COMMITTEE REPORT NO. 1358

Submitted by the Committee on Natural Resources on December 2, 2021
Re: House Bill Number 10564
Recommending its approval, in substitution of House Bill Number 5884
Sponsors: Representatives Cyrille “Beng” F. Abueg-Zaldivar and Elpidio F. Barzaga Jr.

Mr. Speaker:

The Committee on Natural Resources, to which was referred House Bill Number 5884, introduced by Representative Cyrille “Beng” F. Abueg-Zaldivar, entitled:

“AN ACT
AUTHORIZING THE COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE (CENRO) OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR), HAVING JURISDICTION OVER THE PARCEL OF LAND SUBJECT OF THE APPLICATION, TO ISSUE TREE-CUTTING PERMITS TO LANDOWNERS FOR THE CUTTING, GATHERING AND UTILIZATION OF NATURALLY GROWN TREES IN PRIVATE AND/OR TITLED LANDS SUBJECT TO THE GUIDELINES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES”

has considered the same and recommends that the attached House Bill Number 10564 entitled:

“AN ACT
AUTHORIZING THE COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ISSUE PERMITS FOR THE CUTTING, GATHERING, AND UTILIZATION OF NATURALLY GROWN TREES IN PRIVATELY-OWNED LANDS”
be approved in substitution of House Bill Number 5884, with Representatives Abueg-Zaldívar and Barzaga, as authors thereof.

Respectfully submitted,

REP. ELPIDIO F. BARZAGA JR.
Chairperson
Committee on Natural Resources

THE HONORABLE SPEAKER
House of Representatives
Quezon City
Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 10564
(In substitution of House Bill Number 5884)

Introduced by Representatives Cyrille “Beng” F. Abueg-Zaldivar and Elpidio F. Barzaga Jr.

“AN ACT AUTHORIZING THE COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO ISSUE PERMITS FOR THE CUTTING, GATHERING, AND UTILIZATION OF NATURALLY GROWN TREES IN PRIVATELY-OWNED LANDS”

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

SECTION. 1. Scope and Coverage. – This Act shall cover all applications for the cutting, gathering, and utilization of natural grown trees in private and titled lands.

SEC. 2. Authority of Community Environment and Natural Resources Office. – The Community Environment and Natural Resources Office (CENRO) of the Department of Environment and Natural Resources (DENR) having jurisdiction over the parcel of land subject of the application is hereby vested the authority to process applications and issue permits for the cutting, gathering, and utilization of natural grown trees in private and titled lands, subject to the guidelines of the DENR.

SEC. 3. Penalties. – Any public officer, found responsible for abuse of the authority, or grave misconduct in the issuance of permits or certifications in violation of this Act and its implementing rules and regulations, shall be sanctioned with the following penalties:
A. First offense shall incur administrative liability with a penalty of six (6) months suspension;

B. Second offense shall incur administrative liability with a penalty of dismissal from service, perpetual disqualification from holding public office and forfeiture of retirement benefits; and criminal liability of imprisonment of one (1) year to six (6) years with a fine of not less than Five hundred thousand pesos (P500,000.00) but not more than Two million pesos (P2,000,000.00).

Criminal liability shall also be incurred through the commission of bribery, extortion, or when the violation was done deliberately and maliciously to solicit favor in cash or in kind. In such cases, the pertinent provisions of Act No. 3815, otherwise known as the Revised Penal Code and other special laws shall apply.

Any person found responsible for any misrepresentation or other illegal act in order to secure the issuance of the permit or license subject of this Act, or in violation of the provisions hereof, including the rules and regulations issued to implement the Act shall be sanctioned with fine or imprisonment, or both, at the discretion of the court.

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

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

SEC. 6. Repealing Clause. – All laws, decrees, executive orders, rules and regulations, issuance or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

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

Approved,
Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

FACT SHEET

House Bill No. 10564  
(As approved by the Committee in substitution of HB NO. 5884)

“AN ACT
AUTHORIZING THE COMMUNITY ENVIRONMENT AND NATURAL RESOURCES
OFFICE OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL
RESOURCES TO ISSUE PERMITS FOR THE CUTTING, GATHERING, AND
UTILIZATION OF NATURALLY GROWN TREES IN PRIVATELY-OWNED LANDS”

Introduced by Rep. Cyrille “Beng” F. Abueg-Zaldivar

Committee Referral: Committee on Natural Resources,

OBJECTIVES:

- To simplify and facilitate the processing and approval of applications for permits
to cut, gather, and utilize natural grown trees in privately-owned lands

KEY PROVISIONS:

- Authorizes the Community Environment and Natural Resources Office
(CENRO) of the Department of Environment and Natural Resources (DENR),
having jurisdiction over the parcel subject of the application, to issue tree-
cutting permits to landowners for the cutting, gathering and utilization of natural
grown trees in private or titled lands;

- Penalizes any public official for abuse of authority under the Act, or grave
misconduct in the issuance of permits and certifications

RELATED LAWS:

- Presidential Decree No. 705, or the “Forestry Reform Code of the Philippines”
- Executive Order No. 23, Series of 2011 (Declaring A Moratorium On The
  Cutting And Harvesting Of Timber In The Natural And Residual Forests And
  Creating The Anti-Illegal Logging Task Force)