

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

FIFTEENTH CONGRESS
Second Regular Session



COMMITTEE REPORT NO. 1870

Submitted by the Committee on Natural Resources and the Committee on Appropriations
on 16 FEB 2012

Re: House Bill No. 5860

Recommending its approval in substitution of House Bill Nos. 2944 and 5112.

Sponsors: Representatives Francisco T. Matugas, Joseph Emilio A. Abaya, Rufus B. Rodriguez, Maximo B. Rodriguez, Jr., and Angelo B. Palmones

Mr. Speaker:

The Committee on Natural Resources and the Committee on Appropriations, to which were referred House Bill No. 2944, introduced by Representatives Rufus B. Rodriguez and Maximo B. Rodriguez, Jr., entitled:

"AN ACT PROVIDING FOR THE DELINEATION OF THE SPECIFIC FOREST LIMITS OF THE PUBLIC DOMAIN AND FOR OTHER PURPOSES"

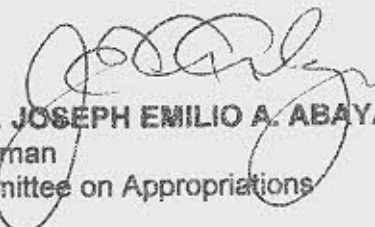
and House Bill No. 5112, introduced by Representative Angelo B. Palmones, entitled:

"AN ACT PROVIDING FOR THE DELINEATION OF THE SPECIFIC FOREST LIMITS OF THE PUBLIC DOMAIN AND FOR OTHER PURPOSES"

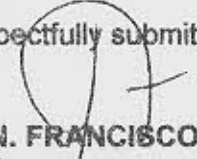
have considered the same and recommend that the herein attached House Bill No. 5860, entitled:

"AN ACT PROVIDING FOR THE DELINEATION OF THE SPECIFIC FOREST LIMITS OF THE PUBLIC DOMAIN AND FOR OTHER PURPOSES"

be approved in substitution of House Bill Nos. 2944 and 5112 with Representatives Rodriguez (R.), Rodriguez, Jr. (M.), Palmones, Matugas and Abaya as authors thereof.


HON. JOSEPH EMILIO A. ABAYA
Chairman
Committee on Appropriations

Respectfully submitted,


HON. FRANCISCO T. MATUGAS
Chairman
Committee on Natural Resources

THE HONORABLE SPEAKER
House of Representatives
Quezon City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 5860
(in substitution of House Bill Nos. 2944 and 5112)

Introduced by Representatives Rufus B. Rodriguez,
Maximo B. Rodriguez, Jr., Angelo B. Palmones,
Francisco T. Matugas and Joseph Emilio A. Abaya

AN ACT
PROVIDING FOR THE DELINEATION OF THE SPECIFIC FOREST LIMITS
OF THE PUBLIC DOMAIN AND FOR OTHER PURPOSES

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

1 **SECTION 1. Short Title.** – This Act shall be known and cited as the
2 “Final Forest Limits Act of 2012.”

3 **SEC. 2. Declaration of Policy.** – It is the policy of the State to
4 conserve, protect and develop the forest resources of the country in order to
5 attain ecological balance, preserve valuable ecosystems, prevent
6 environmental degradation and promote sustainable development for the
7 present and future generations. To achieve these ends, Section 4 of Article XII
8 of the 1987 Constitution mandates Congress to determine by law the specific
9 limits of forest lands marking clearly their boundaries on the ground.

10 **SEC. 3. Definition of Terms.** – As used in this Act, the following terms
11 shall mean:

- 12 a) **Agricultural Lands** – shall refer to alienable and disposable lands
13 of the public domain, which have been the subject of the land
14 classification system and declared as not needed for forest
15 purposes.

