


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

Senate
Office of the Secretary

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SENATE
S. No. 3086

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution under Article 2, Section 16 provides:

Section 16. 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 changed 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.


MIRIAM DEFENSOR SANTIAGO
all

Introduced by Senator Miriam Defensor Santiago

1 AN ACT

2 TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL
3 RESOURCES TO MAKE GRANTS TO ASSIST BARANGAYS IN COMPLYING WITH
4 ENVIRONMENTAL REQUIREMENTS, AND TO AUTHORIZE THE USE OF PENALTY
5 AMOUNTS COLLECTED UNDER LAWS TO FINANCE THE GRANTS

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

6 SECTION 1. *Short Title.* - This Act shall be known as “Environmental Compliance
7 Assistance Act.”

8 SECTION 2. *Grant.* - The Department of Environment and Natural Resources (DENR)
9 shall make grants to barangays for projects and activities to assist communities in complying
10 with environmental requirements under laws administered by the DENR.

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

16 SECTION 4. *Funding.* - The grant provided under this Act shall be made available from
17 the Environmental Compliance Trust Fund established under this Act.

18 SECTION 5. *Creation of Trust Fund* - The DENR and the Department of Finance shall
19 establish a trust fund known as the Environmental Compliance Trust Fund (Fund). All amounts

1 collected from penalties under laws administered by the DENR shall accrue to this fund. The
2 Secretary of Environment and Natural Resources shall administer the Fund.

3 SECTION 6. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts
4 thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified
5 accordingly.

6 SECTION 7. *Separability Clause.* – If, for any reason, any provision of this Act is
7 declared to be unconstitutional or invalid, the other sections or provisions hereof which are not
8 affected thereby shall continue to be in full force and effect.

9 SECTION 8. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days
10 following its publication in at least two (2) newspapers of general circulation.

Approved,