

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

NINETEENTH CONGRESS  
First Regular Session

**HOUSE BILL NO. 538**



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Introduced by the Honorable Dan S. Fernandez

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### **EXPLANATORY NOTE**

With the spread of urbanization and the ballooning of our population, deforestation and the loss of vegetation have become a certain albeit almost imperceptible phenomena in our urban and rural landscape. As a consequence, flooding and other natural calamities have been occurring with greater frequency and intensity. Multiplication of diseases has also attended the loss of ecological balance. With the advent of Covid-19 and the now irrefutable reality of climate change, scientists have now been sounding the alarm that the recurrence of future pandemics has become more probable.

One of the tried-and-tested remedies in restoring a balanced and healthful ecology for our country is for the government to make a strong push towards the planting of trees, plants, flowers and other vegetation in all available public spaces and receptacles. A state policy along this line would serve not only our tourism initiatives but also entrench our food security program. It must be remembered that one of the most evident adverse effects of the pandemic was the disruption of the supply chain wherein food and other products could not reach the metropolitan areas from the countryside due to lack of transportation. Hence, urban agriculture ( done in the backyards, at the rooftops, even in pots and pans) has now become a viable option for a large segment of our population.

It is for the foregoing reasons that this bill is being filed – to promote a national greening program that includes not only trees but also plants, flowers, shrubs, grasses and all other kinds of vegetation.

On the basis thereof, the urgent passage of this bill is earnestly sought.

**HON. DAN S. FERNANDEZ**  
Representative  
Lone District, Santa Rosa City

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AN ACT  
PROVIDING FOR THE URBAN AND COUNTRYSIDE  
GREENING IN THE PHILIPPINES

*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 “National Greening Act Act of 2022.”

**Sec. 2. Declaration of Policy.** – It shall be the policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. Towards this end, the State shall adopt and implement plans, projects and programs for the effective greening of the urban and countryside landscape in the entire country.

**Sec. 3. Objectives.** – This Act shall have the following objectives:

- a. To encourage, as well as provide necessary support, to all entities, both public and private, to plant trees, flowers, plants and grass in all vacant spaces, pots and containers;
- b. To build, develop and maintain forest parks and gardens in provincial, city and municipal plazas, school grounds, roads and other public open spaces where appropriate;
- c. To require from the national agencies and local government units the planting of trees and shrubbery in specified areas:

- d. To promote environmental consciousness among the community members, such as students, out-of-school youth, civic action groups through their active participation in greening activities; and
- e. To protect trees and other vegetation from destructive human activities.

**Sec. 4. *National Greening Committee.*** – A National Greening Committee (National Committee) is hereby constituted, to be composed of the Secretary of the Department of Environment and Natural Resources (DENR) as Chairman and the respective Secretary of the Department of Agriculture (DA), Department of Education (DepEd), Department of the Interior and Local Government (DILG), Department of Tourism (DoT) and Department of Public Works and Highways (DPWH) as members.

The National 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 later than ninety (90) days after the approval of this Act.

It shall have the power to rule on disputes involving the Regional Greening Committee and to appoint or form an ad hoc committee when the Regional Committee is unable to perform its duties.

The National Committee also convenes every quarter to hear the reports or performance from the Regional Committee.

**Sec. 5. *Regional Committee.*** – A Greening Committee for every region in the country, in cooperation with the various local government offices, is hereby constituted to initiate and oversee all the greening activities to be done in the barangays, municipalities, cities and provinces in the respective regions.

The respective Regional Director of the DENR shall serve as Chairperson of each Regional Committee, while the respective Regional Director of the DA, DepEd, DILG, DoT and DPWH would serve as members.

The Regional Committee shall coordinate with all the concerned government agencies, nongovernmental organizations (NGOs), peoples organizations (POs) and other civil action groups for assistance and cooperation in the implementation of this Act.

**Sec. 6. *Specific Functions of the Executive Departments.*** – Aside from the common Committee responsibilities, the individual line departments of the executive branch shall have the following specific functions:

- (a) The DENR and the DA shall determine the suitable species of trees, plants and other vegetation and provide seeds, seedlings or saplings to be planted in forest parks, gardens, open public spaces, or along or on major

thoroughfares, suited to the kind, classification, and condition of the area and shall provide technical support involving such greening activities;

(b) The LGU shall:

- (1) mobilize all local concerned agencies and communities to ensure prompt and effective implementation of this Act in every barangay, municipality, city and province;
- (2) provide for effective measures and ways for the optimum maintenance and sustainability of trees, plants and other forms of vegetation; and
- (3) the effect the apprehension and the prosecution of all persons, violating Sections 8 and 9 of this Act

(c) The DepEd shall integrate all greening activities into the school curriculum to raise awareness and to promote environmental consciousness.

(d) The DoT shall assist in the conceptualization and site-evaluation and cooperate in the maintenance of parks, gardens and specified areas and provide additional funding from its resources.

