



HOUSE OF REPRESENTATIVES

H. No. 5860

BY REPRESENTATIVES RODRIGUEZ (R.), RODRIGUEZ (M.), PALMONES,
MATUGAS, ABAYA AND VILLARICA, PER COMMITTEE REPORT NO. 1870

AN ACT PROVIDING FOR THE DELINEATION OF THE SPECIFIC
FOREST LIMITS OF THE PUBLIC DOMAIN AND FOR OTHER
PURPOSES

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

1 SECTION 1. *Short Title.* – This Act shall be known and cited as the
2 “Final Forest Limits Act of 2012”.

3 SEC. 2. *Declaration of Policy.* – It is the policy of the State to
4 conserve, protect and develop the forest resources of the country in order to
5 attain ecological balance, preserve valuable ecosystems, prevent environmental
6 degradation and promote sustainable development for the present and future
7 generations. To achieve these ends, Section 4, Article XII of the 1987
8 Constitution mandates Congress to determine by law the specific limits of
9 forest lands marking clearly their boundaries on the ground.

10 SEC. 3. *Definition of Terms.* – As used in this Act, the following
11 terms shall mean:

1 (a) *Agricultural lands* shall refer to alienable and disposable lands of
2 the public domain, which have been the subject of the land classification
3 system and declared as not needed for forest purposes.

4 (b) *Delimitation survey* shall refer to the establishment of land
5 classification boundaries and the monumenting thereof following ground
6 survey.

7 (c) *Delineation* shall refer to the conduct of site investigation, field
8 reconnaissance and assessment, and staking of boundaries between forest
9 lands, national parks and agricultural lands verified in the field in accordance
10 with the criteria set forth under Department of Environment and Natural
11 Resources (DENR) Administrative Order No. 2008-24.

12 (d) *Forest lands* shall refer to all lands of the public domain already
13 classified as forest land as per existing land classification maps issued by the
14 DENR including all permanent forest reserves proclaimed as such by the
15 President or declared by law, and such areas within the unclassified lands of
16 the public domain that were assessed and delineated by the DENR in
17 accordance with pertinent laws, rules and regulations.

18 (e) *Protected area* shall refer to identified portions of land and/or
19 water set aside by reason of their unique physical and biological significance,
20 managed to enhance biological diversity and protected against destructive
21 human exploitation.

22 SEC. 4. *What Constitutes the Forest Lands.* -- The following shall
23 constitute the forest lands, to wit:

24 (a) All lands of the public domain already classified as forest land as
25 per existing land classification maps issued by the DENR;

26 (b) All permanent forest reserves proclaimed as such by the President
27 or declared by law; and

1 (c) Such areas within the unclassified lands of the public domain that
2 were assessed and delineated by the DENR in accordance with pertinent laws,
3 rules and regulations.

4 SEC. 5. *Guidelines in Determining the Specific Limits of Forest*
5 *Lands.* – The following guidelines and procedures shall be followed in
6 determining the specific limits of forest lands in the country:

7 (a) The previously established land classification survey lines per
8 province with their respective technical descriptions (TDs) and maps shall be
9 the basic data and information that will be used as reference material in
10 undertaking the validation, assessment and delineation process;

11 (b) All completed assessment and delineation reports for a given
12 province shall be endorsed to the National Review and Evaluation Committee
13 as created herein to be headed by the Secretary of the DENR for final
14 approval; and

15 (c) The same process shall be followed for other provinces with
16 ongoing assessments and delineation activities until such time that all the
17 boundaries of forest lands of the whole country shall have been delimited:
18 *Provided,* That all assessments, validations and delineations shall be completed
19 not later than one (1) year after the passage of this Act.

20 SEC. 6. *Creation of the National Review and Evaluation*
21 *Committee.* – In recognition of the Constitutional mandate as embodied in
22 Section 4, Article XII thereof, and in view of the urgent need to establish the
23 permanent limits of the forest lands of the country, a National Review and
24 Evaluation Committee is hereby created to process, evaluate and approve all
25 completed assessment and delineation reports referred to in the immediately
26 preceding section. The Committee, in its evaluation and approval of the said
27 reports, shall strictly adhere to existing established laws, policies, rules,
28 regulations and guidelines pertinent thereto.

1 The Committee shall be composed of the following:

2 (a) The Secretary of the DENR, as Chairperson;

3 (b) The Secretary/Director General of the National Economic and
4 Development Authority (NEDA), as Vice Chairman;

5 (c) The Secretary of the Department of the Interior and Local
6 Government (DILG), as member;

7 (d) The Secretary of the Department of Agriculture (DA), as member;
8 and

9 (e) The Secretary of the Department of Agrarian Reform (DAR), as
10 member.

11 Upon approval of the assessment and delineation reports, the Committee
12 shall submit the same to Congress which shall thereafter form part of its
13 official records. The assessment and delineation reports as approved by the
14 Committee shall be adopted as constituting the final boundaries of the forest
15 lands covered by the said report.

