



DENR Administrative Order
No. 2021- 26

AUG 02 2021

SUBJECT : RULES AND REGULATIONS GOVERNING THE ESTABLISHMENT, HARVESTING AND TRANSPORT OF BAMBOO

Pursuant to Section 19 of Presidential Decree No. 705, as amended, otherwise known as the "Revised Forestry Code of the Philippines", E.O No. 318, series of 2004 (Promoting Sustainable Forest Management in the Philippines), E.O No. 879, s. 2010 (Creation of the Philippine Bamboo Industry Development Council), E.O No. 193, s. 2015 (Expanding the Coverage of the National Greening Program), Malacañang Memorandum Circular No. 30, s. 2012 (Implementation of the Philippine Bamboo Industry Development Program), DENR Administrative Order (DAO) No. 2004-16 (Prescribing Revised Schedule for Administrative Fees), and DAO No. 2019-22 (Adoption of Forestry Investment Road Map), the following rules and regulations governing the establishment, harvesting and transport of bamboo poles are hereby promulgated.

SECTION 1. Basic Policy. It is the policy of the State to ensure the sustainable utilization, development, management, protection and conservation of the country's forest and other natural resources including Non-Timber Forest Products for the benefit of present and future generation. It also provides for a self-reliant and independent economy allowing for the equitable distribution of opportunities, income and wealth.

SECTION 2. Objectives. This aims to encourage the establishment of bamboo plantations and to promote the sustainable use of bamboo as wood substitute in support of the development of bamboo-based industries in the Philippines. Specifically, it aims to:

- a. Increase the productivity, supply and access to bamboo resources in support to the development of the Philippine bamboo industry;
- b. Provide a system for sustainable harvesting, transport and use of bamboo resources;
- c. Accommodate other support activities such as research and development, processing and marketing; and
- d. Contribute in mitigating the impacts of climate change and attaining environmental stability.

SECTION 3. Scope and Coverage. This Order shall cover all naturally grown bamboo stands, backyard farms and plantations found within forest lands, agricultural lands (alienable and disposable), mineral lands, private titled lands, and ancestral lands. Established bamboo plantations under the programs of the Department of Agriculture shall not be covered by this Order.

SECTION 4. Definition of Terms. For the purpose of this Order, the following terms are to be understood and interpreted as follows:

- a) **Agricultural Land** – lands of the public domain which are neither forest/timber, mineral nor national park.
- b) **Alienable and Disposable Lands** - land of the public domain, which has been classified declared as such and available for disposition.
- c) **Ancestral Lands** – land, subject to property rights within the ancestral domain already existing and/or vested upon the effectivity of the Indigenous Peoples' Rights Act of 1997, occupied, possessed and utilized by individuals, families and clans

who are members of the ICCs/IPs since time immemorial, by themselves or through their predecessors-in-interest, under claims of individual or traditional group ownership, continuously, to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth, or as a consequence of government projects and other voluntary dealings entered into by government and private individuals/corporations, including, but not limited to, residential lots, rice terraces or paddies, private forests, swidden farms and tree lots.

