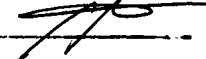


**NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)**



23 SEP 12 P7:40

SENATE

RECEIVED BY: 

COMMITTEE REPORT NO. 120

Prepared and submitted jointly by the Committee on Economic Affairs (upon recommendation of its Sub-Committee on PENCAS Law and Blue Economy); Committees on Environment, Natural Resources and Climate Change; and Finance on SEP 12 2023

Re: **Senate Bill No. 2439**

Recommending its approval in substitution of Senate Bill Nos. 9, 1914, and 2041, taking into consideration House Bill No. 8443

Sponsor: **Senator Loren Legarda**

Mr. President:

The Committee on Economic Affairs, upon the recommendation of its Subcommittee on PENCAS Law and Blue Economy, jointly with the Committees on Environment, Natural Resources and Climate Change; and Finance, to which were referred **Senate Bill No. 9**, introduced by **Senator Legarda**, *entitled:*

**AN ACT
INSTITUTIONALIZING THE PHILIPPINE ECOSYSTEM AND
NATURAL CAPITAL ACCOUNTING SYSTEM (PENCAS),
MANDATING ITS USE IN POLICY AND DECISION-MAKING,
DESIGNATING THE AGENCIES RESPONSIBLE FOR ITS
IMPLEMENTATION, PROVIDING INSTITUTIONAL
ARRANGEMENTS AMONG RESPONSIBLE AGENCIES,
APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES**

Senate Bill No. 1914, introduced by **Senator Revilla, Jr.**, *entitled:*

**AN ACT
INSTITUTIONALIZING THE PHILIPPINE ECOSYSTEM AND
NATURAL CAPITAL ACCOUNTING SYSTEM (PENCAS),**

APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Senate Bill No. 2041, introduced by **Senator Villanueva**, *entitled:*

AN ACT

INSTITUTIONALIZING THE PHILIPPINE ECOSYSTEM AND NATURAL CAPITAL ACCOUNTING SYSTEM (PENCAS), APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

and **House Bill No. 8443**, introduced by Representatives **Barzaga, Co (E.), Dalipe, et. al.**, *entitled:*

AN ACT

INSTITUTIONALIZING THE PHILIPPINE ECOSYSTEM AND NATURAL CAPITAL ACCOUNTING SYSTEM, MANDATING ITS USE IN POLICY AND DECISION-MAKING, DESIGNATING THE AGENCIES RESPONSIBLE FOR ITS IMPLEMENTATION, PROVIDING INSTITUTIONAL ARRANGEMENTS AMONG RESPONSIBLE AGENCIES, AND APPROPRIATING FUNDS THEREFOR

have considered the same and have the honor to report back to the Senate with the recommendation that the attached **Senate Bill No. 2439**, *entitled:*

AN ACT

INSTITUTIONALIZING THE PHILIPPINE ECOSYSTEM AND NATURAL CAPITAL ACCOUNTING SYSTEM, MANDATING ITS USE IN POLICY AND DECISION-MAKING, DESIGNATING THE AGENCIES RESPONSIBLE FOR ITS IMPLEMENTATION, PROVIDING INSTITUTIONAL ARRANGEMENTS AMONG RESPONSIBLE AGENCIES, AND APPROPRIATING FUNDS THEREFOR

be approved in substitution of **Senate Bill Nos. 9, 1914, 2041**, taking into consideration **House Bill No. 8443**, with **Senators Legarda, Revilla, Jr., and Villanueva** as authors thereof.

Respectfully submitted,



SEN. LOREN LEGARDA

Chairperson, Sub-Committee on PENCAS
Law and Blue Economy



SEN. GRACE POE

Chairperson, Committee on Economic
Affairs
Vice-Chairperson, Committee on
Finance



SEN. CYNTHIA VILLAR

Chairperson
Committee on Environment,
Natural Resources and Climate Change
Vice-Chairperson, Committee on Finance

SEN. SONNY ANGARA

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Vice-Chairperson, Committee on
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Member, Committee on Environment,
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Member, Committee on Economic Affairs

SEN. MARK VILLAR
Committees on Economic Affairs, and
Environment, Natural Resources and
Climate Change