16 *SEC. 7. Demarcation and Delimitation of Final Forest Land*
17 *Boundary.* – Immediately after the final forest line has been determined
18 following the guidelines prescribed in Section 5 hereof, the DENR shall
19 delimit and establish the permanent boundary monuments on the ground.

20 *SEC. 8. Permanency of the Specific Forest Limits.* – The permanent
21 forest lands established pursuant to this Act shall be conserved and shall not be
22 increased nor diminished except by law. The DENR, in coordination with all
23 concerned agencies and branches of the government, shall ensure that the
24 forest cover and other resources therein shall be protected and enhanced.

25 *SEC. 9. Recognition of the Rights of Upland Dwellers.* – Consistent
26 with the provisions of Republic Act No. 7160 or the “Local Government Code
27 of 1991” and Republic Act No. 8371 or the “The Indigenous Peoples Rights
28 Act of 1997”, the rights of the indigenous cultural communities and other

1 upland dwellers shall be recognized and respected in the ground delineation of
2 the permanent forest limits.

3 SEC. 10. *Monitoring, Evaluation and Reporting System.* – To attain
4 the objectives of this Act, a field monitoring, evaluation and reporting system
5 shall be adopted by the Secretary of the DENR to regularly keep track of the
6 state of the country's forest lands after their delimitation. Towards this end, at
7 the opening of each session of Congress, the DENR shall submit a report to the
8 President on the status of the forest lands for transmission to Congress.

9 SEC. 11. *Creation of an Adjudication Board to Resolve Controversies*
10 *on Land Conflicts/Adverse Claims.* – A Land Conflict Adjudication Board is
11 hereby created to resolve controversies arising from boundary conflicts and
12 adverse claims as a result of the delimitation of forest lands pursuant to this
13 Act. The Board shall be composed of the following:

- 14 (a) The Secretary of the Department of Justice (DOJ), as Chairperson;
15 (b) The representative from the Integrated Bar of the Philippines (IBP),
16 as member;
17 (c) The administrator of the Land Registration Authority (LRA), as
18 member;
19 (d) The representative from a reputable College of Forestry, as
20 member; and
21 (e) The representative from the private sector, as member.

22 The Board shall have the following powers and functions:

- 23 (1) Adjudicate cases on land conflicts and adverse claims brought
24 before it for resolution;
25 (2) Summon witnesses, administer oaths, take testimonies and require
26 submission of reports;
27 (3) Compel production of books and document answers to
28 interrogations; and

1 (4) Issue *subpoena duces tecum*, writs of possession, writs of
2 execution and other writs to enforce its orders and decisions.

3 SEC. 12. *Accessibility of Record to the Public.* – All records and
4 information pertaining to the specific forest limits delineated pursuant to this
5 Act shall be made available to all local government units (LGUs), other
6 government agencies and to the general public.

7 SEC. 13. *Congressional Oversight Committee on the Delineation of the*
8 *Permanent Forest Limits.* – There is hereby created a Congressional
9 Oversight Committee to oversee the implementation of this Act composed of
10 seven (7) Members from the Senate Committee on Environment and Natural
11 Resources and seven (7) Members from the House of Representatives’
12 Committee on Natural Resources.

13 The Congressional Oversight Committee shall be in existence for a
14 period of five (5) years and, thereafter, its oversight functions shall be
15 exercised by the Committee on Environment and Natural Resources of the
16 Senate and the Committee on Natural Resources of the House of
17 Representatives, acting separately. The secretariat of the Congressional
18 Oversight Committee shall come from the Secretariat personnel of the
19 Committees of the Senate and the House of Representatives comprising the
20 Congressional Oversight Committee.

21 SEC. 14. *Appropriations.* – The Secretary of the DENR shall include
22 in the Department’s program the implementation of this Act, the initial funding
23 of which shall be charged against the current year’s appropriations of the
24 Department and, thereafter, included in the annual General Appropriations Act.

25 Funds for the implementation of the provisions of this Act shall be
26 supplemented also from any available official development assistance (ODA)
27 and from joint projects between agencies of the Philippines and an assisting
28 country.

1 LGUs may also allocate counterpart funds to be taken from their
2 internal revenue allotment (IRA) and other LGU income for the delineation of
3 the forest limits within their respective territorial jurisdictions.

4 SEC. 15. *Implementing Rules and Regulations.* – Within three (3)
5 months from the effectivity of this Act, the Secretary of the DENR shall issue
6 the corresponding implementing rules and regulations for the effective
7 implementation of this Act.

8 SEC. 16. *Separability Clause.* – If any portion of this Act is declared
9 unconstitutional, the same shall not affect the validity and effectivity of the
10 other provisions not affected thereby.

11 SEC. 17. *Repealing Clause.* – All laws, decrees, letters of instruction,
12 executive orders, rules and regulations and other issuances or parts thereof
13 inconsistent with this Act are hereby repealed or modified accordingly.

14 SEC. 18. *Effectivity.* – This Act shall take effect fifteen (15) days after
15 its publication in the *Official Gazette* or in two (2) newspapers of general
16 circulation.

Approved,

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