(e) The DILG shall coordinate the local government units to ensure prompt and effective implementation of this Act.

(f) The DPWH shall provide the technical support, such as the necessary tools, equipment and manpower to effect the implementation of this Act.

**Sec. 7. Requirements for Tree Planting Along National Roads..** – All projects concerning the construction and development of national roads shall comply with the following standard requirements:

- (a) Trees that will be planted along the national roads shall be of the varieties with the root systems which grow downward rather than sideward to avoid road and sidewalk slabs destruction;
- (b) Trees shall be planted in a neat row, within the road right-of-way (ROW) and as close as possible to the ROW limit, with sufficient allowance so that fully grown trees will not encroach on the adjoining property or touch electric and other overhead utility lines;
- (c) The center-to-center spacing between trees shall be 10-20 meter (m.). For road sections with a generally north-south alignment, the trees on one side of the road shall be planted alternately with the trees on the other side, thus ensuring adequate sunlight needed for drying the road;
- (d) For roads without curbs, the trees shall be planted with minimum clear distance of 0.60 meters beyond the edge of the shoulder, but in no case less than 0.30 meters from the edge of the pavement;

- (e) For roads with curbs, particularly in urban areas, the trees shall be planted with a minimum setback of 1.0 meter beyond the face of the curb;
- (f) Where there are longitudinal drainage canals, the trees shall be planted on the outer side of such canals;
- (g) On roadway curves and intersections, the pertinent design standards on sight distance shall be concerned;
- (h) Non-traversable hazards (ravine, waiting shed, and the like) along the line of trees shall be provided with appropriate clearly marked barriers so that these do not pose hazards to motorists; and
- (i) The DPWH, within ninety (90) days after the approval of the Act and every one hundred eighty (180) days thereafter, submit periodic reports to the National Greening Committee.

**Sec. 8. *Greening in Urban and Countryside Parks, Gardens, Public Vacant Lots, Pots, Containers and Other Permissible Areas.*** – Planting of trees, plants and all other kinds of vegetation shall be mandatory in urban and countryside parks and gardens as well as in school ground, vacant lots, pots, receptacles and other unutilized sites identified with the quality of soil where different or certain species of trees and other vegetation can thrive. This shall apply to all publicly-owned lands, without exempting the properties of interested private individuals and institutions.

- (a) *Scope.* The areas covered by this provision shall include:
  - (1) All public parks and gardens in urban and rural areas;
  - (2) All public school grounds in the city and in the provinces;
  - (3) All idle public lands in urban and rural areas, unless otherwise identified to soon be used for other purposes such as agriculture, infrastructure-building and other public purposes;
  - (4) Parks, schools and other pieces of land owned by private individuals, organizations and institutions whose proprietor(s) voluntarily and willingly subject their properties under this Act; and
  - (5) All other receptacles, containers, and the like, which interested parties, whether public or private, volunteer to form part of the national greening initiative under this Act.
- (b) *General Guidelines.* Planting of trees and all other forms of vegetation in the duly qualified areas shall comply with the following general guidelines:
  - (1) Considering the classification and condition of the soil and the total land area of the site, suitable species of trees, plants and other forms of vegetation shall be planted in the identified areas;
  - (2) In cases where multiple trees or vegetation can be planted, the same should be planted in clusters wherein one is not more than four (4) meters apart from one another;

- (3) The Regional Greening Committee shall facilitate and supervise all the greening activities in its jurisdiction. The government agencies concerned shall perform their duties and responsibilities as indicated in Section 6 of this Act; and
- (4) The Regional Greening Committee shall, within ninety (90) days after the approval of this Act and every one hundred eighty (180) days thereafter, submit periodic reports to the National Greening Committee.

**Sec. 9. *Issuing of Permits.*** – The issuance of permit allowing a person or company to cut, uproot or in any way disturb the planted trees and greeneries given by the DENR should also be approved and signed by the Regional Committee following public consultations done by and the consensus of the Regional Committee.

**Sec. 10. *Prohibited Acts.*** – No cutting and destroying of trees, plants and other vegetation shall be permitted, except when the cutting and destroying of the same is necessary for public safety and subject to the issuance of permits.

**Sec. 11. *Persons Liable and Penalties Therefor.*** – Any person who violates Sections 7, 8 and 9 shall be punished with 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 (P3,000.00) nor more than Ten Thousand Pesos (P10,000.00), or both, at the discretion of the court.

**Sec. 12. *Submission of Reports.*** – The National Greening 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. 13. *Appropriations.*** – The amount necessary for the effective implementation of this Act shall be included in the annual General Appropriations Act.

**Sec. 14. *Repealing Clause.*** – All laws, orders, rules and regulations and other issuances or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

**Sec. 15. *Separability Clause.*** – If any part or provision of this Act is held unconstitutional or invalid, other parts or provisions thereof which are not affected shall continue to remain in full force and effect.

**Sec. 16. *Effectivity.*** – This Act shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or in a newspaper of general circulation.

Approved,