- d) **Bamboo** - perennial giant grass belonging to the family *Poaceae* that is either erect or climbing. Generally used for weaving, handicrafts manufacture, and house construction.
- e) **Bamboo Products/Resources** – refers to bamboo materials, and its by-products that can be used for economic gains and protective and environmental functions.
- f) **Bamboo Stand** – refers to a bamboo form of plantation or natural stand; or plantation, an aggregate of clumps occupying a specific area and sufficiently uniform in species composition, age, spacing and condition as to be distinguishable from the natural bamboo stand; in natural stands, spacing is irregular, species composition not necessarily uniform and clumps randomly and widely distributed.
- g) **Bamboo Clump** – refers botanically, clumping bamboo is classified as a “sympodial” species. The emerging shoots (eventually growing into culms) grow up from near the base of the mother plant to form, typically, isolated culms radiating from the center and growing outward in all directions to form a circular mass of vegetation.
- h) **Bamboo Backyard Farming** - those bamboo operations having a maximum of ten (10) bamboo clumps and are basically in the house backyard, with the household members as workers.
- i) **Bamboo Processing Enterprise** - a business engaged in the conversion of bamboo poles for various products and applications including walls, panels, trusses, handicraft, and novelty products (furniture, handicraft, and decors) focused on the possible use of bamboo as substitutes for wood for various applications (plywood, laminated bamboo, composites, pulp and paper, bamboo arts, and other architectural applications).
- j) **Certificate of Bamboo Plantation Registration** - a certificate issued by the CENRO/ Implementing PENRO that serves as registration, harvesting and transport permit (**Annex A**).
- k) **Commercial Bamboo Production** - refers to a management regime by which the commercial value of bamboo products/resources are enhanced over a specific rotation period, resolve to yield, be distributed for, sold or dispense of to intended consumers. For the purpose of this Order, an area shall be considered as commercial production if it has more than 11 bamboo clumps.
- l) **Family Approach** – participation of families under the National Greening Program as partners of the Department for the development of plantations or rehabilitation of qualified areas.
- m) **Forest Lands** - includes the public forest, the permanent forest or forest reserves, and forest reservations.
- n) **Mineral lands** - any area where mineral resources are found.
- o) **Private Titled lands** – land(s) covered by either administrative or judicial Titles such as Free Patent, Homestead and Sales Patent, and Torrens Titles obtained under the Land Registration Act (Act No. 496, as amended), or under Public Land Law (Commonwealth Act No. 141).
- p) **Tenured Forest Lands** – a forest land covered by an agreement/contract or management arrangement for peaceful possession and use of such specific forest land and the resources found therein.

SECTION 5. Establishment of Bamboo Plantations. Development of bamboo resources in forest lands, agricultural (alienable and disposable) and private titled lands shall be encouraged and be sustainably developed and managed based on the inherent capacity of these resources for the benefit of the people.

The following areas shall be eligible for development:

- Forest lands
- Mineral lands
- Agricultural lands/ (Alienable and Disposable lands)
- Private Titled lands

Bamboo plantations established for protection purposes such as those along rivers and streams shall be exempted from harvesting but may be subjected to intermittent cutting for silvicultural treatment, provided that such is consistent with the existing rules and regulations and shall not impair the rehabilitation measures therein.

SECTION 6. Registration of Bamboo Plantations and Backyard Farms. All bamboo plantations intended for commercial production shall be registered at the Department's Community Environment and Natural Resources Office (CENRO) or implementing Provincial Environment and Natural Resources Office (PENRO) with jurisdiction over the bamboo plantation.

Tenure holders with bamboo plantations shall no longer be required to acquire a Certificate of Bamboo Plantation Registration, provided that the establishment of bamboo is indicated in their management plans. The tenure holder is required to update their respective management plans should they consider venturing into bamboo plantations.

Bamboo backyard farms which are located adjacent to one another and within one barangay may opt to form a cooperative/association to become eligible for commercial production registration. They may also register individually, free of charge, provided that they will have a steady and sustainable supply of bamboo resources to meet the growing demands of the market.

Further, registration shall not be required for backyard farmers who will harvest and consume their bamboo for personal use, for as long as these bamboos will be transported only within their municipality. However, owners of bamboo backyard farms who will harvest their bamboo for personal use and which would be transported from outside of their municipality, as well as those who intend to sell their bamboo shall be required to have his/her farm registered and be issued with a Certificate of Bamboo Plantation Registration.

Naturally grown bamboo within eligible areas for development mentioned under Section 5 shall strictly follow the registration procedure prior to the issuance of Certificate of Bamboo Plantation Registration.

