



HOUSE OF REPRESENTATIVES

H. No. 4869

BY REPRESENTATIVES GARAY AND MATUGAS, PER COMMITTEE REPORT
NO. 385

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

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

1 SECTION 1. *Statement of Policy.* – It is the policy of the State to
2 protect and advance the right of the people to a balanced and healthful ecology
3 in accord with the rhythm and harmony of nature. Towards this end, the State
4 shall protect the people and the environment from the adverse effects of
5 logging.

6 SEC. 2. *Imposition of a Logging Ban in the Second District of the*
7 *Province of Surigao del Sur.* – A logging ban is hereby imposed in the
8 Second District of the Province of Surigao del Sur.

9 For purposes of this Act, logging shall refer to the process, work or
10 business of cutting down trees for commercial purposes.

11 SEC. 3. *Exemption from the Logging Ban.* – The following shall be
12 exempted from the logging ban:

- 1 (a) Planted trees within private lands;
- 2 (b) Planted trees within forest lands established and developed by
3 tenurial instrument holders in accordance with the approved plans,
- 4 (c) Wood sources necessary for government infrastructure projects in
5 predetermined areas, preferably a communal forest;
- 6 (d) Trees necessary for extraction as means of silvicultural treatment:
7 and
- 8 (e) Trees affected during the road construction and similar other
9 projects approved by the government and only for basic services such as
10 energy and power development, public works and water utilities.

11 Any harvesting or cutting of trees shall comply with all pertinent
12 forestry and environmental laws such as Presidential Decree No. 705,
13 otherwise known as the "Revised Forestry Code of the Philippines", as
14 amended; Presidential Decree No. 1586, otherwise known as the
15 "Environmental Impact Statement System", and other applicable rules and
16 regulations.

17 SEC. 4. *Penal Provisions.* – Any person or employer who shall violate
18 the provisions of this Act shall be penalized with imprisonment of at least six
19 (6) years but not more than twelve (12) years and a fine of at least one hundred
20 thousand pesos (P100,000.00) but not more than five hundred thousand pesos
21 (P500,000.00). If the offender is an association or a corporation, the president
22 or manager shall be directly responsible for the acts of the employees and
23 laborers.

24 SEC. 5. *Implementing Rules and Regulations.* – The Secretary of the
25 Department of Environment and Natural Resources (DENR) shall issue the
26 necessary rules and regulations for the effective implementation of this Act
27 within three (3) months from the date of its effectivity.

1 SEC. 6. *Separability Clause.* – If any provision of this Act is declared
2 unconstitutional, the remainder of this Act or any provision not affected
3 thereby shall remain in force and effect.

4 SEC. 7. *Repealing Clause.* – All laws, orders, issuances, rules and
5 regulations inconsistent with the provisions of this Act are hereby repealed or
6 modified accordingly.

7 SEC. 8. *Effectivity.* – This Act shall take effect fifteen (15) days after
8 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

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