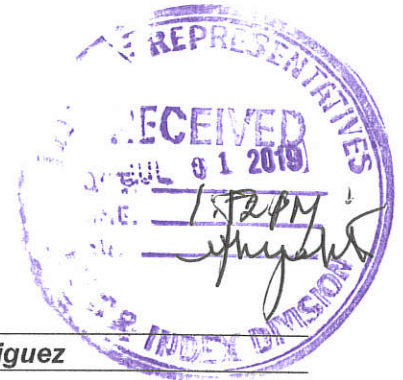


EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES



Introduced by Representative Rufus B. Rodriguez

House Bill No. 0431

EXPLANATORY NOTE

This bill was originally introduced as House Bill No. 5887 during the Fourteenth Congress and again in the Fifteenth Congress as House Bill No. 1063. It was approved by the Committee on Natural Resources during both the Fourteenth and Fifteenth Congresses, was approved by the House of Representatives and transmitted to the Senate where it was not acted upon. It was again re-filed during the 16th Congress where it was once again approved by the House of Representatives and transmitted to the Senate. During the 17th Congress, it was re-filed but was not acted upon.

Logging has many adverse effects. It makes a forest less dense and causes soil erosion. It also degrades watersheds and diminishes the quality of drinking water. Just recently, Cagayan de Oro City has suffered from flashfloods and logging operations are blamed for such flashfloods. The flashfloods destroyed not just properties but agricultural areas and farm-to-market roads as well. Based on the Progress Reports of the Regional Disaster Coordinating Council of Region 10 based in Cagayan de Oro City, the flashfloods of January 3, 2009 have affected 21,605 persons or 5,223 families in the city and have damaged houses with 141 totally damaged and 1,410 partially damaged in an estimated cost of 1.9 million as of January 8, 2009 only.

In the January 11, 2009 floods that befell Cagayan de Oro City, 37,086 persons or 7,410 families were affected with 94 houses totally damaged and 71 partially damaged.

Further, typhoon Sendong brought about the worst destruction in the history of Cagayan de Oro City.

To prevent flashfloods from recurring, logging operations in Cagayan de Oro City must be totally prohibited. Hence, this bill which seeks to declare a total log ban in the City of Cagayan de Oro.

In view thereof, immediate approval of this Bill is sought.


RUFUS B. RODRIGUEZ

EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
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HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

0431

House Bill No. _____

AN ACT
IMPOSING A LOGGING BAN IN CAGAYAN DE ORO CITY

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

SECTION 1. Statement of Policy. -- It is the policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. Towards this end, the State shall protect the people and the environment from the adverse effects of logging.

SEC 2. Imposition of a Logging Ban in Cagayan de Oro City – A logging ban is hereby imposed within the territorial jurisdiction of Cagayan de Oro City.

SEC 3. For purposes of this Act, "logging" shall refer to the process, work or business of cutting down trees for commercial purposes.

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

- (a) planted trees within private lands;
- (b) planted trees within forestlands established and developed by tenurial instrument holders in accordance with the approved plans;
- (c) wood sources necessary for government infrastructure project in predetermined areas, preferably a communal forest;
- (d) trees necessary for extraction as means of silvicultural treatment; and
- (e) trees affected during the road construction and similar other projects approved by the government and only for basic services such as, but not limited to, energy and power development, public works or water utilities. any harvesting or cutting of tree species shall comply with all pertinent forestry and environmental laws such as, but not limited to, Presidential Decree No. 705, otherwise known as the "Revised Forestry Code of the Philippines", as amended; Presidential Decree No. 1586, otherwise known as "Environmental Impact Statement System"; and other applicable rules and regulations."

SEC 5. Penal Provisions – Any person, employer or employment agency who shall violate the provisions of this Act shall be penalized with imprisonment of at least six (6) years but not more than twelve (12) years and a fine of at least One Hundred Thousand Pesos (P100,000) but not more than Five Hundred Thousand Pesos (P500,000). If the violator is a corporation or association, the president and the manager/s of said corporation or association, or its agent or representative in the Philippines, in the case of a foreign corporation or association, shall be held liable.

SEC 6. Implementing Rules and Regulations – The Secretary of Environment and Natural Resources shall issue the necessary rules and regulations for the effective implementation of this Act within three (3) months from the date of its effectivity

SEC 7. Separability Clause – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SEC 8. Repealing Clause – All laws, orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

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

Approved,