6.1 Documentary Requirements. The following requirements shall be submitted by the applicant together with the duly accomplished registration form (**Annex C**):

6.1.1. Bamboo Plantations within Agricultural Lands (Alienable and Disposable) and/or Private Titled Lands

- Authenticated Copy of Land Title Ownership (OCT/TCT);
- Certified True Copy of Tax Declaration, in case of Untitled A&D land;
- A copy of proof of possession of the land (e.g., lease, mortgage, pledge, trust and the like), in case the applicant is not the registered owner of the land;

- Photograph of the bamboo plantation; and
- Inventory list of bamboo plantations reflecting the species planted, total no. of clumps and total area planted.

6.1.2. Bamboo Plantations within Ancestral Lands

- Photograph of the bamboo plantation;
- Copy of Certificate of Ancestral Domain Title/Certificate of Ancestral Land Title (CADT/CALT); and
- Copy of Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) indicating the establishment and management of bamboo plantations.

6.1.3. Bamboo Plantations under the National Greening Program- Family Approach

- Copy of signed Letter of Agreement; and
- Photograph of the bamboo plantation.

6.2. Registration Process. The applicant shall submit all the pertinent requirements to the concerned CENRO/Implementing PENRO. The CENRO/Implementing PENRO shall verify the documents and conduct a rapid site assessment of the bamboo plantation. The outputs of the rapid site assessment are GIS-generated maps and geotagged photos which will be used as the basis for the issuance of the Certificate of Bamboo Plantation Registration. The GIS generated map shall be attached to the Certificate of Bamboo Plantation Registration upon issuance. Any application for registration with incomplete or invalid documentary requirements shall be returned to the applicant without prejudice to refile.

6.3. Approving Authority. The Certificate of Bamboo Plantation Registration shall be issued and approved by the concerned CENRO/Implementing PENRO in favor of the plantation owners/developers.

6.4. Applicable Fees. Fees shall be collected as prescribed under existing laws, rules and regulations. A one-time registration fee of P 3,000.00 shall be paid by the applicant subject to change as deemed necessary by the Department. Bamboo plantations under tenured forestlands and backyard farms are hereby exempted from paying the application fee.

SECTION 7. Expansion of Bamboo Plantation. Plantation owners within agricultural (alienable and disposable) and private titled lands may expand their bamboo plantation any time, warranting that the area for expansion is still within their legal ownership and that the procedures mentioned under Section 6 shall still be exercised.

SECTION 8. Sustained Yield Cut. The standard thinning intensity for the silvicultural treatment of bamboos for protection purposes and harvesting intensity to maximize yield on bamboos for commercial purposes shall be in accordance with existing rules and regulations.

SECTION 9. Validity of Certificate of Bamboo Plantation Registration. The Certificate of Bamboo Plantation Registration for bamboo plantations within agricultural (alienable and disposable lands) and/or private titled lands and bamboo backyard farms shall have no expiration until a declaration from the owner states that such bamboo stand is no longer productive.

SECTION 10. Grounds for Suspension/ Cancellation of Certificate. The Certificate of Bamboo Plantation Registration may be suspended/ canceled if the operation is inconsistent with any of the terms and conditions of, or failure to comply with, or perform the obligations imposed in, the Registration Certificate, and of other pertinent laws, rules and regulations.

SECTION 11. Harvesting and Transport of Bamboo Poles.

- a. **Bamboo Plantations within Tenured Forest Lands.** The tenure/ancestral land holders shall prepare or revise/amend their appropriate management plan, as required by the specific tenure issuance, to indicate areas and activities for bamboo plantation. The accompanying transport document shall be limited to the copy/ies of approved tenure arrangement.
- b. **Bamboo Plantations within Agricultural (Alienable and Disposable) and/or Private Titled Lands.** Owners of bamboo plantations within agricultural (alienable and disposable) and private titled lands who shall engage in commercial production shall secure Certificate of Bamboo Plantation Registration from the Department. The Certified True Copy of Certificate of Bamboo Plantation Registration shall serve as the cutting and transport documents of harvested bamboo poles.
- c. **Bamboo Backyard Farming.** For owners of bamboo backyard farms who intend to sell their bamboo, the Certified True Copy of Certificate of Bamboo Plantation Registration shall serve as the cutting and transport documents of harvested bamboo poles.

