

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



Senate  
Office of the Secretary

'22 JUL 25 P1:58

SENATE

S. No. 846

RECEIVED BY: \_\_\_\_\_

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Introduced by SENATOR RAMON BONG REVILLA, JR.

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**AN ACT**  
**CREATING THE ENVIRONMENTAL PROTECTION AND ENFORCEMENT BUREAU (EPEB) UNDER THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR), PROVIDING FOR ITS POWERS AND FUNCTIONS AND APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

In 2019, the Philippines was declared as the deadliest country for land and environmental defenders, averaging more than three deaths a week by an international non-profit organization, Global Witness<sup>1</sup>. For the year 2018, a total of 164 activists were killed. In addition, many activists face death threats, intimidation and even arrests.

In July 2019, forest ranger Bienvinido Veguilla, Jr., was hacked to death in Palawan by alleged illegal loggers<sup>2</sup>. In November of the same year, Josh Peregrino, a special investigator with the Community Environment and Natural Resources Office (CENRO) in the City of Bislig in Mindanao was gunned down.

In light of increasing attacks on environmental defenders, this proposed measure seeks for the creation of an enforcement bureau within the Department of

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<sup>1</sup> 2019, July 30. The World Staff. **The Philippines identified as the deadliest country for environmental activists.** Accessed: <https://www.pri.org/stories/2019-07-30/philippines-identified-deadliest-country-environmental-activists>

<sup>2</sup> 2019, December 10. Mongabay. **Killings of environmental defenders on the rise in the Philippines.** Accessed: <https://news.mongabay.com/2019/12/killings-of-environmental-defenders-on-the-rise-in-the-philippines/>

Environment and Natural Resources that will train and arm enforcers. This will effectively give the Department stronger enforcement powers.

I urge my colleagues to urgently consider this proposed measure in our effort to protect our environmental defenders and show our appreciation to their labours and noble work for our environment and for the country, in general.

  
**RAMON BONG REVILLA, JR.**

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**AN ACT**  
**CREATING THE ENVIRONMENTAL PROTECTION AND ENFORCEMENT**  
**BUREAU (EPEB) UNDER THE DEPARTMENT OF ENVIRONMENT AND**  
**NATURAL RESOURCES (DENR), PROVIDING FOR ITS POWERS AND**  
**FUNCTIONS AND APPROPRIATING FUNDS THEREFOR, 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 as the "Environmental  
2 Protection and Enforcement Bureau (EPEB) Act".

3 Sec. 2. *Declaration of Policy.* – It is the policy of the State to:

4 a) Maintain an effective, competent, modern current and highly-trained  
5 enforcement body to address violations of environment and natural  
6 resources laws, rules, and regulations in order to protect and advance  
7 the right of the people to a balanced and healthful ecology in accord  
8 with the rhythm and harmony of nature;

9 b) Strengthen and professionalize environment and natural resources  
10 protection and law enforcement with appropriate structure, science and  
11 technology, manpower, and capability;

12 c) Formulate plans and programs relative to environment and natural  
13 resources protection to enhance and modernize capacities to address all  
14 types of environmental crimes, including transnational/transboundary

1 violations, taking cognizance of the worsening global environmental  
2 situation;

3 d) Promote shared duties and responsibilities, and capacitate other law  
4 enforcement agencies and local government units on environmental law  
5 enforcement; and

6 e) Ensure fair, swift, and certain enforcement of environmental laws.

7 Sec. 3. *Definition of Terms.* – As used in this Act, the following terms and  
8 phrases shall mean as follows:

9 a) *Abatement* – refers to a legal document issued by the Bureau, its officers  
10 and enforcers, ordering the suspension or cessation, in whole or in part,  
11 or removal of a problem or nuisances, which is against environment and  
12 natural resources laws committed in prohibited areas, and/or other  
13 public areas, where such act is prohibited.

14 b) *Bureau* – refers to the Environmental Protection and Enforcement  
15 Bureau

16 c) *Cease and Desist Order (CDO)* – refers to an order duly issued by the  
17 Secretary or the Bureau directing or enjoining any person, business or  
18 organization, or government agency, to stop or continue doing an act  
19 considered harmful or illegal and/or in order to protect, preserve or  
20 rehabilitate the environment. A CDO may be permanent, for a specified  
21 period of time, or until a final administrative or judicial determination of  
22 its legality occurs.