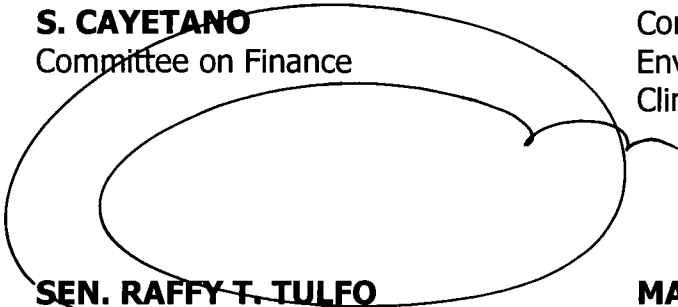


SEN. JOSEPH VICTOR G. EJERCITO
Committees on Economic Affairs, and
Environment, Natural Resources and
Climate Change

Members:

**SEN. ALAN PETER "COMPAÑERO"
S. CAYETANO**
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Environment, Natural Resources and
Climate Change; and Finance

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Committees on Environment, Natural
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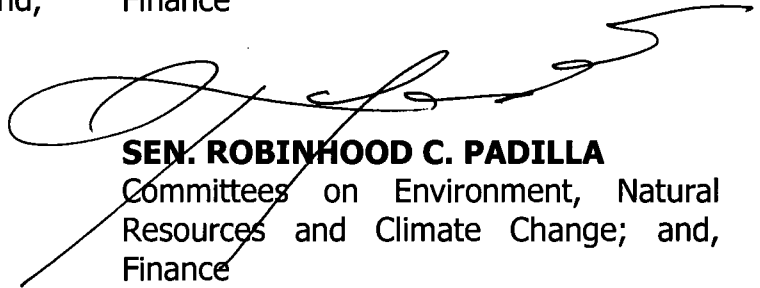
MANUEL "LITO" M. LAPID
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SEN. FRANCIS "CHIZ" G. ESCUDERO

Committees on Environment, Natural Resources and Climate Change; and, Finance

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Committees on Environment, Natural Resources and Climate Change; and, Finance



SEN. ROBINHOOD C. PADILLA

Committees on Environment, Natural Resources and Climate Change; and, Finance

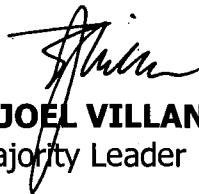
Ex-Officio Members:



SEN. LOREN LEGARDA

Senate President Pro-Tempore
Senior Vice-Chairperson, Committee on Finance

with interpellate



SEN. JOEL VILLANUEVA
Majority Leader

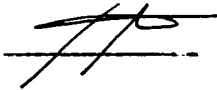


SEN. AQUILINO "KOKO" PIMENTEL III
Minority Leader

HON. JUAN MIGUEL "MIGZ" F. ZUBIRI
Senate President

23 SEP 12 P7:40

NINETEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

RECEIVED BY: 

SENATE
S. No. 2439

(In Substitution of S. Nos. 9, 1914, and 2041, taking into consideration H. No. 8443)

Prepared and submitted jointly by the Committee on Economic Affairs (upon recommendation of its Sub-Committee on PENCAS Law and Blue Economy); Committees on Environment, Natural Resources and Climate Change; and, Finance with Senators Legarda, Revilla, Jr., and Villanueva as authors thereof

AN ACT
INSTITUTIONALIZING THE PHILIPPINE ECOSYSTEM AND NATURAL CAPITAL ACCOUNTING SYSTEM, MANDATING ITS USE IN POLICY AND DECISION-MAKING, DESIGNATING THE AGENCIES RESPONSIBLE FOR ITS IMPLEMENTATION, PROVIDING INSTITUTIONAL ARRANGEMENTS AMONG RESPONSIBLE AGENCIES, AND APPROPRIATING FUNDS THEREFOR

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

- 1 **SECTION 1. *Short Title.*** – This Act shall be known as the “Philippine Ecosystem
2 and Natural Capital Accounting System (PENCAS) Act”.
- 3 **SEC. 2. *Declaration of Policy.*** – It is hereby declared the policy of the State to:
4 (a) Recognize natural ecosystems as an integral part of our patrimony and heritage;
5 (b) Protect and promote ecological balance and resilience, and advance the right of
6 the people to live in harmony with nature;
7 (c) Adhere to internationally accepted System of Environmental-Economic Accounting
8 (SEEA) that measures and monitors the dynamic interaction and intersections of
9 the environment, economy and society;
10 (d) Develop a comprehensive information system and accounting framework that will
11 take into consideration the role of our natural capital, consisting of both

