



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

20th CONGRESS
2nd Regular Session

HOUSE BILL NO. **10396**



Introduced by Representative SITTIE SHAHARA "BAI DIMPLE" I. MASTURA

AN ACT
IMPOSING A LOGGING BAN IN THE PROVINCE OF MAGUINDANAO DEL NORTE AND PROVIDING
PENALTIES FOR VIOLATIONS THEREOF

EXPLANATORY NOTE

Logging removes trees from forests and, more often than not, leads to large-scale deforestation, in effect destroying habitats for countless species. In most instances, this pushes many known and unknown species into endangerment and extinction, and results in the disruption of critical ecosystems that depend on continuous forest cover.

The removal of trees exposes soil to wind and rain, increasing erosion, reducing soil fertility, contaminating waterways, and causing landslides and flash floods, as we have witnessed in recent calamitous events in many areas of the province.

This bill seeks to impose a total log ban in the Province of Maguindanao del Norte to at least curb the continuous degradation of our forest cover and mitigate the destruction of lives and properties among our constituents in the low-lying areas.

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

SITTIE SHAHARA "BAI DIMPLE" I. MASTURA
Representative

Lone District, Maguindanao del Norte with Cotabato City



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

SECTION 1. Declaration of Policy – It is the declared policy of the State to protect and advance the right of the Filipino 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 Province of Maguindanao del Norte 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 (LGU), for the use of its residents
- (c) Forest Land refers to the 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 the Province of Maguindanao del Norte – A logging ban is hereby imposed within the territorial jurisdiction of the Province of Maguindanao del Norte.

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 approved plans
- (c) wood sources necessary for government infrastructure projects 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 pertinent forestry and environmental laws such as Presidential Decree No. 705, as amended, or the “Revised Forestry Code of the Philippines”, and other applicable laws, rules, and regulations

SEC. 5. *Penal Provisions* – 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 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.* – Should any portion or provision of this Act be declared unconstitutional, the remainder thereof not otherwise affected shall remain in full force and effect.

SEC. 8. *Repealing Clause.* - All laws, presidential decrees, executive orders, proclamations, or administrative regulations that are inconsistent with the provisions of 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.