23 d) *Confiscation* – refers to the act of taking in favor of the government, real  
24 or personal property, from a person without payment or compensation  
25 in an administrative proceeding

26 e) *Custody* – refers to temporary holding or safekeeping of any evidence  
27 obtained or seized in an enforcement operation conducted by, or with  
28 the participation of the Bureau, while a case is pending before any  
29 administrative body or the courts

30 f) *Department* – refers to the Department of Environment and Natural  
31 Resources (DENR)

- 1 g) *Emergency* – as used in this Act emergency occurs when there is a  
2 demonstrated impending threat to human life, biodiversity, or  
3 irreparable damage to the integrity and stability of the ecosystem
- 4 h) *Enforcement areas* – refers to any geographic area in the Philippines  
5 where priority enforcement response is needed
- 6 i) *Forensic* – refers to the application scientific methods of analyzing  
7 evidence and samples for purposes of criminal, civil, or administrative  
8 procedure
- 9 j) *Impoundment* – the taking into custody of private property, such as a  
10 vehicle, facility or implements, by government action with custody  
11 documentation pending the outcome of a criminal prosecution under this  
12 Act
- 13 k) *Prohibited area* – refers to areas explicitly prohibited or deemed by law  
14 to be free from human habitation or interference such as, but not limited  
15 to, water easements, areas identified as geo-hazard zones, or in any  
16 other prohibited zones within protected areas including strict protection  
17 zones, multiple use zones, and buffer zones, or areas designated under  
18 disaster risk reduction and management plan of LGUs as hazard prone  
19 areas
- 20 l) *Regulated Community* – refers to all persons, businesses or  
21 organizations, or government agencies or instrumentalities of the  
22 government whose use, utilization, exploitation, development,  
23 management, conservation and protection of environment and natural  
24 resources are governed under the administrative authority of the  
25 Department
- 26 m) *Secretary* – refers to the Secretary of the Department of Environment  
27 and Natural Resources (DENR)
- 28 n) *Seizure* – as used in this Act, seizure refers to the taking by enforcement  
29 officers of potential evidence from a person who is suspected of violating  
30 environmental laws, rules and regulation. Seizure of evidence may be  
31 done by virtue of a search warrant, or on the occasion of a warrantless  
32 arrest or warrantless search



1 o) *Strategic Lawsuit Against Public Participation (SLAPP)* – as used in this  
2 Act the defense of SLAPP shall be available to Bureau enforcers and  
3 those they have deputized, complainants, and witnesses charged with  
4 SLAPP suits.

5 p) *Transnational or transboundary violations* – refers to a continuing  
6 offense in contravention of both environmental laws and international  
7 treaties and conventions on environment to which the Philippines is a  
8 signatory. An act is deemed a continuing offense when the act may be  
9 prosecuted and tried not only in the court or administrative bodies of the  
10 place where it began, but also in the court or administrative bodies of  
11 the place where part of the offense was continued or consummated.

12 q) *Wildlife Trafficking* – refers to transportation and/or transshipment of  
13 wildlife, wildlife by-products or derivatives, from, to or through the  
14 Philippines

15 Sec. 4. *Creation.* – There is hereby created the Environmental Protection and  
16 Enforcement Bureau (EPEB) which shall be uniformed service and a line agency under  
17 the Department.

18 This Act shall transfer and consolidate all enforcement functions performed by  
19 different Bureaus and attached agencies of the Department and those that may be  
20 created hereafter.

21 The Bureau shall exercise concurrent enforcement authority with agencies  
22 having jurisdiction under other laws.

23 Sec. 5. *Jurisdiction.* – The Bureau shall carry out environmental law  
24 enforcement functions in the entire Philippine archipelago including air space,  
25 territorial waters, exclusive economic zones, continental shelf, and other areas where  
26 the Philippines exercises sovereignty and sovereign rights, or jurisdiction, in  
27 accordance with Philippine and international laws. It shall be under the control and  
28 supervision of the Secretary.

