

CONGRESS OF THE PHILIPPINES
THIRTEENTH CONGRESS
First Regular Session

HOUSE OF REPRESENTATIVES

House Bill No. 1460

INTRODUCED BY **HON. CYNTHIA A. VILLAR**

EXPLANATORY NOTE

Recent findings point to the increasing importance of trees in achieving environmental balance. Trees purify the air we breathe: it takes only one a tree to neutralize the carbon dioxide breathed out by a man, a woman and child; 10 trees can neutralize a car's exhaust while 100 trees can neutralize a truck's exhaust.

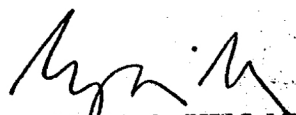
It is in the light of such findings that we have crafted this Bill that seeks, in effect, to make open spaces in human settlement sites as "breathing spaces." As a sea diver wears a self-contained underwater breathing apparatus or scuba diving equipment, plants and trees in our surroundings provide the equivalent self-contained terrestrial breathing apparatuses.

This bill seeks to require the planting of trees in open spaces of residential subdivisions amending Section 31 of P.D. No. 1216. Also, the Bill provides that "no subdivision project shall be approved without the inclusion of a tree-planting program in its plans."

Subdivisions are mushrooming in various parts of the country. As raw lands with their stock of wild plant growth are bulldozed and transformed into subdivisions sites, the consequent utilization of land leaves lasting impact on a locality's environment. Sound site development and planning requires environmental renewal and protection.

As we instill among the people the need to protect and restore our much-abused environment, let us also do our share no matter how modest in ensuring our ecological balance in housing and human settlement sites.

For such reasons, immediate passage of the Bill is earnestly requested.


CYNTHIA A. VILLAR

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**AN ACT REQUIRING THE PLANTING OF TREES IN OPEN SPACES OF
SUBDIVISION PROJECTS DEVELOPED FOR RESIDENTIAL,
INDUSTRIAL, OR COMMERCIAL PURPOSE, AND FOR OTHER
PURPOSES**

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

1 **SECTION 1. *Short Title.*** - This Act shall be cited as the "Greening Act
2 of 2004."

3 **SEC. 2. *Declaration of Policy.*** - It shall be the policy of the State to
4 protect and advance the right of the people to a balanced and healthful
5 ecology in accord with the rhythm and harmony of nature.

6 **SEC. 3. *Coverage.*** - Every owner of land subdivided and developed for
7 residential, industrial, or commercial purpose shall reserve, develop and
8 maintain at least thirty percent (30%) of the gross area as open space for
9 parks, playgrounds, recreational uses, schools, roads, places of worship,
10 hospitals, health centers, barangay centers and other similar amenities.
11 For residential subdivision projects one (1) hectare or more, the open space
12 allocated exclusively for parks, playgrounds and recreational uses shall
13 have the following standards:

1 (a) Nine percent (9%) of gross area for high-density, or
2 social housing (56 to 100 family lots per gross hectare);

3 (b) Seven percent (7%) of gross area for medium-density
4 or economic housing (21 to 65 family lots per gross hectare);
5 and

6 (c) Three and one-half percent (3.5%) of the gross area for
7 low-density or open market housing (20 family lots and below
8 per gross hectare).

9 In cases of subdivisions developed or development plans approved
10 before the effectivity of this Act, it shall be incumbent upon the owner or
11 developer of the subdivision project to plant trees in the open spaces
12 reserved for the common use and enjoyment of the owners of the lots there
13 as well as along all roads and service streets.

14 SEC. 4. *Nature of Open Space and Requirement of Tree Planting.* -

15 Those areas reserved for parks, playgrounds and recreational uses shall be
16 non-alienable and non-buildable public lands. The plans of the subdivision
17 project developed for residential, industrial, or commercial purposes shall
18 include tree planting on such open spaces and other parts of such project
19 as may be practicable and as may be designated by the approving local
20 government unit. No portion of the parks or playgrounds may thereafter be
21 converted to any other purpose or purposes.

21 No plan for a subdivision project developed for residential, industrial, or
22 commercial purpose shall be approved by the local government in the city or
23 municipality where such project is located without the inclusion of a tree-

1 planting program in such plan and unless the owner thereof undertakes to
2 develop such open space within three years from the approval of the plan.

3 SEC. 5. *Rules and Regulations.* - The Housing and Land Use
4 Regulatory Board shall issue such rules and regulations or guidelines as
5 may be necessary for the implementation of this Act. The Board shall
6 consult with the Bureau of Forest Development as to the appropriate
7 species of trees to be planted.

8 SEC. 6. *Penal Clause.* - Any person who shall violate the provisions of
9 Section 3 and 4 hereof, or any rules or regulations promulgated pursuant
10 thereto, shall be punished with six (6) months and one (1) day to six (6)
11 years imprisonment, or with a fine equivalent to the value, at prevailing
12 valuation, of the area representing ten percent (10%) of the total area of the
13 subdivision project developed for residential, industrial or commercial
14 purposes, or both imprisonment and fine at the discretion of the court:
15 *Provided, That* in case of corporations, partnerships, cooperatives or
16 associations, the president, manager or administrator or the person in-
17 charge of the administration of the business shall be criminally responsible
18 for any violation of this Act and/or the rules and regulations promulgated
19 pursuant thereto.

20 SEC. 7. *Repealing Clause.* - Paragraphs 1 and 2 of Section 31 of
21 Presidential Decree No. 957, as amended by Presidential Decree No. 1216,
22 and all laws, decrees, regulations, or issuance or parts thereof inconsistent
23 with this Act are hereby repealed accordingly.

1 **SEC. 8. *Supplementary Application of Existing Laws.*** - Presidential Decree
2 No. 953, as amended, and all laws, decrees and regulations or issuance or
3 parts thereof not inconsistent with this Act shall have supplementary effect.

4 **SEC. 9. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days
5 following its publication in the *Official Gazette* or in at least two (2)
6 newspapers of general circulation.

Approved,