


FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

7 SEP 11 2018

SENATE

RECEIVED BY: 

S. No. 1547

Introduced by Senator JUAN MIGUEL F. ZUBIRI

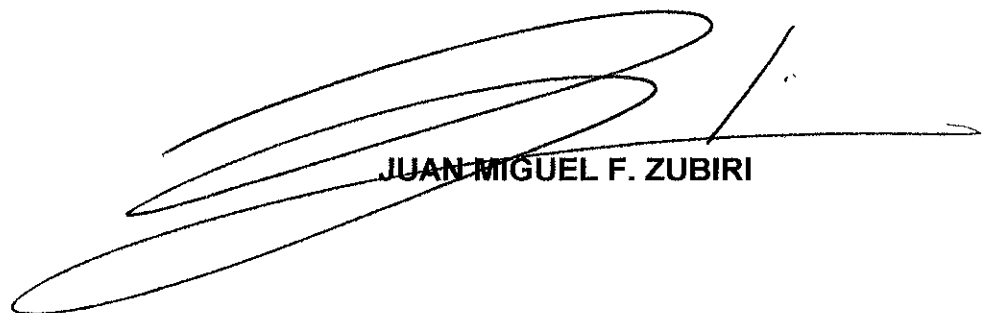
EXPLANATORY NOTE

The Local Government Code of 1991 was conceived and implemented in order to provide better and faster implementation of service of the government to the grassroots level. Because of the promise that the Code has shown upon its implementation, various mechanisms have been explored to better coordinate the national and local governments and enhance the cooperative interaction between them.

As a lot of laws dealing with the protection and conservation of our environment and natural resources have been enacted, their complexities make it impractical for the national government to be the sole agency in implementing said laws. Under such circumstances, a more coordinated and cooperative action from the national and local governments on the enforcement of laws on environmental protection and conservation of natural resources is needed because poor enforcement of such laws leads to environmental problems primarily affecting the local government. Empowering local governments in enforcing and implementing these laws will make them more vigilant and proactive in their communities thereby reducing and preventing the risks of environmental problems and disasters.

In view of the above, this bill seeks to increase the role of local governments in monitoring the implementation of national laws on environmental protection and conservation of natural resources.

Approval of this bill is earnestly requested.


JUAN MIGUEL F. ZUBIRI

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

7 SEP 11 2008

SENATE

RECEIVED BY: JH

S. No. 1547

Introduced by Senator JUAN MIGUEL F. ZUBIRI

**AN ACT
EMPOWERING LOCAL GOVERNMENT UNITS (LGUs)
TO MONITOR THE ENFORCEMENT OF LAWS, RULES AND REGULATIONS ON
ENVIRONMENTAL PROTECTION AND CONSERVATION OF NATURAL
RESOURCES**

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

1 SECTION 1. *Title.* This Act shall be known as the "Local Initiative on
2 Environmental Protection and Conservation of Natural Resources Act of 2007".

3 SECTION 2. *Declaration of Policy.* It shall be the policy of the state to promote
4 more effective coordination between the national and local governments.

5 SECTION 3. *Objective.* The objective of this Act shall be to establish
6 coordination between the national and local governments in the implementation of
7 national laws on environmental protection and conservation of natural resources.

8 SECTION 4. *Coverage.* This Act shall involve all local governments nationwide
9 and shall cover the implementation of all national laws on environmental protection and
10 conservation of natural resources.

11 SECTION 5. *Inspection.* Local government executives, members of the local
12 *sanggunian* and duly appointed officials of the local governments shall have ready
13 access to the facilities and areas of operations of processing and manufacturing
14 concerns and concessions of forest, mineral and aquatic resources in their areas of
15 jurisdiction for the purpose of inspecting and determining compliance with existing laws,
16 rules and regulations on environmental protection and conservation of natural
17 resources.

18 SECTION 6. *Notice of Possible Violations.* Local governments, through a
19 resolution of their local *sanggunian*, shall serve formal notice to the Department of
20 Environment and Natural Resources (DENR) upon discovery of possible violations of

1 national laws on environmental protection and conservation of natural resources by
2 processing or manufacturing concerns or concessionaires of forest, mineral or aquatic
3 resources.

4 SECTION 7. *Enforcement.* In the event of failure by the DENR to act on the
5 formal notice seven days after it has been served, local governments may, by a majority
6 decision of the local *sanggunian*, exercise police power, and compel compliance from
7 or impose sanctions on concerned parties, as provided for in the relevant national laws,
8 rules or regulations on environmental protection and conservation of natural resources.

9 SECTION 8. *Validity of Local Government Action.* Local government action on
10 the enforcement of national laws, rules and regulations on environmental protection and
11 conservation of natural resources as provided for in Section 3 above shall remain valid
12 until superseded by a subsequent action by DENR or the courts of the Philippines.

13 SECTION 9. *Jurisdiction.* For the purpose of implementing the intent and
14 provisions of this Act, the respective jurisdiction of local governments shall be as
15 follows:

16 1) *Barangay government* – processing or manufacturing concerns or
17 concessionaires of forest, mineral or aquatic resources whose area of
18 operation is exclusively within the territorial jurisdiction of the barangay.

19 2) *Municipal government* – processing or manufacturing concerns or
20 concessionaires of forest, mineral or aquatic resources whose area of
21 operation covers more than one barangay but exclusively within the
22 territorial jurisdiction of the municipality.

23 3) *Provincial government* – processing or manufacturing concerns or
24 concessionaires of forest, mineral or aquatic resources whose area of
25 operation covers more than one municipality but exclusively within the
26 territorial jurisdiction of the province.

27 SECTION 10. *Implementation.* The Department of Environment and Natural
28 Resources and the Department of Interior and Local Government, in consultation with
29 the League of Provinces and Cities, League of Municipalities and the *Liga ng mga*
30 *Barangay* shall formulate and enforce the rules and regulations necessary for the
31 effective implementation of the intent and provisions of this Act.

32 SECTION 11. *Repealing Clause.* All laws, decrees, orders, rules and
33 regulations or parts thereof inconsistent with the provisions of this Act are hereby
34 repealed, amended or modified accordingly.

1 SECTION 12. *Separability Clause*. The declaration of unconstitutionality or
2 invalidity of any provision of this Act shall not affect the other provisions thereof.

3 SECTION 13. *Effectivity*. This Act shall take effect fifteen days after its
4 publication in two (2) newspapers of general circulation in Filipino and English.

5 Approved,