29 Sec. 6. *Powers and Functions.* – The Bureau has the power and authority to:

30 a) Enforce, interdict ongoing violations, arrest, investigate, and prosecute  
31 all violations of environmental and natural resources laws, rules and

1 regulations, including those over which other agencies exercise  
2 jurisdiction;

- 3 b) Take custody of all seized and confiscated items, implements,  
4 conveyances, tools, and equipment;
- 5 c) Initiate the filing of appropriate cases and/or proceedings;
- 6 d) File the appropriate cases in court in consultation with the National  
7 Prosecution Service when necessary, and in coordination with the Office  
8 of the Ombudsman in cases involving government officials and  
9 employees;
- 10 e) Execute decisions and dispose of confiscated items in administrative  
11 cases pertaining to environment and natural resources violations, and in  
12 court cases as may be directed by the court;
- 13 f) Call on the Department of Justice (DOJ), Philippine National Police (PNP),  
14 Armed Forces of the Philippines (AFP), the National Bureau of  
15 Investigation (NBI), other government law enforcement agencies,  
16 including government-owned and/or controlled corporations, to aid in  
17 the enforcement of laws against environmental crimes;
- 18 g) Conduct intelligence operations and forensics investigation in  
19 furtherance of the foregoing powers and functions;
- 20 h) Issue subpoena for the appearance of any person for investigation or  
21 production of any documents, through its officers from the ranks of  
22 Director-General, Deputy Director, Directors for Enforcement,  
23 Investigation and/or Legal Services, and Regional Director, and cite in  
24 contempt any person who violates or disobeys orders and processes duly  
25 issued by the Bureau;
- 26 i) Accept in the name of the Philippine Government, funds or financial  
27 assistance for immediate disbursements of other property in the interest  
28 of, or as may be necessary to carry out its functions, and which shall be  
29 properly allocated and utilized directly and exclusively for environmental  
30 protection and enforcement;
- 31 j) Establish and maintain coordination mechanisms with other law  
32 enforcement agencies locally and internationally;

- 1 k) Develop enforcement systems and strategies based on best practices  
2 and using the most advanced and reliable technologies;
- 3 l) Impose administrative fines/citations for in-flagrate violations of  
4 environment and natural resource laws, rules and regulations pursuant  
5 to schedule of fines to be issued by the Office of the Secretary;
- 6 m) Maintain database of all relevant information such as, but not limited to,  
7 environmental cases, environment-related incidents, permittees,  
8 licensees, park and forest occupants, tenured migrants, and scientific  
9 research data and information;
- 10 n) Issue and implement Cease and Desist Order, Closure Order, Notice of  
11 Violation, and Abatement Order in the exercise of its administrative  
12 powers pursuant to pertinent rules and regulations issued by the  
13 Department;
- 14 o) Formulate and implement policies, guidelines, and programs necessary  
15 to effectively carry out its mandate; and
- 16 p) Perform other related functions as the Secretary of the Department may  
17 assign.

18 Nothing herein shall prevent other law enforcement agencies from  
19 exercising jurisdiction over violations of environmental laws, rules and regulations.  
20 Provided that, once the Bureau takes cognizance of the aforementioned violations, the  
21 Bureau shall take the lead and other law enforcement agencies shall collaborate and  
22 render assistance.

23 *Sec. 7. Organizational Structure.* – The Bureau shall be organized into the  
24 Office of the Director-General, Deputy Director-Generals for Operations and for  
25 Administration, Division Chiefs for Enforcement, Investigation and Legal, Finance and  
26 Logistics, Administrative and Human Resource, Planning and Knowledge Information  
27 Service, and Forensic Laboratory. Each service shall be composed of the necessary  
28 divisions and sections. The Bureau shall establish regional offices composed of district  
29 offices to cover designated enforcement areas. Field units may be established as  
30 needed to work with the PENR and/or CENR offices, or clusters thereof.

