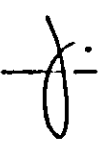


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



'16 JAN 28 P3:48

SENATE
S. No. 3172

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

AN ACT
AUTHORIZING THE DEPARTMENT OF ENVIRONMENT AND NATURAL
RESOURCES TO AWARD GRANTS TO ASSIST BARANGAYS IN COMPLYING
WITH ENVIRONMENTAL REQUIREMENTS, AND AUTHORIZING THE USE OF
PENALTY AMOUNTS COLLECTED UNDER LAWS TO FINANCE THE GRANTS

EXPLANATORY NOTE

The Constitution, Article 2, Section 16, provides:

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

The recent devastations attributed to climate change opened the eyes of the world to the necessity of protecting our environment. In reaction to this growing concern, our country has enacted laws on the national and local levels establishing a more proactive approach to protect the environment and mitigate the effects of human activities.

However, protecting the environment seems to always take the backseat to our continuous struggle to fight corruption and alleviate poverty. As an effect, compliance to existing laws is neglected due to the lack of funds. There needs to be a bill that will provide for an alternative and/or complementary source of funding for compliance to environmental law to ensure that even though such efforts are given a small share in local government funding, the barangays will be empowered to be in the forefront of protecting the environment.

This bill provides for authority to the DENR to dedicate the amounts collected from penalties due to failure to comply with environmental laws and give them to the barangays in the form of grants to assist them in complying with environmental laws.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
at

¹ This bill was originally filed during the Fifteenth Congress, Second Regular Session.

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Environmental
2 Compliance Assistance Act.”

3 SECTION 2. *Grant.* – The Department of Environment and Natural Resources
4 (DENR) shall award grants to barangays for projects and activities to assist communities
5 in complying with environmental requirements under laws administered by the DENR.

6 SECTION 3. *Applications.* – To be eligible to receive a grant under this Act, a
7 barangay shall submit to the DENR an application that is in such form and contains such
8 information as the DENR shall require. The DENR shall select among the applicants for
9 the grants under this Act based on the urgency and necessity of their request for grant.
10 The DENR shall formulate guidelines to determine the priority for receiving grants under
11 this Act.

12 SECTION 4. *Funding.* – The grant provided under this Act shall be made
13 available from the Environmental Compliance Trust Fund established under this Act.

1 SECTION 5. *Creation of Trust Fund.* - The DENR and the Department of Finance
2 shall establish a trust fund known as the Environmental Compliance Trust Fund (Fund).
3 All amounts collected from penalties under laws administered by the DENR shall accrue
4 to this fund. The Secretary of Environment and Natural Resources shall administer the
5 Fund.

6 SECTION 6. *Separability Clause.* - If any provision of this Act is held invalid or
7 unconstitutional, the same shall not affect the validity and effectivity of the other
8 provisions hereof.

9 SECTION 7. *Repealing Clause.* - All laws, decrees, orders, and issuances, or
10 portions thereof, which are inconsistent with the provisions of this Act, are hereby
11 repealed, amended or modified accordingly.

12 SECTION 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after
13 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

/m117Dec2015