

FOURTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
Second Regular Session

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9 MAR 31 1992

SENATE
S.B. 3146



Introduced by Senator Villar

EXPLANATORY NOTE

"We, the sovereign Filipino people, imploring the aid of Almighty God, in order to build a just and humane society and establish a Government that shall embody our ideals and aspirations, promote the common good, conserve and develop our patrimony, and secure to ourselves and our posterity the blessings of independence and democracy under the rule of law and a regime of truth, justice, freedom, love, equality, and peace, do ordain and promulgate this Constitution."

-The Preamble, 1987 Philippine Constitution

The preamble of the Constitution provides that we should establish a Government which shall "conserve and develop our patrimony." Our "patrimony" includes our public forests, mangroves, wildlife, and flora and fauna which should be conserved, protected and renewed.

This bill is submitted honoring the Preamble of the 1987 Philippine Constitution. It is a mechanism to help the sustainable development of the Philippine environment. It provides for a classification and percentage allocation of public forests. Protected public forests are envisioned to comprise at least sixty percent of all public forests. Production forests are proposed to comprise not more than twenty percent and agro-forestry projects to cover not more than twenty percent of public forests. It is estimated that there are about 15 million hectares of public forest land.

The objective of this bill is to rehabilitate public forest lands and revert areas presently denuded and eroded to become living thriving forest reserves.

The dismal condition of our public forests today is a sad reflection of the wanton mistreatment and exploitative utilization we have inflicted on our forest resources. Ideally, our reforestation rate should be at least five times our deforestation rate and should surpass deforestation within the next five years.

This we can do by embarking on a massive reforestation program and rehabilitation of our forest lands.

Immediate approval of this bill is highly recommended.



MANNY VILLAR

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AN ACT

**TO CONSERVE AND PROTECT PHILIPPINE PUBLIC FORESTS,
MANGROVES AND WILDLIFE THROUGH A COMPREHENSIVE
ENVIRONMENTAL PROGRAM OF RENEWAL, REPLANTING AND
REFORESTATION, AND FOR OTHER PURPOSES**

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

SECTION 1. Declaration of National Policy and Program Framework. - It is hereby declared the policy of the State to conserve, protect, and support the renewal program of public forests, mangroves and the wildlife. To these ends, the State hereby adopts the following comprehensive program frameworks:

- (a) The specific limits of public forests, national parks and other forest reserve areas, including mangroves with forest cover, shall be determined, by the Department of Environment and Natural Resources in consultation with various stakeholders including individuals, non-governmental organizations and public associations representing environmental management, local governments, academic community and others. Public consultations shall be conducted.

(b) Public forests under lease and/or which have been denuded and deforested due to logging shall be reforested, with tree species of its original forested state or similar specie, and reclassified protection and conservation forest.

(d) Mangroves without forest cover which have been utilized and cut to the detriment of ecological balance and to the destruction of marine, air and other wildlife which take sanctuary shall be replenished with the mangrove and other species of plants and reseeded with the wildlife which would naturally be supposed to thrive therein.

(e) Virgin forests and public parks and forest reserves declared as such shall in no case be opened for exploitation or reclassification and shall remain so unless otherwise declared by law.

(f) The protection of marine, air and wildlife, including the endangered species of Philippine fauna shall be the ultimate objective of the government.

(g) Philippine flora, both natural to our forests and those which would enhance ecological balance and the productivity and aesthetic value of our public forests, shall be replanted and maintained in the public forests.

(h) Areas of the public forests leased or tolerated for use for social forestry or agro-forestry shall be limited to the area and percentage of the total public forests as may be indicated in the implementing rules and regulations that will be issued for the purpose.

SEC. 2. Coordinating Council for the Conservation, Protection and Renewal of the Nation's Patrimony. - There is hereby created a Coordinating Council for the Conservation, Protection and Renewal of the Nation's Patrimony. The Council shall be headed by the Secretary of Environmental and Natural Resources as Chairman, with the Undersecretaries of Agriculture and Food and of Education, Culture and Sports as Vice-Chairmen. The members shall include three (3) representatives from the; government sector and three (3) representatives from the private sector appointed by the President of the Philippines upon the recommendation of the Secretary of Environment and Natural Resources and from the list of nominees submitted by the sectors themselves.

The Council shall formulate policies and develop projects to implement the national policy and program framework as defined in this Act, It shall also promulgate rules and regulations to carry out the purposes of this Act and adopt a code of services and guidelines to conserve, protect and renew the nation's patrimony.

To assist the Council, the Chairman shall designate an Executive Secretary and a Secretariat from among the staff of the Department of Environment and Natural Resources, with such allowances as may be approved by the Council. The per diems and allowances of the Council shall be approved by the Council, subject to the existing rules and regulations and auditing and accounting laws.

SEC. 3. Reforestation and Renewal Program by the Youth. - Subject to such rules and regulations as the Council may promulgate, students and community youth below the

age of twenty-five (25) years, shall be harnessed for the reforestation and renewal of public forests, mangrove and wildlife. Students who will render service as provided in this Act may be credited with the required units for the National Service Training Program.

SEC. 4. Coordination with Agricultural and Fisheries Schools. Subject to such rules and regulations as the Council may promulgate, agricultural and fisheries schools, both public and private, shall be encouraged to participate in the programs envisioned in this Act.

SEC. 5. Comprehensive Program. In consultation with all stakeholders and various sectors comprising the entire agriculture and fisheries sectors, agro-business and the concerned academic communities, a comprehensive program including the projects that may be supported by the Council shall be formulated to serve as guide for the effective implementation of this Act.

SEC. 6. Conservation, Protection and Renewal Fund. - There is hereby authorized the amount of One Million Pesos (P1,000,000.00) for the operations of the Council, and Ten Million Pesos (P10,000,000.00) for the projects under this Act to conserve, protect and renew public, forests, mangroves, and the wildlife under the comprehensive program framework of this Act.

Thereafter, the operating expenses of the Council and the projects planned and implemented under this Act shall be included in the budget of the Department of Environment and Natural Resources as part of its annual appropriation.

The Council may receive donations from national and international sources for the implementation of this Act or for a specific project or projects.

Donations received shall be placed in a trust fund for specific purposes and projects, as approved by the Council, subject to existing auditing and accounting regulations-and the purposes of this Act.

The program harnessing youth for reforestation shall be funded by project funds of the Council or from donations earmarked for the purpose.

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

SEC. 8. Repealing Clause. - Any law, decree, rule, regulation, executive order or part thereof inconsistent with this Act is hereby repealed or modified accordingly.

SEC. 9. Effectivity. - This Act shall be effective upon its complete publication in the Official Gazette or in at least two (2) national newspapers of general circulation, whichever comes earlier.

Approved,