to natural variability or as a
32 result of human activity;

33

1 (i) "Commercial Logging" shall refer to the cutting or felling of trees for the
2 purpose of disposing the cut or felled logs for monetary profits beyond survival and
3 livelihood means.

4

5 (j) "Communal Forest" shall refer to a tract of forestland set aside and
6 established for and under the protection, administration, and management of a city,
7 municipality, or barangay as a source of wood material for fuel, shelter, and
8 manufactured products; as source of water for the community; and as an area for
9 ecotourism and/or environmental protection or socio-economic projects of local
10 government units consistent with the policies and objectives of this Act and principles
11 of sustainable development.

12

13 (k) "Community-Based Forest Management Strategy" shall refer to all
14 organized efforts of government to work with forest-dependent families, communities
15 and indigenous peoples inside and adjacent to public forestlands with the intent to
16 empower them and entrust to them the protection, rehabilitation, management,
17 conservation, and utilization of the forestlands and resources therein.

18

19 (l) "Conservation" shall refer to planned protection and management of
20 forests, wildlife and other forest resources so as to prevent waste and ensure future
21 use.

22

23 (m) "Conveyance" shall refer to any vehicle, vessel, device or animal used in
24 gathering and/or transporting forest products.

25

26 (n) "Co-production Agreement" shall refer to an agreement entered into by
27 and between a qualified person and the government, in accord with the 1987
28 Constitution, for the former to develop, utilize, and manage, consistent with the
29 principles of sustainable development, land or a portion of a forestland wherein both
30 parties agree to provide inputs and share the products or their equivalent cash value.

31

32 (o) "Criteria and Indicators" shall refer to tools used to assess the current
33 state of sustainable forest management in the country and in forest management
34 units and to determine the direction of change either towards or away from SFM.

1 (p) "Critical Watershed" shall refer to a drainage of a river system supporting
2 existing and proposed hydroelectric power, irrigation works or existing water facilities
3 needing immediate protection and rehabilitation to minimize erosion and improve
4 water yield.

5

6 (q) "Degraded Forests" shall refer to natural forests with varying degrees of
7 disturbance or loss of structure, function, species, composition, and productivity.

8

9 (r) "Degraded Forest Land" shall refer to a former forest land severely
10 damaged by the excessive harvesting or wood and non-wood or non-timber forest
11 products, poor forest management, repeated fires, pasture or other disturbances or
12 land-uses that damage soil and vegetation to a degree that inhibits or severely
13 delays the re-establishment of forest after abandonment.

14

15 (s) "Delimitation" shall refer to the establishment of permanent boundaries
16 between forestlands, national parks/protected areas and agricultural lands as a
17 result of demarcation.

18

19 (t) "Delineation" shall refer to the establishment of boundaries between
20 forestlands, national parks/protected areas and agricultural lands as a result of a
21 conduct of site investigation, reconnaissance and field verification in accordance with
22 the criteria set by the Department.

23

24 (u) "Demarcation" shall refer to the establishment of boundaries using visible
25 markers, monuments or known natural features/landmarks, among others, as result
26 of the actual ground delineation.

27

28 (v) "Denuded Forestlands" shall refer to forestlands that are devoid of forest
29 tree cover.

30

31 (w) "Department" shall refer to the Department of Environment and Natural
32 Resources (DENR).

1 (x) "Downstream Forest Based Industry" shall refer to any industry other than
2 the primary (wood) processing plants that uses forest products as its raw materials
3 or inputs to produce higher value added forest products like furnitures, handicrafts
4 and the like.

5

6 (y) "Environmental Impact Assessment" or "EIA" shall refer to the process of
7 predicting the likely environmental consequences of implementing a project or
8 undertaking and designing the appropriate preventive, mitigating, or enhancement
9 measures.

10

11 (z) "Environmental Compliance Certificate" or "ECC" shall refer to the
12 document issued by the Department certifying that a proposed project or undertaking
13 will not cause a significant negative impact on the environment; that the proponent
14 has complied with all the requirements of the Environmental Impact Assessment
15 System; and that the proponent is committed to implement its approved Environment
16 Management Plan found in the Environmental Impact Statement (EIS) or mitigation
17 measures identified in the Initial Environmental Examination (IEE).

18

19 (aa) "Environmental Impact Statement System" or "EIS System" shall refer to
20 the organization, administration, and procedures that have been institutionalized
21 pursuant to Presidential Decree No. 1586 for purposes of assessing the significance
22 of the effects of any project or undertaking on the quality of the physical, biological,
23 and social-economic environment and designing the appropriate mitigating and
24 enhancement measures.

25

26 (bb) "Environmentally Critical Project" shall refer to project or program that
27 has high potential for significant negative environmental impact.

28

29 (cc) "Forest" shall refer to land with tree crown cover or equivalent stocking
30 level of more than ten percent (10%) and an area of more than half a hectare (0.5
31 ha.). The trees should be able to reach a minimum height of five meters (5m.) at
32 maturity *in situ*. It may consist either of closed forest formations where trees of
33 various storeys and undergrowth cover a high proportion of the ground, or open
34 forest formation with a continuous vegetation cover in which tree crown cover

1 exceeds ten percent (10%). Young natural stands and all plantations established for
2 forestry purposes which have yet to reach a crown density of ten percent (10%) or
3 tree height of five meters (5 m.) are included under forest, as are areas normally
4 forming part of the forest area which are temporarily unstocked as a result of human
5 intervention or natural causes but which are expected to revert to forest. Forests
6 include such stand types as dipterocarp, pine, mossy, molave, beach, and
7 mangrove. Pursuant to the Convention on Biological Diversity, forests are treated as
8 functional ecosystem units which should be conserved, used sustainably, and the
9 benefits derived from them should be shared equitably.

10

11 (dd) "Forest Charges" shall refer to the levy imposed and collected by the
12 government on naturally growing timber and other forest products cut, harvested, or
13 gathered from the forestlands and from agricultural lands.

14

15 (ee) "Forest Officer" shall refer to any public officer who by the nature of his
16 appointment or the functions of the position to which he is appointed is delegated by
17 law and regulations or commissioned by competent authorities to execute,
18 implement or enforce the provisions of this Act and other related laws and
19 regulations.

20

21 (ff) "Forest Products" shall refer to goods and services derived from forest
22 such as, but limited to, timber, lumber, veneer, plywood, fiberboard, pulpwood, bark,
23 tree top, resin, gums, wood oil, honey, bees wax, nipa, rattan, or other forest growth
24 such as grass, shrub and flowering plants, the associated water, fish, game, scenic,
25 historical, and educational.

26

27 (gg) "Forest Resources" shall refer to all resources whether biomass such as
28 plants and animals including its by-products and derivatives, which can be a raw
29 material, or non-biomass such as soil, water, scenery, as well as the intangible
30 services and values present in forestlands or in other lands devoted for forest
31 purposes.

1 (hh) "Forest/Forest-Based Community" shall refer to a group of people
2 residing inside or immediately adjacent to a particular forestland who are largely or
3 partly dependent on the forest resources found therein for their livelihood.

4

5 (ii) "Forest-Based Industries" shall refer to various industries that are
6 dependent on raw materials or products derived from forests such as, but not limited
7 to, wood, rattan, bamboo, vines, latex, resins, saps, essences, fruits, flowers, or wild
8 flora and fauna.

9

10 (jj) "Forestlands" shall refer to lands of the public domain classified as needed
11 for forest purposes. They shall include all forest reserves, forest reservations and all
12 remaining unclassified lands of the public domain.

13

14 (kk) "Forestry Landscapes" shall refer to a process that aims to regain
15 ecological integrity and enhance human well being in deforested or degraded
16 forestlands.

17

18 (l) "Grazing Land" shall refer to a portion of the public domain which has been
19 set aside, in view of its topography and vegetation, for the raising of livestock.

20

21 (mm) "Greenhouse Gas" refers to any gas that absorbs infrared radiation in
22 the atmosphere. Greenhouse gases include water vapor, carbon dioxide (CO₂),
23 Methane (CH₄), nitrous oxide (N₂O), halogenated fluorocarbons (HCFCs), ozone
24 (O₃), perfluorinated carbons (PFCs) and hydrofluorocarbons (HFCs).

25

26 (nn) "Indigenous Cultural Communities/Indigenous Peoples" or "ICCs/IPs"
27 shall refer to a group of people or homogenous societies identified by self-ascription
28 and ascription by others, who have continuously lived as organized community on
29 communally bounded and defined territory, and who have, under claims of
30 ownership since time immemorial, occupied, possessed and utilized such territories,
31 sharing common bonds of language, customs, traditions and other distinctive cultural
32 traits, or who have, through resistance to political, social and cultural inroads of
33 colonization, non-indigenous religions and cultures, became historically differentiated
34 from the majority of the Filipinos. ICCs/IPs shall likewise include people who are

1 regarded as indigenous on account of their descent from the populations which
2 inhabited the country, at the time of conquest or colonization, or at the time of
3 inroads of non-indigenous religions and cultures, or the establishment of present
4 state boundaries, who retain some or all of their own social, economic, cultural and
5 political institutions, but who may have been displaced from their traditional domains
6 or who may have resettled outside their ancestral domains.

7

8 (oo) "Industrial Forest Management Agreement" or "IFMA" shall refer to a
9 production-sharing contract entered into by and between the Department and a
10 qualified person, whether natural or juridical, wherein the former grants to the latter
11 the exclusive right and responsibility to invest in, develop, manage, and protect a
12 defined area of the production forestland, including the establishment, management
13 and utilization of industrial forest plantation, consistent with the principle of
14 sustainable development, primarily to supply the raw material requirements of wood-
15 based processing and energy-related industries and wherein both parties share in
16 the benefits therefrom.

17

18 (pp) "Industrial Forest Plantation" or "IPP" shall refer to any tract of land
19 planted mainly to timber producing species, including rubber and/or non-timber
20 species such as rattan and bamboo, primarily to supply the raw material
21 requirements of existing or proposed wood processing plants, and related industries.

22

23 (qq) "Joint Venture Agreement" shall refer to an agreement where a joint-
24 venture company is organized by its government and the contractor, with both
25 parties having equity shares. Aside from earnings in equity, the government is
26 entitled to a share in the gross output.

27

28 (rr) "Kaingin" shall refer to a portion of the forest land, whether occupied or
29 not, which is subjected to shifting and/or permanent slash-and-burn cultivation
30 having little or no provision to prevent soil erosion.

31

32 (ss) "Kaingin Making" shall refer to a farming system based on shifting, or
33 slash and burn clearing of forest for the planting of agricultural and agro-forestry
34 crops.

1 (tt) "Managed Forest" shall refer to a forest under a deliberate system of
2 protection, rehabilitation, and development, which may include utilization of
3 resources, to ensure the sustainable production of desired products and services
4 and the conservation of soil, water, wildlife, and other resources therein.

5

6 (uu) "Master Plan for Forestry Development" refers to the twenty (25) years
7 strategic program of the Forestry Sector envisioned to guide its long term
8 development. This program includes the following: (a) policy and institutional
9 development; (b) watershed and forestry development; (c) livelihood and poverty
10 reduction; and (d) forest-based industry development.

11

12 (vv) "Multiple Use" shall refer to the harmonized utilization of land, soil, water,
13 wildlife, recreation value, grass and timber of forestlands.

14

15 (ww) "National Park" shall refer to the land of public domain classified as such
16 in the 1987 Philippine Constitution which includes all areas under the National
17 Integrated Protected Areas System (NIPAS) pursuant to RA 7586, primarily set aside
18 and designated for the conservation of native plants and animals, their associated
19 habitats and cultural diversity.

