

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
Third Regular Session

House Bill No. 10688



Introduced by **Representative Manuel Luis T. Lopez**

AN ACT
PROVIDING FOR THE DEVELOPMENT OF GREEN SPACES IN
BARANGAYS, MUNICIPALITIES, CITIES, AND PROVINCES AND FOR OTHER
PURPOSES

EXPLANATORY NOTE

Article II, Sections 15 and 16 of the 1987 Constitution state that it is the policy of the State to *“protect and promote the right to health of the people and instil health consciousness among them”* and *“protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature”*.

On 21 June 1969, Congress enacted Republic Act No. 5752, which amended Republic Act No. 2264, otherwise known as the "Local Autonomy Act". Republic Act No. 5752 inserted Section 3-A which read:

"SEC. 3-A. Every municipality or city shall exert efforts to establish, develop and maintain a permanent forest, tree parks or watershed within public land owned by such municipality or city with an aggregate size equivalent to at least two per cent of its entire area within two years from the approval of this Act: Provided, That the forest, park, or watershed may be located in one or more places within the municipality.

The municipal or city ordinance covering this project shall be consistent with the rules and regulations that the Secretary of Agriculture and Natural Resources is hereby authorized to promulgate to fully implement the intent and objective of this Act."

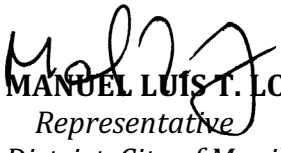
Notably, Republic Act No. 5752 only mandates local government units to “exert efforts” in the establishment, development, and maintenance of permanent forest, tree parks, or watersheds. And, despite its enactment, there is a lack of sufficient open and public spaces, especially permanent forests, tree parks, and watersheds, which is made more evident in this time of mandatory physical distancing and constraints in enclosed and crowded spaces.

However, this long-drawn pandemic has provided us with a unique opportunity to recognize the critical importance and role of open and public spaces in improving

ambient air quality, enhancing the health and quality of life of the people, and cultivating a sense of community identity and camaraderie.

This proposed measure seeks to mandate all local government units not only to “exert efforts” but to in fact develop public green spaces for their constituents. Similar to the mandate of Republic Act No. 5752, these public green spaces should have an aggregate size equivalent to at least two per cent (2%) of its entire area within two years from the approval of this bill. Moreover, to ensure smooth and effective implementation, a Green Spaces Development Committee is hereby created.

In light of the foregoing, the passage of this bill is earnestly sought.


HON. MANUEL LUIS T. LOPEZ
Representative
1st District, City of Manila

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

SECTION 1. *Short Title.* – This Act shall be known as the “Public Green Spaces Act”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to develop public green spaces in barangays, municipalities, cities, and provinces to promote balanced and healthful ecology in accord with the rhythm and harmony of nature, improve ambient air quality, enhance the health and quality of life of the people, and cultivate a sense of community identity and camaraderie.

SEC. 3. *Scope.* – This Act shall cover all barangays, municipalities, cities, and provinces in the country.

SEC. 4. *Development of Public Green Spaces.* – Every municipality or city shall establish, develop and maintain public green spaces, including but not limited to permanent forests, tree parks, or watersheds with an aggregate size equivalent to at least two per cent (2%) of its entire area within two years from the approval of this Act: Provided, That the forest, park, or watershed may be located in one or more places within the local government unit’s (LGU) respective jurisdiction; *Provided, that*, for purposes of this Act, public green spaces shall refer to an open area of grass, trees, or other vegetation set apart for leisure, recreational, or aesthetic purposes for the general public.

SECTION 5. *Creation of the Green Spaces Development Committee.* – A Green Spaces Development Committee, hereinafter referred to as the Committee, is hereby created with the Secretary of the Department of Public Works and Highways (DPWH) as Chairman and the respective Secretaries of the Department of the Interior and Local Government (DILG), Department of Environment and Natural Resources (DENR), Department of Education (DepEd), and Department of Tourism (DOT), through the Philippine Tourism Authority (PTA), as members. The Committee shall initiate, coordinate, and monitor all the activities of green space development.

The Committee shall tap any and/or all government agencies, corporations, and instrumentalities, non-governmental organizations, people's organizations, the Governor's League of the Philippines, Mayor's League of the Philippines, and the Barangay Associations of the Philippines as local committees to provide resources and assistance in the implementation of this Act.

The Committee shall have the power to promulgate the pertinent rules and regulations as may be necessary to fully implement the objectives and purposes of this Act within a period not to exceed one hundred eighty (180) days from approval hereof.

SEC. 6. *Specific Functions of the Executive Departments.* – For the purpose of carrying out effectively the provisions of this Act, the following government agencies are mandated to perform the following power and functions:

- a. The DPWH shall:
 - i. Provide the necessary technical data with respect to the classification, location, condition, and length of all existing vacant public lots in barangays, municipalities, cities, and provinces; and
 - ii. Provide the necessary tools, equipment, and manpower to effect the development of public green spaces.
- b. The DILG shall:
 - i. Mobilize all LGUs to ensure prompt and effective implementation of this Act in every barangay, municipality, city, and province in the country; and
 - ii. Effect the apprehension and prosecution of all persons violating the provisions of this Act.
- c. The DENR shall:
 - i. Determine the suitable species of trees and provide seeds or sapling to be planted in the green spaces, suited to the kind, classification, and condition of the area; and
 - ii. Provide for effective measures and ways for the optimum maintenance of green spaces and the healthy growth of trees and plants in the same.
- d. The DOT through the PTA shall:
 - i. Assist in the conceptualization, design, and site evaluation of public green spaces in barangays, municipalities, cities, and provinces; and
 - ii. Provide effective measures and ways for the optimum maintenance of public green spaces.

SEC. 7. *Prohibited Acts.* – No cutting and destroying of trees and plants found in the public green spaces shall be permitted except when necessary for public safety and in compliance with the relevant laws, rules, and regulations. Likewise, littering and destruction of structures in public green spaces are strictly prohibited.

SEC. 8. *Persons Liable and Penalties.* – Any person who destroys or damages structures, and/or litters in the public green spaces shall be punished with the imprisonment of not less than six (6) months to not more than one (1) year or a fine of not less than Three

Thousand Pesos (Php 3,000.00), or with both such imprisonment and fine, at the discretion of the court.

SEC. 9. *Submission of Reports.* – The Committee shall within ninety (90) days after the approval of this Act and every one hundred eighty (180) days thereafter submit periodic reports to both Houses of Congress of the Philippines for evaluation and consideration.

SEC. 10. *Implementing Rules and Regulations.* – The DPWH, in consultation with the DILG, DENR, and DOT, shall formulate the implementing rules and regulations of this Act within sixty (60) days from its effectivity.

SEC. 11. *Appropriations.* – The fund needed for the implementation of this Act shall be taken from any available appropriations in the General Appropriations Act (GAA) for the year; *Provided*, that, funds for this purpose shall also be included in the GAA for the following year and every year thereafter; *Provided* finally, that there shall be equitable and proportionate appropriations of funds annually for this purpose for all barangays, municipalities, cities, and provinces. In addition, adequate portion of financial grants and concessional loans extended to the Philippines by foreign governments and multilateral agencies shall be allocated to augment the annual appropriations.

SEC. 12. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts thereof which are inconsistent with or contrary to the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 13. *Separability Clause.* – If, for any reason, any provision of this Act is declared to be unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force or effect.

SEC. 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a national newspaper of general circulation.

Approved,