31 The Bureau's personnel and their respective positions and rank shall have  
32 appropriate staffing complement, as follows:



Job Title	Career Level	Salary Grade
Director-General	Director VI	SG 30
Deputy Director General for Operations	Director V	SG 29
Deputy Director General for Administration	Director V	SG 29
Regional Director	Director III	SG 27
Chief for Enforcement Division	Director I	SG 25
Chief for Investigation and Legal Division	Director I	SG 25
Chief for Finance and Logistics Division	Director I	SG 25
Chief for Administrative and Human Resource Division	Director I	SG 25
Chief for Planning and Knowledge Information Division	Director I	SG 25
Director for Forensic Laboratory	Director I	SG 25
Regional Level Division Chief	Attorney V	SG 25
Supervising Environmental Prosecutor	Attorney IV	SG 23
Environmental Prosecutor	Attorney III	SG 21
Regional Enforcement Division Chief	Division Chief	SG 24
Regional Management Division Chief	Division Chief	SG 24

Supervising Enforcement Officer	Senior Officer V	SG 22
Enforcement Officer IV	Officer IV	SG 19
Enforcement Officer III	Officer III	SG 16
Enforcement Officer II	Officer II	SG 13
Enforcement Officer I	Officer I	SG 11
Ranger Technician	Ranger III	SG 9
Ranger	Ranger II	SG 7
Ranger	Ranger I	SG 5

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2            *Sec. 8. Forensic Laboratory.* – The Bureau shall establish and maintain an up-  
3 to-date forensic laboratory to be headed by a Director and supported by as many  
4 sections as may be deemed necessary, which may include chemical and toxicology,  
5 genetics, criminalistics, veterinary, morphology, and digital. The Forensic Laboratory  
6 may be composed of the following staffing complement:

Job Title	Career Level	Salary Grade
Director for Forensic Laboratory	Director I	SG 25
Section Chief on Chemistry and Toxicology	Section Chief	SG 22
Section Chief on Genetics and Forensic Biology	Section Chief	SG 22
Section Chief on Criminalistics	Section Chief	SG 22
Section Chief on Veterinary	Section Chief	SG 22
Section Chief on Taxonomy and Morphology	Section Chief	SG 22
Section Chief on Geology	Section Chief	SG 22

Senior Programmer Information Officer	Computer and Technology	ENRE Officer IV	SG 19
Analyst III		ENRE Officer III	SG 16
Analyst II		ENRE Officer II	SG 13
Analyst I		ENRE Officer I	SG 11

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*Sec. 9. Environment and Natural Resources Law Enforcement Academy.* – The DENR shall establish an Environmental and Natural Resources Law Enforcement Academy which shall be responsible for the recruitment, development and conduct of basic and advance-level environmental law enforcement training courses, and continuing skills enhancement of all Bureau enforcers and personnel. The Academy shall provide other Philippine law enforcement agencies and institutions high-quality standardized trainings on environmental law enforcement, including local governments.

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*Sec. 10. Powers and Functions of the Director General.* – The Director General shall have access to all official records of the Government and the regulated communities of the Department in the furtherance of his/her duties and responsibilities, and shall performs the following powers and functions:

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- a) Direct, control and administer the operations of the Bureau, and deploy any of its officials and operatives for missions;
- b) Formulate policies, guidelines, programs and projects to implement this law and recommend policies that would enable the Bureau to take additional necessary measures in exercising its powers;
- c) Develop a system and allocate funds for informant's rewards and whistleblower protection;
- d) Recommend and/or direct appropriate agencies to effect emergency containment and remediation measures in relation to violations of environment and natural resources laws, rules, and regulations;

- 1 e) Initiate and strategize training and deputation of environmental law  
2 enforcement officers and, whenever practicable their consolidation and  
3 organization in accordance with existing laws, rules and regulations;
- 4 f) Designate and/or authorize the use of informants for investigative  
5 purposes including the hiring of consultants, subject to pertinent laws,  
6 rules and regulations, as may be required;
- 7 g) Issue mission orders and permits to carry duly-issued agency firearms  
8 of its organic personnel or other duly deputized officers who are  
9 conducting or assisting in investigation and enforcement operations;
- 10 h) Ensure proper inventory, identification and impoundment of  
11 confiscated and/or forfeited objects, implements, and conveyances;
- 12 i) Create and/or abolish divisions/units and positions within the Bureau  
13 that may be required for the expeditious, effective and efficient  
14 discharge of its duties and responsibilities; and remove, suspend, or  
15 otherwise discipline Bureau officials, enforcers and suspend, or  
16 otherwise discipline Bureau officials, enforcers and personnel for  
17 causes provided under the Civil Service Rules and Regulations and  
18 other pertinent laws, rules and regulations, subject to the approval by  
19 the Secretary; and
- 20 j) Perform other acts that are necessary, proper or incidental to the  
21 performance of his duties and responsibilities as may be assigned by  
22 the Secretary.

