

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

Thirteenth Congress
First Regular Session

HOUSE BILL NO. 3578



Introduced by Honorable Raul T. Gonzalez, Jr.

EXPLANATORY NOTE

This bill seeks to provide stiffer penalties for cutting, gathering, or collecting timber, or other forest products without license, amending and for other violations, for the purpose the "Revised Forestry Code of the Philippines."

The environment is an important element of life, and the environment must be able to sustain life, not only for the present generation but also for the future generations of man. The significance of the environment to man's life has been recognized by the Constitution, which provides that "The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with rhythm and harmony of nature."

Environmental destruction must be stopped, otherwise massive flooding, as experienced by numerous regions throughout the country in December of 2004, shall become more extensive and frequent. Death, disease, and destruction of property which could have been avoided had measures to protect the environment been properly implemented, shall become common occurrence each rainy season.

In order to deter, if not totally prevent, illegal logging, which is indubitably a major cause of massive flooding, death, and destruction in our country, stiffer penalties for violations of the revised Forestry Code of the Philippines must be provided to discourage the wanton destruction of the environment.

In view of the foregoing, approval of this bill is strongly recommended.


ATTY. RAUL T. GONZALEZ, JR.

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AN ACT
PROVIDING STIFFER PENALTIES FOR CUTTING, GATHERING OR
COLLECTING TIMBER, OR OTHER FOREST PRODUCTS WITHOUT
LICENSE, AND FOR OTHER VIOLATIONS, AMENDING FOR THE PURPOSE
THE REVISED FORESTRY CODE OF THE PHILIPPINES, AS AMENDED

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

SECTION 1. Section 68 of the Presidential Decree No. 705, as amended, is hereby further amended to read as follows:

“Sec. 68. Cutting, Gathering and/or collecting timber, or other Forest Products without License. - Any person who shall cut, gather, collect, remove timber or other forest products from any forest land, or timber from alienable or disposable land, or from private land, without any authority, or possess timber or other forest products without the legal documents as required under existing forest laws and regulations, shall be punished with the penalties imposed under Articles 309 and 310 of the Revised Penal Code: *Provided*, THAT IN CASE THE VIOLATIONS ARE COMMITTED THROUGH AN ORGANIZED AND SYSTEMATIC CUTTING, GATHERING, COLLECTING OR REMOVING TIMBER FOR COMMERCIAL PURPOSES, THE PENALTY SHALL BE PRISON MAYOR IN ITS MINIMUM TO MEDIUM PERIOD, AND A FINE OF NOT LESS THAN FIVE HUNDRED THOUSAND PESOS (Php 500,000) BUT NOT EXCEEDING ONE MILLION PESOS (Php 1,000,000); *PROVIDED* further, that in case of partnerships, associations, or corporations, the officers who ordered the cutting, gathering, collection or possessions shall be liable, and if such officers are aliens, they shall, in addition to the penalty, be deported without further proceedings on the part of the [Commission on] BUREAU OF Immigration [and Deportation].

ANY ACTIVITY ABOVE STATED COMMITTED BY TWO OR MORE INDIVIDUALS WITH OR WITHOUT THE AID OF ANY MECHANICAL DEVICE SHALL CONSTITUTE AS PRIMA FACIE EVIDENCE THAT THE ACT IS ORGANIZED AND SYSTEMATIC.

ANY LICENSED TIMBER CONCESSIONAIRE WHO SHALL BUY LOGS FROM UNLICENSED LOGGERS, OR FROM LOGGERS OPERATING WITHOUT PERMITS, SHALL BE CONSIDERED IN VIOLATION OF THIS ACT, AND SHALL SUFFER THE PENALTIES MENTIONED ABOVE.

The court shall further order the confiscation in favor of the government of the timber or any forest products cut, gathered, collected, removed, or possessed as well as the machinery, equipment, implements and tools illegally used in the area where the timber or forest products are found.”

SEC. 2. This Act shall take effect after fifteen (15) days following the completion of its publication in the Official Gazette or in at least two (2) newspaper of general circulation in the Philippines.

Approved,