

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

'22 AUG 15 A9:35

SENATE
S.B. No. 1145

RECEIVED BY: 

Introduced by SEN. WIN GATCHALIAN

AN ACT
INSTITUTIONALIZING BAMBOO INDUSTRY DEVELOPMENT IN THE
PHILIPPINES, CREATING THE BAMBOO INDUSTRY DEVELOPMENT CENTER
(BIDC), APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Bamboo is important in the lives of the Filipinos for its many uses. In the Philippines, they are used for construction, furniture and handicraft manufacture, food, musical instruments, farm and fishing implements, pulp and paper, fuel for cooking and heating, among others. Of the 62 bamboo species, 21 are endemic or native Philippine bamboos.

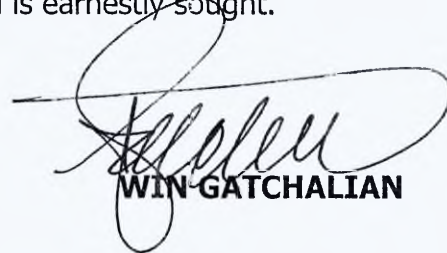
In 2010, Executive Order No. 879 was issued creating the Philippine Bamboo Industry Development Council (PBIDC) to promote the Bamboo Industry Development Program and to provide the over-all policy and program directions of the program for all stakeholders. It mandates the use of 20% of bamboo for reforestation, 25% for the desk requirements of all public elementary and high schools in the country, strengthening of the bamboo industry and intensification of research on bamboo production and utilization.

Due to the diminishing wood supply, bamboos are now in high demand as raw material sources for furniture, handicraft and many products. Because of this,

bamboos are over cut by improper harvesting methods, causing serious genetic erosion due to unabated pressure.¹

This bill aims to institutionalize the PBIDC and create its secretariat, the Bamboo Industry Development Center to formulate a holistic National Bamboo Industry Development Program which covers research, production, processing, marketing, consumption, capacity building, and regulation of the cultivation of bamboo and promote investments in the bamboo industry.

In view of the foregoing, passage of this bill is earnestly sought.



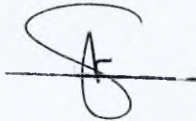
WIN GATCHALIAN

¹ https://www.biodiversityinternational.org/fileadmin/biodiversity/publications/Web_version/572/ch30.htm

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

1 SECTION 1. *Title.* - This Act shall be known as the "Philippine Bamboo Industry
2 Development Act of 2022."
3

4 SEC. 2. *Declaration of Policy.* — The State shall provide for a self-reliant and
5 independent economy for its people. It shall support indigenous, scientific and
6 technological capabilities, and skills. It shall establish a program for sustainable
7 consumption, production, propagation and promotion of bamboo as furniture,
8 construction and design materials, food and other uses. It shall promote the bamboo
9 industry for poverty reduction, inclusive growth, environmental conservation and
10 protection, agricultural productivity enhancement and climate change mitigation and
11 adaptation.

1 SEC. 3. *Definition of Terms.* — As used in this Act:

2 a) *Bamboo* refers to a tropical or semi-tropical fast-growing grass usually
3 having hollow culms and lignocellulose matrix;

4 b) *Bamboo Backyard Farming* refers to those whose plantation and operations
5 are basically in the house backyard, with the household members as workers. The
6 majority of bamboo processing enterprises in the Philippines belong to this category;

7 c) *Bamboo Industry* refers to a sector with very high potential contribution in
8 the socio-economic development and environmental protection of the country. The
9 sector may still be classified as essentially agricultural considering that majority of its
10 market and supply is essentially for agricultural requirements such as fish pens,
11 banana props and other low value applications like scaffoldings, and fences;

12 d) *Bamboo Industry Development Roadmap* shall provide specific programs and
13 projects, including the timeline for the propagation, development and management,
14 processing, utilization, business development, and commercialization of the Philippine
15 bamboo and bamboo products. It shall contain a comprehensive national industrial
16 strategy for the Philippine bamboo industry;

17 e) *Bamboo Processing* refers to conversion of bamboo for various products and
18 applications including walls, panels, trusses, handicraft, consumer products (tooth
19 brush, tissues, toothpicks, and chopsticks among others) and novelty products
20 (furniture, handicraft, and decors), focused on the possible use of bamboo as
21 substitutes for wood for various applications (plywood, composites, pulp and paper,
22 bamboo arts, and other architectural applications); and

23 f) *Bamboo Stand* refers to an aggregate of clumps for plantation occupying a
24 specific area and sufficiently uniform in composition (species), age, spacing, and
25 condition as to be distinguished from the natural and/or existing bamboo stands (with
26 unknown clump age). The latter stands have irregular spacing and species composition
27 not necessarily uniform and the clumps are randomly and widely distributed.

