



Office of the Secretary
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SENATE

COMMITTEE REPORT NO. 399

Submitted by the Committee on Environment and Natural Resources on
SEP 19 2012

Re : House Bill No. 4711

Recommending its approval with amendments.

Sponsor : Senator Escudero.

MR. PRESIDENT:

The Committee on Environment and Natural Resources to which was referred House Bill No. 4711, introduced by Representatives Garay and Matugas, entitled:

**"AN ACT
IMPOSING A LOGGING BAN IN THE SECOND DISTRICT OF THE
PROVINCE OF SURIGAO DEL SUR"**

has considered the same and has the honor to report this bill back to the Senate with the recommendation that it be approved with the following amendments:

1. On page 1, insert a new Section 1 which shall read as follows:

"SECTION 1. STATEMENT OF POLICY. – IT IS THE POLICY OF THE STATE TO PROTECT AND ADVANCE THE RIGHT OF THE PEOPLE TO A BALANCED AND HEALTHFUL ECOLOGY IN ACCORD WITH THE RHYTHM AND HARMONY OF NATURE. TOWARDS THIS END, THE STATE SHALL PROTECT THE PEOPLE AND THE ENVIRONMENT FROM THE ADVERSE EFFECTS OF LOGGING."

2. On the same page, line 1, after the figure "2", insert the sub-title "IMPOSITION OF A LOGGING BAN IN THE SECOND CONGRESSIONAL DISTRICT OF THE PROVINCE OF SURIGAO DEL SUR";
3. On the same page, line 5, after the figure "3", insert the sub-title "EXEMPTION FROM THE LOGGING BAN";
4. On page 2, line 2, after the word "projects", insert the phrase "APPROVED BY THE GOVERNMENT AND ONLY FOR BASIC SERVICES SUCH AS, BUT NOT LIMITED TO, ENERGY AND POWER DEVELOPMENT, PUBLIC WORKS OR WATER UTILITIES";
5. On the same page, line 4, between the words "laws," and "rules", insert the phrase "SUCH AS, BUT NOT LIMITED TO, PRESIDENTIAL DECREE NO. 705, OTHERWISE KNOWN AS THE "REVISED FORESTRY CODE OF THE PHILIPPINES", AS AMENDED; PRESIDENTIAL DECREE NO. 1586, OTHERWISE KNOWN AS "ENVIRONMENTAL IMPACT STATEMENT SYSTEM"; AND OTHER APPLICABLE";
6. On the same page, before "Section 4", insert a new section which shall read as follows:

"SEC. 5. *PENAL PROVISIONS.* - ANY PERSON, EMPLOYER OR EMPLOYMENT AGENCY WHO SHALL VIOLATE THE PROVISIONS OF THIS ACT SHALL BE PENALIZED WITH IMPRISONMENT OF AT LEAST SIX (6) YEARS BUT NOT MORE THAN TWELVE (12) YEARS AND A FINE OF AT LEAST ONE HUNDRED THOUSAND PESOS (P100,000.00) BUT NOT MORE THAN FIVE HUNDRED THOUSAND PESOS (P500,000.00). IF THE VIOLATOR IS A CORPORATION OR ASSOCIATION, THE PRESIDENT AND THE MANAGERS OF SAID CORPORATION OR ASSOCIATION, OR ITS AGENT OR

REPRESENTATIVE IN THE PHILIPPINES, IN THE CASE OF A FOREIGN CORPORATION OR ASSOCIATION, SHALL BE HELD LIABLE.”;

7. On the same page, after the figure “4”, insert the sub-title “IMPLEMENTING RULES AND REGULATIONS”;
8. On the same page, line 7, after the word “Act” insert the phrase “WITHIN THREE (3) MONTHS FROM THE DATE OF ITS EFFECTIVITY”;
9. On the same page, before “Section 5”, insert two (2) new sections which shall read as follows”

“SEC. 7. *SEPARABILITY CLAUSE.* – IF ANY PORTION OR PROVISION OF THIS ACT IS DECLARED UNCONSTITUTIONAL, THE REMAINDER OF THIS ACT OR ANY PROVISION NOT AFFECTED THEREBY SHALL REMAIN IN FORCE AND EFFECT.

“SEC. 8. *REPEALING CLAUSE.* – ALL LAWS, ORDERS, ISSUANCES, RULES AND REGULATIONS OR PARTS THEREOF INCONSISTENT WITH THE PROVISIONS OF THIS ACT ARE HEREBY REPEALED OR MODIFIED ACCORDINGLY.”

10. On the same page, line 8, after the figure “5”, insert the sub-title “EFFECTIVITY CLAUSE”;
11. On the same page and line, after the word “days”, delete the word “following” and in lieu thereof insert the word “AFTER”;
12. On the same page, line 9, before the word “publication”, insert the word “COMPLETE”; and
13. Renumber the sections accordingly.

Respectfully submitted:



FRANCIS G. ESCUDERO
Chairman



LOREN B. LEGARDA

Vice-Chairperson

Members:



EDGARDO J. ANGARA




RAMON BONG REVILLA JR.



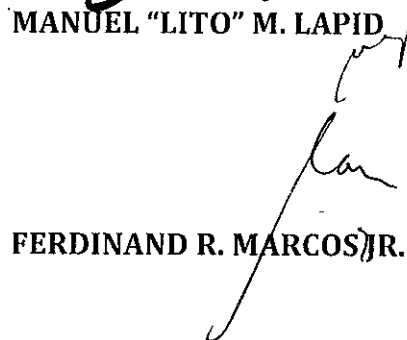
MANNY B. VILLAR



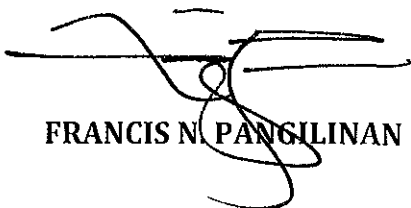
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GREGORIO B. HONASAN II

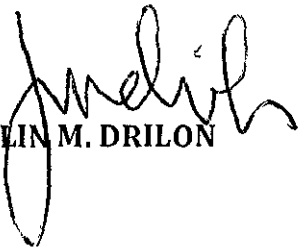


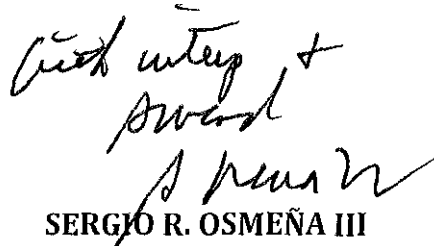
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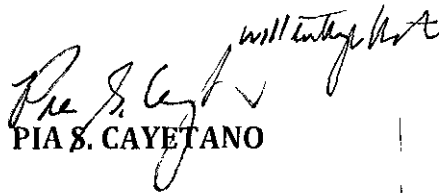
FRANCIS N. PANGILINAN

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