SECTION 12. Payment of Forest Charges and Fees. Forest charges shall be applied to naturally growing bamboo harvested within public forest lands, agricultural lands (alienable and disposable) and private titled lands as promulgated under RA No. 7161 and other existing rules and regulations. Bamboo plantations within private titled lands, ancestral lands and forest lands shall be exempted from payment of forest charges. Authentication fee of P50.00 per page for the Certificate of Bamboo Plantation Registration shall be charged pursuant to the revised schedule of forestry administrative fees.

SECTION 13. Provision of Incentives to Bamboo Plantation Development Owners and Bamboo Processing Enterprises. The following incentives shall be provided to investors of bamboo plantation development and bamboo processing enterprises:

- Plantation owners shall be exempted from the payment of government share for the use of public lands for commercial bamboo plantation for the first 10 years or when the plantation owner starts to harvest his/her plantation, whichever comes first;
- Registered plantation owners shall be exempted from the payment of forest charges on planted bamboo that may be imposed by national government; and
- Allow without restriction the exportation of bamboo poles and bamboo resources derived from the registered farms and/or plantations.

SECTION 14. Monitoring and Evaluation. An integrated bamboo information network system shall be developed by the Department through the Forest Management Bureau in coordination with various government agencies, private sectors and other concerned stakeholders to address the issue on the availability of data on bamboo resources. The information system shall cover but is not limited to the following: a) bamboo plantation; b) bamboo processors; and c) markets. The system shall be the source of information of the industry and the general public on the bamboo supply and demand status, location of farm and processors, prices and volume, government links to research and development, and financial assistance. Annual reports of tenure forestland holders reflecting the harvesting and transport of

bamboo shall be incorporated in the database. The system shall be linked to the Enhanced Forestry Information System (eFIS).

SECTION 15. Support Activities. The following support activities shall be conducted:

- a) **Capacity Building.** All engaged implementers, plantation managers, extension officers, and laborers shall be trained for thorough skills building for Bamboo Plantation Development, with assistance from ERDB and other concerned government agencies.

They shall serve as the pool of trainers that can be tapped for extending technical assistance to requesting parties inside or outside the Department in terms of bamboo plantation development. Small entrepreneurs shall also be capacitated in the formation of cooperatives, with the assistance of the Cooperative Development Authority (CDA) and other concerned government agencies.

- b) **Research and Development.** The DENR, through the FMB, ERDB and other concerned government agencies and research institutions shall continue to support studies on various aspects of bamboo plantation development for the purpose of improving the process and quality of harvested bamboo poles and in reducing cost of production.

- c) **Technology Transfer.** All bamboo plantation developers and enterprises shall be assisted by the DENR, to register and avail of technology transfer arrangements provided by the concerned units and centers under the Department of Science and Technology. This is to promote economic development through commercializing innovative technology and enhance the collaboration between operators and the government.

- d) **Financial Assistance or Subsidy.** Eligible borrowers, with assistance from DENR, may coordinate with any government banks/financial institutions of their choosing to apply for financial subsidy consistent with the existing rules and regulations set by the financing institutions.

- e) **Insurance Coverage.** To ensure the protection and continuity of bamboo plantation operations and avoid the risk or liability covered for an individual/entity in force majeure cases, insurance coverage may be availed by bamboo developers and enterprises, with assistance from DENR.

- f) **Processing and Marketing.** The DENR may coordinate with the Department of Trade and Industry in linking harvested bamboo products to processing centers. The location, capacities and types of bamboo establishment and operation of processing enterprises shall be encouraged, consistent with the One-Town-One-Project (OTOP) of the different Local Government Units.

SECTION 16. Penal Provision. The harvesting and gathering of naturally-growing and plantation bamboo in forest lands and private lands, along with its transport outside specified areas without registration shall be punished in accordance to Section 77 of PD 705, as amended, and other appropriate laws, rules, and regulations.

