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SENATE

Senate Bill No. 453

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

The Philippine Constitution under Section 16, Article II declares that:

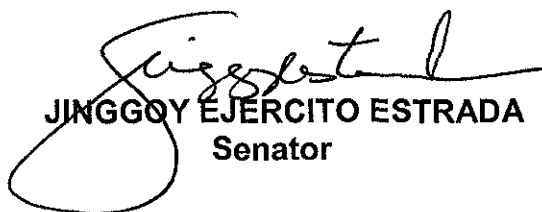
“The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.”

The Philippine’s contribution to the eight wonders of the world, the pride of the Boholanos, the Chocolate Hills in the towns of Carmen, Sagbayan and Batual, are alarmingly facing the possibilities of ruin, defacement and despoil due to the destruction of seven hills in Camanayon, Buenos Aires, La Paz Villafior and La Victoria in Carmen, Bohol and in Poblacion and Sta. Catalina in Sagbayan, Bohol.

This despite the constitutional mandate and the declaration on June 18, 1988 that the Chocolate Hills is a National Geological Monument by virtue of its exceptional characteristics, scientific importance, uniqueness, relevance to the Philippine history and heritage, culture and development, importance in the tourism industry as major tourist spot in the country and high scenic value by the National Committee on Geological Sciences, the Department of Environment and Natural Resources and the Department of Tourism.

This proposed legislation seeks to provide stricter penalties for the pillage, destruction and defacement of the world famous Chocolate Hills to preserve their status as national patrimony and geological monuments.

With the foregoing intentions, the early approval of this bill is earnestly sought.



JINGGOY EJERCITO ESTRADA
Senator

10 JUL -6 04:58

SENATE

Senate Bill No. 453 RECEIVED BY 

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

AN ACT
PROCLAIMING THE CHOCOLATE HILLS AS NATIONAL PATRIMONY AND
GEOLOGICAL MONUMENTS, PROVIDING PENALTIES FOR THEIR
PILLAGE, DEFACEMENT AND DESPOIL, AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. – This Act shall be known as the “**Chocolate Hills Protection Act of 2010.**”

SEC. 2. Definition of Terms. For purposes of this Act, the following terms are hereby defined as follows:

1. Pillage – means the destruction of any of the Chocolate Hills without permit from the proper authorities concerned and the required Environment Clearance Certificate from the Department of Environment and Natural Resources through quarrying or hauling therefrom of limestones, rocks, soil and road surfacing materials or for backfilling in any construction.
2. Defacement – means to mar the appearance or disfigure of any of the Chocolate Hills through any means or device with permit issued by the proper authorities concerned.
3. Despoil – means to ruin or devastate completely any of the Chocolate Hills with permit duly issued by the proper authorities concerned and the Environmental Clearance Certificate of the Department of Environment and Natural Resources through quarrying or hauling therefrom of limestone, rocks, soil and roads surfacing materials or for backfilling in any construction.

SEC. 3. Declaration of Policy – It is hereby the declared the policy of the State to protect and preserve the Chocolate Hills found in the 32 barangays in the Municipalities of Carmen, Batuan and Sagbayan, Province of Bohol, to wit: La Paz, Buenos Aires, Tamboan, Alegria, Villaflor, Manti-ao, Calatrava, Monte Video, Nueva Vida Sur, La Victoria, Muntisunting, Nueva Vida Este, Nueva Vida Norte and Buenavista in the Municipality of Carmen, Province of Bohol; Sta. Cruz, Sagbayan Sur, Katipunan, Ubojan, Canmaya Diot, Libertad Sur, San

Vicente Sur, Libertad Norte, Camano, Sta. Catalina, Canmaya Centro, Kagawasan, Poblacion and San Agustin in the Municipality of Sagbayan, Province of Bohol.

SEC. 4. National Patrimony and Geological Monument – The aforesaid Chocolate Hills are hereby declared as National Patrimony and Geological Monuments for which quarrying or hauling of limestones, rocks, soil and road materials for whatever purpose is hereby banned and prohibited.

SEC. 5. Penalties. (a) All persons, whether natural or judicial, who violates this Act which causes the pillage of any Chocolate Hills shall, upon conviction, be punished with an imprisonment of eight (8) years, four (4) months and one (1) day to twelve (12) years and a fine of P85,000.00 to P120,000.00; and;

(b) All persons, whether natural or judicial who will violate this Act which causes the destruction of any Chocolate Hills shall, upon conviction, be punished with an imprisonment of eight (8) years, four (4) months, and twelve (12) years and a fine of P85,000.00 to P120,000.00 and;

(c) All persons, whether natural or judicial, who will violate this Act which causes the defacement of Chocolate Hills shall, upon conviction, be punished with an imprisonment of six (6) years and one (1) day to eight (8) years and four (4) months and a fine of P60,000 to P84,000.

For purposes of this Section, the President, the Chairman of the Board, the General Manager and Project Manager, in case of corporation, and the proprietor and manager, in case of sole proprietorship, shall be held responsible for the violation committed by judicial persons.

In any of the offense herein-above committed, the Court may order the offender to restore the Chocolate Hills thus plundered, destroyed or defaced: Provided, however, That in the event the offender or offenders in the commission of any of the offenses of the Court shall impose the accessory penalty of perpetual disqualification to hold public office.

SEC. 6. Separability Clause. If any part or section of this Act is declared unconstitutional, such declaration shall not affect the other parts or sections of this Act.

SEC. 7. Repealing Clause. All laws, presidential decrees, executive orders, rules and regulations inconsistent with any of the provisions of this Act shall be deemed repealed or modified accordingly.

SEC. 8. Effectivity Clause. This Act shall take effect fifteen (15) days after its complete publication in two (2) newspapers of general circulation.

Approved,