- 1 environmental and natural resources including ecosystem services, and its impact
2 on the economy;
- 3 (e) Compile and progressively integrate natural capital accounts in macroeconomic
4 indicators, strengthening and building on Republic Act (RA) No. 10625, otherwise
5 known as the "Philippine Statistical Act of 2013", which mandates the compilation
6 of national accounts, including environmental accounts, statistics, and indicators;
- 7 (f) Provide indicators that will facilitate the integration of environmental and natural
8 resource concerns in planning and policymaking at the national and subnational
9 levels, in allocating budgets, and in designating statistics that will be produced
10 regularly for an identified period of analysis;
- 11 (g) Establish and improve interagency coordination for the purpose of linking natural
12 capital information as well as efficient data management among concerned
13 agencies and their partner institutions, and establish an office to guide such
14 coordination; and,
- 15 (h) Understand nature's pricelessness, its heritage and intrinsic value, and its
16 interdependencies in the implementation of the foregoing policies to consider that
17 nature and ecosystems have inherent rights to exist, with an end view of
18 recognizing legal rights that serve to protect endangered ecosystems and applying
19 the precautionary principle, especially when economic values cannot be estimated.

20 **SEC. 3. Definition of Terms.** – As used in this Act:

- 21 (a) *Ecosystem* refers to all living things in a given area, as well as their interactions
22 with each other, and with their non-living environments (weather, earth, sun, soil,
23 climate, atmosphere, water, etc.).
- 24 (b) *Ecosystem accounting* refers to a coherent framework for integrating measures of
25 ecosystems and flows of services from them with measures of economic and other
26 human activity.
- 27 (c) *Ecosystem services* refer to the benefits supplied by the functions of ecosystems
28 and received by humanity and all elements of living systems, which support life
29 systems on the planet. Ecosystem services consist of provisioning services,
30 regulating and maintenance services, and cultural services.

1 (d) *Environmental indicators* are environment statistics that have been selected for
2 their ability to depict important phenomena or dynamics. Environmental indicators
3 are used to synthesize and present complex environment and other statistics in a
4 simple, direct, clear and relevant way.

5 (e) *Natural capital* refers to the stock of renewable and non-renewable resources,
6 including plants, animals, air, water, soils, ores, and minerals, that provide a flow
7 of benefits to people and living things. Natural capital includes but is not limited
8 to ecosystem services such as air and water filtration, flood protection, carbon
9 sequestration, pollination of crops, and habitats for wildlife.

10 (f) *Natural Capital Accounting (NCA)* refers to an accounting framework that provides
11 a systematic way of measuring and reporting on stocks and flows of natural capital.
12 NCA covers accounting for individual environmental assets or natural resources,
13 both biotic and abiotic such as water, ores, minerals, energy, timber, and fish, as
14 well as accounting for ecosystem assets, biodiversity, and ecosystem services.

15 (g) *System of Environmental-Economic Accounting (SEEA)* refers to a framework that
16 integrates both economic and environmental data to provide a more
17 comprehensive and multipurpose view of the interrelationships among the
18 economy, the environment and ecosystems, and the stocks and changes in stocks
19 of natural assets, as they bring benefits to humanity.

20 (h) *Valuation* refers to determining the value or worth, in both physical and economic
21 terms, of natural capital and the services it provides at national and subnational
22 levels.

23 **SEC. 4. *Philippine Environmental and Natural Capital Accounting***

24 ***System.*** – The Philippine Ecosystem and Natural Capital Accounting System (PENCAS)
25 is hereby institutionalized within the government bureaucracy. The PENCAS shall be
26 based on internationally accepted environmental-economic accounting frameworks. The
27 PENCAS framework shall include, among others, a list of the officially designated statistics
28 on the depletion, degradation, and restoration of natural capital; environmental
29 protection expenditures; pollution and quality of land, air and water; environmental
30 damages; and adjusted net savings.