20

21 (xx) "Natural Forest" shall refer to forest composed of indigenous trees, not
22 planted by man.

23

24 (yy) "Non-Government Organization" or "NGO" shall refer to a non-stock, non-
25 profit, and voluntary organization.

26

27 zz) "Permit" shall refer to a short-term privilege or authority granted by the
28 State to a person to utilize any limited forest resources or undertake a limited activity
29 within any forest land without any right of occupation and possession therein.

30

31 (aaa) "Person" shall refer to a natural or juridical person, including local forest
32 communities or indigenous peoples organized in accordance with law or custom.

1 (bbb) "Plantation Forest" shall refer to forest stands established by planting or
2 seeding in the process of afforestation or reforestation.

3

4 (ccc) "Primary Forest" shall refer to forest which have never been subject to
5 human disturbance or has been so little affected by hunting, gathering and tree
6 cutting that its natural structure, function and dynamics have not undergone any
7 changes that exceed the elastic capacity of the ecosystem.

8

9 ddd) "Processing Plant" or "Processing Mill" shall refer to any mechanical set-
10 up, device, machine or combination of machines used for the conversion of logs and
11 other forest raw materials into lumber, fiberboard, pulp, paper or other finished wood
12 products.

13

14 (eee) "Production Forestlands" – as defined under Sec. 6 (b) of this Act.

15

16 fff) "Production Sharing Agreement" shall refer to an agreement wherein the
17 government grants the contractor the exclusive right to conduct forestry development
18 activities within but not title over, the contract area and shares in the production
19 whether in kind or in value as owner of forest product therein. The contractor
20 provides all the necessary financing, technology, management and personnel.

21

22 (ggg) "Protected Areas" shall refer to identified portions of land and water set
23 aside by reason of their unique physical and biological significance, managed to
24 enhance biological diversity and protected against destructive human exploitation.
25 They shall constitute the areas established under the National Integrated Protected
26 Areas System (NIPAS) pursuant to RA 7586 and shall fall under the National Park
27 classification of public domain.

28

29 (hhh) "Protection Forests" – as defined under Sec. 6 (a) of this Act.

30

31 (iii) "Reforestation" shall refer to the establishment of forest plantations on
32 temporarily unstocked lands that are considered as forest. Also called as artificial
33 regeneration.

1 (jjj) "Reservation" shall refer to an area of the public domain reserved by law
2 for a specific purpose.

3
4 (kkk) "Restoration" shall refer to the bringing back of the forestland to its
5 original state.

6
7 (III) "Rotation" shall refer to the number of years between the initial
8 establishment of a plantation and the time when it is considered ready for harvesting.

9
10 (mmm) "Secondary Forest" shall refer to the status or condition of a forest
11 subsequent to commercial logging and which there is more or less sufficient or
12 adequate volume of residuals of the desired species of trees for future harvest.

13
14 (nnn) "Secretary" shall refer to the Secretary of the DENR.

15
16 (ooo) "Silvicultural Practices" shall refer to any action by man to further
17 improve or enhance the stand growth as a whole or the single tree for future harvest
18 including assisted natural regeneration and tree surgery, among others.

19
20 (ppp) "Sustainable Development" shall refer to development that meets the
21 needs of the present without compromising the ability of the future generations to
22 meet their own needs.

23
24 (qqq) "Sustainable Forest Management" or "SFM" shall refer to the process of
25 managing a forest to achieve one or more clearly specified objectives of
26 management with regard to production of continuous flow of desired forest products
27 and services without undue reduction of its inherent values and future productivity
28 and without undesirable effects on the physical and social environment.

29
30 (rrr) "Tenure" shall refer to guaranteed peaceful possession and use of
31 specific forest land area and the resources found therein, covered by an agreement,
32 contract, or grant which cannot be altered or abrogated without due process.

1 (sss) "Timber License Agreement" or "TLA" shall refer to a long-term license
2 executed by and between the Secretary of the DENR, on behalf of the government,
3 and the grantee for the harvesting and removal from the public forest of timber and,
4 in appropriate cases, also of other products.

5

6 (ttt) "Watershed" shall refer to a land area drained by a stream or fixed body
7 of water and its tributaries having a common outlet for surface runoff.

8

9 (uuu) "Watershed Ecosystem Management" or "WEM" shall refer to a
10 management system that will provide the optimum social, cultural, economic and
11 environmental benefits to the greatest number of people, particularly those living in,
12 adjacent to, or downstream of, individual watershed areas, while maintaining the
13 biological and cultural heritage of the country. It is the holistic multiple use and
14 sustainable management of all the resources within a spatial unit known as the
15 watershed. The Watershed Ecosystem Management is based on the following
16 guiding principles: (1) Ecological sustainability; (2) Social and Cultural sustainability;
17 (3) Economic sustainability and (4) Institutional Sustainability.

18

19 (vvv) "Watershed Reservation" shall refer to a forestland reservation
20 established to protect or improve the conditions of water yield thereof or reduce
21 sedimentation.

22

23 (www) "Wildlife" shall refer to wild forms and varieties of flora and fauna, in all
24 developmental stages, including those which are in captivity or are being bred or
25 propagated.

26

27 (xxx) "Wood-Based Industries" shall refer to various industries that use wood
28 as the principal raw material including but not limited to sawmilling, pulp and paper
29 making, and plywood and veneer manufacturing or the upstream wood-based
30 industries, as well as the secondary and tertiary wood processing or downstream
31 industry such as moldings and furniture manufacturing.

CHAPTER II

CLASSIFICATION OF PERMANENT FORESTLANDS

5 SEC. 5. *Permanent Forestlands.* – All lands of the public domain classified as
6 forestlands, including the remaining unclassified lands, shall comprise the permanent
7 forestlands of the country. *Provided,* That any reclassification shall be approved by
8 an Act of Congress.

10 **SEC. 6. Sub-Classification of the Permanent Forestlands.** – The permanent
11 forestlands shall be sub-classified into the following categories according to primary
12 use:

(a) Protection forestlands – All areas within the forestlands devoted primarily for the protection, 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 shall constitute the protection forestlands. All mossy and primary/old growth forests and natural beach, areas above 50% slope, areas regardless of slope which are highly erodible or too rocky for establishment of either production forests or limited production forests, developed for the principal objectives or establishing vegetative cover to prevent erosion, conserve water and nurture wildlife, freshwater, swamps, and marshes, 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 sub-classified as protection forestlands.

(b) Production forestlands. – All forestlands not sub-classified as protection forestlands defined in this Section shall be sub-classified as production forestlands to be devoted to the production of timber and/or non-timber forest products or the establishment of industrial tree plantations, tree

1 farms, communal forests, agroforestry, grazing, or as multiple use forests
2 including water-based energy areas such as but not limited to
3 hydrothermal and geothermal reservations: *Provided*, That they shall be
4 managed, developed, and utilized in accordance with a Department-
5 approved management plan based on sustainable forest management
6 principles.

7

8 **SEC. 7. Demarcation and Delimitation.**- Upon approval of this Act, the Congress
9 shall provide funds for the Department to demarcate on the ground the actual land
10 classification lines: *Provided*, That the Secretary, upon completion of the actual
11 assessment of the demarcated land classification lines, shall recommend to
12 Congress the delimitation of the forestlands found to be still suitable and capable for
13 its purpose.

14

15 Records pertaining to the specific limits of forestlands shall be made available
16 to the public upon request. Moreover, the Department shall furnish all provincial,
17 municipal and city government copies of the maps of permanent forestlands located
18 within their respective territorial jurisdictions.

19

20

CHAPTER III

21

22 ADMINISTRATION AND MANAGEMENT OF FORESTLANDS AND RESOURCES

23

24 **SEC. 8. Jurisdiction and Control of Forestlands.**- The Department shall be the
25 primary agency responsible for the conservation, management, and utilization of all
26 forestlands. In coordination with local government units and other government
27 agencies, it shall ensure that forestlands are managed, conserved, developed,
28 utilized, and protected consistent with the policies and strategies promulgated in this
29 Act. The utilization and development of forestlands including the natural resources
30 therein shall be undertaken in accordance with Department-approved management
31 plans.

1 **SEC. 9. Forestlands Managed by Local Government Units (LGUs).**- Pursuant to
2 the pertinent provisions of Republic Act. No. 7160 or the Local Government Code,
3 LGUs shall share the responsibility in the sustainable management, development,
4 protection and utilization of forest resources within their territorial jurisdiction. Subject
5 to vested rights, LGUs and the Department, in consultation with other government
6 agencies, local communities, non-government organizations, academic and research
7 institutions and other sectors shall jointly undertake the preparation of indicative
8 forestland use and watershed management plans, particularly the identification of
9 multiple-use areas and production forestlands within the territorial jurisdiction of each
10 LGU which shall be made an integral component of the latter's Comprehensive Land
11 Use Plan (CLUP). The LGUs shall be consulted on all forestry projects to be
12 implemented in their territorial jurisdiction and shall have equitable share of incomes
13 derived therefrom. For this purpose, the Department, the Department of Interior and
14 Local Government (DILG), the Leagues of Provinces, Cities, Municipalities, and
15 Barangays shall formulate a joint strategy and program to implement this provision
16 within one (1) year from the passage of this Act.

17

18 **SEC. 10. Forestlands Under Other Government Agencies.**- Forestlands and/or
19 portions thereof which have been assigned by law to the administration and
20 management of other government agencies for a specific purpose, including those
21 devolved to the LGUs prior to the passage of this Act, shall remain under the
22 administration and management of these government agencies which shall be
23 responsible for their conservation, protection, rehabilitation, and sub-classification
24 into protection forestland and the specific purpose for which the entire area has been
25 assigned or reserved unless said assignment or reservation is consistent with the
26 use of such area as protection forestland. The Secretary or a duly authorized
27 representative shall exercise oversight functions over these forestlands. Moreover,
28 these forestlands shall be administered in accordance with a forest management
29 plan, which shall be prepared by the government agency or concerned LGU in
30 coordination with the Department and local communities and organizations within
31 one year from the effectivity of this Act: *Provided*, That the Department and the LGU
32 or government agency concerned shall periodically review, monitor, and evaluate the
33 implementation of the said management plan: *Provided, further*, That the harvesting
34 of forest resources and building of roads and other infrastructure therein shall be

1 undertaken only with the prior approval of the Secretary and after compliance with
2 Environmental Impact Assessment (EIA) in accordance with Presidential Decree
3 No.1151 or the Philippine Environmental Policy and Presidential Decree No. 1586,
4 Establishing an Environmental Impact Statement System: *Provided finally*, That the
5 Secretary shall recommend to Congress or the President of the Philippines the
6 reversion to the Department of the jurisdiction and control over forestlands that are
7 no longer needed nor used for the purpose by which they have been constituted or in
8 case the agency or LGU concerned fails to rehabilitate, protect, and conserve the
9 forestland resources in accordance with the approved management plan. The
10 Department shall determine the use of the reverted forestlands.

11

12 **SEC. 11. Forest Resources Within Alienable and Disposable Lands.** –All forest
13 resources planted or raised within alienable and disposable (A&D) lands belong to
14 the owner who shall have the right to harvest, transport, sell, contract, convey or
15 dispose of the same subject to existing forest laws and regulations. The Department
16 shall encourage and provide incentives to landowners of alienable and disposable
17 lands to develop, maintain and manage forests on their lands or to develop and
18 maintain a tree plantation on such lands. Landowners who register their lands for
19 forestry purposes with the Department shall be assisted by the Department in the
20 preparation of a management plan: *Provided*, That alienable and disposable lands
21 devoted to the planting and harvesting of forest resources shall remain subject to the
22 provisions of Republic Act No. 6657 or the Comprehensive Agrarian Reform Law.

