

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress

House Bill No. 6137



Introduced by: Rep. Erico B. Aumentado

EXPLANATORY NOTE

The Philippine Constitution mandates that *"The state shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature"*.

The 1,268 chocolate hills in the towns of Carmen, Sagbayan and Batuan are considered as the crown jewels of Bohol's tourism. It is one of the wonders of the world and the Philippines major tourist attractions because of the grandeur, the majesty and unique geological formation of the hills.

The Chocolate Hills, according to a German scientist's study, were created over three million years ago – when Bohol was under seawaters - by under sea currents and tidal action which explains some of the hills perfect cone and others in haystack formation. The hills are chocolate brown during summer, and verdant green on rainy days. Thus, maintenance pruning of trees shall be allowed to preserve the hills brown color during summer as the hills unique and distinctive landmark.

President Fidel V. Ramos declared the chocolate hills as a national geological monument by reason of its exceptional characteristics, scientific importance, uniqueness, relevance to Philippine history and heritage, culture and development, importance in the tourism industry as a major tourist attraction in the country, and high scenic value by the National Committee on Geological Sciences, the Department of Environment and Natural Resources and the Department of Tourism.

This bill – filed in the Eleventh Congress by this representation and others led by Rep. Orlando Fua, then chair of the Committee on Natural Resources – seeks to prevent any destruction, pillage, despoil or defacement of the iconic hills to preserve their status as national patrimony, natural heritage park and geological monuments.

Therefore, approval of this measure is most respectfully urged.


ERICO B. AUMENTADO

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AN ACT
DECLARING THE CHOCOLATE HILLS AS NATIONAL PATRIMONY,
NATURAL HERITAGE PARK AND GEOLOGICAL MONUMENTS,
PENALIZING THEIR PILLAGE, DESTRUCTION AND DEFACEMENT,
AND FOR OTHER PURPOSES

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

SECTION 1: Short Title – This Act shall be known as the Chocolate Hills Protection Act of 2012.

SECTION 2: Definition of Terms – For purposes of this Act, the following terms are hereby defined as follows:

1. Pillage – means the destruction of any of the Chocolate Hills without permit from the proper authorities concerned and the required Environmental Clearance Certificate from the Department of Environment and Natural Resources through quarrying or hauling therefrom of limestone, rocks, soil and road surfacing materials or for backfilling in any construction.
2. Destruction – means to ruin or devastate completely any of the Chocolate Hills with permit duly issued by the proper authorities concerned and the Environmental Clearance Certificate by the Department of Environment and Natural Resources through quarrying or hauling therefrom of limestone, rocks, soil and road surfacing materials or for backfilling in any construction.
3. Defacement – means to mar the appearance or disfigure any of the Chocolate Hills through any means or device with permit issued by the proper authorities concerned.

SECTION 3: Declaration of Policy – It is hereby declared the policy of the State to protect and preserve the Chocolate Hills found in the 32 barangays in the municipalities of Carmen, Batuan and Sagbayan, Province of Bohol, to wit: La Paz, Buenos Aires, Tamboan, Alegria, Villaflores, Matin-ao, Calatrava, Monte Video, Nueva Vida Sur, La Victoria, Muntisuntong, Nueva Vida Este, Nueva Vida Norte and Buenavista in the Municipality of Carmen, Province of Bohol; Sta. Cruz, Aloja, Garcia and Behind the Clouds in the Municipality of Batuan, Province of Bohol; Sta. Cruz, Sagbayan Sur, Katipunan, Ubojan, Canmaya Diot, Libertad Sur, San Vicente Sur, Libertad Norte, Canmano, Sta. Catalina, Canmaya Centro, Kagawasan, Poblacion and San Agustin in the Municipality of Sagbayan, Province of Bohol.

SECTION 4: National Patrimony and Geological Monuments – The aforesated Chocolate Hills are hereby declared as National Patrimony, Natural Heritage Park and Geological Monuments for which quarrying or hauling of limestone, rocks, soil and road materials therefrom for whatever purpose is hereby banned and prohibited.

SECTION 5: Penalties – (a) All persons, whether natural or juridical, who violate this Act which causes the pillage of any Chocolate Hill shall, upon conviction, be punished with an imprisonment of 12 years and one day to 20 years and a fine of P120,000.00 to P200,000.00;

(b) All persons, whether natural or juridical, who violate this Act which causes the destruction of any Chocolate Hill shall, upon conviction, be punished with an imprisonment of eight years, four months and one day to 12 years and a fine of P85,000.00 to P120,000.00; and

(c) All persons, whether natural or juridical; who violate this Act which causes the defacement of any Chocolate Hill shall, upon conviction, be punished with an imprisonment of six years and one day to eight years and four months and a fine of P60,000.00 to P84,000.00.

For purpose of this section, the President, the Chairman of the Board, the General Manager and Project Manager, in case of corporation, and the proprietor and manager, in case of sole proprietorship, shall be held responsible for the violation committed by juridical persons.

In any of the offenses herein-above committed, the Court may order the offender to restore the Chocolate Hills thus pillage, destroyed or defaced; provided, however, in the event the offender is a public official who directly committed any of the offenses or conspired with the offender in the commission of any of the offenses the Court shall impose the accessory penalty of perpetual disqualification to hold public office.

SECTION 6: Implementing Rules and Regulations. The Department of Environment and Natural Resources (DENR) shall issue the implementing rules and regulations of this Act within 60 days from its enactment into law

SECTION 7: Separability Clause – If any part of section of this Act is declared unconstitutional, such declaration shall not affect the other parts or sections of this Act.

SECTION 8: Repealing Clause – All laws, presidential decrees, executive orders, rules and regulations inconsistent with any provisions of this Act shall be deemed repealed or modified accordingly.

SECTION 9: Effectivity Clause – This Act shall take effect fifteen (15) days after its complete publication in two (2) newspapers of general circulation.

APPROVED.