1 **SEC. 5. Objectives of the PENCAS.** – The PENCAS shall have the following
2 major objectives:

- 3 (a) Support economic, environmental, and health policy development and decision-
4 making;
- 5 (b) Provide a system for the collection, compilation, and development of physical and
6 natural capital accounts in the government as a tool for physical and development
7 planning and programming, policy analysis, and decision-making;
- 8 (c) Serve as a comprehensive data framework in the generation of natural capital
9 statistics and accounts towards their progressive integration in macroeconomic
10 indicators;
- 11 (d) Provide tools and measures that contribute to the protection, conservation, and
12 restoration of ecosystems; and,
- 13 (e) Provide valuation of ecosystem services such as provisioning, regulating and
14 maintenance, and cultural services.

15 **SEC. 6. Institutional arrangement for the implementation of PENCAS.** –
16 To ensure the effective implementation of PENCAS, the following bodies shall be tapped:

- 17 (a) The Philippine Statistics Authority (PSA) Board shall oversee the implementation
18 of PENCAS.
- 19 (b) The PSA Board shall direct the relevant interagency committees created under
20 Section 10 of RA 10625 to assist the PSA in addressing agency and sectoral
21 concerns that may arise in the development of natural capital accounts, particularly
22 on the *(i)* techniques and methodologies in generating environment and natural
23 resources statistics; *(ii)* areas of duplication, discrepancies, and gaps; and, *(iii)*
24 workable schemes for the improvement of data systems of accounts including
25 production, dissemination and archiving of data and information.

26 The Interagency Committee on Environment and Natural Resources
27 Statistics (IACENRS) shall provide support in ensuring that data requirements for
28 NCA are being generated by all concerned agencies. It shall adopt, implement,
29 and update an NCA roadmap that will *(i)* guide short-term, medium-term, and
30 long-term activities for natural capital accounts development; and, *(ii)* prioritize

1 areas for budget support and monitoring and evaluation of NCA implementation in
2 the country.

3 (c) A Technical Working Group (TWG) on NCA shall be established under the IACENRS.
4 The TWG shall consist of the PSA as lead accounts compiler, Department of
5 Environment and Natural Resources (DENR) as main data producer, National
6 Economic and Development Authority (NEDA), and the Department of Agriculture
7 (DA). The PSA shall serve as chair and shall provide secretariat support to the
8 TWG. The TWG shall perform the following roles and responsibilities:

- 9 (i) Provide immediate support to achieve the priority activities across all
10 components of the NCA Roadmap such as securing budgetary or financial
11 and technical support and collaborating with development partners for
12 project preparation and implementation;
- 13 (ii) Serve as a forum for discussion and resolution of issues and concerns in the
14 compilation, processing, and dissemination of natural capital and ecosystem
15 statistics and accounts and other related indicators in terms of accuracy,
16 completeness, timeliness, and relevance;
- 17 (iii) Review and recommend enhancements on the concepts, techniques, and
18 methodologies used in the collection, processing, and reporting of natural
19 capital and ecosystem statistics and accounts to ensure conformity with the
20 prescribed statistical standards and classification system;
- 21 (iv) Identify and recommend statistical measures, strategies, and policies for
22 the improvement of natural capital and ecosystem statistics and accounts
23 to IACENRS;
- 24 (v) Recommend improvements in the methodology of compiling natural capital
25 and ecosystem statistics and accounts, and formulate measures to ensure
26 that the data requirements of the same are being generated and addressed
27 by all concerned agencies;
- 28 (vi) Prioritize outputs that will address the more urgent statistical requirements
29 in the Philippine Statistical Development Program, including those required
30 to monitor and measure the accomplishment of relevant chapters of the

- 1 Philippine Development Plan and its Results Matrices, and the Philippines'
2 obligations in multilateral environmental agreements; and,
3 (vii) Update the PSA Board and the IACENRS on developments in natural capital
4 and ecosystem statistics and accounts.

5 **SEC. 7. *Specific Functions of National Government on PENCAS.*** – The
6 following agencies shall have the following specific roles and responsibilities in the
7 implementation of this Act:

8 (a) The PSA shall have the overall responsibility for the institutionalization and
9 progressive implementation of PENCAS following the SEEA framework. It shall
10 develop and maintain the compilation of natural capital accounts as well as the
11 environmental and ecosystem accounts at the national and, as necessary, at the
12 sub-national levels. It shall coordinate with and provide technical support to
13 interagency committees, task forces, technical working groups, national
14 government agencies, and local government units (LGUs) in the generation,
15 compilation, and use of environmental accounts, statistics, and indicators. In
16 coordination with concerned agencies, it shall designate the required environment
17 and economic statistics in agencies and bureaus responsible for generating data.