23

24 Harvesting, transport and sale of all trees planted within titled lands or tax-
25 declared A&D lands with corresponding approved application for patent or acquired
26 through court proceedings, shall be deregulated, except for naturally-growing trees,
27 including premium hardwood species and other timber species as determined by the
28 Department, where a special cutting permit issued by the Secretary shall be
29 required.

30

31 All private plantations within titled or tax-declared A&D lands with approved
32 land application should be registered at the City Environment and Natural Resources
33 Office (CENRO) having jurisdiction over the area. For this purpose, the CENRO shall
34 maintain a permanent Registry book to reflect all the information contained in the

1 registration form to serve as database on the extent of private plantations within its
2 area of responsibility. To form part of this permanent record is a certified and verified
3 photocopy of the land title or tax declaration with approved land application.

4

5 **SEC. 12. Forest Resources Within Forestlands.** - All forest resources, including
6 non-timber forest products, its by-products and its derivatives, whether naturally
7 growing, planted or raised, which have been taken or have been applied with some
8 silvicultural practices, within forestlands including those forest resources within the
9 areas covered by Certificate of Ancestral Domain Title (CADT) or Certificate of
10 Ancestral Land Claim (CALC), shall be issued with a permit, agreement or
11 clearance that are deemed necessary and appropriate by the Department as
12 recommended by the Forest Management Bureau (FMB). The transport of these
13 forest resources from forestlands including those from the area of the Indigenous
14 Cultural Communities and Indigenous Peoples covered by CADT or CALC shall be
15 covered by a separate permit, agreement or clearance duly issued by the
16 Department. Any declaration of forest resources as endangered, threatened,
17 vulnerable and other restriction shall be done in coordination, consultation and
18 clearance from the FMB.

19

20 **SEC. 13. Forest Resources Within Ancestral Domain.** – The recognition,
21 ownership, and management of ancestral lands and domains shall be governed by
22 the provisions of the IPRA but any project of a holder of a CADT or any such similar
23 instrument to develop or use forestlands or forest resources therein that would result
24 in severe soil erosion or environmental degradation shall be subject to the provisions
25 of Environmental Impact Assessment (EIA) in accordance with Presidential Decree
26 No. 1151 or the Philippine Environmental Policy, Presidential Decree No. 1586,
27 Establishing an Environmental Impact Statement System, and this Act. The National
28 Commission on Indigenous Peoples (NCIP) shall coordinate and consult the
29 Department in providing assistance to the indigenous peoples in the sustainable
30 management and development of forest resources within ancestral lands and
31 domains. The Multi-Sectoral Forest Protection Council created under Sec. 33 herein
32 shall, among its functions and powers, evaluate and validate the authenticity of all
33 CALT/CALC claims and applications of the IPs prior to the conduct of all survey
34 activities and issuance of corresponding titles.

SEC. 14. Development of Mechanisms for Private Sector Participation in Forest Management. - The Secretary is hereby authorized to adopt appropriate mechanisms to strengthen private sector participation in forest management, which shall include the accreditation of a national organization of private investors including for profit non-government organizations and people's organizations. The accredited national organization shall assist the Department in the formulation and review of relevant policies to ensure the contribution of the forestry sector to national economy and sustainable development. It shall also assist the Department in evaluating applications for forest management agreements; monitoring the performance of holders of commercial tenurial instruments; ensuring the local supply of timber and wood products; providing producers with access to local and international markets; and ensuring the conservation and preservation of protection forestlands and protected areas under the NIPAS.

CHAPTER IV

FOREST MANAGEMENT PLANNING, MONITORING AND ASSESSMENT

20 SEC. 15. **Sustainable Forest Management Planning**.- Subject to vested or prior
21 rights, the Department, in consultation and coordination with LGUs, other
22 government agencies, local communities, non-government organizations, individual
23 and corporate entities, private sectors, academic and research institutions, and other
24 concerned sectors shall, within one (1) year from the effectivity of this Act, develop
25 and adopt a sustainable forest management strategy for each well-defined
26 watershed or other appropriate forest management unit based on criteria, indicators,
27 and standards for sustainable forest management which, at their minimum, address
28 the following requirements:

- 30 a) Rational allocation of forestland uses and promotion of land use practices
31 that increase productivity and conserve soil, water, and other forestland
32 resources;
33 b) Protection of existing forest resources and conservation of biodiversity;

- c) Rehabilitation or development of denuded areas to expand the forest resource base and promote food production activities;
- d) Enhancement of the socio-economic well-being of local communities including indigenous peoples who are largely dependent on the forest for their livelihood;
- e) Promotion of closer coordination between and among the Department, LGUs, other national agencies, non-government organizations, local communities, the private sector, academic and research institutions and other entities in the sustainable management of forestlands;
- f) Adoption of community-based forest management as a principal strategy in the management of forestlands and resources; and
- g) Integration of forest management and land use plans at the barangay or community level to the CLUPs of cities and municipalities, including the adoption of effective impact monitoring system of forest management programs.

The Department shall continue to adopt the Master Plan for Forestry Development subject to periodic review every five (5) years.

SEC. 16. Watershed Ecosystem Management Strategy.- The Watershed and Ecosystems Planning Framework in Environment and Natural Resources Management shall be adopted. The strategy for improved watershed resources management shall be demand-driven, community-based, and multiple and sustainable-use considering national priorities and concerns of local stakeholders. Watershed management programs shall be guided by ecological, socio-cultural, economic, and institutional sustainability principles. A National Watershed Information System shall be developed to guide policy formulation, program development, and implementation of watershed management initiatives.

A system of prioritization of watersheds shall be pursued considering the following:

- a) water supply for domestic, irrigation, power, industrial, and commercial use;
- b) contribution to the economy;

- c) biodiversity and environmental enhancement;
 - d) cultural and historical value; and
 - e) effect on downstream areas.

5 **SEC. 17. Forestry Information System.** – The Department shall establish a
6 forestland resource database which shall consist of a comprehensive up-to-date
7 information on the physical, social, economic, biological, and environmental
8 components of the country's forestlands. It shall include a resource monitoring
9 system to enable the Department and its field offices to track the utilization,
10 movement or transfer of forest-based goods and services from the source to their
11 end-users.

12
13 The Department shall conduct and /or update forest resource inventory at
14 least once every five (5) years to ensure effective management.

SEC. 18. Environmental Impact Assessment, Accounting and Valuation.- All new environmentally critical projects to be implemented in forestlands such as harvesting, grazing and other special uses, mineral prospecting and exploration, road, infrastructure, and mill construction shall be subject to Environmental Impact Assessment (EIA) in accordance with Presidential Decree No. 1151 or the Philippine Environmental Policy, and Presidential Decree No. 1586, Establishing an Environmental Impact Statement System. The Department shall design and implement a system of monitoring and assessment using the Criteria and Indicators as framework and shall formulate appropriate standards as basis for assessing progress towards sustainable forest management.

Furthermore, the Department shall design and implement an appropriate natural resources accounting and valuation system for various forestry initiatives.

CHAPTER V

COMMUNITY-BASED FOREST MANAGEMENT

1 SEC. 19. Community-Based Forest Management Strategy (CBFMS). - Consistent
2 with the policy of sustainable and multiple use forest management, forest dependent
3 families, local communities, and indigenous peoples whose lives, cultures, and
4 general well-being are intimately linked with the forests shall be granted access to
5 forestlands and resources through the issuance of long-term tenure agreements.
6 This gives them a guarantee for peaceful occupation and entrusts to them the
7 responsibility to protect, manage, develop, and utilize said forest resources under the
8 principle of stewardship.

10 The Department shall develop policies, criteria, guidelines, and tenurial
11 instruments that will simplify, facilitate, and allow access of forest dependent
12 families, local communities, and indigenous peoples to forestland resources. The
13 Department shall furthermore develop policies, guidelines and incentives for private
14 sector investors to enter into mutually beneficial relationships with forest-based
15 communities in pursuit of CBFMS on a sustainable forest management basis.

17 SEC. 20. ***Qualified Participants.***- Organized forest communities shall be given
18 priority to participate in the CBFM program. Indigenous peoples shall also be
19 encouraged to actively participate in the implementation of CBFM activities in
20 recognition of their rights to their ancestral domains and lands. Organizations eligible
21 to participate in CBFM shall have the following qualifications:

- 23 a) Members shall be Filipino citizens; and
24 b) Members shall be any of the following:
25 1. Traditionally utilizing the resource for their livelihood;
26 2. Actually residing within the area to be awarded;
27 3. Residing adjacent and actually tilling portions of the area to be
28 awarded.

CHAPTER VI

33 Reforestation, Afforestation and Restoration Programs

1 **SEC. 21. Reforestation and Restoration in Protection Forestlands.** – The
2 reforestation and restoration of all critical watersheds and critical, denuded, and
3 degraded forests within protection forestlands not otherwise covered by the CBFM
4 program shall be given top priority and shall be vigorously pursued by the
5 Department consistent with the NIPAS Act and the strategies and management
6 plans therefor. Use of endemic species in the restoration and rehabilitation of
7 protection forestlands shall be adopted to enhance biological diversity therein. The
8 Department, in coordination with LGUs, other government agencies, NGOs, local
9 residents and communities, and other sectors concerned, shall identify and prioritize
10 forestlands to be reforested.

11

12 An accelerated reforestation program in identified priority protection
13 forestlands shall be undertaken to raise the forest cover. The Department shall allot
14 funds to effectively accomplish reforestation either by its own or through contract in
15 protection forestlands. The Department or other agencies responsible for
16 reforestation shall give priority to local communities in the granting of technical and
17 financial assistance for reforestation activities.

18

19 **SEC. 22. Reforestation or Forest Plantation Development in Production**
20 **Forestlands.**- In accordance with Section 43 herein, the State through the
21 Department may enter into joint venture, co-production, or production sharing
22 agreement with qualified forest community organizations, local government units,
23 government-owned or controlled corporations, private companies, individuals, and
24 other interested parties concerned in the development of forest plantations in
25 production forestlands: *Provided, however,* That portions of production forestlands
26 as determined by the Department as needed for protection purposes, shall not be
27 converted into forest plantations. Such areas shall be rehabilitated using an
28 appropriate forest regeneration scheme.

29

30 **SEC. 23. Reforestation in Forestlands under the Jurisdiction of Other**
31 **Government Agencies.**- Government agencies and institutions having management
32 control over forestlands pursuant to a law or grant shall be responsible for the
33 reforestation of denuded and degraded portions of such forestlands. The
34 reforestation program of these agencies shall aim to increase the vegetation of the

1 degraded areas, to be identified jointly by the Department and agency concerned.
2 The concerned agency in coordination with the Department shall prepare the
3 reforestation plan, and determine the ratio of forested areas at any given time.
4 Failure to reforest denuded and/or degraded forestland identified in the reforestation
5 plan within the period herein prescribed shall be sufficient ground to request for
6 reversion of the said forestlands to the jurisdiction and control of the Department:
7 *Provided, however,* That in areas where CBFMS shall be implemented or where
8 there are existing facilities for basic services such as water and power as allowed by
9 the Department pursuant to Section 43 hereof, the completion of the reforestation
10 program shall be subject to the conditions provided in the tenurial document to be
11 awarded by the Department and the agency concerned to the participating local
12 community or individual or in the Forest Management Agreement of contractors
13 operating such facilities for basic services, as approved by the Department.