- 1 b) **Delimitation Survey** – shall refer to the establishment of land
2 classification boundaries and the monumenting thereof following
3 ground survey.
- 4 c) **Delineation** – shall refer to the conduct of site investigation, field
5 reconnaissance and assessment, and staking of boundaries
6 between forest lands, national parks and agricultural lands verified
7 in the field in accordance with the criteria set forth under DENR
8 DAO 2008-24.
- 9 d) **Forest Lands** – shall refer to all lands of the public domain already
10 classified as forest land as per existing land classification maps
11 issued by the Department of Environment and Natural Resources
12 (DENR) including all permanent forest reserves proclaimed as such
13 by the President or declared by law, and such areas within the
14 unclassified lands of the public domain that were assessed and
15 delineated by the DENR in accordance with pertinent laws, rules
16 and regulations.
- 17 e) **Protected Area** – shall refer to identified portions of land and/or
18 water set aside by reason of their unique physical and biological
19 significance, managed to enhance biological diversity and protected
20 against destructive human exploitation.

21 **SEC. 4. What Constitutes the Forest Lands.** – The following shall
22 constitute the forest lands, to wit:

- 23 a) All lands of the public domain already classified as forest land as
24 per existing land classification maps issued by the DENR;
- 25 b) All permanent forest reserves proclaimed as such by the President
26 or declared by law; and
- 27 c) Such areas within the unclassified lands of the public domain that
28 were assessed and delineated by the DENR in accordance with
29 pertinent laws, rules and regulations.

30 **SEC. 5. Guidelines in Determining the Specific Limits of Forest**
31 **Lands.** – The following guidelines and procedures shall be followed in
32 determining the specific limits of forest lands in the country:

- 1 a) The previously established land classification survey lines per
2 province with their respective technical descriptions (TDs) and maps
3 shall be the basic data and information that will be used as reference
4 material in undertaking the validation, assessment and delineation
5 process.
- 6 b) All completed assessment and delineation reports for a given
7 province shall be endorsed to the National Review and Evaluation
8 Committee as created herein to be headed by the Secretary of the
9 DENR for final approval.
- 10 c) The same process shall be followed for other provinces with on-going
11 assessments and delineation activities until such time that all the
12 boundaries of forest lands of the whole country shall have been
13 delimited: *Provided, That* all assessments, validations and
14 delineations shall be completed not later than one (1) year after the
15 passage of this Act.

16 **SEC. 6. *Creation of the National Review and Evaluation***
17 ***Committee.*** – In recognition of the Constitutional mandate as embodied in
18 Section 4, Article XII thereof, and in view of the urgent need to establish the
19 permanent limits of the forest lands of the country, a National Review and
20 Evaluation Committee is hereby created to process, evaluate and approve all
21 completed assessment and delineation reports referred to in the immediately
22 preceding section. The Committee, in its evaluation and approval of the said
23 reports, shall strictly adhere to existing established laws, policies, rules,
24 regulations and guidelines pertinent thereto.

25 The Committee shall be composed of the following:

- 26 a) Secretary of the DENR as Chairman;
27 b) Secretary/Director General of the National Economic and
28 Development Authority (NEDA) as Vice-Chairman;
29 c) Secretary of the Department of the Interior and Local Government
30 (DILG) as Member;
31 d) Secretary of the Department of Agriculture (DA) as Member; and
32 e) Secretary of the Department of Agrarian Reform (DAR) as Member

1 Upon approval of the assessment and delineation reports, the
2 Committee shall submit the same to Congress which shall thereafter form part
3 of its official records. The assessment and delineation reports as approved by
4 the Committee shall be adopted as constituting the final boundaries of the
5 forest lands covered by the said report.

6 **SEC. 7. Demarcation and Delimitation of Final Forest Land**
7 **Boundary.** – Immediately after the final forest line has been determined
8 following the guidelines prescribed in Section 5 hereof, the DENR shall delimit
9 and establish the permanent boundary monuments on the ground.

10 **SEC. 8. Permanency of the Specific Forest Limits.** – The permanent
11 forest lands established pursuant to this Act shall be conserved and shall not
12 be increased nor diminished except by law. The DENR, in coordination with all
13 concerned agencies and branches of the government shall ensure that the
14 forest cover and other resources therein shall be protected and enhanced.

15 **SEC. 9. Recognition of the Rights of Upland Dwellers.** – Consistent
16 with the provisions of Republic Act No. 7160 or the Local Government Code of
17 1991 and Republic Act No. 8371 or the Indigenous Peoples Rights Act (IPRA)
18 of 1997, the rights of the indigenous cultural communities and other upland
19 dwellers shall be recognized and respected in the ground delineation of the
20 permanent forest limits.