18 The PSA shall create a service to be referred to as Environment, Natural
19 Resources and Ecosystem Account Service (ENREAS), under the Sectoral Statistics
20 Office, necessary for the implementation of this Act, subject to the evaluation and
21 approval of the Department of Budget and Management (DBM), and in compliance
22 with the Civil Service laws, rules, regulations, and guidelines.

23 (b) The DENR shall be responsible for providing NCA data to PSA. The DENR shall
24 ensure the participation of its concerned offices, bureaus and attached agencies.
25 It shall spearhead the setting up of site-specific ecosystem accounts.

26 The DENR, in line with its mandate, shall continue to uphold and convey
27 that the natural environment, biodiversity and the multitude of ecosystem services
28 that nature provides are opportunities, benefits or assets as opposed to being
29 merely a backdrop to absorb impacts. It shall communicate and instill to all
30 stakeholders the importance of accounting and valuation of ecosystems services

1 and their benefits to people. The DENR shall ensure the wide availability of tools,
2 methods and skills that can support the consideration of ecosystem services, and
3 ensure the inclusion of such in the implementation of all its mandates in the
4 development of the implementing rules and regulations (IRR), further including in
5 such rules accounting for activities that may degrade natural capital.

6 To perform the foregoing functions, the DENR shall be strengthened
7 through the creation of new plantilla positions, subject to existing laws, rules and
8 regulations.

9 (c) The NEDA, including its regional offices, shall ensure that NCA is included in the
10 national and regional development priorities based on the usefulness of the
11 accounts in policy analysis, development planning, and investment programming.
12 It shall provide strategic guidance on improving uptake on policy use and
13 application, enhancing institutional capacity, and raising awareness and
14 transparency of NCA work.

15 (d) The Department of Agriculture (DA) shall assist the PSA in the generation and
16 provision of the NCA information relative to agricultural areas, and fisheries and
17 aquatic resources, and closely coordinate on associated ecosystem NCA with the
18 DENR. The Bureau of Fisheries and Aquatic Resources (BFAR), in line with its
19 mandate, shall provide support in the creation of data and information on fisheries
20 valuation and accounting. The National Fisheries Research and Development
21 Institute (NFRDI) shall continue to conduct research and development activities
22 and studies to support the assessment, including the profiling of the status of fish
23 stocks of the country. The Bureau of Soils and Water Management (BSWM) shall
24 ensure that NCA is considered to ensure soil fertility and hydrological stocks and
25 services. *Further*, the DA, BFAR, BSWM, and NFRDI shall create national capital
26 units through additional plantilla positions, subject to existing laws, rules and
27 regulations, and approval of the DBM.

28 (e) The Department of the Interior and Local Government (DILG) shall consolidate
29 and submit NCA-related data and statistics from local governments to PSA and

1 DENR. *Further*, the DILG shall ensure that LGUs utilize and mainstream NCA into
2 their local policies, plans, and programs.

3 (f) The Department of Education (DepEd), Commission on Higher Education (CHED),
4 Technical Education and Skills Development Authority (TESDA), and state
5 universities and colleges (SUCs) shall craft modules in all levels and modalities of
6 basic, technical, vocational, and higher education to capacitate the citizenry to
7 avail of participatory mechanisms in relation to PENCAS.

8 (g) The Professional Regulation Commission (PRC) shall incorporate NCA concepts in
9 the continuing professional education programs and develop the understanding of
10 the impact of different professions on the environment.

11 (h) The Department of Finance (DOF) shall integrate NCA considerations into fiscal
12 policies and regulations, and develop incentive mechanisms that will drive NCA
13 investments.

14 (i) The Department of Energy (DOE) and Department of Human Settlements and
15 Urban Development (DHSUD) shall integrate NCA considerations into the
16 performance of their mandate, and ensure that its planning and decision-making
17 consider natural capital.