14

15 **SEC. 24. Reforestation in Alienable and Disposable Lands or Private Lands.-**
16 Reforestation or the establishment of tree farms or forest plantations in private lands
17 shall be encouraged: *Provided,* That such private lands and other alienable and
18 disposable lands are not prime agricultural lands as determined or certified by the
19 Department of Agriculture (DA). The private landowner(s) shall also be entitled to the
20 incentives provided for under Section 27 herein, particularly subsections (a), (b), (c),
21 (d), and (e): *Provided,* That such private forest plantations are duly registered with
22 the Department.

23

24 **SEC. 25. Afforestation in Forestlands.-** The afforestation of forestlands, including
25 those under the jurisdiction of other agencies, where tree vegetation is nil or have
26 been removed for a considerable time, shall be given priority to re-establish the
27 production and/or protection functions of the area to provide the goods and services
28 for which they are needed. Use of appropriate technology shall be applied as
29 necessary to make the general environment of the area suitable for the
30 establishment of plantations. Use of endemic species in the afforestation of
31 protection forestlands shall be given priority to enhance biological diversity therein. In
32 production forestlands, commercial fast growing species compatible with the socio-
33 economic and biophysical characteristics of the area shall be preferred. The
34 Department, in coordination with LGUs, other government agencies, NGOs, local

1 residents and communities, and other sectors concerned, shall identify and prioritize
2 forestlands to be afforested.

3

4 **SEC. 26. *Afforestation in Alienable and Disposable Lands and Private Lands.***-
5 The afforestation of private lands and other alienable and disposable lands, which
6 have been left idle and unproductive and have been lacking vegetation for a
7 considerable time, shall be encouraged: *Provided*, that such private lands and other
8 alienable and disposable lands are not prime agricultural lands as determined or
9 certified by the DA. The private landowner(s) shall also be entitled to the incentives
10 provided for under Section 27 herein, particularly subsections (a), (b), (c), (d), and
11 (e): *Provided*, that such private forest plantations are duly registered with the
12 Department

13

14 **SEC. 27. *Incentives.***- To encourage qualified persons to engage in forest plantation
15 activities, the following incentives shall be granted, in addition to those already
16 provided by existing laws:

- 17 a) The agreement holder shall not be subject to any obligation prescribed or
18 arising out of the provisions of the National Internal Revenue Code on
19 withholding tax at source on interest paid on a loan/s incurred for the
20 development of forest plantation;
- 21 b) Amounts expended by the agreement holder in the development and
22 operation of a forest plantation prior to the commercial harvest shall be
23 regarded as ordinary and necessary expenses or as capital expenditure;
- 24 c) The Board of Investments (BOI) shall classify forest plantations as pioneer
25 and preferred areas of investment under its annual priority plan subject to the
26 rules and regulations of the said Board;
- 27 d) The agreement holder shall be given priority to access credit assistance
28 being granted by Government-owned, -controlled and/ or –supported financial
29 institutions;
- 30 e) Upon the premature termination of the agreement at no fault of the holder,
31 all depreciable permanent and semi-permanent improvements such as roads,
32 buildings, and nurseries including the planted and standing trees and other
33 forest crops introduced and to be retained in the area shall be properly
34 evaluated and the holder shall be entitled to a fair compensation thereof, the

amount of which shall be mutually agreed upon by both the Department and the agreement holder, and in case of disagreement between them, by arbitration through a mutually acceptable and impartial third party adjudicator;

f) No contract or agreement shall be terminated except for cause or for reason of public interest and only after due process; and

g) The agreement holder has the right to transfer, contract, sell, or convey his rights to any qualified person following the guidelines to be issued by the Secretary.

The Secretary may provide or recommend to the President or to Congress other incentives in addition to those granted herein and in existing laws in order to promote reforestation and the establishment of forest plantations.

SEC. 28. *Voluntary Offer to Reforest.*- Private landowners, whether natural or juridical persons, may participate in reforestation and plantation development or similar programs of the Department, with the landowner contributing his land and the Department furnishing funds to reforest the area on a co-production agreement:

Provided, That the property shall be exclusively devoted to the planting of forest species for at least one (1) rotation, which undertaking shall be annotated at the back of the title of the property: *Provided, further,* That prime agricultural lands as determined or certified by the DA shall not be the subject of a voluntary offer to reforest.

CHAPTER VII

TREE PARK/COMMUNAL FOREST

SEC. 29. *Establishment and/or Maintenance of City or Municipal Parks or Communal Forest.*- Every city or municipality shall establish a city or municipal park or communal forest and shall include in its yearly budget the necessary funds for its establishment and maintenance. Upon request of the city or municipality concerned, the Department shall set aside an appropriate area of the protection or production forestlands as the case may be, as city or municipal park or communal forest and

1 shall provide technical assistance to the local government concerned in the
2 development of the park or communal forest.

33

SEC. 30. Establishment of Tree Parks in Subdivision and Tree Planting on Roadsides.- Every subdivision project to be developed after the passage of this Act shall include the establishment of a tree park of not less than fifty percent (50%) of the required total open spaces as provided in Section 2 of Presidential Decree No. 953, requiring the planting of trees in certain places. Guidelines for the establishment of tree parks within a subdivision shall be prepared jointly by the subdivision owner concerned, the Housing and Land Use Regulatory Board (HLURB) and the Department. The subdivision owner shall provide the funds for this purpose. These guidelines and allocation of funds shall be a condition precedent in the approval of the subdivision plan. For every major public road or irrigation construction project, the Department of Public Works and Highways (DPWH) shall include the planting and maintenance of trees along the road/highway or irrigation canals as landscaped rest areas every twenty-five (25) kilometers thereof, whenever appropriate, and shall provide adequate funds for this purpose. Each city and municipality shall also allocate adequate funds for the planting, care, and maintenance of trees or perennial shrubs in "greenbelts" or "green spaces" such as road/street sides, center islands, among others.

21

22

CHAPTER VIII

24

FOREST PROTECTION

26

27 **SEC. 31. Commercial Logging Ban in Protection forestlands.**- There shall be a
28 permanent ban on commercial logging activities in all protection forestlands defined,
29 categorized, and sub-classified in Section 6 (a) herein. No licenses, permits, or
30 agreements to cut any timber or to harvest, collect or gather non-timber forest
31 products therein shall be issued: *Provided*, That sustainable indigenous and
32 traditional practices of the IPs/ICC shall be recognized and respected.

33

1 **SEC. 32. Forest Protection in Production Forestlands.**- Protection forestlands
2 found inside production forestlands shall be excluded from any logging operation.
3 The holder of the agreement or license over these production forestlands shall
4 establish a buffer zone and delineate their boundaries, marking the same with
5 concrete monuments or any other visible, permanent, and practicable signs.

6

7 To ensure the conservation and sustainable use of forest resources in
8 production forestlands, holders of tenurial instruments shall submit to the
9 Department a Forest Management Plan (FMP) containing strict environmental
10 guidelines.

11

12 Upon the expiration or termination for cause of any Timber License
13 Agreement (TLA), no extension shall be granted and the area covered by the
14 agreement shall be sub-classified as protection forestland after the Department had
15 excluded the production forestland and degraded areas that may be subject of a
16 reforestation or tree plantation project.

17

18 **SEC. 33. Multi-Sectoral Forest Protection Council.** - There shall be created a
19 Multi-Sectoral Forest Protection Council in every province, city and municipality
20 which shall be responsible for the over-all protection of the forestlands and forest
21 resources found therein. Among their powers and functions found in other provisions
22 under this Act, they shall be primarily responsible for law enforcement, prevention of
23 forest fires, integrated pest management and protection against forest invasive
24 species. The council shall be composed of representatives from DENR, NCIP,
25 Department of Agrarian Reform (DAR), concerned LGUs, NGOs, People's
26 organizations, church and local academic institution, among others.

27

28 **SEC. 34. Assistance of Law Enforcement Agencies.**- The Department may call
29 upon law enforcement agencies and instrumentalities of the Government such as the
30 Philippine National Police (PNP), the Armed Forces of the Philippines (AFP), and the
31 National Bureau of Investigation (NBI) for the enforcement of the forest-related laws,
32 rules and regulations.

33

1 SEC. 35. Role of LGUs and Local Residents.- It shall be incumbent upon LGUs
2 concerned to render assistance in protecting and conserving forestlands within their
3 respective territorial jurisdiction. Qualified local residents shall be deputized by the
4 Department to assist in the drive against illegal logging, kaingin-making and
5 forestland occupation. These deputized residents shall likewise be authorized to
6 arrest forest violators within their communities subject to existing laws and
7 regulations on arrest and detention. The LGUs shall provide assistance to these
8 deputized residents in cases of arrests and seizures.

SEC. 36. Prevention of Forest Fires and Control of Forest Pests and Diseases.- In collaboration with concerned LGUs and the Bureau of Fire Protection (BFP), the Department shall formulate and implement a fire prevention and control program, providing incentives to LGUs, community organizations, or individuals who participate in preventing and controlling forest or grass fire. The Department shall likewise formulate and implement a national integrated forest pest and disease management program including quarantine procedures for imported forest seeds and forest products to prevent, minimize or control forest pests and diseases.

19 **SEC. 37. Information and Rewards System.** – The Department shall establish an
20 information and rewards system as part of the community's participation in the
21 protection of forest resources. The rewards shall be payable immediately upon the
22 establishment of *prima facie* proof of violation.

CHAPTER IX

FORESTRY RESEARCH, EDUCATION, TRAINING AND EXTENSION

29 SEC. 38. Research and Technology Development Transfer.- Research and

30 technology development transfer shall be strengthened to support sustainable

31 management of forest resources. The Department, the Department of Science and

32 Technology (DOST), the Commission on Higher Education (CHED), and the colleges

33 of forestry of State Universities shall, within one (1) year from the passage of this

34 Act, prepare a comprehensive national forestry and environmental research and

1 technology development and transfer program in furtherance of sustainable forest
2 management which shall be implemented, monitored, and reviewed in accordance
3 with existing research management systems. Adequate and sustainable funds to
4 implement research and technology development plans and transfer program shall
5 be provided by each of the aforementioned agencies and institutions under the
6 General Appropriations Act.

7

8 **SEC. 39. *Public Information, Education and Advocacy Campaign.***- With the
9 support from LGUs, NGOs, media and other organizations, the Department, the
10 Philippine Information Agency (PIA), the Department of Education (DepEd), CHED,
11 State-owned and private universities and colleges shall formulate and implement a
12 nationwide program for sustained public information and advocacy campaign for
13 forest and natural resources conservation and sustainable forest development and
14 management. The DepEd shall include subjects on forest and natural resources in
15 the curricula for elementary and high school education. The CHED shall likewise
16 include ecology and environment courses in the general education curricula.
17 Congress shall allocate funds to the Department for the purpose of coordinating a
18 systematic campaign to promote community ecological awareness, including the
19 preparation of informational and educational materials therefore.

20

21 **SEC. 40. *Formal Forestry Education.***- The CHED, in collaboration with the
22 Department, the Board of Examiners for Foresters of the Professional Regulations
23 Commission (PRC), Philippines Forestry Education Network and the duly accredited
24 national professional foresters organization shall actively pursue the rationalization of
25 formal forestry education and the establishment of centers of excellence in forestry
26 and environmental education to ensure high quality manpower output to meet the
27 needs of the forestry sector.

