

FIFTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

OFFICE OF THE SECRETARY

10 JUL -8 P1:55

SENATE

S. No. 1006

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Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

Article XIV, Section 17 of the 1987 Constitution provides that "The State shall recognize, respect, and protect the rights of indigenous cultural communities to preserve and develop their cultures, traditions, and institutions. It shall consider these rights in the formulation of national plans and policies."

This section stresses that it is the people and the cultural communities, not the state, which will preserve and enrich the culture.

Civilization as the lowlanders see it may be a death knell to the indigenous cultural communities and upland families' way of life.

This Act seeks to integrate indigenous cultural communities with the local government by establishing a forest management, utilization, conservation and preservation centers in provinces inhabited predominantly by members of indigenous cultural communities and upland families.

The Forest Management, Utilization, Conservation and Preservation Center will be tasked to design and implement a forest management, utilization, conservation and preservation program appropriate to the locality, incorporating therein indigenous and traditional customs and practices pertaining to the proper utilization of forests and its resources and to the effective protection, conservation, preservation and sustainable management of forest resources.

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



MANUEL "LITO" M. LAPID
Senator

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AN ACT
ESTABLISHING FOREST MANAGEMENT, UTILIZATION,
CONSERVATION AND PRESERVATION CENTERS IN PROVINCES
INHABITED PREDOMINANTLY BY MEMBERS OF INDIGENOUS
CULTURAL COMMUNITIES AND UPLAND FAMILIES

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

SECTION 1. Creation of a Forest Management, Utilization, Conservation and Preservation Center. - There is hereby created a Forest Management, Utilization, Conservation and Preservation Center hereinafter referred to as the "Center", under the direct supervision of the Department of Environment and Natural Resources (DENR) in every province inhabited predominantly by members of indigenous cultural communities and upland families.

SEC. 2. Powers and Functions of the Center. - The Center shall exercise the following powers and functions:

(a) Design and implement a forest management, utilization, conservation and preservation program appropriate to the locality, incorporating therein indigenous and traditional customs and practices pertaining to the proper utilization of forests and its resources and to the effective protection, conservation, preservation and sustainable management of forest resources;

(b) Develop and implement a continuing education program for leaders and members of indigenous communities aimed at building awareness of the importance of proper utilization of forest resources as well as the effective conservation, protection, preservation and sustainable management of the same;

(c) Serve as a clearing house in the awarding of reforestation project contracts and all other related livelihood projects designed to promote natural resources conservation and protection in the locality;

(d) Enter into contract of any kind to enable it to manage its own activities and carry out its objectives and functions;

(e) Develop a fund mobilization and generation program directed to any department, bureau, office, agency or instrumentality of the government as well as other local and foreign donor agencies/organizations focusing on environment conservation and protection with the aim of generating/securing the necessary resources for projects

aimed at promoting environment conservation, protection, rehabilitation and preservation;

(f) Formulate and recommend measures and programs designed to achieve effective forest management among indigenous cultural communities;

(g) Undertake other activities as may be necessary to ensure attainment of its objectives; and

(h) To provide support in the implementation of the Strategic Environmental Plan pursuant to Republic Act No. 7611, the DENR shall carry out the provisions of this Act and shall constitute the necessary administrative and organizational set-up of the Center which shall be headed by the Provincial Environment and Natural Resources (PENRO) and promulgate the necessary rules and regulations for the effective implementation of this Act, taking into consideration indigenous laws, customs and practices: *Provided*, That a center may also be established in any other province as may be recommended by a member of Congress.

SEC. 4. Appropriation. - The amount necessary for the implementation of this Act shall be included on the budget of the Department of Environment and Natural Resources (DENR) in the annual General Appropriations Act.

SEC. 5. Repealing Clause. - All laws, decrees, executive orders, rules and regulations or parts thereof not consistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 6. Separability Clause. - If any provision or part of this Act, or the application thereof to any person or circumstance, is held unconstitutional or invalid, the remainder of this Act shall not be affected thereby.

SEC. 7. Effectivity Clause. - This Act shall take effect fifteen (15) days from the date of its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,