

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Thirteenth Congress
Second Regular Session

HOUSE BILL NO. 5517



Introduced by: Hon. J. R Nereus O. Acosta and Hon. Augusto H. Baculio

EXPLANATORY NOTE

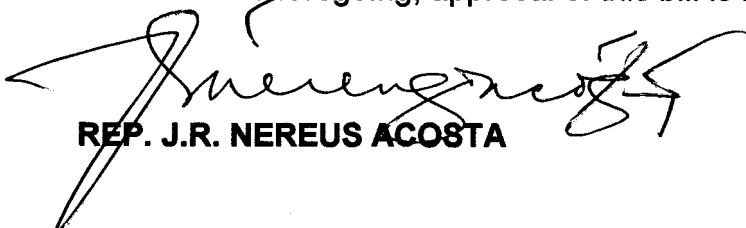
The increasing responsibilities of local government units (LGUs) to perform environmental management functions calls for a competent office headed by a full-time and permanent Environment and Natural Resources Officer (ENRO).

For more than a decade, following the United Nations Conference on Environment and Development (UNCED) otherwise known as the Rio Summit of 1992, environment has become a buzzword and subsequently popularized the framework of sustainable development. The concern for environmental protection and sustainability spread like fire, globally and domestically. Nations from all over the world had to keep pace with this trend of ensuring economic development to simultaneous happen with environmental protection. Countries joining international agreements and protocols continue to grow in number as the call for a global cooperation to address environmental problems increases.

Consequently, stronger and more comprehensive Philippine laws on environment and natural resources protection and management have been passed and implemented both by national agencies and LGUs. These include the Mining Act, Cave Resources Management Act, coastal resources management, devolved functions on forestry protection, protected areas management, Clean Air Act, Clean Water Act, Ecological Solid Waste Management Act and other environment laws. Meanwhile, the Philippines is also a signatory and a party to several conventions like the Montreal Protocol, Kyoto Protocol, Basel Convention, Stockholm Convention, the upcoming Rotterdam Convention, International Trade of Endangered Species of Wild Flora and Fauna and other international agreements.

Most, if not all of these laws, identified the LGUs as co-implementors in many of their provisions. Cognizant of the fact that the national government is deplete of resources, these laws have in one way or another, devolved some of the national government functions to the LGUS through proper coordination and effective delegation of authorities. It should also be noteworthy that some of the devolved functions are according to a certain time frame, depending on the technical capability and readiness of the LGUs. It is thus important that a permanent ENRO be assigned to attend to these huge and immediate tasks. Amendment to R.A. 7160, otherwise known as the Local Government Code is necessary.

In view of the foregoing, approval of this bill is hereby sought.


REP. J.R. NEREUS ACOSTA


REP. AUGUSTO H. BACULIO

Republic of the Philippines
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THIRTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5517

Introduced by: **Hon. Nereus J.R O. Acosta and Hon. Augusto H. Baculio**

**AN ACT AMENDING REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS
THE "LOCAL GOVERNMENT CODE OF 1991" AND FOR OTHER PURPOSES.**

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

SECTION 1. Chapter II, Article 14, Section 484 of Republic Act No. 7160 is hereby amended to read as follows:

Article Fourteen. – The Environment and Natural Resources Officer

SEC. 484. *Qualifications, Powers and Duties.* –

(a) No person shall be appointed environment and natural resources officer unless he is citizen of the Philippines, a resident of the local government unit concerned, of good moral character, a holder of a college degree preferably in environment, forestry, agriculture or any related course from a recognized college or university, an a first grade civil service eligible or its equivalent. He must have acquired experience in environmental and natural resources management, conservation, and utilization, of at least five (5) years in the case of the provincial or city environment and natural resources officer, and three (3) years in the case of the municipal environment and natural resources officer. The appointment of the environment and natural resources officer shall be mandatory for provincial, city, and municipal governments. This is to enhance the capability of LGUs to enforce environmental laws and regulations within their respective territorial jurisdiction and in order for the country as a whole to efficiently comply with the provisions of 2001 Stockholm Convention on Persistent Organic Pollutants and to other similar International treaties and multi-lateral environmental agreements. All LGUs who have not yet appointed an environment and natural resources management officer shall be given at least two (2) years from the effectivity of this act to appoint such officer and appropriate funds thereof.

(b) The environment and natural resources management officer shall take charge of the office on environment and natural resources and shall:

(1) Formulate measures for the consideration of the sanggunian and provide technical assistance and support to the governor or mayor, as the case may be, in carrying out measures to ensure the delivery of basic services and provision of adequate facilities relative to environment and natural resources services as provided for under Section 17 of this Code;

(2) Develop plans and strategies and upon approval thereof by the governor or mayor, as the case may be, implement the same, particularly those which have to do with environment and natural resources programs, projects which includes but not limited to measures to reduce or eliminate Persistent Organic Pollutants; which the governor or mayor is empowered to implement and which the sanggunian is empowered to provide for under this Code;

(3) In addition to the foregoing duties and functions, the environment and natural resources officer shall:

- (i) Establish, maintain, protect and preserve communal forests, watersheds, tree parks, mangroves, greenbelts and similar forest projects and commercial forest, like industrial tree farms and agro-forestry projects;
- (ii) Provide extension services to beneficiaries of forest development projects and technical, financial and infrastructure assistance;
- (iii) Manage and maintain seed banks and produce seedlings for forests and tree parks;
- (iv) Provide extension services to beneficiaries of forest development projects and render assistance for natural resources-related conservation and utilization activities consistent with ecological balance;
- (v) Promote the small-scale mining and utilization of mineral resources, particularly mining of gold;
- (vi) Coordinate with government agencies and non-governmental organizations in the implementation of measures to prevent and control land, air and water pollution with the assistance of the Department of Environment and Natural Resources and other related Government Agencies;

(4) Be in the frontline of the delivery of services concerning the environment and natural resources, particularly in the renewal and rehabilitation of the government during and in the aftermath of man-made and natural calamities and disasters;

(5) Recommend to the sanggunian and advice the governor or mayor, as the case may be, on all matters relative to the protection, conservation, maximum, utilization, application of appropriate technology, best available techniques, best environmental practices and other matters related to the environment and natural resources; and

© Exercise such other powers and perform such other duties and functions as may be prescribed by Republic Act No. 8749, Republic Act No. 9003, Republic Act No. 9275 and other laws or ordinances.

SECTION 2. *Repealing Clause.* – Republic Act No. 7160 is hereby partly modified. All other laws, orders, issuance, rules and regulations inconsistent herewith are hereby repealed or modified accordingly.

SEC. 3. *Effectivity Clause* – This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or in two (2) newspapers of general circulation whichever comes earlier.