28

1 SEC. 4. *Objectives.* — This Act aims to make the Philippine bamboo industry
2 competitive in the local and international markets while providing opportunities for
3 local employment and establishing bamboo-based community enterprises by:

4 a) Promoting the integrated and holistic development of the bamboo industry
5 in various aspects of research, production, processing, marketing, consumption,
6 capacity building, and regulation;

7 b) Ensuring that the bamboo industry has sufficient supply of quality raw
8 materials through the establishment and management of bamboo nurseries and
9 plantations;

10 c) Ensuring that relevant and accurate data on the bamboo industry are collated
11 and published by the Center created under Section 7 of this Act, in cooperation with
12 various government agencies, private entities and other relevant sources, to aid in
13 business decisions related to the industry;

14 d) Promoting investments in the bamboo industry by providing substantial and
15 attractive incentives to investors;

16 e) Providing skilled labor and manpower through continuous relevant capacity
17 building;

18 f) Ensuring the provision of locally manufactured machines with improved
19 capacity, efficiency, and quality at competitive costs;

20 g) Improving bamboo industry research and development to discover new
21 products and technologies, and advance market access for Philippine bamboo and
22 bamboo products locally and internationally;

23 h) Providing access to markets of bamboo products locally and internationally
24 through aggressive trade promotions; and

25 i) Ensuring sustainable resources in the implementation of the bamboo industry
26 development program.

27
28 SEC. 5. *Composition of the Philippine Bamboo Industry Development Council.*

29 — The composition of the Philippine Bamboo Industry Development Council (PBIDC),
30 as provided for under Executive Order No. 879, is hereby amended as follows:

- 1 a. Secretary of the Department of Trade and Industry (DTI) as Chair;
- 2 b. Secretary of the Department of Environment and Natural Resources (DENR)
- 3 or his/her duly appointed representative, who has sufficient expertise on the Philippine
- 4 bamboo industry;
- 5 c. Secretary of the Department of Agriculture (DA) or his/her duly appointed
- 6 representative, who shall come from the Bureau of DA-Agricultural Research (DA-
- 7 BAR);
- 8 d. Secretary of the Department of Science and Technology (DOST) or his/her
- 9 duly appointed representative, who shall come from the DOST— Forest Products
- 10 Research and Development Institute (DOST-FPRDI);
- 11 e. Secretary of the Department of Education (DepEd) or his/her duly appointed
- 12 representative;
- 13 f. Executive Director of the Center;
- 14 g. A representative from the Department of Interior and Local Government
- 15 (DILG);
- 16 h. One (1) representative each from bamboo farmers, bamboo manufacturers,
- 17 16 and bamboo processors associations;
- 18 i. Two (2) representatives from Non-Governmental Organizations involved in
- 19 the agricultural sector; and
- 20 j. One (1) representative from the private sector involved in the bamboo
- 21 industry.

22 The DTI secretary may designate the Undersecretary for Regional Operations

23 Group (DTI-ROG) as his/her alternate and shall have the same powers as his/her

24 principal and his/her acts shall be considered the acts of his/her principal.

25 The representatives from the private sector, bamboo farmers, bamboo

26 manufacturers, bamboo processors associations, and non-governmental associations

27 shall be appointed by the President of the Republic of the Philippines from the list of

28 nominees submitted by the DTI Secretary. The DTI Secretary shall choose the

29 nominees from the respective lists submitted by the different organizations and

1 associations. They shall serve for a term of three (3) years, and may be re-appointed
2 once.

3 The Council shall meet quarterly and may hold special meetings whenever the
4 need arises to consider urgent matters upon the call of the Chair or any of the council
5 members.

6 The Council shall continue to provide the overall policy and program directions
7 of the bamboo industry, coordinate activities of the various government agencies and
8 instrumentalities, and ensure the implementation, accomplishment, and periodic
9 review of the Bamboo Industry Development Roadmap.

