

SEVENTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session



House of Representatives
H.B. No. 4577

Introduced by: Representative Deogracias Victor "DV" B. Savellano

AN ACT
TO CLASSIFY BAMBOO AS AN UNREGULATED FOREST PRODUCT
AND FOR OTHER PURPOSES

Explanatory Note

The demand for bamboo and bamboo products has been rising steadily over the past decade and it is expected to increase further. This has been partly due to the declining supply of wood and bamboo has taken its place in various uses such as in construction, manufacture of furniture and handicrafts and as raw material for pulp and paper. New products have also been developed from bamboo such as textiles, food and beverage products and as biomass fuel in the form of charcoal, pellets and chips.

Unfortunately the bamboo industry in the Philippines cannot attain its potential in increasing exports, providing employment, contributing to economic development and community livelihood because it is hampered by insufficiency of raw materials. The private sector is not investing in bamboo plantation development and farmers are not planting new clumps because of current policies of government towards bamboo in particular and other forest products in general.

Presidential Decree No. 705 otherwise known as the Revised Forestry Code classifies bamboo as forest product (Section 3 Definition of Terms). The definition does not specifically mention bamboo but forest growths such as grass. By inference, since bamboo is a grass it must be included in the coverage of Section 3 of PD No. 705. Furthermore, Section 72 of PD 705 on Charges on Minor Forest Products specifically mentioned bamboo under this category.

Bamboo has not been given much importance in policy promulgations under the Department of Environment and Natural Resources (DENR) unlike rattan for which DAO No. 04 (Revised Regulations Governing Rattan Resources, Jan 10, 1989) was promulgated on its harvesting and on the rehabilitation of the resource. Any policy affecting bamboo is by reason of its being a minor (or non-timber) forest product. Such policies have been affecting its utilization and development of the resource.

DENR AO No. 07-1994 requires that bamboo harvested in public lands should have a Certificate of Origin (CO) to be able to be transported outside of the province. For bamboo harvested from private lands a Certificate of Verification (CV) issued by the Community Environment and Natural Resources Officer (CENRO) is required. Prior to issuance of a CV an inventory of the bamboo resources in the private land is conducted by the CENRO even for only a few culms to be harvested. Often the inventory is delayed because of the absence of personnel from the CENRO to conduct the inventory. Furthermore, the farmers who need a CV have to travel to the CENRO which is a distance from their residences causing them to incur expenses they could hardly afford.

According to the bamboo farmers/bamboo buyers while on the road they are often harassed by agents of government who demand that they come across. This situation has been discouraging bamboo farmers from expanding their existing bamboo plantings thus aggravating the raw material supply situation of the industry. Most of the current supply of bamboo raw materials is coming from small-hold bamboo farmers.

A specific policy regulating the bamboo is critical in promoting the bamboo industry and improving its raw material supply situation.



DEOGRACIAS VICTOR "DV" B. SAVELLANO
Representative, 1st District Ilocos Sur

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

SECTION 1. *Title.* - This Act shall be known as the "Bamboo Deregulation Act of 2016"

SECTION 2. *Declaration of Policy* – It is the policy of the State to promote industries that utilize local resources for the creation of employment, generation of sustainable livelihood in rural communities to attain inclusive economic growth, contribute to the country's gross domestic product, help mitigate and adopt to climate change and support sustainable environmental conservation and rehabilitation.

SECTION 3. *Objective* – It is the objective of this Act to promote the development of the Philippine Bamboo Industry by streamlining policies that constrain its growth, encourage investors to invest in the establishment of plantations and processing factories and provide sustainable livelihood in the rural areas.

SECTION 4. *Deregulation of Bamboo* – Bamboo culms, whether planted or grown naturally in forest lands or in private lands, are hereby deregulated. The harvest and transport of bamboo culms shall no longer require any permit from any government agency and shall not be subjected to inspection by any government or non-government entity while being transported.

SECTION 5. *Naturally Growing Bamboo in Forest Lands* –Concessions for the harvest of naturally growing bamboo in forest lands outside of tenured areas shall be granted by the DENR to qualified applicants. Holders of tenure of forest lands are authorized to harvest naturally growing bamboo within their tenured areas.

SECTION 6. *Incentives for Plantation Grown Bamboo* – Bamboo plantations, in forest lands or in private lands shall be granted incentives that PD 705 provides for industrial tree plantations. They shall also be included in the Investments Priorities Plan (IPP) of the government.

SECTION 7. *Payment of Forest Charges* – Naturally grown bamboo harvested in forest lands shall pay the required forest charges as promulgated in RA No. 7161. Plantation grown bamboo in forest lands and in private lands shall be free from forest charges.

SECTION 8. *Implementing Rules and Regulations*. – The Department of Environment and Natural Resources (DENR), the Department of Trade and Industry and the Department of Finance shall formulate the implementing rules and regulations of this Act within sixty (60) days after its approval.

SECTION 9. *Separability Clause*. – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid.

SECTION 10. *Repealing Clause*. – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 11. *Effectivity*. – This Act shall take effect fifteen (15) days following its full publication in the Official Gazette or two (2) newspapers of general circulation.

Approved,