

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 4096



Introduced by Pangasinan Fifth District Representative
HON. RAMON N. GUICO JR.

EXPLANATORY NOTE

Article II, Section 16 of the 1987 Constitution provides that:

"The State shall protect and advance the right of the people to a balanced and healthy ecology in accord with rhythm and harmony of nature."

Reality, however, demonstrates otherwise. Throughout the country, most evidently in urban areas, our people are choked by the seemingly incessant pollution. Heaps of garbage left to rot in the streets, including the stench of sewer water and excreta are sure to offend the senses. All this, contained in a depressing urban sprawl drains the lustre of life; the very balance and health of ecology that the State has promised to uphold.

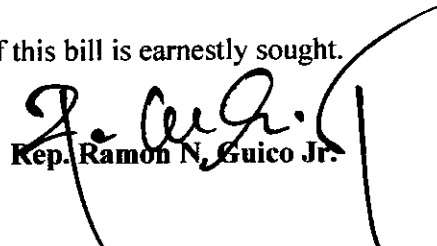
A happy, healthy, and content citizenry requires more than the satiety of their daily needs. They too need reprieve from the pressures of a fast-paced lifestyle borne of modernity. They need to be able to reconnect and recollect themselves in the peace and serenity that, without comparison, nature can provide. Many areas in the country, however, do not afford this privilege to our people. The idea, therefore, is to bring the serenity of nature within reach to all through the development of public "green spaces."

Reports reveal that in Metro Manila residents currently enjoy a measly five (5) square meters of green space, which is way below the nine (9) square meters per person as recommended by the World Health Organization. Obviously, this lack of public spaces to unwind has largely contributed to the country's worsening "mall culture," for what choice do our constituents have when the environment outside has become rather displeasing.

The country's development, so far, has lacked not only a healthful purpose, but an aesthetic one as well. Beautifying our surroundings is important not only because of its practical benefits to our overall well-being, but because it is a reflection of the values we uphold. Whether such values are drab and uninspiring, as we ought to witness now; or sublime and transformative as we all hope it would be, it would be best to make these changes now.

As such, under this Act the creation, development, and maintenance of public green spaces shall be a matter of national policy, provided for, at no cost to the people, by the State.

In view of the foregoing the immediate approval of this bill is earnestly sought.


Rep. Ramon N. Guico Jr.

1 respective secretaries of the Department of Interior and Local Government (DILG), the Department
2 of Environment and Natural Resources (DENR), the Department of Education (DepEd), and the
3 Department of Tourism (DOT), through the Philippine Tourism Authority (PTA), as members. The
4 National Committee shall initiate, coordinate, and monitor all the activities of green space
5 development.

6 The National Committee shall tap any or all government agencies, corporations, and
7 instrumentalities, non-governmental organizations (NGOs), peoples organizations (POs), the
8 Governor's League of the Philippines, Mayor's League of the Philippines, and the Barangay
9 Associations of the Philippines as local committees to provide resources and assistance in the
10 implementation of this Act.

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

14 **SEC. 7. *Specific Functions of the Executive Departments.***—For the purpose of carrying
15 out effectively the provisions of this Act,

16 a. The DPWH shall:

17 1. Provide the necessary technical data with respect to the classification,
18 location, condition, and length of all existing vacant public lots in barangays,
19 municipalities, cities, and provinces.

20 2. Provide the necessary tools, equipment, and manpower to effect, the
21 development of green spaces.

22 b. The DILG shall:

23 1. Mobilize all local government units (LGUs) to ensure prompt and effective
24 implementation of this Act in every barangay, municipality, city, and
25 province in the country;

26 2. Effect the apprehension and prosecution of all persons violating the
27 provisions of this Act;

28 c. The DENR shall:

29 1. Determine the suitable species of trees and provide seeds or saplings to be
30 planted in the green spaces, suited to the kind, classification, and condition of
31 the area;

32 2. Provide for effective measures and ways for the optimum maintenance of
33 green spaces and the healthy growth of trees and plants in the same;

34 d. The DOT through the PTA shall:

- 1 1. Assist in the conceptualization, design, and site-evaluation of green spaces
2 in barangays, municipalities, cities, and provinces; and
- 3 2. Provide effective measures and ways for the optimum maintenance of
4 green spaces.

5 **SEC. 8. *Prohibited Acts.***—No cutting and destroying of trees and plants found in the green
6 spaces shall be permitted except when the cutting and destroying of the same is necessary for public
7 safety. Likewise, littering in and destroying of the structures in the green spaces are strictly
8 prohibited.

9 **SEC. 9. *Persons Liable and Penalties.***—Any person who destroys, damages, or litters the
10 green spaces shall be punished with imprisonment of not less than six (6) months to not more than
11 one (1) year or a fine of not less than Three Thousand Pesos (P3,000.00), or with both such
12 imprisonment and fine, at the discretion of the court.

13 **SEC. 10. *Submission of Reports.***—The National Committee shall within ninety (90) days
14 after the approval of this Act and every one hundred eighty (180) days thereafter submit periodic
15 reports to both Houses of Congress of the Philippines for evaluation and consideration.

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

24 **SEC. 12. *Repealing Clause.***—All laws, decrees, executive orders or parts thereof
25 inconsistent with the provisions of this Act is hereby repealed or modified accordingly.

26 **SEC. 13. *Separability Clause.***—If any part or provision of this Act is declared invalid or
27 unconstitutional, the other parts not otherwise affected shall remain in full effect and force.

28 **SEC. 14. *Effectivity.***—This Act shall take effect immediately after its publication in the
29 Official Gazette or in at least two newspapers of general circulation.

Approved,