10 The Council shall be administratively attached to the DTI.
11

12 *SEC. 6. Powers and Functions of the Council.* — The Council shall have the
13 following powers and functions, among others:

- 14 a) Formulate the Philippine Bamboo Industry Development Roadmap;
- 15 b) Identify specific programs and projects in support of, and in line with the
16 Philippine Bamboo Industry Development Roadmap;
- 17 c) Identify sources of financing to expand bamboo industry development;
- 18 d) Submit annual reports to the Office of the President, the Senate Committee
19 on Trade, Commerce and Entrepreneurship, and the House of Representatives
20 Committee on Trade and Industry on the status of the implementation of the Roadmap
21 and the bamboo industry development in the country; and
- 22 e) Promulgate such rules and regulations and exercise such other powers and
23 functions as may be necessary to carry out effectively the attainment of the purposes
24 and objectives of this Act.

25
26 *SEC. 7. Bamboo Industry Development Center (BIDC).* — The Bamboo Industry
27 Development Center, hereinafter referred to as the Center, shall be created to serve
28 as the secretariat of the Council to be headed by an Executive Director.

29 The Center shall consist of divisions for (1) research and development, (2) trade
30 promotion and education, (3) networking and linkages, (4) internal administration,

1 and such other purposes deemed necessary by the Council. The composition and
2 staffing of the divisions shall be prepared by the Executive Director and approved by
3 the Council.

4 The organizational structure, staffing pattern and compensation schedule of
5 the Center shall be drawn up in accordance with the Civil Service Commission (CSC)
6 law, rules and regulations. Government agencies represented in the Council shall
7 provide additional administrative and technical staff support upon request by the
8 Council.

9 The Center shall have the following powers, functions and duties:

10 a) Promote and encourage the establishment and management of bamboo
11 nurseries and bamboo plantations for commercialization, in coordination with DENR
12 and DA;

13 b) Coordinate and partner with DOST-FPRDI for continuous research and
14 development to advance sustainable bamboo industry development practices;

15 c) Work with the Council and coordinate with the DENR and DOST-FPRDI in
16 formulating a holistic National Bamboo Industry Development Program;

17 d) Work to establish and create processing facilities that would accelerate the
18 production and commercialization of bamboo and various bamboo products;

19 e) Promote the establishment and creation of bamboo farm tourism camps in
20 coordination with the Department of Tourism;

21 f) Promote the commercialization and market access of appropriate, innovative
22 and viable bamboo industry development technologies and products;

23 g) Coordinate and partner with other government agencies in the
24 implementation of bamboo industry development programs and projects;

25 h) Monitor and evaluate the performance of the bamboo industry, and the
26 bamboo development programs and projects;

27 i) Coordinate and partner with the private sector, people's organizations and
28 nongovernmental organizations, and State Colleges and Universities in providing
29 assistance on matters pertaining to bamboo industry development;

1 j) Accept grants, donations and contributions from local and international
2 donors and such similar sources of funds for the implementation of this Act, subject
3 to the usual budget, accounting and auditing rules and regulations;

4 k) Assist the Council, in cooperation with other appropriate government
5 agencies, in conducting a periodic review of the Philippine Bamboo Industry
6 Development Roadmap;

7 l) Conduct capability-building initiatives for farmers, farm workers, processors,
8 designers, and other stakeholders in the bamboo industry;

9 m) Gather data and create an information system related to bamboo, including
10 but not limited to, plantations, population, species, workers and beneficiaries,
11 investors, product demands and supplies, and costs and benefits for market research;

12 n) Supervise the implementation of the plans and programs of the Council;

13 o) Manage and administer the projects approved by the Council under this Act;
14 and

15 p) Submit periodic reports to the Council on the progress and accomplishment
16 of bamboo industry programs and projects.

17
18 *SEC. 8. The Executive Director of the Center.* - The Executive Director shall be
19 appointed on a permanent capacity by the President of the Republic Philippines from
20 the list of nominees submitted by the DTI Secretary. He/she shall be a citizen and
21 resident of the Philippines and must possess executive and management experience
22 of at least three (3) years and with considerable knowledge in bamboo industry
23 development.

24 The Executive Director, in addition to his/her duties in the Center, shall have
25 the following powers and functions:

26 a) Assist the Council in the performance of its tasks;

27 b) Provide technical and administrative support to the Council;

28 c) Oversee the day-to-day operations of the Center; and

29 d) Perform such other functions, duties and responsibilities as may be
30 necessary to implement this Act.

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SEC. 9. *Department of Environment and Natural Resources (DENR) on Bamboo for Commercialization.* — In addition to its mandate, under the Bamboo Plantation Development Program (BPDP), the DENR shall ensure the development and expansion of nurseries and plantations of bamboo for commercialization and industrial purposes, while taking into consideration the ecological balance in areas identified for plantation and propagation. It shall continue to conduct research and development activities for production or propagation of bamboo.

