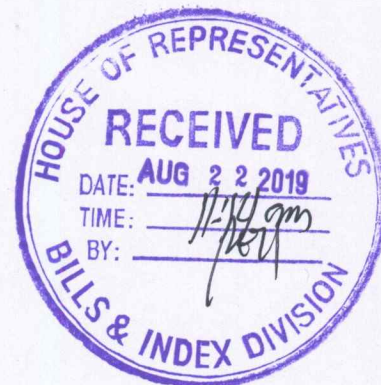


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 4119



Introduced by HON. HENRY R. VILLARICA
4TH DISTRICT, BULACAN

EXPLANATORY NOTE

Environmental laws must be attuned to the demands of climate change as well as the socio- economic needs of the increasing number of people living in our communities.

Presently, however, Presidential Decree No. 705, otherwise known as “The Revised Forestry Reform Code of the Philippines” requires that for the Department of Environment and Natural Resources to revert fishponds with Fisheries Lease Agreements (FLAs) to forest lands the same must have been unutilized and abandoned for a period of five (5) years from the time it was release for such purposes. This period is deemed too long for such fishponds to be utilized for purposes other than that it was intended, such as using it for mangrove propagation to address the devastating effects brought about by climate change or for promoting eco-tourism activities to jumpstart the economy of communities wanting in socio-economic development.

To effectively implement the provision on the reversion of fishponds as well as the Fishpond Lease Agreements (FLAs) issued by the Bureau of Fisheries and Aquatic Resources (BFAR) of the Department of Agriculture, covering fishponds, the DA should be mandated to prepare with the Department of Environment and Natural Resources (DENR), a joint guidelines in determining abandoned, undeveloped or underutilized fishponds.

This bill seeks to address these concerns.

This bill was filed during the 16th and 17th Congresses. In both occasions the House approved it on 3rd Reading but was not taken up by the Senate due to time constraints. This is re-filed for the consideration of the 18th Congress.

Support for the enactment of this measure is earnestly requested.

REP. HENRY R. VILLARICA



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AN ACT REVERTING FISHPONDS WHICH HAVE BEEN UNUTILIZED OR
ABANDONED FOR A PERIOD OF THREE (3) YEARS TO FORESTLANDS,
AMENDING FOR THE PURPOSE SECTION 43 OF PRESIDENTIAL DECREE No. 705
OTHERWISE KNOWN AS *THE REVISED FORESTRY REFORM CODE OF THE
PHILIPPINES*

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

SECTION 1. Section 43 of Presidential Decree No. 705, otherwise known as "The
Revised Forestry Reform Code of the Philippines" is hereby amended to read as follows:

"SEC. 43. *Swamplands and Mangrove Forests.* –

xxx

"Mangrove and other swamps released to the Bureau of
Fisheries and Aquatic Resources for fishpond purposes which
are not utilized or which have been abandoned for [five (5)]
THREE (3) years from the date of such release shall revert to
the category of forest land AND SHALL BE IMMEDIATELY
REHABILITATED AND REFORESTED."

"THE DEPARTMENT OF AGRICULTURE AND
THE DEPARTMENT OF ENVIRONMENT AND NATURAL
RESOURCES SHALL JOINTLY SET JOINT GUIDELINES
DETERMINING ABANDONED, UNDEVELOPED OR
UNDERUTILIZED FISHPONDS COVERED BY FISHPOND
LEASE AGREEMENTS (FLAs) WHICH SHALL BE
REVERTED INTO FORESTLANDS AND
REHABILITATED."

SEC. 2. If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SEC. 3. All laws, decrees, executive orders, issuances, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 4. This Act shall take effect after fifteen (15) days from the date of its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,