

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



'22 JUL 26 A11 :36

**SENATE**

RECEIVED BY

S. No. 886

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Introduced by Senator FRANCIS G. ESCUDERO

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

EXPLANATORY NOTE

Section 4, Article XII of the 1987 Constitution states that "*The Congress shall, as soon as possible, determine by law, the specific limits of forest lands and national parks, marking clearly their boundaries on the ground. Thereafter, such forest lands and national parks shall be conserved and may not be increased nor diminished, except by law. The Congress shall provide, for such period as it may determine, measures to prohibit logging in endangered forests and watershed areas*".

Based on the 2001-2003 satellite imageries reported out by the National Mapping and Resource Information Authority (NAMRIA), the total forest cover of the Philippines is estimated at 7.168 million hectares or 24.27% of the country's total land area.

Lack of demarcation on the ground resulted to confusion as to the actual size of the forest lands of the country which later resulted to incorrect land use and management.

This proposed legislation seeks to delineate the specific limits of forest lands in order to conserve, protect and develop the forest resources of the country in order to attain ecological balance, preserve valuable ecosystems, prevent environmental degradation and promote sustainable development for the present and future generations.

This bill was reported out in the Fifteenth Congress as Senate Bill No. 3326 under Committee Report No. 464 and was approved on Second Reading.

I submit.



**FRANCIS G. ESCUDERO**

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**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 the House of Representatives of the Philippines in Congress assembled:*

1 Section 1. *Short Title.* – This Act shall be known and cited as the "*Final Forest*  
2 *Limits Act*".

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

11  
12 Sec. 3. *Definition of Terms.* – For purposes of this Act, the following terms  
13 shall mean:

14  
15 (a) *Agricultural lands* refer to alienable or disposable lands of the public  
16 domain which have been the subject of the land classification system and declared  
17 as not needed for forest purposes;

18  
19 (b) *Delimitation survey* refers to the establishment of land classification  
20 boundaries, and the documenting thereof following ground survey;

21  
22 (c) *Delineation* refers to the conduct of site investigation, field  
23 reconnaissance and assessment, and staking of boundaries between forest lands,  
24 national parks and agricultural lands verified in the field in accordance with the  
25 criteria set forth under Department of Environment and Natural Resources  
26 Administrative Order No. 2008-24;

27

1 (d) *Forest* refers to an ecosystem or an assemblage of ecosystems  
2 dominated by trees and other woody vegetation; a community of plants and animals  
3 interacting with one another and its physical environment;  
4

5 (e) *Forest lands* refer to all lands of the public domain already classified as  
6 forest land as per existing land classification maps issued by the Department of  
7 Environment and Natural Resources (DENR) including all permanent forest reserves  
8 proclaimed as such by the President or declared by law, and such areas within the  
9 unclassified lands of the public domain that were assessed and delineated by the  
10 DENR in accordance with pertinent laws, rules and regulations;  
11

12 (f) *Production forest* refers to a forest area designated primarily for  
13 production of wood, fiber, bio-energy and/or non-wood forest products;  
14

15 (g) *Protected Area* refers to identified portions of land and/or water set aside  
16 by reason of their unique physical and biological significance, managed to enhance  
17 biological diversity and protected against destructive human exploitation.  
18

19 (h) *Protection forest* refers to a forest whose value lies in the regulating of  
20 stream flow and the preventing of erosion and avalanches rather than in its timber;  
21

22 (i) *Protection forestlands* refer to all areas within the forestlands devoted  
23 primarily for the protection, conservation of forest resources to ensure  
24 environmental stability, conservation of biological diversity, improvement of  
25 ecosystem functions and services, and provision of ecological and economic benefits  
26 shall constitute the protection forestlands. All mossy and primary/old growth forests  
27 and natural beach, key biodiversity areas, areas regardless of slope and vegetation  
28 cover which are highly erodible or too rocky for establishment of either production  
29 forests, developed for the principal objectives of establishing vegetative cover to  
30 prevent erosion, conserve water and nurture wildlife, freshwater, swamps, and  
31 marshes, all areas along the bank of the rivers and streams, and the shores of the  
32 seas and lakes throughout their entire length and within the zone of three (3)  
33 meters in urban areas, twenty (20) meters in agricultural areas, and forty (40)  
34 meters in forest areas, along their margins which are subject to the easement of  
35 public use in the interest of recreation, settlements, navigation, floatage, fishing and  
36 salvage shall also be sub-classified as protection forestlands. Cutting and mining are  
37 banned in these protection forestlands: *Provided*, That the provisions of the IPRA  
38 Law and NIPAS Act shall be respected.  
39