SEC. 10. *Department of Science and Technology for Research and Development* — The DOST-FPRDI shall be the main research and development arm for bamboo utilization of the Council. It shall work closely in coordination with the Center and other government agencies such as the DA-BAR to innovate and advance sustainable bamboo industry development practices.

SEC. 11. *Role of the Local Government Units.* — Local Government Units in cooperation with the DENR, DTI and the DOST-FPRDI, and in consultation with DA and the National Commission on Indigenous People (NCIP) when necessary, shall regularly conduct surveys of existing bamboo stands, nurseries and plantations in their respective localities, and shall strengthen the local bamboo industry by promoting bamboo enterprises in their respective localities.

SEC. 12. *Provision of Incentives to Investors in Nursery and Plantation Development and Bamboo Enterprises.* — The following incentives shall be provided to investors in plantation development and bamboo processing factories:

- a) Nursery and plantation owners shall be exempt from the payment of government share for the use of public lands for commercial bamboo plantation for the first ten (10) years or when the plantation owner starts to harvest the nursery or plantation subject to existing tenurial agreement with concerned government agencies;

1 b) Plantation owners in public lands shall be exempt from the payment of forest
2 charges that may be imposed by national government and other fees or taxes imposed
3 by local government units;

4 c) Bamboo plantations shall be accepted as among the collaterals for loans in
5 government-owned or controlled banks, subject to its rules and regulations;

6 d) Bamboo plantation developers and bamboo processors shall be given priority
7 to access credit assistance and guarantee schemes being granted by government-
8 owned, controlled and/ or supported financial institutions;

9 e) Bamboo plantations shall not require a cutting permit for harvesting nor shall
10 its produce need a transport permit for transporting: *Provided*, That such plantation
11 is registered with the Community Environment and Natural Resources Office (CENRO)
12 of the DENR;

13 f) Bamboo plantations and plantation development equipment shall be covered
14 by the Philippine Crop Insurance Corporation (PCIC);

15 g) For tenured bamboo plantation owners, upon the premature termination of
16 the tenorial agreement with no fault of the holder, all capital improvements,
17 depreciable permanent and semi-permanent improvements such as roads, buildings,
18 nurseries including the planted and standing bamboo and other intercrops, introduced
19 and retained in the area, shall be evaluated and the holder shall be entitled to a fair
20 compensation thereof, the amount of which shall be mutually agreed upon by both
21 the DENR and the tenure-holder and in case of disagreement between them, by
22 arbitration through a mutually acceptable and impartial third party adjudicator through
23 the DENR; and

24 h) The export of bamboo poles shall be regulated by the Council while other
25 bamboo products, may be exported without restrictions in volume.

26
27 SEC. 13. *Appropriations.* — The sum of One Hundred Million Pesos
28 (P100,000,000.00) to be sourced from the unexpended contingency fund of the Office
29 of the President, the existing budget for bamboo industry development under the DTI,
30 the existing budget allocation for DENR-FPRID's bamboo related research and

1 development, and the existing budget allocation for DENR's BPDP, are hereby
2 appropriated for the initial budgetary requirements of the Center. Thereafter, such
3 amount as may be necessary for the continuous operation of the Center shall be
4 included in the annual GAA. The budgetary requirements of cooperating agencies shall
5 be incorporated in their respective annual budgets.

6
7 SEC. 14. *Implementing Rules and Regulations.* — Within six (6) months from
8 the effectivity of this Act, the DTI, in consultation with other concerned government
9 agencies, the academe, the private sector, and non-government organizations, shall
10 promulgate the necessary implementing rules and regulations for the effective
11 implementation of this Act.

12
13 SEC. 15. *Separability Clause.* — If any portion or provision of this Act is declared
14 unconstitutional or invalid, the remainder of this Act or any provisions hereof not
15 affected thereby shall continue to be in force and effect.

16
17 SEC. 16. *Repealing Clause.* — Any law, presidential decree or issuance,
18 executive order, letter of instruction, rule or regulation inconsistent or contrary to the
19 provisions of this Act is hereby repealed or modified accordingly.

20
21 SEC. 17. *Effectivity.* — This Act shall take effect after fifteen (15) days following
22 its complete publication in the Official Gazette or a newspaper of general circulation.

Approved,