21 **SEC. 10. Monitoring, Evaluation, and Reporting System.** – To attain
22 the objectives of this Act, a field monitoring, evaluation and reporting system
23 shall be adopted by the Secretary of the DENR to regularly keep track of the
24 state of the country's forest lands after their delimitation. Toward this end, at
25 the opening of each session of Congress, the DENR shall submit a report to
26 the President on the status of the forest lands for transmission to Congress.

27 **SEC. 11. Creation of an Adjudication Board to Resolve**
28 **Controversies on Land Conflicts/Adverse Claims.** – A Land Conflict
29 Adjudication Board is hereby created to resolve controversies arising from
30 boundary conflicts and adverse claims as a result of the delimitation of forest
31 lands pursuant to this Act. The Board shall be composed of the following:

- 32 a) The Secretary of the Department of Justice (DOJ) as Chairman;

1 b) Representative from the Integrated Bar of the Philippines (IBP) as
2 Member;

3 c) Administrator of the Land Registration Authority (LRA) as Member;

4 d) Representative from a reputable College of Forestry as Member; and

5 e) Representative from the private sector as Member

6 The Board shall have the following powers and functions:

7 a) Adjudicate cases on land conflicts and adverse claims brought before
8 it for resolution;

9 b) Summon witnesses, administer oaths, take testimony and require
10 submission of reports;

11 c) Compel production of books and document answers to
12 interrogations; and

13 d) Issue subpoena duces tecum, writs of possession, writs of execution,
14 and other writs to enforce its orders and decisions.

15 **SEC. 12. Accessibility of Record to the Public.** – All records and
16 information pertaining to the specific forest limits delineated pursuant to this Act
17 shall be made available to all local government units (LGUs), other government
18 agencies, and to the general public.

19 **SEC. 13. Congressional Oversight Committee on the Delineation of**
20 **the Permanent Forest Limits.** – There is hereby created a Congressional
21 Oversight Committee to oversee the implementation of this Act, composed of
22 seven (7) members from the Senate Committee on Environment and Natural
23 Resources and seven (7) members from the House of Representatives
24 Committee on Natural Resources.

25 The Congressional Oversight Committee shall be in existence for a
26 period of five (5) years, and thereafter, its oversight functions shall be exercised
27 by the Committee on Environment and Natural Resources of the Senate of the
28 Philippines and the Committee on Natural Resources of the House of
29 Representatives, acting separately. The Secretariat of the Congressional
30 Oversight Committee shall come from the Secretariat personnel of the
31 Committees of the Senate and the House of Representatives comprising the
32 Congressional Oversight Committee.

1 **SEC. 14. Appropriations.** – The Secretary of the DENR shall include in
2 the Department's program the implementation of this Act, the initial funding of
3 which shall be charged against the current year's appropriations of the
4 Department and thereafter included in the annual General Appropriations Act.

5 Funds for the implementation of the provisions of this Act shall be
6 supplemented also from any available official development assistance (ODA)
7 and from joint projects between agencies of the Philippines and an assisting
8 country.

9 Local government units (LGU) may also allocate counterpart funds to be
10 taken from their internal revenue allotment (IRA) and other LGU income for the
11 delineation of the forest limits within their respective territorial jurisdictions.

12 **SEC. 15. Implementing Rules and Regulations.** – Within three (3)
13 months from the effectivity of this Act, the Secretary of the DENR shall issue
14 the corresponding Implementing Rules and Regulations for the effective
15 implementation of this Act.

16 **SEC. 16. Separability Clause.** – If any portion of this Act is declared
17 unconstitutional, the same shall not affect the validity and effectivity of the other
18 provisions not affected thereby.

19 **SEC. 17. Repealing Clause.** – All laws, decrees, letters of instruction,
20 executive orders, rules and regulations and other issuances or parts thereof
21 inconsistent with this Act are hereby repealed or modified accordingly.

22 **SEC. 18. Effectivity.** – This Act shall take effect fifteen (15) days after
23 publication in the Official Gazette or in two (2) newspapers of general
24 circulation.

25 **Approved,**

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