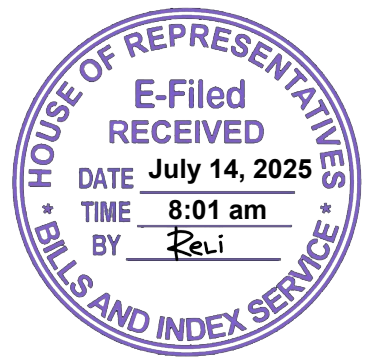


TWENTIETH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. **1800**

EXPLANATORY NOTE

Logging has many adverse effects. It makes a forest less dense and causes soil erosion. It also degrades watersheds and diminishes the quality of drinking water. Just recently, Cagayan de Oro City has suffered from flashfloods and logging operations are blamed for such flashfloods. The flashfloods destroyed not just properties but agricultural areas and farm-to-market roads as well. Based on the Progress Reports of the Regional Disaster Coordinating Council of Region 10 based in Cagayan de Oro City, the flashfloods of January 3, 2009 have affected 21,605 persons or 5,223 families in the city and have damaged houses with 141 totally damaged and 1,410 partially damaged in an estimated cost of 1.9 million as of January 8, 2009 only.

In the January 11, 2009 floods that befell Cagayan de Oro City, 37,086 persons or 7,410 families were affected with 94 houses totally damaged and 71 partially damaged.

Further, typhoon Sendong brought about the worst destruction in the history of Cagayan de Oro City.

To prevent flashfloods from recurring, logging operations in Cagayan de Oro City must be totally prohibited. Hence, this bill which seeks to declare a total log ban in the City of Cagayan de Oro.

In view thereof, immediate approval of this Bill is sought.


RUFUS B. RODRIGUEZ


MAXIMO B. RODRIGUEZ, JR.

HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. 1800

AN ACT

IMPOSING A LOGGING BAN IN THE CITY OF CAGAYAN DE ORO AND PROVIDING
PENALTIES FOR VIOLATIONS THEREOF

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

SECTION. 1. *Statement of Policy.* – It is 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 institute measures to protect the people and the environment in the City of Cagayan de Oro from the adverse effects of logging.

SEC. 2. *Definition of Terms.* – As used in this Act:

- a. *Commercial logging* refers to the cutting, felling or destruction of trees from old growth and residual forests for the purpose of selling or otherwise disposing of the cut or felled logs for profit;
- b. *Communal forest* refers to a small tract of forest land set aside by the Secretary of the Department of Environment and Natural Resources (DENR), upon the recommendation of a local government unit for the use of its residents;
- c. *Forest land* refers to land of the public domain classified as needed for forest purposes. It includes all forest reserves of the public domain;
- d. *Logging* refers to the process, work, or business of cutting down trees for commercial purposes;
- e. *Silvicultural operations* refer to procedures that aim to achieve stand-specific objectives by using silvicultural techniques such as canopy alterations to induce natural regeneration, the harvesting of mature trees, planting, and thinning to improve timber quality and stand growth.

SEC. 3. *Imposition of a Logging Ban in Cagayan de Oro City.* – A logging ban is hereby imposed within the territorial jurisdiction of the City of Cagayan de Oro.

SEC. 4. *Exemption from the Logging Ban.* – The following shall be exempted from the logging ban:

- (a) planted trees within private lands;
- (b) planted trees within forest lands established and developed by tenurial instrument holders in accordance with the approved plans;
- (c) wood sources necessary for government infrastructure project in predetermined areas, preferably from a communal forest;
- (d) trees necessary for silvicultural operations; and

- (e) trees affected during road construction and other similar government-approved projects for basic services such as energy and power development, public works, or water utilities: *Provided*, That any harvesting or cutting of tree species shall be done in compliance with the requirements of pertinent forestry and environmental laws such as Presidential Decree 705, as amended, or the “Revised Forestry Code of the Philippines”, and other applicable laws, rules and regulations.

SEC. 5. Penal Provision. – Any person, natural or juridical, or any public officer, who violates the provisions of this Act shall be penalized with imprisonment of at least six (6) years but not more than twelve (12) years, and a fine of at least One hundred thousand pesos (P100,000.00) but not more than Five hundred thousand pesos (P500,000.00).

In addition, a public officer who violates this Act shall also be dismissed from service and perpetually disqualified from holding public office.

If the offender is a juridical entity, the highest ranking official and the members of its board of directors or board of trustees who authorized the violations therein shall suffer the penalty imposed under this Act.

SEC. 6. Implementing Rules and Regulations. – Within ninety (90) days from the effectivity of this Act, the DENR Secretary shall issue rules and regulations to implement this Act.

SEC. 7. Separability Clause. – If any section or provision of this Act is held unconstitutional or invalid, the remaining sections or provisions not affected thereby shall continue to be in full force and effect.

SEC. 8. Repealing Clause. – All laws, decrees, executive orders, rules and regulations, and other issuances or parts thereof inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SEC. 9. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,