



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

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. **5184**

Introduced by Congresswoman MARIA VIDA ESPINOSA BRAVO

EXPLANATORY NOTE

This Bill seeks to set a policy direction in the formulation of programs for the protection and sustainable management of our forests. This Bill further recognizes that environmental concerns, climate change, and disaster risk reduction and management must be incorporated in all country's plans, policies and programs, from as early as conceptualization stage until actual implementation, to ensure the country's sustainable development.

It is the State policy to ensure and protect the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. Furthermore, Congress shall provide, for such period as it may determine, measures to prohibit logging in endangered forests and watershed areas.

Philippine forests are among the most diverse in the world and considered as one of the world's richest source of plant and animal species but it is also considered as one of the most threatened. Our forests covers have been estimated to have been reduced to 18.3% and is estimated to reducing by 2% every year. The major causes of loss to our forests are attributed to commercial and illegal, forest conversion, pollution growth, migration and fuel wood harvesting.

Forests have long provided for the basic needs of our people. It has been the source of food, livelihood and shelter for many generations that have come before us. Forests serve as the shelter to our highly diverse wildlife and help minimize erosion preventing floods.

In view of the foregoing, the passage of this Bill is earnestly sought.


MARIA VIDA ESPINOSA BRAVO
Representative
First (1st) District of Masbate

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AN ACT
IMPOSING A LOGGING BAN IN TICAO AND BURIAS ISLAND, PROVINCE OF
MASBATE, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES.

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

SECTION 1. Declaration of Policy- It is the policy of the State to ensure and protect the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. Congress may provide for such period as it may determine, measure to prohibit logging in endangered forests and watershed areas.

SECTION 2. Imposition of Logging Ban in Ticao and Burias Islands- A logging ban is hereby imposed within the territorial jurisdiction of Ticao and Burias Islands, Province of Masbate.

SECTION 3. Exemption from the Logging Ban- The following shall be exempted from the logging ban:

- a.) Trees affected during the road construction and similar other projects approved by the Government and only for basic services such as, but not limited to energy and power development, public works or water utilities, any harvesting or cutting of tree species shall comply with all pertinent forestry and environmental laws such as, but not limited to the Presidential Decree No. 705, otherwise known as the "Revised Forestry Code of the Philippines", as amended; Presidential Decree No. 1586, otherwise known as "Environmental Impact Statement System" and other applicable rules and regulations;
- b.) Planted trees within the forestlands established and developed by tenurial instrument holders in accordance with the approved plans;

- c.) Trees necessary for extraction as means of silvicultural treatment;
- d.) Wood sources necessary for Government infrastructure project in predetermined areas, preferably a communal forest;
- e.) Planted trees within private lands;

SECTION 3. Zoning-Strict Protection Zone and Multi-Use Zone shall be established within the area of primary consideration to its protection and conservation. Zoning shall also take into account the tenurial and livelihood concerns of the communities to ensure the efficient protection of habitats, fragile ecosystems and unique areas

The establishment and management of zones must involve the community concerned by undertaking such steps as dialogues, consultations. Zones shall be demarcated on the ground and indicated on maps with the participation of communities, LGU's and other stakeholders.

SECTION 4. Prohibited Acts—The following are prohibited acts within the Strict Protection Zones with their respective penalties:

- a.) Fine of not less than (P250,000.00) Two Hundred Fifty Thousand Pesos to not more than (P750,000.00) Seven Hundred Fifty Thousand Pesos and imprisonment of not less than (6) six years to (1) one day to not more than (8) eight years shall be imposed upon any person who:
 - 1.) Cuts, gathers, collects, removes or otherwise possesses timber or other forest products within the Strict Protection Zones without prior permit DENR permit; Provided, such permit can only be given for scientific purposes and necessary for protected area management; Provided, further, that no permit shall issue for timber or other forest products within the Strict Protection Zones.
 - 2.) Engages in Kaingin/Clearing or otherwise intentionally or negligently causes a forest fire inside the Strict Protection Zones.
- b.) Fine of not less than (P150,000.00) One Hundred Fifty Thousand Pesos to not more than (P500,000.00) Five Hundred Thousand Pesos and imprisonment of not less than (2) years to one day to not more than (6) six years shall be imposed upon any person who:
 - 1.) Construct or maintains any kind of road, structure, fence or enclosure without prior DENR permit.
 - 2.) Obstructs or hinders the enforcement of this Act and its pertinent rules and regulations.

c.) Fine of not less than (P100,000.00) One Hundred Thousand Pesos to not more than (P300,000.00) Three Hundred Thousand Pesos or imprisonment of not less than (1) one year to (1) one day to not more than (2) two years or both shall be imposed upon any person who:

l.) Alters or removes, destroys or deface boundaries, marks or signs within the Strict Protection Zones.

d.) Any provision to the contrary notwithstanding, the commission of any unlawful act under Section 4 shall carry a penalty of imprisonment of not less than (8) eight years and (1) one day to not more than (12) twelve years and a fine of not less than (P750,000.00) Five Hundred Thousand Pesos to not more than (P1,000,000.00) One Million Pesos whenever the timber involved is under a Protected Category. Any citizen may institute the necessary charge against an offender for commission of acts enumerated under this section.

SECTION 5. Appropriations.-In order to carry out the purposes of this Act, an annual appropriation shall be included in the annual General Appropriations Act of the Department of Environment and Natural Resources (DENR).

SECTION 6. Separability Clause-If any part or section of this Act is declared unconstitutional such declaration shall not affect in any manner the other parts or sections hereof.

SECTION 7. Repealing Clause-All laws, proclamations, rules and regulations inconsistent with this Act are hereby repealed or modifies accordingly.

SECTION 8. Effectivity Clause-This Act shall take effect (15) fifteen days after its publication in two (2) newspaper of general circulation.

Approved,