

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

13th Congress
First Regular Session

HOUSE BILL NO. 774

Introduced by Representative Harlin Cast. Abayon

EXPLANATORY NOTE

The proposed bill seeks to establish, develop and maintain parks and mini-parks in barangays, cities, municipalities and provinces to complement the country's beautification and reforestation program. Likewise, this will support the clean and green movement of the government.

Moreover, the bill is in accord with Section 16 of Article 11 of the 1987 Constitution, which provides:

"The state shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature."

As cited in Mr. Neal H. Cruz column (Inquirer) "... every big city in the world, whether it be New York, San Francisco, Rome, London, Moscow, Canberra, etc., there is at least one big park in the middle of the city. Moscow has a small park every few blocks; every house is always within a short walking distance to a park. Aside from parks, China has a green belt surrounding every city. The streets and side walks are wide and shaded by trees so that even downtown areas have a park-like atmosphere. Even tiny space on the sidewalks and backyards are planted to shady narra trees that came from ironically, the Philippines.

"But in Metro Manila, the only park of consequence for all the cities and towns comprising the megalopolis (and future urban slum) is in the Rizal Park....

"Quezon City, for all its huge sprawling area, has only the pocket Quezon Memorial Park and the tiny, tiny Bernardo Park on EDSA as parks worth mentioning...

In view of the foregoing, approval of the bill is earnestly requested

HARLIN CAST. ABAYON

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AN ACT
PROVIDING FOR THE ESTABLISHMENT, DEVELOPMENT AND MAINTENANCE OF PARKS AND MINI-PARKS IN BARANGAYS, MUNICIPALITIES, CITIES AND PROVINCES, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES.

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

SECTION 1. Title. – This Act shall be known and cited as the "Philippine Parks and Mini-Parks Development Act."

SEC. 2. Declaration of Policy. – It is hereby declared the National Policy to establish, develop and maintain parks and mini-parks in barangays, municipalities, cities and provinces to promote a balanced and healthful ecology, as well as to beautify and enhance the environment.

SEC. 3. Scope. – This Act shall apply to all barangays, municipalities, cities and provinces throughout the country.

SEC. 4. Definition of Terms. – As used in this Act:

(a) Environment-surroundings – all the conditions, circumstances and influences surrounding and affecting the development of an organism or group organisms;

(b) Parks and mini-parks – an open space for leisure, recreation and promenade where soft (i.e. plants, trees) and hard (i.e. pavement, benches) landscape may be found.

SEC. 5. Objectives. – Pursuant to the policy declared herein, it is the objectives of this Act:

(a) To establish, develop and maintain parks and mini-parks in barangays, municipalities, cities and provinces; and

(b) To provide a scenic environment in major areas of the country.

SEC. 6. National Committee. – A National Parks and Mini-Parks Development Committee is hereby created with the Secretary of the Department of Public Works and Highways (DPWH) as Chairman and the respective Secretaries of the Department of Interior and Local Government (DILG), the Department of Environment and Natural Resources (DENR) and Department of Tourism (DOT), through the Philippine Tourism Authority (PTA), as members.

The National Committee shall:

(a) Initiate, coordinate and monitor all the activities of parks and mini-parks development;

(b) Tap any or all government agencies, corporations and instrumentalities, non-governmental organizations (NGO's), and peoples organizations (POs), the Governor's League of the Philippines, Mayor's League of the Philippines and the Barangay Association of the Philippines as local committees to provide resources and assistance in the implementation of this Act; and

(c) Have the power to promulgate the pertinent rules and regulations as may be necessary to fully implement the objectives and purposes of this Act within a period not to exceed one hundred eighty (180) days from approval.

SEC. 7. Specific Functions of the Executive Departments. – For the purpose of carrying out effectively the provisions of this Act:

(a) The DPWH shall:

(1) provide the necessary technical data with respect to the classification, location, condition and length of all existing vacant public lots in barangays, municipalities, cities and provinces; and

(2) provide the necessary tools, equipment and manpower to effect the rapid establishment and development of parks and mini-parks.

(b) The DILG shall:

(1) mobilize all local government units to ensure prompt and effective implementation of this Act in every barangay, municipality, city and province; and

(2) effect the apprehension and the prosecution of all persons violating Section 8 of this Act

(c) The DENR shall:

(1) determine the suitable species of trees and provide seeds or saplings to be planted in the parks and mini-parks, suited to the kind, classification and condition of the area; and

(2) provide for effective measures and ways for the optimum maintenance of parks and mini-parks and healthy growth of trees and plants in the same.

(d) The DOT through the PTA shall:

(1) assist in the conceptualization, design and site-evaluation of parks and mini-parks in barangays, municipalities, cities and provinces; and

(2) provide effective measures and ways for the optimum maintenance of parks and mini-parks;

SEC. 8. Land Development. – Land developers acquiring government lands are required to convert into parks, at their expense, at least one-fourth (1/4) of the land acquired for development.

SEC. 9. Prohibited Acts. – No cutting and destroying of trees and plants found in the parks and mini-parks shall be permitted, except when the cutting and destroying of the same is necessary for public safety. Likewise, littering in and destroying of the structures in the parks and mini-parks is strictly prohibited.

SEC. 10. Persons Liable and Penalties. – Any person who destroys, damages and litters the parks and mini-parks as provided in Section 8 hereof, shall be punished with imprisonment of not less than six (6) months but not more than one (1) year or a fine of not less than three thousand pesos (P3,000.00) but not more than ten thousand Pesos (P10,000.00), or both such imprisonment and fine, at the discretion of the court.

SEC. 11. Submission of Reports. – The National Committee shall, within ninety (90) days after the approval of this Act and every one hundred eighty (180) days thereafter, submit periodic reports to both Houses of Congress of the Philippines for evaluation and consideration.

SEC. 12. Funding. – The fund needed for the implementation of the establishment, development and maintenance of parks and mini-parks in this Act shall be taken from any available appropriations in the General Appropriations Act (GAA) for 2001: Provided, That funds for this purpose shall also be included in the annual GAA: Provided, finally, That there shall be equitable and proportionate appropriations of funds annually for this purpose for all barangays, municipalities, cities and provinces. In addition, adequate portion of financial grants and concessional loans extended to the Philippines by foreign governments and multilateral agencies every year, the amount to be determined by the President, shall be allocated to augment the annual appropriations until this Act is fully implemented.

SEC. 13. Separability Clause. – If any provision or part of this Act is declared unconstitutional, such declaration of unconstitutionality will not affect the other provisions of this Act.

SEC. 14. Repealing Clause. – All laws, decrees, rules and regulations or parts thereof, inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 15. Effectivity Clause. – This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,