28

29 **SEC. 41. *Continuing Education on Forestry.***- A non-formal program of continuing
30 education shall be established to maintain the growth of the forestry profession. The
31 PRC Board of Examiners for Foresters and the Civil Service Commission (CSC)
32 shall provide the guidelines for a program in continuing education in forestry. In
33 cooperation with academic institutions, the Department shall develop the

1 infrastructures to institutionalize non-formal continuing education for the forestry
2 sector.

3

4 **SEC. 42. Training Centers-** In coordination with TESDA, DepEd, CHED and State
5 Universities and Colleges (SUCs) as well as accredited institutions, the Department
6 shall establish and institutionalize a network of training centers in strategic parts of
7 the country to provide regular and up-to-date training on the various aspects of
8 sustainable forest management, development, and utilization to forest officers,
9 LGUs, NGOs, local communities, and indigenous peoples. Furthermore, the
10 Department shall ensure that personnel appointed to critical and sensitive positions
11 undergo training to prepare them to discharge their duties and responsibilities
12 professionally, efficiently and effectively.

13

14 **SEC. 43. Forestry Development Center.-** The Forestry Development Center (FDC)
15 based in the College of Forestry and Natural Resources, University of the Philippines
16 at Los Baños, shall continue to serve as the primary policy research and
17 development center for forestry and natural resources management. The FDC shall
18 perform its functions in close coordination with the Department and other policy
19 research institutions in the country. It shall assist the Department in the formulation,
20 review, and evaluation of proposed and existing policies on forestry and natural
21 resources management.

22

23 The FDC, together with the national organization of private institutions as
24 stipulated in Section 14 of this Act, shall assist the Department in the formulation and
25 review of relevant forest and forest related policies to ensure the contribution of the
26 forestry sector to the national economy and sustainable development.

27

28 To enable the FDC to carry out its mandated function of policy research, it
29 shall have a share in the Sustainable Forestry Development Fund pursuant to
30 Section 64 herein.

31

CHAPTER X

33

DISPOSITION AND UTILIZATION OF FOREST RESOURCES

1 **SEC. 44. Modes of Forest Management Agreement.**- The development, utilization,
2 and management of forestlands and/or forest resources shall be undertaken under
3 the control and supervision of the State through the Department. The State may
4 directly undertake such activities or it may enter into co-production, joint venture or
5 production sharing agreement with qualified Filipino citizens or corporations or
6 associations, subject to relevant laws, rules and regulations: *Provided*, That
7 interested local communities and indigenous peoples through their organized and
8 duly recognized associations shall be given priority in the grant of appropriate
9 tenurial instruments implementing the said agreements. Such tenurial instruments
10 and/or agreements shall have a duration of twenty-five (25) years, renewable for
11 another twenty-five (25) years, under such terms and conditions as may be provided
12 by the Secretary: *Provided, further*, That such tenurial instruments and/or
13 agreements may not be terminated except for cause or if public interest so requires.
14 Current valid and subsisting licenses, contracts, or agreements granted by the
15 government for the development, management, and utilization of forest resources
16 shall be allowed to continue under the same terms and conditions until their expiry,
17 or prior to their expiry shall be allowed to be converted into any mode authorized
18 herein under the guidelines promulgated by the Secretary: *Provided*, That no such
19 conversion shall be allowed in protection forestlands as defined in Section 6(a)
20 herein, on sub-classification of forestlands. The Department is hereby authorized to
21 formulate rules and regulations covering the relevant terms and conditions thereof
22 including the determination and collection of the government share, subject to the
23 approval of Congress. For watersheds and other areas where existing facilities for
24 basic services such as water and power are located, the Department may enter into
25 a forest management agreement with the service contractor in the area. Such
26 agreement shall have a duration of twenty-five (25) years, renewable for another
27 twenty-five (25) years, under such terms and conditions agreed upon by both parties:
28 *Provided*, That such agreement may not be terminated except for cause or if public
29 interest so requires or upon mutual agreement by the parties.

30

31 All forest development activities such as logging, reforestation, timber stand
32 improvement, forest protection, and delivery of community service within an area
33 covered by timber concessions shall be consolidated under the FMP which shall be
34 prepared by or under the supervision of an accredited private registered forester

1 whose signature and dry seal shall appear in the plan and the supporting documents
2 submitted for the purpose.

3

4 **SEC. 45. *Minimum Conditions for the Issuance of Co-production, Joint***
5 ***Venture and Production Sharing Agreement.*** The following provisions shall be
6 the minimum conditions for the issuance of co-production, joint venture and
7 production sharing agreement:

8

- 9 a) The agreement holder shall furnish the necessary management,
10 technology and financial services when required, as determined by the
11 Secretary;
- 12 b) A provision for government share of revenues and the manner of payment
13 thereof;
- 14 c) A provision on consultation and arbitration with respect to the interpretation
15 of the agreement;
- 16 d) A provision for anti-pollution and environmental protection measures;
- 17 e) A provision for the reforestation, restoration and protection of the forest;
- 18 f) A provision for an effective monitoring scheme to be implemented the by the
19 Department, which shall include, but shall not be limited to periodic inspection
20 of all records and books of account of the agreement holders;
- 21 g) A commitment to community development;
- 22 h) The submission of a management and development plan to be approved
23 by the Secretary; and
- 24 i) Other provisions that the Secretary shall impose, upon the recommendation
25 of the Director of the FMB, that will improve and sustain the development and
26 management of the forestlands and its resources, which shall include, among
27 others, a projection of annual income and revenues generated, to be used as
28 basis in the determination of government shares.

29

30 **SEC. 46. *Transfer.-*** No holder of a co-production, joint venture, or production
31 sharing agreement or contract shall sub-contract, transfer, exchange, sell or convey
32 the same or any of his right or interests therein without a written authority from the
33 Secretary. Moreover, no transfer shall be authorized unless the agreement or
34 contract has been in existence and active for at least three consecutive years from

1 issuance thereof: *Provided*, That the transferor has faithfully complied with the terms
2 and conditions of the said agreement or contract; the transferee has all the
3 qualifications and none of the disqualifications to hold the same; and the transferee
4 shall assume the obligations of the transferor. Failure to comply with these
5 conditions shall be sufficient cause for the cancellation of the agreement or contract.

6

7 **SEC. 47. Non-Timber Forest Products.-** Rattan, bamboos, vines, herbs, exudates
8 and other non-timber forest products are integral parts of the forest ecosystem. The
9 establishment of plantations of non-timber producing species shall be encouraged
10 and supported. The development, management and utilization of non-timber forest
11 products shall be allowed in accordance with the guidelines to be promulgated by the
12 Department.

13

14 However, in granting permits to harvest, utilize, gather or collect non-timber
15 forest products, in their natural or original state, in the production forestlands, the
16 priority shall be given to forest dependent families, local communities, and
17 indigenous peoples living near or within the subject forestlands. Further, the
18 gathering or collecting of animals for any purpose in the production forestland shall
19 be governed by the existing wildlife law and the guidelines to be promulgated by the
20 Department.

21

22 **SEC. 48. Silvicultural and Harvesting System.-** The Department shall formulate
23 the appropriate silvicultural and harvesting system and all measures shall be taken
24 to achieve an approximate balance between growth and harvest. The use of forest
25 products from production forestlands shall be promoted and practiced.

26

27 **SEC. 49. Mangrove forest.-** Harvesting and utilization shall only be allowed in
28 matured plantation forests within mangrove production forests: *Provided*, That in
29 government priority projects, harvesting of naturally grown trees shall be allowed.

30

31 **SEC. 50. Grazing.-** Land for grazing purposes shall only be limited to production
32 forestlands. The Department shall identify and delimit areas suitable for grazing
33 purposes: *Provided*, That no forestland fifty percent (50%) in slope or over may be
34 utilized for grazing purposes: *Provided, further*, That existing pasture lease

1 agreements or forestland grazing lease agreements shall be allowed to continue
2 under the same terms and conditions until their expiry: *Provided, finally,* That
3 abandoned or idle, expired, or cancelled grazing or pasture lands shall be subject to
4 land use capability assessment and or land use suitability assessment to determine
5 their best use or combination of uses. No new grazing or pasture permit, lease, or
6 contract shall be issued, nor existing ones allowed to continue unless covered by
7 existing rules and regulations governing the Philippine EIS System.

8

9 **SEC. 51. Mining and Power Generation Operations in Forestlands.**- Mining
10 activities in protection forestlands shall not be allowed. Power generation and small-
11 scale mining operations in forestlands, except in protection forestlands, may be
12 allowed subject to existing rules and regulations governing the Philippine EIS
13 System. Forest resources inside mineral reservations and permitted areas are under
14 the Department's jurisdiction, and their management and utilization are subject to the
15 provisions of this Act.

16

17 **SEC. 52. Roads and Other Infrastructures.**- Roads and other infrastructure
18 including the development of mineral reservations and energy resources inside
19 forestlands shall be constructed with the least impact and disturbance to the
20 biodiversity of the area found in such forestlands. Government agencies and their
21 contractors undertaking the construction of roads, bridges, communication and other
22 infrastructure facilities and installations inside forestlands shall seek prior authority
23 from the Department and shall comply with existing rules and regulations governing
24 the Philippine EIS System.

25

26 CHAPTER XI

27

28 FOREST-BASED INDUSTRIES

29

30 **SEC. 53. Establishment and Operations of Forest-Based Industries.**- To meet
31 the demands for forest-based goods and services of a growing population, the State
32 through the Department shall promote the establishment, operation, and
33 development of forest-based industries in non-protection forestlands.

1 **SEC. 54. *Incentives for Forest-Based Industries.***- To enable forest-based
2 industries to be more efficient, competitive, and economically viable, the following
3 incentives are hereby granted in addition to those already provided by existing laws:

4

5 a) All processing plants or mills shall be assured of their supply of raw
6 materials,

7 preferably but not exclusively from local sources;

8 b) All processing plants or mills shall be granted operating permits for five (5)
9 years renewable for another five (5) years: *Provided*, That permits for
10 processing plants owned or operated by holders of forest management
11 agreements or contracts shall be co-terminus with said agreements or
12 contracts.

13

14 The Department may provide on its own or propose to the President or to
15 Congress, other incentives to encourage the establishment and development of
16 integrated forest-based, particularly wood-based plants. Warranties to and
17 agreements with existing integrated forest-based plants to ensure the availability of
18 raw materials shall be subject to the process for as long as such integrated plants
19 are operating. Agreements or licenses over forest areas granted to wood-based
20 plants shall be converted into any mode authorized in this Act. Expansion in capacity
21 of wood-based plants shall be encouraged and the same shall be given priority
22 access to production forestlands and other areas available for development as
23 source of raw materials.

24

25 **SEC. 55. *Export and Sale of Locally Produced Wood Products.***- Logs derived
26 from natural grown trees of whatever species cut, gathered, or removed from the
27 forestlands and raw or rough lumber manufactured from such logs shall not be
28 exported. Only finished and semi-finished lumber products, wood manufactures,
29 wood panels, and other finished wood products from such logs may be exported.
30 Logs, lumber and other finished products from forest plantations shall be exported
31 only under such guidelines as the Secretary may promulgate. No person shall sell or
32 offer for sale any log, lumber, veneer, plywood or other manufactured wood products
33 in the international or domestic market without complying with the grading rules
34 established by the government. Failure to adhere to the established grading rules

1 and standards, or any act of falsification on the volume of logs, lumber, veneer,
2 plywood or other wood products sold in the international or domestic market shall be
3 sufficient cause for the cancellation of export license, wood processing permit, or
4 other license or permit authorizing the manufacture or sale of such products.

