

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

TWENTIETH CONGRESS
First Regular Session

House Bill No. **2432**



Introduced by HON. LINABELLE RUTH R. VILLARICA
4TH DISTRICT, BULACAN

AN ACT

REVERTING FISH PONDS WHICH HAVE BEEN UNUTILIZED OR ABANDONED FOR A PERIOD OF THREE (3) YEARS TO FOREST LANDS, AMENDING FOR THE PURPOSE SECTION 43 OF PRESIDENTIAL DECREE No. 705, OTHERWISE KNOWN AS THE “REVISED FORESTRY REFORM CODE OF THE PHILIPPINES “

EXPLANATORY NOTE

Environmental laws must be attuned to the demands of climate change as well as the socio- economic needs of the increasing number of people living in our communities.

Presently, however, Presidential Decree No. 705, otherwise known as “The Revised Forestry Reform Code of the Philippines” requires that for the Department of Environment and Natural Resources to revert fishponds with Fisheries Lease Agreements (FLAs) to forest lands the same must have been unutilized and abandoned for a period of five (5) years from the time it was release for such purposes. This period is deemed too long for such fishponds to be utilized for purposes other than that it was intended, such as using it for mangrove propagation to address the devastating effects brought about by climate change or for promoting eco-tourism activities to jumpstart the economy of communities wanting in socio-economic development.

To effectively implement the provision on the reversion of fishponds as well as the Fishpond Lease Agreements (FLAs) issued by the Bureau of Fisheries and Aquatic Resources (BFAR) of the Department of Agriculture, covering fishponds, the DA should be mandated to prepare with the Department of Environment and Natural Resources (DENR), a joint guidelines in determining abandoned, undeveloped or underutilized fishponds.

This bill seeks to address these concerns.

This bill is an iteration of the H.B. No. 7754, which was approved on the Third and Final Reading during the 19th Congress. The said measure was transmitted to the Senate, and it was referred to the Committee on Environment, Natural Resources and Climate Change but was not taken up due to time constraints. This is re-filed for the consideration of the 20th Congress.

Support for the enactment of this measure is earnestly requested.

A handwritten signature in black ink, appearing to read 'L. Villarica', with a stylized flourish at the end.

REP. LINABELLE RUTH R. VILLARICA

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PURPOSE SECTION 43 OF PRESIDENTIAL DECREE No. 705, OTHERWISE KNOWN
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*Be it enacted by the Senate and House of Representatives of the Republic of the Philippines in
Congress assembled:*

SECTION 1. Section 43 of Presidential Decree No. 705, otherwise known as the
“Revised Forestry Reform Code of the Philippines” is hereby amended to read as follows:

“SEC. 43. *Swamplands and Mangrove Forests.* –
“ xxx

“Mangrove and other swamps released to the Bureau of
Fisheries and Aquatic Resources for fishpond purposes which
are not utilized or which have been abandoned for [five (5)]
THREE (3) years from the date of such release shall revert to the
category of forest land AND SHALL BE IMMEDIATELY
REHABILITATED AND REFORESTED.

“THE DEPARTMENT OF AGRICULTURE AND THE
DEPARTMENT OF ENVIRONMENT AND NATURAL
RESOURCES SHALL JOINTLY SET GUIDELINES
DETERMINING ABANDONED, UNDEVELOPED OR
UNDERUTILIZED FISHPONDS COVERED BY FISHPOND
LEASE AGREEMENTS (FLAS) WHICH SHALL BE
REVERTED INTO FOREST LAND AND
REHABILITATED.”

SEC. 2. All laws, decrees, executive orders, issuances, rules and regulations or parts thereof inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SEC. 3. This Act shall take effect after fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,