40 (j) *Tenured migrant* refers to forest occupants who have actually and  
41 continuously occupied a portion of the forest and is solely dependent therein for  
42 subsistence. A forest occupant is understood to be "solely dependent for  
43 subsistence" when everything indispensable for survival for the household, including  
44 food, clothing, shelter and health, comes only from the utilization of resources from  
45 the forest.  
46

1           Sec. 4. *What Constitutes the Forest Lands.* – The following shall constitute  
2 the forest lands, to wit:

3  
4           (a) all lands of the public domain already classified as forest land as per  
5 existing land classification maps issued by the DENR;

6           (b) all permanent forest reserves proclaimed as such by the President or  
7 declared by law; and

8           (c) such areas within the unclassified lands of the public domain that were  
9 assessed and delineated by the DENR in accordance with pertinent laws, rules and  
10 regulations and which may hereafter be classified as forest land by the DENR.

11  
12           Sec. 5. *Guidelines in Determining the Specific Limits of Forest Lands.* – The  
13 following guidelines and procedures shall be followed in determining the specific  
14 limits of forest lands in the country:

15  
16           (a) The previously-established Land Classification (LC) survey lines per  
17 province with their respective technical descriptions (TDs) and maps shall be the  
18 basic data and information that will be used as reference material in undertaking the  
19 validation, assessment and delineation process.

20           (b) All completed assessment and delineation reports for a given province  
21 shall be endorsed to the National Review and Evaluation Committee as created  
22 herein to be headed by the Secretary of the DENR for final approval.

23           (c) The same process shall be followed for other provinces with on-going  
24 assessments and delineation activities until such time that all the boundaries of  
25 forest lands of the whole country shall have been delimited: *Provided*, That all  
26 assessments, validations and delineations shall be completed not later than one (1)  
27 year after the passage of this Act.

28  
29           Sec. 6. *Creation of the National Review and Evaluation Committee.* – In  
30 recognition of the Constitutional mandate as embodied in Section 4, Article XII  
31 thereof, and in view of the urgent need to establish the permanent limits of the  
32 forest lands of the country, a National Review and Evaluation Committee is hereby  
33 created to process, evaluate and approve all completed assessment and delineation  
34 reports referred to in the immediately preceding section. The Committee, in its  
35 evaluation and approval of the said reports, shall adhere strictly to existing  
36 established laws, policies, rules, regulations and guidelines pertinent thereto.

37  
38           The Committee shall be composed of the following:

39           (a) Secretary of the DENR as Chairman;

40           (b) Secretary of the Socioeconomic Planning and Director-General of the  
41 National Economic and Development Authority, as Vice-Chairman;

42           (c) Secretary of the Department of Interior and Local Government (DILG)  
43 as Member;

44           (d) Secretary of the Department of Agriculture (DA) as Member;

45           (e) Secretary of the Department of Agrarian Reform (DAR) as Member;

46           (f) Chairman of the Housing and Urban Development Coordinating Council  
47 (HUDCC) as Member; and

- 1 (g) Chairman of the National Commission on Indigenous Peoples (NCIP) as  
2 Member; and  
3 (h) President of the League of Provinces of the Philippines as Member.  
4

5 Upon approval of the assessment and delineation reports as herein specified,  
6 the Committee shall submit the same to Congress which shall thereafter form part of  
7 its official records. The assessment and delineation reports as approved by the  
8 Committee shall be adopted as constituting the final boundaries of the forest lands  
9 covered by the said report.  
10

11 *Sec. 7. Demarcation and Delimitation of Forest Land Boundary.* –  
12 Immediately after the forest line has been determined following the guidelines  
13 prescribed in Section 5 hereof, the DENR shall delimit and establish the permanent  
14 boundary monuments on the ground.  
15

16 *Sec. 8. Permanency of the Specific Forest Limits.* – The permanent forest  
17 lands established pursuant to this Act shall not be diminished nor reduced except by  
18 an act of Congress. The DENR, in coordination with all agencies and branches of  
19 government, shall see to it that the forest cover and vegetation therein shall be  
20 protected, preserved and enhanced.  
21

22 *Sec. 9. Sub-classification of the Permanent Forest Lands.* – The permanent  
23 forest lands shall be further sub-classified as follows: (a) protection forests; and (b)  
24 production forests.  
25

26 After due consultation with the local government units (LGUs), concerned  
27 communities, and other stakeholders, the DENR shall undertake the sub-  
28 classification of the permanent forest lands.  
29