23 *Sec. 11. Powers and Functions of Bureau Officers and Enforcers.* – The  
24 members of the Bureau shall be peace officers, and as law enforcers, shall have the  
25 following additional powers and functions:

- 26 a) To detect, interdict, and investigate any environmental violations and  
27 to make arrests, searches and seizures in accordance with existing  
28 laws, rules and regulations;
- 29 b) To seize and initiate confiscation proceedings for prohibited items  
30 including objects, implements, and conveyances used in the violation  
31 of environmental law, as provided for by applicable laws, rules and  
32 regulations, and to inventory said items;



- 1 c) To take and require sworn affidavits of person or persons summoned
- 2 in connection with cases under investigation and to administer oaths in
- 3 cases under investigation, subject to limitations imposed by the
- 4 Constitution and laws, rules and regulations;
- 5 d) To carry suitable and adequate agency-issued firearms for enforcement
- 6 operations and personal security;
- 7 e) To have access to all official records of the government and the
- 8 regulated community, where such records relate to their official
- 9 functions under this law; and
- 10 f) To perform such other functions as may be assigned by the Bureau.

11 **Sec. 12. *Benefits and Privileges.*** – The Bureau shall provide its personnel with  
12 the following benefits:

- 13 a) Health care services or insurance for all its regular personnel;
- 14 b) Accident insurance for all its employees and deputized officers;
- 15 c) Hazard pay, subject to existing laws, rules and regulations; and
- 16 d) Access to a legal assistance and support fund.

17 **Sec. 13. *Inter-agency Environmental Enforcement Coordination.*** – The Bureau  
18 shall establish and maintain close coordination, cooperation and linkages with national  
19 and international coordinative bodies, multilateral agencies, and organizations that  
20 address environmental crimes.

21 **Sec. 14. *Stakeholder’s Engagement / People’s Participation.*** – Active and direct  
22 participation of national government agencies (NGAs), local government units (LGUs),  
23 academe, media, people’s organization (POs), non-government organizations (NGOs),  
24 including the citizenry, shall be encouraged. The Bureau shall take measures to ensure  
25 responsiveness and feedback mechanisms for maximum participation, engagement  
26 and transparency.

27 **Sec. 15. *Strategic Lawsuit Against Public Participation (SLAPP) in the***  
28 ***Enforcement of this Act.*** – The defense of SLAPP as defined by existing laws shall be  
29 available to Bureau enforcers and those they have deputized, complainants, and  
30 witnesses. This remedy is available even during preliminary investigation and relevant  
31 administrative cases. The Bureau shall provide sufficient assistance for those  
32 enforcers, deputies, complainants, and witnesses charged with SLAPP suits.

1 The Rules of Procedure for Environmental Cases shall govern the procedure  
2 in civil, criminal, and special civil actions involving the enforcement or violations of this  
3 Act, including actions treated as a SLAPP as provided in this section.

4 *Sec. 16. Prohibition on the Issuance of Temporary Restraining Orders,*  
5 *Preliminary Injunctions, and Preliminary Mandatory Injunctions.* – No court, other than  
6 the Supreme Court, shall issue an injunction or restraining order against the  
7 Department and Bureau in the lawful enforcement of environmental and natural  
8 resources laws.

9 *Sec. 17. Assaults against Environment and Natural Resources Enforcement*  
10 *Officers and Deputies.* – Any person, and persons whether natural or juridical, who  
11 shall attack, employ force or seriously intimidates any environment and natural  
12 resources enforcement officer or his deputies, while engaged in the performance of  
13 official duties, or on the occasion of the performance of such duties shall be charged  
14 with direct assault under the Revised Penal Code.