18 **SEC. 8. *Participation of Specific Bureaus Within the Agencies.*** The
19 following offices shall contribute to the collection, generation, analysis and presentation
20 of statistics and data requirements of the PENCAS:

21 (a) All bureaus of the DENR, and the National Mapping and Resource Information
22 Authority (NAMRIA);

23 (b) National Water Regulatory Board (NWRB);

24 (c) The bureaus of the DA, especially the BFAR, the BSWM, Philippine Fisheries
25 Development Authority (PFDA), Philippine Rice Research Institute (PRRI),
26 National Irrigation Administration (NIA) and the Philippine Coconut Authority
27 (PCA);

28 (d) National Renewable Energy Board (NREB);

29 (e) Research and development institutes, and science and technology services,
30 especially the Philippine Atmospheric, Geophysical and Astronomical Services

1 Administration (PAGASA) and the Philippine Institute of Volcanology and
2 Seismology (PHIVOLCS) of the Department of Science and Technology (DOST);
3 (f) And other bureaus, as necessary.

4 **SEC. 9. *Involvement of Other Stakeholders.*** – The TWG on NCA shall involve
5 other relevant agencies, private sector, and nongovernment organizations, including
6 indigenous peoples and local communities, in the implementation of PENCAS, particularly
7 on the generation and provision of NCA data as well as the use of natural capital and
8 ecosystem accounts.

9 Subject to the implementing rules and regulations of this Act and national security
10 concerns, all stakeholders shall regularly publish NCA information on their website and/or
11 such other medium deemed appropriate.

12 **SEC. 10. *Participatory Mechanisms and Citizen Remedies.*** – The concerned
13 agencies shall institute consultative mechanisms, and mass collaboration measures to
14 effectively popularize PENCAS and ensure wide comprehensibility and usage of the
15 accounts.

16 Any citizen shall have the right to information on any account generated under
17 this Act, to have the standing to compel the performance of any of the mandates under
18 this Act, and to seek justification from any government agency that may have ignored or
19 neglected PENCAS accounts and indicators in their policy or decision-making. Major
20 PENCAS accounts, results on nature’s wealth and the economic value of ecosystem
21 services, and loss and damage associated with disasters or climate change, shall be
22 released along with all releases of national economic data, such as Gross National Income
23 (GNI), Gross Domestic Product (GDP), and other often-released measures of the state of
24 the country’s economic health and highlight the contribution of resources and ecosystems
25 to the economy, incomes and employment.

26 **SEC. 11. *Rights of Nature.*** – Nothing in this Act shall be construed to mean that
27 nature has no inherent and intrinsic value separate and distinct from its economic value.

28 **SEC. 12.** The PENCAS shall be fully considered in the implementation of the
29 Philippine Environmental Impact Statement System.

1 **SEC. 13. Appropriations.** – The amount necessary to cover the initial
2 implementation of this Act shall be charged against the current year’s appropriations of
3 the departments or agencies concerned. Thereafter, the amount necessary for its
4 continued implementation shall be included in the respective budgets of the departments,
5 agencies concerned in the annual General Appropriations Act.

6 **SEC. 14. Implementing Rules and Regulations.** – Within one (1) year from
7 the effectivity of this Act, the PSA shall constitute an interagency working group,
8 composed of the agencies and offices enumerated under Sections 6 and 7 of this Act, to
9 issue the rules and regulations necessary for the effective implementation of this Act.

10 The relevant agencies shall integrate internationally recognized best practices and
11 methodologies as they execute and implement this Act and its rules and regulations,
12 ensuring the progressive integration of the SEEA.

13 The Implementing Rules and Regulations of this Act shall include the timeframe,
14 manner and such other details regarding the collection, renewal, and review of NCA data
15 by government agencies and other stakeholders.

16 **SEC. 15. Separability Clause.** – If any provision of this Act is declared
17 unconstitutional or otherwise invalid, the validity of the other provisions shall not be
18 affected thereby.

19 **SEC. 16. Repealing Clause.** – All other laws, decrees, orders, rules and
20 regulations, other issuances, or parts thereof inconsistent with the provisions of this Act
21 are hereby repealed or modified accordingly.

22 **SEC. 17. Effectivity.** – This Act shall take effect fifteen (15) days after its
23 publication in the *Official Gazette* or in a newspaper of general circulation.

24 Approved,