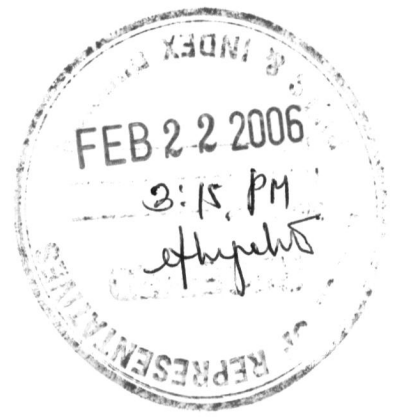


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS

HOUSE BILL NO. 5292



INTRODUCED BY: **HON. MAYO Z. ALMARIO**

EXPLANATORY NOTE

The bill seeks to create an adjudication commission that will hear cases filed in violation of Philippine Environmental Laws.

Recent calamities and disasters are signs of mother nature's wrath against those who exploit the environment without compassion. However, the casualties are not those who denuded and abused our natural resources but the indigent communities and our poor countrymen residing in the rural areas, their children and their children's children.

The laying down of domestic and international laws to protect the environment, however, does not write to *finis* humanity's struggle to preserve nature. This is just half of the war. The other half is the enforcement of these laws which is the more difficult process for it is certain to result in the collusion of conflicting interests dominating our society today.

It is our judiciary who should take the center stage in resolving these confrontations which could make or unmake our future, for they are the final arbiters between clashes of rights and duties. They are tasked to insure to strike the delicate balance between the demands of economics and the environment, that balance which is the linchpin of a just, equitable and orderly society.

However, our courts are clogged with so many cases, both criminal and civil, that priority in resolving environmental cases have been placed into the archives. Not to mention, the need of our judges to have a commanding knowledge of the emerging substantive body of environmental law. Because, if the judiciary were to understand that environmental justice has to be dispensed with as a vital concern, judges must command a fingertip familiarity with its norms and nuances.

In view thereof, this bill seeks for the creation of the Environmental Adjudication Commission who shall promulgate their own rules of procedure, thus, liberating the complexity of environmental law from the traditional procedure of resolving right versus wrong and the immediate allocation of damages to injured parties in dispensing environmental justice. The creation of the Environmental Adjudication Commission will encourage citizens to bring their suits to protect the environment rather than dishearten them and frustrate environmental justice.



MAYO Z. ALMARIO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
HOUSE BILL NO. 5292

INTRODUCED BY: **HON. MAYO Z. ALMARIO**

**AN ACT CREATING AN ENVIRONMENTAL ADJUDICATION COMMISSION,
DEFINING ITS JURISDICTION AND OTHER PURPOSES**

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

SECTION 1. Title. – This Act shall be known as the Environmental Adjudication Commission (EAC) Act.

SECTION 2. Declaration of Policy. – It is the policy of the State to protect and advance the right of the people to a balance ecology and a wholesome and healthy environment. Toward this end, the State shall provide a venue dedicated in prosecuting and convicting offenders of environmental laws ensuring protection of the environment against pollution and other impacts occasioned by man's activities.

SECTION 3. Jurisdiction. – The EAC shall have original and exclusive jurisdiction to decide cases in violation of the Philippine Environmental Laws.

SECTION 4. Filing of Actions. – Any person may file a written complaint, under oath, with the EAC against any person who has violated any environmental laws.

SECTION 5. Appeals. – Any decision, order or judgment of the EAC shall become final and executory fifteen (15) days after receipt of said decision, order or judgment. The decision, order or judgment of the EAC may be reviewed by the Supreme Court on certiorari as provided for under the Rules of Court.

SECTION 6. Execution. – All decision, order or judgment of the EAC, after the same has attained finality, shall be enforced and executed in the same manner as the decisions of regular courts.

SECTION 7. Repealing Clause. – All acts, decrees, general orders, letters of instruction, regulations and circulars, or parts thereof inconsistent with any provisions of this act are hereby repealed or modified accordingly.

SECTION 8. Separability Clause. – If, for any cause, any part of this Act is declared unconstitutional, the rest of the provisions shall remain in force and effect.

SECTION 9. This Act shall take effect upon approval.

Approved.