15 The penalties of indirect assault as defined under the Revised Penal Code shall  
16 be imposed upon any person coming to the aid of the environment and natural  
17 resources enforcement or his deputy in the enforcement of his duties.

18 *Sec. 18. Administrative Adjudication.* – The Secretary is authorized to organize  
19 and standardize administrative adjudication mechanisms to impose fines and other  
20 penalties provided for under existing laws, rules and regulations and cause the  
21 issuance of procedural rules and regulations as may be appropriate.

22 *Sec. 19. Power to Issue Cease and Desist Orders and to Summarily Abate*  
23 *Without the Necessity of Judicial Order.* – The Bureau may, subject to the  
24 requirements of administrative due process, issue cease and desist order/s, and to  
25 summarily eject any person and/or issue abatement order, removal, dismantling, or  
26 demolition of any illegal structures from a prohibited area, without the necessity of  
27 judicial order.

28 Provided that in cases of emergency, the Bureau may order the immediate  
29 exit or departure of the offender from the prohibited area. The Bureau may call on  
30 other enforcement agencies to assist in executing the order to vacate.

31 *Sec. 20. Authority of the Director-General of the Bureau or the Duly Authorized*  
32 *Representative to Issue Notice of Violation and Seizure Order.* – In all cases of

1 violations of environmental laws, rules and regulations, the Director-General or his  
2 duly authorized representative, may, in appropriate cases, issue notices of violation  
3 and order the seizure of any property subject of the offense, including conveyances,  
4 implements, tools and equipment used in the commission of the offense.

5       Sec. 21. *Funding Source and Appropriation.* – The funds required for the  
6 Implementation of this Act shall be taken from the General Appropriations Act (GAA)  
7 and may be augmented from the following:

- 8           a) Integrated Protected Area Fund (IPAF);
- 9           b) Environmental and user fees;
- 10          c) EPIRA;
- 11          d) Road users' tax; and
- 12          e) Administrative fines and penalties.

13       Provided that, all funds collected shall be pooled together as a single account  
14 that will cover all operational expenses.

15       Sec. 22. *Transitory Provisions.* – All unexpended appropriations, real and  
16 personal properties, documents, records and other papers related to enforcement  
17 which are kept and/or managed by enforcement divisions, sections and units of the  
18 Department and attached agencies shall be transferred to the Bureau.

19       All incumbent officials and personnel currently assigned and/or designated at  
20 the regional enforcement divisions, PENR enforcement sections, or CENR enforcement  
21 units who have undergone the mandatory training on enforcement as provided under  
22 this Act may continue to serve as an officer or enforcer of the Bureau, or choose to  
23 be reassigned in non-enforcement officer or Bureau of the Department.

24       All incumbent enforcement officials, enforcers and personnel of the  
25 Department, Bureaus, and attached agencies who have undergone the mandatory  
26 training on enforcement as provided under this Act may serve as officer or enforcer  
27 of the Bureau, or choose to be reassigned in non-enforcement functions or offices of  
28 the said agencies.

29       All incumbent enforcement officials, enforcers and personnel of the Palawan  
30 Council for Sustainable Development (PCSD) and BARMM shall be trained under the  
31 Bureau as part of the one-system approach.

1           Sec. 23. *Implementing Rules and Regulations.* – The Department, in  
2 consultation with concerned government agencies and stakeholders, shall promulgate  
3 the implementing rules and regulations of this Act, within six (6) months from the  
4 effectivity of this Act.

5           Sec. 24. *Separability Clause.* If any portion of this Act is declared  
6 unconstitutional or invalid, the portions or provisions which are not affected shall  
7 continue to be in full force and effect.

8           Sec. 25. *Repealing Clause.* All laws, decrees, executive orders and rules and  
9 regulations or parts thereof which are inconsistent with this Act are hereby repealed  
10 or modified accordingly.

11           Sec. 26. *Effectivity Clause.* Notwithstanding the non-issuance of the  
12 implementing rules and regulations, this Act shall take effect fifteen (15) days after its  
13 publication in the Official Gazette or in at least two (2) national newspapers of general  
14 circulation.

*Approved,*