5

6 **SEC. 56. Importation and Sale of Logs and Other Forest and Wood Products.-**
7 Logs, lumber, and other forest- and wood-based products may be imported to the
8 country subject to the authorization of the Secretary and to the tariff and duties under
9 Presidential Decree No. 1464 as well as quarantine regulations. Any product
10 manufactured or re-manufactured out of imported forest and wood materials shall be
11 allowed to be sold in the domestic or international market: *Provided*, That the grading
12 rules and standards therefore are complied with, otherwise the sanctions in Section
13 69 hereof shall be imposed.

14

15 CHAPTER XII

16

17 FOREST CHARGES, FEES AND GOVERNMENT SHARES

18

19 **SEC. 57. Fees and Government Shares for the Utilization, Exploitation,**
20 **Occupation, Possession of and Activities within Forestlands-** The Department
21 shall prescribe appropriate fees and rentals for the different kinds of utilization,
22 exploitation, occupation, possession, or activities within forestlands: *Provided*, That
23 payment of or collection of such fees and rentals shall be waived for
24 parties/industries mandated by law to manage, conserve, develop and protect
25 forestlands and forest resources found therein, except administrative fees for the
26 filing and processing of applications for the issuance and renewal of licenses,
27 permits, and agreements: *Provided, further*, That watershed administrators and/or
28 service contractors that have forest management agreements with the Department
29 as provided for under Section 44 of this Act shall also be entitled to the waiver of
30 fees, except administrative fees.

31

32 The Department shall prescribe appropriate and equitable fees for the use of
33 water and forest by parties/industries concerned for power generation, domestic and
34 industrial irrigation, carbon sequestration and biodiversity benefits.

1 **SEC. 58. Forest Charges.**- There shall be collected charges on each cubic meter of
2 timber cut in forestland, whether belonging to the first, second, third or fourth group,
3 twenty-five percent (25%) of the actual FOB market price based on species and
4 grading: *Provided, however,* That, in the case of pulpwood and matchwood cut in
5 forestland, forest charges on each cubic meter shall be ten percent (10%) of the
6 actual FOB market price.

7

8 **SEC. 59. Charges on Firewood, Branches, and Other Recoverable Wood**
9 **Wastes of Timber.**- There shall be collected forest charges of ten percent (10%)
10 based on FOB market price on each cubic meter of firewood cut in forestland,
11 branches and other recoverable wood wastes of timber, such as timber ends, tops
12 and stumps, when used as raw materials for the manufacture of finished products.

13

14 However, if jointly authorized by the Secretaries of both the Department and
15 the DA, first and second group woods may be removed from land which is more
16 valuable for agriculture than for forest purposes to be used as firewood.

17

18 **SEC. 60. Charges on Non-Timber Forest Products.**- Non-timber forest products in
19 forestlands, as determined by DENR, shall be subject to forest charges, equivalent
20 to ten percent (10%) of the actual FOB market price.

21

22 **SEC. 61. Determination of Market Price of Forest Products.**- The actual FOB
23 market price of forest products shall be justly determined by DENR.

24

25 These forest charges shall be applied to naturally growing timber and forest
26 products gathered from forestlands, alienable and disposable lands, and private
27 lands.

28

29 The measurement of forest products and the collection of charges thereon
30 shall be undertaken by the Department, which shall likewise provide for the time,
31 manner, and place of payment of such charges.

32

33 **SEC. 62. Fees for Administrative Services Rendered by the Department.**- Fees
34 shall be collected for various services rendered by personnel of the Department in

1 connection with their duties and responsibilities as may be requested by interested
2 parties, including but not limited, to surveying, mapping and other similar service
3 activities: *Provided*, That administrative fees shall be waived for services rendered to
4 local communities or indigenous peoples in the preparation of their management
5 plans.

6

7 CHAPTER XIII

8

9 APPROPRIATIONS AND FINANCIAL SUPPORT

10

11 SEC. 63. *Appropriations*.- The amount necessary to initially implement the
12 provisions of this Act shall be charged against the appropriations of the Department
13 of Environment and Natural Resources in the current General Appropriations Act.
14 Thereafter, such sums as may be necessary to fully implement the provisions of this
15 Act shall be included in the annual General Appropriations Act. For local government
16 units, the funding requirements shall be taken from their internal revenue allotment
17 (IRA) and other sources of income.

18

19 SEC. 64. *Sustainable Forestry Development Fund (SFDF)*.- A Sustainable
20 Forestry Development Fund (SFDF) to be administered by the Department as a
21 special account in the National Treasury is hereby established to provide sustainable
22 funds for forest protection, reforestation, and forest development and management,
23 including rehabilitation and preservation of watershed areas, CBFM program,
24 information and educational campaign as well as scholarship programs and policy
25 research. At least thirty percent (30%) of the forest charges and government share in
26 all products removed from the forestlands, rentals, proceeds from sales of
27 confiscated forest products including conveyances, fines and penalties, and
28 administrative fees collected shall be set aside for the buildup of the SFDF. The fund
29 may be augmented by grants, donations, endowment from various sources,
30 domestic or foreign for purposes related to their functions.

31

32 Disbursements from the fund shall be subject to the usual accounting and
33 budgeting rules and regulations: *Provided*, That no amount shall be disbursed to
34 cover the operating expenses of the Department and other concerned agencies. A

1 trust fund committee, composed of the Secretary as Chair and the Secretary of the
2 Department of Budget and Management (DBM), the DILG Secretary, and the
3 National Treasurer or their representatives shall sit as members and manage the
4 SFDF, with the FMB as secretariat.

5

6 **SEC. 65. Creation of Sustainable Fund Facility Office (SFFO).**- There shall be
7 created within the FMB of the DENR an office called Sustainable Fund Facility Office
8 to perform the following mandates:

9

- 10 a) Conduct further exploration, identification, and development of new and
11 improved and more effective financial mechanism, and examine the potential
12 and results of the innovative use of existing mechanisms to promote
13 sustainable forest management, taking into account the full range of goods
14 and services, including forest-related environmental services, which include
15 watershed protection, carbon sequestration, biodiversity conservation, energy
16 provision and maintenance of many ecological functions; and,
- 17 b) Develop and test rapid valuation methods which are market-based, policy
18 relevant and efficient, and reflect regional and national characteristics and
19 requirements. These valuation methods should include a focus on the
20 development of approaches which incorporate a wide range of values,
21 reflecting the overall value of forest ecosystems, as appropriate, as well as
22 ways to internalize the externalities.

23

24 **SEC. 66. Specific Functions of SFFO.**- The specific functions of SFFO are as
25 follows:

26

- 27 a) Generate new and additional public and private financial resources at the
28 domestic and international levels to enable the country to sustainably
29 manage, conserve and develop forest resources through afforestation and
30 reforestation and to combat deforestation and forest and land degradation;
- 31 b) Prioritize forest activities or national resources development strategies in
32 order to respond to increased concerns for sustainable forest management,
33 taking into consideration the financial resources available to them;

- c) Call upon all government agencies and non-government organizations or institutions to give special consideration to areas or provinces with least developed or poorly developed forest cover and to engage them in financial cooperation to meet their needs for forest products and services and sustainably manage their forest, and in some cases expand their forest cover;
- d) Encourage private investment in sustainable forest management by providing a stable and transparent investment environment within an adequate regulatory framework that also encourages the re-investment of forest revenues into sustainable forest management; and
- e) Operationalize an investment promotion entity taking into account the functions and circumstances under which such an entity would operate such as its scope in relation to existing financial mechanism.

SEC. 67. Fees from Payment for Environmental Services (PES).- The SFFO shall formulate a certain value to environmental services and establish appropriate pricing, institutional and redistribution systems that will lead to sustainable and socially optimal land use practices. PES is a form of payment for ecosystem services as a method of internalizing the positive externalities associated with a given ecosystem or a specific resource use.

CHAPTER XIV

OFFENSES AND PENALTIES

SEC. 68. Non-Establishment of Tree Parks/Communal Forests.- Any city, municipality or subdivision owner who fails to establish tree parks as provided in Sections 29 and 30 herein shall be punished by a fine of not less than One Hundred Thousand Pesos (P100,000.00) nor more than Five Hundred Thousand Pesos (P500,000.00). The subdivision plan will not be given approval until guidelines have been formulated and funds have been allocated for the purpose.

32 SEC. 69. Harvesting, Gathering and/or Collecting Timber or Other Forest
33 Products Without Authority.- Any person who shall harvest, cut, gather, collect, or
34 remove timber or other forest products from any forestland, or naturally grown

1 timber inside alienable and disposable public land and private lands except as
2 provided in Section 11 hereof, or forest resources in alienable and disposable lands
3 without authority from the Secretary or found to possess the same without pertinent
4 required legal documents shall be punished by imprisonment ranging from *prision*
5 *mayor* minimum period to *reclusion temporal* minimum period and/or a fine
6 equivalent to ten (10) times the value of the said forest product but not less than Fifty
7 Thousand Pesos (150,000.00): *Provided*, That in the case of partnerships,
8 associations or corporations, the president, managing partner, and general manager
9 shall be held liable, and if such officer is an alien, he shall, in addition to the penalty,
10 be deported without further proceedings on the part of the Bureau of Immigration and
11 Deportation. Offenders who are public officials shall be deemed automatically
12 dismissed from office and permanently disqualified from holding any elective or
13 appointive position.

14

15 All timber or any forest products cut, gathered, collected, removed, or
16 possessed and all the conveyances, machinery, equipment, implements, work
17 animals, and tools used in connection with this violation shall be seized and
18 confiscated in favor of the government.

19

20 **SEC. 70. *Illegal Cutting as an Act of Economic Sabotage.***- Any of the acts
21 enumerated in the preceding section committed by an armed group or by any group
22 through organized and systematic manner, for commercial purposes, shall be
23 considered an act of economic sabotage punishable by *reclusion perpetua*.

24

25 The commission of any of the prohibited acts by two or more individuals with
26 or without the aid of any mechanical device shall constitute a *prima facie* evidence
27 that the act is organized and systematic.

28

29 Any permittee/agreement holder who shall buy logs from unlicensed loggers
30 or loggers operating without permits shall be considered in violation of this Act and,
31 upon conviction, shall also be punished with *reclusion perpetua*.

32

33 **SEC. 71. *Use of Illegally Cut Timber in Government Infrastructure Projects.***-
34 Contractors of government infrastructure projects shall obtain certification from the

1 Department that the logs or lumber to be used therein were obtained from legitimate
2 sources. The use of illegally cut naturally grown timber in government infrastructure
3 projects shall be sufficient cause for the imposition of penalties provided in Sec. 69,
4 on harvesting of forest products without authority, and Sec. 70, on illegal cutting as
5 an economic sabotage, including the withholding of the payment to the contractor.

6

7 **SEC. 72. Damage to Residual Trees.**- To ensure the sustainability of the natural
8 forests, adequate number of residual trees shall be marked, to be retained as part of
9 the managed forests and as the future timber crop, before any harvesting operation
10 shall commence. Any marked residual tree that is damaged during such operation is
11 subject to a fine equivalent to four (4) times the regular forest charges.