30 *Sec. 10. Recognition of the Rights of the Indigenous Cultural*  
31 *Communities/Indigenous Peoples and Tenured Migrant Communities.* – In the  
32 ground delineation of the permanent forest limits, the occupation by indigenous  
33 cultural communities/indigenous peoples and tenured migrants shall be recognized  
34 and respected consistent with the provisions of Republic Act No. 7160 or the Local  
35 Government Code of 1991, Republic Act No. 8371 or the Indigenous Peoples Rights  
36 Act (IPRA) of 1997, and Presidential Decree No. 705, as amended, or the Forestry  
37 Code of 1975.  
38

39 *Sec. 11. Accessibility of Record to the Public.* – All records and information  
40 pertaining to the specific forest limits delineated pursuant to this Act shall be made  
41 available to all local government units (LGUs), other government agencies, and to  
42 the general public.  
43

44 *Sec. 12. Implementing Rules and Regulations.* – Within three (3) months  
45 from the effectivity of this Act, the Secretary of the DENR shall issue the  
46 corresponding Implementing Rules and Regulations for the effective implementation  
47 of this Act.

1  
2           Sec. 13. *Monitoring, Evaluation, and Reporting System.* – To attain the  
3 objectives of this Act, a field monitoring, evaluation, and reporting system shall be  
4 adopted by the Secretary of the DENR to regularly keep track of the state of the  
5 country’s forest lands after their delimitation. Toward this end, at the opening of  
6 each session of Congress, the DENR shall submit a report to the President on the  
7 status of the forest lands for transmission to Congress.  
8

9           Sec. 14. *Creation of the Adjudication Board to Resolve Controversies on Land*  
10 *Classification Conflicts.* – A Land Classification Conflict Adjudication Board, herein  
11 referred to as the Board, is hereby created to resolve controversies arising from land  
12 classification as a result of the delimitation of forest lands pursuant to this Act. The  
13 Board shall be composed of the following:  
14

- 15           (a) Secretary of the Department of Justice (DOJ) as Chairman;
  - 16           (b) Administrator of the Land Registration Authority (LRA) as Member;
  - 17           (c) Representative from the Integrated Bar of the Philippines (IBP) as  
18 Member;
  - 19           (d) Representative from a reputable College of Forestry as Member; and
  - 20           (e) Representative from the private sector as Member.
- 21

22           Sec. 15. *Powers and Functions of the Adjudication Board.* – The Board shall  
23 have the following powers and functions:

- 24           (1) Adjudicate cases on land conflicts and adverse claim before it for  
25 resolution;
- 26           (2) Summon witnesses, administer oaths, take testimony and require  
27 submission of reports;
- 28           (3) Compel production of books and documents and answers to  
29 interrogatories; and
- 30           (4) Issue subpoena *duces tecum*, writs of possession, writs of execution and  
31 other writs to enforce its orders and decisions.  
32

33           In any proceeding before the Board, the Rules of Evidence prevailing in courts  
34 of law or equity shall not be controlling and it is the spirit and intention of this Act  
35 that shall govern. The Board shall use every and all reasonable means to ascertain  
36 the facts in each case speedily and objectively and without regard to technicalities of  
37 law or procedure, all in the interest of due process. In any proceeding before the  
38 Board, the parties may be represented by legal counsel. The findings of fact of the  
39 Board shall be conclusive and binding on the parties and its decision or order shall  
40 be final and executory.  
41

42           Sec. 16. *Appropriations.* – The Secretary of the DENR shall include in the  
43 Department program the implementation of this Act, the initial funding of which shall  
44 be charged against the current year’s appropriations of the Department and  
45 thereafter included in the annual General Appropriations Act.  
46

1 Funds for the implementation of the provisions of this Act shall be  
2 supplemented also from any available official development assistance (ODA) and  
3 from joint projects between agencies of the Philippines and an assisting country.  
4

5 Local government units shall also allocate counterpart funds to be taken from  
6 their internal revenue allotment (IRA) and other LGU income for the delineation of  
7 the forest limits within their respective territorial jurisdictions.  
8

9 *Sec. 17. Separability Clause.* – If any portion of this Act is declared  
10 unconstitutional, the same shall not affect the validity and effectivity of the other  
11 provisions not affected thereby.  
12

13 *Sec. 18. Repealing Clause.* – All laws, decrees, letters of instruction, executive  
14 orders, rules and regulations and other issuances or parts thereof inconsistent with  
15 this Act are hereby repealed or modified accordingly.  
16

17 *Sec. 19. Effectivity.* – This Act shall take effect fifteen (15) days after its  
18 complete publication in the *Official Gazette* or in two (2) newspapers of general  
19 circulation in the Philippines.  
20

21 *Approved,*  
22  
23