

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

'04 JUN 30 P3:11

SENATE

S. No. 254

RECEIVED BY: PS

Introduced by Senator S. R. Osmeña III

EXPLANATORY NOTE

In the past, reforestation had been directed to putting trees in public lands and in forest plantations. In most of the programs, communities were involved as reforestation contractors and not the direct stakeholders.

There are about 20 million people estimated to be living in the upland. There are still vast tracts of alienable and disposable lands in the uplands that are currently degraded and are in grasslands that have been abandoned for pasture. These areas need to be rehabilitated by planting trees in farms through agroforestry, where the people earn a living while reforesting the mountains.

The Philippine Agroforestry Education and Research Network (PAFERN) is composed of 31 members schools (SCUs) that have an existing agroforestry education and related activities or have the potential to engage in agroforestry extension and development services. These HEI's/SUCs also have student populations that could be mobilized for the promotion of planting and growing trees among farms in the upland communities.

This bill seeks to tap the direct involvement of the HEIs/SCUs, its students, communities and other agencies in reforesting the uplands through agroforestry. This is an innovation over the plantation forestry and contract forestry and contract reforestation approach as this will provide educational and institutional response into the problem of deforestation. In addition, it is expected to establish/strengthen the partnership of the SCU with community-based organization and local government in promoting agroforestry as means of forest restoration and increasing the availability of timber in the market. With agroforestry, trees are grown with agricultural crops, thus farmers will have livelihood and at the same time help in providing environmental services such as watershed functions, agro-biodiversity, carbon sequestration, among others.

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

S. Osmeña III

SERGIO OSMEÑA III
Senator

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OFFICE OF THE SECRETARY

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AN ACT
AUTHORIZING THE HIGHER EDUCATION INSTITUTIONS IN THE
PHILIPPINES TO UNDERTAKE A TEN YEAR AGROFORESTATION
PROGRAM, PROVIDING MECHANISMS OF IMPLEMENTATION AND
APPROPRIATING FUNDS THEREOF

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

1 ARTICLE 1. TITLE AND POLICIES

2 SECTION 1. **Short Title.** – This Act shall be known as the “**Ten Year**
3 **Higher Education Agroforestation Development Head Act of 2004**”

4 SEC. 2. **Declaration of State Policies.** –

5 a. The State in pursuance to the constitutional mandate of conserving the
6 patrimony of the nation shall enhance the agroforestation of the degraded
7 ecological setting (the uplands, lowlands, and coastal resources) by authorizing
8 relevant State Universities (SCUs) and other Higher Education Institutions
9 (HEIs) to undertake a ten (10) year Agroforestation Development Program
10 starting first at their unutilized/ idle land resources and expanding to adjacent
11 communities.

12 b. The State shall likewise ensure through this Act, the Operationalization
13 of Section 8 (5) of R.A. 7722 (The Higher Education Act of 1994) which gives
14 power to the Commission on Higher Education (CHED) to direct or redirect
15 purposive research and development by institutions of higher learning to meet
16 the needs of agro-industrialization and development.

1 Article 4. **Organization and Management**

2 a. The CHED through the HEAD Taskforce to assist within the duration of
3 this program, shall administer this program and be responsible in the effective
4 over-all implementation of this Act. It shall organize the necessary
5 instrumentalities, sets policies of the program and submit progress and
6 completion reports to congress. The budgetary support for the operational
7 expenses of the Task Force shall be drawn from the Higher Education
8 Development Fund administered by the CHED under Section 10 of R.A. 7722
9 and its personnel services shall be from the regular appropriation of CHED.

10 b. Upon approval of this Act, the CHED and the identified HEIs shall
11 mobilize itself to organize the implementation of this Act and all other
12 preparations, planning and other activities concomitant to the implementation of
13 the program shall be charge to their respective institutional current operational
14 expenditures.

15 c. All the HEIs approved to be included and funded in this program shall
16 develop a ten (10) year detailed implementation rolling plan in agroforestation
17 and submit reports to the CHED and their accomplishments indicating the impact
18 of the program on conservation, environment and socio-economic upliftment of
19 the affected people and the communities.

20 SEC. 5. **Funding Mechanisms.** –

21 a. In support of this Act the following funding mechanism shall be
22 allocated:

23 1. Effective on the calendar year, 2005, all SCUs under the PAFERN shall
24 be allocated an amount of P1,000,000 additional budgetary grants annually for
25 the next ten years to implement the program which shall be treated as a
26 revolving trust fund for the organization, implementation and business operation
27 of the agroforestation program.

1 2. Other HEIs having agroforestry related activities approved to be part of
2 this program shall also receive a grant of not more than P1,000,000 and yearly
3 thereafter based on their proposed project to be treated as revolving trust fund.

4 **SEC. 5. *Funding Mechanism* –**

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10 revolving trust fund for the organization, implementation and business operation
11 of the agroforestation program.

12 2. Other HEIs having agroforestry related activities approved to be part
13 of this program shall also receive a grant of not more than P1,000,000 and yearly
14 thereafter based on *their proposed project* to be treated as a revolving trust fund.

15 3. All income generated and interest earnings shall be used as follows:
16 fifty (50) percent shall accrue to the funds for the sustenance of the project
17 and/or expansion activities and the remaining fifty (50) percent of the support of
18 the HEI in improving its facilities/ equipment/operation in the delivery of quality
19 education. The focus of which shall be determined by its governing boards.

20 4. The appropriations of this fund shall be included in the Annual General
21 Appropriations Act continuously for ten (10) years effective *on the fiscal year*
22 2005 until 2015 to be taken from any development funds allocated for agriculture,
23 *natural resources and environment*.

24 5. Other sources of fund may be tapped by the HEIs from NAPC,
25 Quendancor, local and foreign donors, the internal revenue allotments of LGUs
26 involved in this program and from the partnership with the private industry.

27 **SEC. 6. *HEIs Governing Boards Approval*.** – The detailed strategic
28 and operational plans and its effective implementation as well as the hiring of
29 staff, experts and consultants shall upon the recommendation of the President of

1 HEI, be approved/decided upon by the respective governing boards of the HEIs
2 in accordance to their corporate powers as defined in Section 4 of R.A. 8292.

3 SEC. 7. **Repealing Clause.** – All existing laws, decrees, rules,
4 regulations, executive orders and other administrative issuances and parts
5 thereof inconsistent with the provision of this Act are hereby repealed or modified
6 accordingly.

7 SEC. 8. **Separability Clause.** – If any part or provision of this Act shall
8 be held unconstitutional or invalid, other provisions hereof which are not affected
9 thereby shall continue to be in full force and effect.

10 SEC. 9. **Effectivity.** – This Act shall take effect upon its approval.

Approved,