



HOUSE OF REPRESENTATIVES

H. No. 9268

BY REPRESENTATIVES RODRIGUEZ AND BARZAGA, PER COMMITTEE REPORT NO. 921

**“AN ACT
IMPOSING A LOGGING BAN IN THE CITY OF CAGAYAN DE ORO
AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF”**

*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
3 ecology in accord with the rhythm and harmony of nature. Towards this
4 end, the State shall institute measures to protect the people and the
5 environment in the City of Cagayan de Oro from the adverse effects of
6 logging.

7 **SEC. 2. *Definition of Terms.*** – As used in this Act:

8 a. *Commercial logging* refers to the cutting, felling or destruction
9 of trees from old growth and residual forests for the purpose of selling or
10 otherwise disposing of the cut or felled logs for profit;

11 b. *Communal forest* refers to a small tract of forest land set aside
12 by the Secretary of the Department of Environment and Natural Resources
13 (DENR), upon the recommendation of a local government unit for the use of
14 its residents;

15 c. *Forest land* refers to land of the public domain classified as
16 needed for forest purposes. It includes all forest reserves of the public
17 domain;

1 d. *Logging* refers to the process, work, or business of cutting
2 down trees for commercial purposes.

3 **SEC. 3. *Imposition of a Logging Ban in Cagayan de Oro City.*** –
4 A logging ban is hereby imposed within the territorial jurisdiction of the
5 City of Cagayan de Oro.

6 **SEC. 4. *Exemption from the Logging Ban.*** – The following shall
7 be exempted from the logging ban:

- 8 (a) planted trees within private lands;
9 (b) planted trees within forestlands established and developed by
10 tenurial instrument holders in accordance with the approved
11 plans;
12 (c) wood sources necessary for government infrastructure project in
13 predetermined areas, preferably from a communal forest;
14 (d) trees necessary for extraction as means of silvicultural treatment;
15 and
16 (e) trees affected during road construction and other similar
17 government-approved projects for basic services such as, energy
18 and power development, public works or water utilities: *Provided,*
19 That any harvesting or cutting of tree species shall be done in
20 compliance with the requirements of pertinent forestry and
21 environmental laws such as Presidential Decree 705, as amended,
22 and other applicable laws, rules and regulations.

23 **SEC. 5. *Penal Provision.*** – Any person, natural or juridical, or any
24 public officer, who violates the provisions of this Act shall be penalized with
25 imprisonment of at least six (6) years but not more than twelve (12) years,
26 and a fine of at least One hundred thousand pesos (P100,000.00) but not
27 more than Five hundred thousand pesos (P500,000.00).

28 In addition, a public officer who violates this Act shall also be
29 dismissed from service and perpetually disqualified from holding public
30 office.

31 If the offender is a juridical entity, the highest ranking official and
32 the members of its board of directors or board of trustees who authorized
33 the violations therein shall suffer the penalty imposed under this Act.

1 **SEC. 6. *Implementing Rules and Regulations.*** – Within ninety
2 (90) days from the effectivity of this Act, the DENR Secretary shall issue
3 the corresponding rules and regulations for the effective implementation of
4 this Act.

5 **SEC. 7. *Separability Clause.*** – If any section or provision of this
6 Act is held unconstitutional or invalid, the remaining sections or provisions
7 with the provisions not affected thereby shall continue to be in full force and
8 effect.

9 **SEC. 8. *Repealing Clause.*** – All laws, decrees, executive orders,
10 rules and regulations and other issuances or parts thereof inconsistent with
11 this Act are hereby repealed or modified accordingly.

12 **SEC. 9. *Effectivity.*** – This Act shall take effect fifteen (15) days after
13 its publication in the *Official Gazette* or in a newspaper of general
14 circulation.

Approved,