12

13 **SEC. 73. Grazing Livestock on Forestlands Without a Permit.**- Any person found
14 to have caused the grazing of livestock in forestlands and grazing lands without an
15 authority under a lease or permit to graze, upon conviction, shall be penalized with
16 imprisonment of not less than two (2) years nor more than four (4) years and a fine
17 equivalent to ten times the regular rentals due in addition to confiscation of the
18 livestock and all improvements introduced in the area in favor of the government:
19 *Provided*, That in case the offender is a corporation, partnership, or association, the
20 officer or director thereof who directly caused or ordered such shall be liable. In case
21 the offender is a public officer or employee, he shall, in addition to the above
22 penalties, be deemed automatically dismissed from office and permanently
23 disqualified from holding any elective or appointive position in the government
24 service.

25

26 **SEC. 74. Unlawful Occupation or Destruction of Forestlands.**- Any person who,
27 without authority from the Secretary, enters and occupies or possesses, or engages
28 in kaingin-making for his own private use or for others, any forestland or grazing
29 land, or in any manner destroys such forestland or part thereof, or causes any
30 damage to the timber stands and other forest product found therein, or assists, aids
31 or abets another person to do so, or sets a fire, or negligently permits a fire to be set
32 therein, or refuses lawful orders to vacate the area when ordered to do so shall,
33 upon conviction, be punished with penalties in the amount of not less than One
34 Hundred Thousand Pesos (P100,000.00) nor more than Five Hundred Thousand

1 Pesos (P500,000.00) and imprisonment of not less than six (6) years nor more than
2 twelve (12) years for each offense: *Provided*, That in the case of an offender found
3 guilty of kaingin-making, the penalty shall be imprisonment of not less than ten (10)
4 years nor more than twelve (12) years and a fine equivalent to eight times the
5 regular forest charges due on the forest products destroyed without prejudice to
6 payment of the full cost of rehabilitation of the occupied areas as determined by the
7 Department: *Provided, further*, That the maximum of the penalty prescribed herein
8 shall be imposed upon the offender who repeats the same offense, and double the
9 maximum penalty upon the offender who commits the same offense for the third time
10 or more. In all cases, the court shall further order the eviction of the offender from the
11 area occupied and the forfeiture to the government of all improvements made
12 therein, including all vehicles, domestic animals and equipment of any kind used in
13 the commission of the offense. If not suitable for use by the Department, said
14 improvements, vehicles, domestic animals and equipment shall be sold at public
15 auction, the proceeds from which shall accrue to the SFDF. If the offender is an
16 alien, he shall be deported after serving his sentence and payment of fines, without
17 any further proceedings. An offender who is a government officer or employee, shall,
18 in addition to the above penalties, be deemed automatically dismissed from office
19 and permanently disqualified from holding any elective or appointive position in the
20 government service.

21

22 **SEC. 75. *Illegal Conversion of City or Municipal Parks, Communal Forests, and***
23 ***Tree Parks in Subdivisions.*-** Any person found to have converted or caused the
24 conversion of a city or municipal park or communal forest, or tree parks within
25 subdivisions established pursuant to Sec. 29 and Sec. 30 herein and Section 2 of
26 Presidential Decree No. 953, requiring the planting of trees in certain places, into
27 other uses including the construction of permanent buildings therein, or in any
28 manner destroys or causes any damage to the timber stands and other forest
29 product found therein, or assists, aids or abets another person to do so, or sets a
30 fire, or negligently permits a fire to be set therein, upon conviction, shall be penalized
31 by imprisonment of six (6) years and one (1) day to twelve (12) years or a fine of not
32 less than One Hundred Thousand Pesos (P100,000.00) nor more than Five Hundred
33 Thousand Pesos (P500,000.00), or both fine and imprisonment at the discretion of
34 the Court. The offender shall likewise be imposed a fine equivalent to eight times the

1 commercial value of the forest products destroyed without prejudice to payment of
2 the full cost of rehabilitation of the areas as determined by the Department: *Provided*,
3 *further*; That the maximum of the penalty prescribed herein shall be imposed upon
4 the offender who repeats the same offense, and double the maximum penalty upon
5 the offender who commits the same offense for the third time or more. The court
6 shall further order the forfeiture to the government of all improvements made therein,
7 including all vehicles, domestic animals, and equipment of any kind used in the
8 commission of the offense. If not suitable for use by the Department, said
9 improvements, vehicles, domestic animals and equipment shall be sold at public
10 auction, the proceeds from which shall accrue to the SFDF. An offender who is a
11 government officer or employee, in addition to the above penalties, shall be deemed
12 automatically dismissed from office and permanently disqualified from holding any
13 elective or appointive position in the government service.

14

15 **SEC. 76. *Misdeclaration or Falsification of Reports on Forest Resource***
16 ***Inventory, Scaling, and Survey by a Government Official or Employee.*** – Any
17 public officer or employee who knowingly misdeclares or falsifies reports pertaining
18 to forest resource inventory, scaling, survey, and other similar activity which are
19 contrary to the criteria and standards established in the rules and regulations
20 promulgated by the Secretary therefor, after an appropriate administrative
21 proceeding, shall be dismissed from the service with prejudice to re-employment.
22 Upon conviction by a court of competent jurisdiction, the same public officer or
23 employee shall further suffer an imprisonment of not less than eight (8) years nor
24 more than twelve (12) years and a fine of not less than One Hundred Thousand
25 Pesos (P100,000.00) nor more than Five Hundred Thousand Pesos (P500,000.00)
26 and the termination of license to practice forestry if the offender is a professional or
27 registered forester: *Provided*, That the inventory, survey, scale, classification, and
28 similar reports referred herein shall be rendered null and void.

29

30 **SEC. 77. *Unlawful Operation of Sawmills.***– Any person operating a sawmill or
31 mini-sawmill without authority from the Secretary, shall be punished by a fine of not
32 less than One Hundred Thousand Pesos (P100,000.00) and confiscation of the
33 sawmill or mini-sawmill and complementary equipment in favor of the government.

34

1 **SEC. 78. Unlawful Operation of Wood Processing Plants and Downstream**
2 **Forest-Based Industries.**- Any person operating a wood processing plant or
3 downstream forest-based industry without authority from the Secretary, shall be
4 punished by, upon conviction by a court of competent jurisdiction, imprisonment of
5 not less than eight (8) years nor more than twelve (12) years and a fine of not less
6 than Five Hundred Thousand Pesos (P500,000.00) and confiscation of the wood
7 processing plant and complementary equipment in favor of the government. The
8 Department shall promulgate the necessary guidelines, subject to the provisions of
9 this Act, that will define the terms and conditions for the operation of a wood
10 processing plant and/or other downstream forest-based industries.

11

12 **SEC. 79. Prohibition on the Issuance of Tax Declaration on Forestlands.** All tax
13 declaration issued over forestland shall be considered null and void. Any local
14 government official or employee who issues a tax declaration for any purpose on any
15 part of forestlands, upon conviction, shall be penalized with imprisonment for a
16 period of not less than four (4) years nor more than eight (8) years and a fine of not
17 less than One Hundred Thousand Pesos (P100,000.00) nor more than Five Hundred
18 Thousand Pesos (P500,000.00) and perpetual disqualification from holding an
19 elective or appointive office.

20

21 **SEC. 80. Unlawful Possession of Implements and Devices Used by Forest**
22 **Officers.**- Any person found possessing or using implements and devices used by
23 forest officers shall be penalized with imprisonment of not less than eight (8) years
24 nor more than twelve (12) years and a fine of not less than One Hundred Thousand
25 Pesos (P100,000.00) nor more than Five Hundred Thousand Pesos (P500,000.00)
26 in addition to the confiscation of such implements and devices and the automatic
27 cancellation of any license agreement, license, lease or permit.

28

29 Any forest officer who willingly allowed unauthorized person(s) to use these
30 implements and devices under his care shall be penalized with imprisonment of not
31 less six (6) years and one (1) day to no more than twelve (12) years and a fine of not
32 less than One Hundred Thousand Pesos (P100,000.00) nor more than Five Hundred
33 Thousand Pesos (P500,000.00).

1 In addition, the said forest officer shall be dismissed from the service with
2 prejudice to reinstatement and with perpetual disqualification from holding an
3 elective or appointive position.

4

5 **SEC. 81. Unauthorized Introduction of Logging Tools and Equipment Inside**
6 **Forestlands.**- It shall be unlawful for any person or entity to possess, bring, or
7 introduce any logging tools or equipment inside forestlands without prior authority,
8 from the Secretary or his duly authorized representative. Any person found guilty of
9 illegal possession of said logging tools or equipment shall be liable to imprisonment
10 of six (6) years and one (1) day to twelve (12) years or a fine of not less than One
11 Hundred Thousand Pesos (P100,000.00) nor more than Five Hundred Thousand
12 Pesos (P500,000.00) or both imprisonment and fine, and confiscation of said logging
13 tools and equipment in favor of the government.

14

15 **SEC. 82. Non-Payment and Non-Remittance of Forest Charges.**- Any person
16 who fails to pay the amount due and payable as forest charges to the government
17 shall not be allowed to transport, convey, sell, nor use the timber or forest product.
18 Moreover, failure to pay within thirty (30) days upon assessment of forest charges
19 shall be a ground for confiscation of the said timber or forest product in favor of the
20 government. Any person who fails or refuses to remit to the proper authorities said
21 forest charges collectible pursuant to the provisions of this Act or the National
22 Internal Revenue Code, as amended, or who delays, obstructs or prevents the
23 same, or who orders, causes or effects the transfer or diversion of the funds for
24 purposes other than those specified in said Acts shall, upon conviction, be
25 imprisoned for not less than six (6) years nor more than ten (10) years and fined
26 from One Hundred Thousand Pesos (P100,000.00) nor more than Five Hundred
27 Thousand Pesos (P500,000.00). If the offender is a corporation, partnership, or
28 association, the officers and directors thereof shall be liable.

29

30 **SEC. 83. Institution of Criminal Action by Forest Officers.**- Any forest officer shall
31 arrest, even without warrant, any person who has committed or is about to commit,
32 or is committing in his presence any of the offenses defined in this chapter. The
33 tools, animals, equipment and conveyances used in committing the offense, and the
34 forest products cut, gathered, taken or possessed by the offender in the process of

1 committing the offense shall also be seized and confiscated in favor of the
2 government. The arresting forest officer shall thereafter deliver within six (6) hours
3 from the time of arrest or seizure both the offender and the confiscated forest
4 products, conveyances, tools and equipment, or the documents pertaining to the
5 same, and file the proper complaint with the appropriate official designated by law to
6 conduct preliminary investigation and file information in court. If the arrest and
7 seizure are made in the forest far from authorities designated by law to conduct
8 preliminary investigations, the delivery to and filing of the complaint with the latter
9 shall be done within a reasonable time sufficient for ordinary travel from the place of
10 arrest to the place of delivery. The seized forest products, materials, conveyances,
11 tools and equipment shall be immediately disposed of in accordance with the
12 regulations promulgated by the Secretary.

13

14 The Secretary may deputize any agency, barangay official, or any qualified
15 person to protect the forest and exercise the powers or authority provided for in the
16 preceding paragraph. Reports and complaints regarding the commission of any of
17 the offenses defined in this chapter not committed in the presence of any forest
18 officer or any of the deputized officers shall immediately be reported to the forest
19 officer assigned in the area where the offense was allegedly committed. Thereupon,
20 the investigating officer shall receive the evidences supporting the report or
21 complaint and submit the same to the appropriate official authorized by law to
22 conduct a preliminary investigation of criminal cases and file the information in court.

23

24 The Secretary of Justice shall designate in every city and province a special
25 prosecutor who shall file charges against forest violators to ensure their speedy
26 prosecution.

27

28 **SEC. 84. Liability of Custodian of Confiscated Forest Products.**- Any public
29 officer who fails to produce the timber or forest products, including tools,
30 conveyances, equipment, and devices in his custody pursuant to a seizure or
31 confiscation made thereon, or who shall appropriate, take, misappropriate, or shall
32 permit another person to take such timber forest products wholly or partially, shall
33 suffer the penalty provided for in Article 217, on Malversation of Public Funds or
34 Property, of the Revised Penal Code. In addition, the said public officer shall be

1 dismissed from service with prejudice to reinstatement and with perpetual
2 disqualification from holding any elective or appointive office.

3

4 CHAPTER XV

5

6 ADMINISTRATIVE PROVISIONS

7

8 **SEC. 85. Strengthening of the Forest Management Sector.**- In order to effectively
9 implement the provisions of this Act, the FMB shall be transformed into a line bureau
10 with functions clearly defined and enumerated under the implementing rules and
11 regulations of this Act. To ensure that the scientific practice of forestry in the country
12 is properly implemented, only registered foresters shall be appointed to the positions
13 of Director and Assistant Director and Regional Directors of the FMB as well as to all
14 other positions where the services of professional foresters are required in
15 accordance with existing laws and the relevant rules and regulations issued by the
16 Civil Service Commission (CSC) and the Professional Regulations Commission
17 (PRC).

18

19 **SEC. 86. Authority of the Secretary on the Use of Forest Resources.**- The
20 utilization of forest resources from natural forests found in forestlands, government-
21 established reservations, and all other lands including ancestral domains or tinder
22 the management of other government agencies shall be prohibited unless covered
23 by permits issued by the Department: *Provided*, That in the case of ancestral lands
24 and domains, the terms of the agreement with the concerned indigenous cultural
25 community shall likewise govern.

26

27 **SEC. 87. Administrative Authority of the Secretary or his Duly Authorized
28 Representative to Order Confiscation.**- In all cases of violations of this Act or other
29 forest laws, rules, and regulations, the Secretary or his duly authorized
30 representative may order the confiscation of forest products illegally harvested, cut,
31 gathered, removed or possessed or abandoned, and all conveyances used either by
32 land, water, or air as well as all machinery, equipment, implements, and tools used in
33 the commission of the offense and to dispose of the same in accordance with
34 pertinent laws, regulations, or policies on the matter.

1 If the confiscated forest products are in danger of deteriorating, the Secretary
2 may order that the same be sold at public auction even before the termination of the
3 judicial proceedings, with the proceeds kept in trust to await the outcome of the
4 judicial proceedings.

5

6 No court of the Philippines shall have jurisdiction to issue any Writ of
7 Replevin, restraining order, or preliminary mandatory injunction in any case involving
8 or growing out of any action by the Secretary or his duly authorized representative in
9 the exercise of the foregoing administrative authority.

10

11 **SEC. 88. Administrative Authority of the Secretary to Impose Fines.**- In all cases
12 of violations of this Act and other forest laws, rules and regulations where fine is the
13 principal penalty, the Secretary, after consultation with the forest-based industries
14 affected, is hereby authorized to impose administratively the penalty consisting of the
15 amount and the schedules of the fine which shall be officially published in a national
16 newspaper of general circulation.

17

18 **SEC. 89. Authority of Forest Officers.**- When in the performance of their official
19 duties, forest officers or other government officials or employees duly authorized by
20 the Secretary shall have free entry into areas covered by a contract, agreement,
21 license, lease or permit. Forest officers are authorized to inspect and to open closed
22 vans suspected to contain illegally harvested, collected or transported forest product:
23 *Provided*, That it is done in the presence of the shipper or consignee or two (2)
24 responsible public officials in the locality. Forest officers are authorized to administer
25 oath, take acknowledgment in official matters connected with the functions of their
26 office, or take testimony in official investigations conducted under the authority of this
27 Act and the implementing rules and regulations issued by the Secretary pursuant
28 thereof.

29

30 **SEC. 90. Visitorial Powers.**- The Secretary or his duly authorized representative
31 shall, from time to time, investigate, inspect, and examine records and other
32 documents except bank records related to the operation of any person granted the
33 privilege, contract, or agreement to utilize forest resources to determine compliance

1 with the terms and conditions stipulated in the grant, contract or agreement, this Act,
2 and pertinent laws, rules, and regulations.

3

4 **SEC. 91. Other Incentives.-** Fifty percent (50%) of the value of confiscated
5 materials shall be used as incentives to informants and members of multi-sectoral
6 forest protection councils, including Department personnel. Additional incentives may
7 be provided to personnel of the Department, in addition to those provided under the
8 Government Service Insurance System (GSIS) or Workmen's Compensation Law.
9 They shall also be entitled to free legal assistance should legal cases be filed against
10 them in the performance of official duties.

11

12 **SEC. 92. Citizens' Suits.** – For purposes of enforcing the provisions of this Act or its
13 implementing rules and regulations, any citizen may file an appropriate civil, criminal
14 or administrative action in the proper court against:

15 a) any person who violates or fails to comply with the provisions of this Act or its
16 implementing rules and regulations; or
17 b) the Department or other implementing agencies with respect to orders, rules and
18 regulations issued inconsistent with this Act; and
19 c) any public officer who willfully or grossly neglects the performance of an Act
20 specifically enjoined as a duty by this Act or its implementing rules and regulations,
21 or abuses his authority in the performance of his duty, or in any manner, improperly
22 performs his duties under this Act or its implementing rules and regulations:
23 *Provided, however,* That no suit can be filed until after a thirty-day notice has been
24 given to the public officer and the alleged violator concerned and no appropriate
25 action has been taken thereon.

26

27 The court shall exempt such action from the payment of filing fees, and shall,
28 likewise, upon *prima facie* showing of the non-enforcement or violation complained
29 of, exempt the plaintiff from the filing of an injunction bond for the issuance of a
30 preliminary injunction. In the event that the citizen's suit should prevail, the Court
31 shall award reasonable attorney's fees, moral damages, and litigation costs as
32 appropriate.

33

1 **SEC. 93. Suits Against Public Participation and the Enforcement of this Act.-**
2 Where a suit is brought against a person who filed an action as provided in Section
3 92 herein, or against any person, institution or government agency that implements
4 this Act, it shall be the duty of the investigating prosecutor or the Court, as the case
5 may be, to immediately make a determination not exceeding thirty (30) days whether
6 said legal action has been filed to harass, vex, exert undue pressure, or stifle such
7 legal actions of the person complaining for the enforcement of the provisions of this
8 Act. Upon determination thereof, evidence warranting the same, the Court shall
9 dismiss the case and award attorney's fees and double damages. This provision
10 shall also apply and benefit public officers who are sued for acts committed in their
11 official capacity, there being no grave abuse of authority, and done in the course of
12 enforcing this Act.

13.
14 **SEC. 94. Protection to Witnesses in Cases Involving Violation of Forestry**
15 **Laws.-** Witnesses to violations of this Act or other forestry laws and regulations,
16 including the immediate members of the family of said witnesses shall be given
17 protection, security and benefit, subject to the provisions of Republic Act No. 6981,
18 otherwise known as "The Witness Protection, Security and Benefit Act" and its
19 implementing rules and regulations.

20.
21 **SEC. 95. Rule-Making Authority.-** In consultation with the NCIP, the DILG, the
22 Department of Finance, the leagues of provinces, cities, and municipalities, and
23 other government agencies mentioned herein, the Department shall promulgate the
24 implementing rules and regulations within one (1) year from the effectivity of this Act.
25

26 **SEC. 96. Congressional Oversight Committee on the Sustainable Forest**
27 **Management Act.-** There is hereby created a Congressional Oversight Committee
28 composed of seven (7) members from the Senate Committee on Environment and
29 Natural Resources and seven (7) members from the House of Representatives
30 Committee on Natural Resources. The Chairpersons of the corresponding
31 committees shall also be the Co-chairpersons of the Oversight Committee.
32

33 The secretariat of the Oversight Committee shall be drawn from the existing
34 secretariat personnel of the committees comprising the oversight and the funding

1 shall be taken from the appropriations of both the House of Representatives and the
2 Senate.

3

4 **SEC. 97. Transitory Provision.-** Upon the approval of this Act, the Department shall
5 evaluate the conditions of all forestlands covered by existing TLAs, licenses, or
6 permits and the like, which shall be allowed to continue until their expiry unless
7 terminated for cause, such as:

- 8
- 9 a) when the licensee has been found to be a dummy;
- 10 b) when the licensee has been found to be farming out the license or receiving
11 royalty of any kind;
- 12 c) when the licensee has been found to be cutting or operating outside the limits of
13 the license or within an area specifically designated or sub-classified by the
14 Department as protection forestland;
- 15 d) when the licensee has been found to be allowing illegally-cut timber to be invoiced
16 under its license;
- 17 e) when the licensee has been found to be inducing any other person to log in other
18 areas in violation of the Department's regulations;
- 19 f) failure to submit to the Department the required copies of auxiliary invoices
20 covering timber manifested under the license;
- 21 g) failure to leave undamaged an adequate stand of young trees for residual growing
22 stock or for seeding purposes and to employ the necessary number of laborers
23 needed for timber management work;
- 24 h) when the licensee has, for the third time after written warning, intentionally
25 cut, injured or destroyed trees marked by forest officers and unmarked poles and
26 saplings for future growing stock, seeding, or protection;
- 27 i) failure to employ the required number of concession guards as determined
28 by the Department;
- 29 j) failure to protect the concession or license area or parts thereof from being
30 converted into *kaingin*, or from illegal timber cutting, and other forms of trespass;
- 31 k) when the licensee has been found to have failed to put up the processing plant for
32 the area within the required period, when made a condition in the award of the area
33 and the grant of the license;
- 34 l) failure to pay pending forest accounts;

- 1 m) failure to maintain and make conspicuous the approved and established
- 2 boundaries of his concession or license area;
- 3 n) failure to suspend operations within a conflicted area when so required by the
- 4 Department or its authorized representatives, pending final decision of the conflict;
- 5 o) when the license is found to have been obtained through fraud or
- 6 misrepresentation or by false, misleading statements;
- 7 p) allowing a contractor to operate the license area or concession; and
- 8 q) violation of any of the terms and conditions of the license, the NIPAS Act and its
- 9 implementing rules and regulations, the Wildlife Resources Conservation and
- 10 Protection Act, or any of the provisions of law on internal revenue and labor, and
- 11 Department regulations.

13 Any of the violations enumerated above will be cause for the immediate cancellation
14 of the permit or timber license agreement.

CHAPTER XVI

FINAL PROVISIONS

20 **SEC. 98. Separability Clause.** – Should any provision herein be declared
21 unconstitutional or invalid, the same shall not affect the validity or legality of the other
22 provisions.

24 SEC. 99. ***Repealing Clause.*** – Subsections (b), (d), (e), (f), (g), and (i) of Section 4
25 of Act No. 3915; Republic Act Nos. 460 and 7161; Presidential Decree Nos. 705,
26 1153, 1515, 1559, 1775 and 1998; Letter of Instruction No. 818; Executive Order Nos.
27 277, series of 1987, and Executive Order No. 725, series of 1981, are hereby
28 repealed, and all laws, orders, rules and regulations, or any part thereof which are
29 inconsistent herewith are likewise hereby repealed or amended accordingly:
30 *Provided.* That this Act shall not in any manner amend the IPRA and the NIPAS law.

32 **SEC. 100. Effectivity.** – This Act shall take effect thirty (30) days from the date of its
33 publication in the Official Gazette or in at least two (2) national newspapers of
34 general circulation.

Approved,