SECTION 17. Transitory Provision. All existing bamboo plantations and naturally growing bamboo for commercial purposes shall be registered to the Department within one (1)

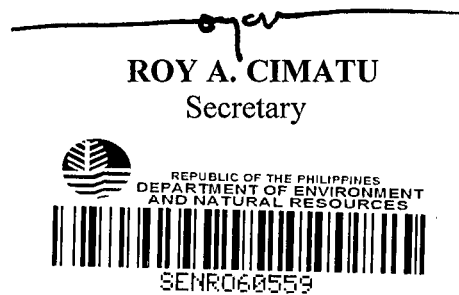
year upon approval of this Order. Newly established bamboo plantations shall be registered with the DENR within three (3) months after establishment.

SECTION 18. Issuance of Technical Bulletins and Guidance. The Director of the Forest Management Bureau is hereby authorized to issue technical bulletins and guidance in support to this Order.

SECTION 19. Separability Clause. Should any provision or part of this Order be declared unconstitutional, those not affected shall remain to be in force and full effect.

SECTION 20. Repealing Clause. All other Department circulars, orders, memoranda, and issuances inconsistent herewith shall be amended or repealed accordingly.

SECTION 21. Effectivity Clause. This Order shall take effect after publication in a newspaper of general circulation and upon submission to the Office of the National Administrative Register (ONAR) from the UP Law Center.



Publication: Manila Standard
August 23, 2021

Acknowledgement: U.P. Law Center
August 24, 2021

ANNEX A.

CERTIFICATE OF BAMBOO PLANTATION REGISTRATION

No: _____

Pursuant to Section 19 of Presidential Decree No. 705, as amended, otherwise known as the "Revised Forestry Code of the Philippines", Executive Order No. 192 (Providing for the Reorganization of the Department of Environment, and Executive Order No. 318 (Promoting Sustainable Forest Management in the Philippines), Republic Act No. 7161 (Increasing the Forest Charges on Timber and Other Forest Products) and DENR Administrative Order No. 2004-16 (Prescribing Revised Schedule for Administrative Fees), and other existing laws and regulations, a Certificate of Bamboo Plantation Registration is hereby issued to:

(Name of Applicant/Represented by)

A Citizen/Organization/Cooperative/Association/Corporation/Proprietor of the Philippines with _____ business/permanent address at _____, to engage in the business of establishing, harvesting and transport of bamboo poles, located at Sitio _____, Barangay _____, Municipality of _____, Province of _____.

Covering a total area of _____ (in words) _____ (figure) hectares with (no. of bamboo clump) _____ bamboo clump/s, if applicable.

This Certification is subject to the provisions of applicable Forestry Laws and regulations promulgated or which may be promulgated, subject to the Terms and Conditions enumerated in the succeeding page (marked as Annex B) and such other additional regulations which may hereinafter be prescribed.

This Certification is effective on _____ (date of issuance) at _____, Philippines.

Approved:

CENRO/Implementing PENRO

ANNEX B.

TERMS AND CONDITIONS

1. The certification issued is non-negotiable and non-transferable that is co-terminus with the approved tenure, and without the necessity of a formal order by this Office, will automatically expire;
2. For bamboo stand within Agricultural Lands (Alienable and Disposable) areas, and ancestral lands (CADT/CALT), the Certificate of Bamboo Plantation Registration shall have no expiration until a declaration from the owner states that the such bamboo stand is no longer productive;
3. Planting of bamboo for the rehabilitation of rivers, stream banks and other suitable areas are encouraged. Planted bamboos along banks of rivers and streams may be subjected to intermittent cutting consistent with the existing rules and regulations and shall not impair the rehabilitation measures set forth;
4. A report on the number of bamboo poles harvested shall be submitted to the DENR – CENRO/Implementing PENRO on a semi-annual basis. The Regional Office shall consolidate these reports and submit it to the Forest Management Bureau for monitoring and evaluation purposes;
5. The bamboo plantation shall be subjected to yearly monitoring and performance evaluation by the DENR in coordination with other government agencies;
6. DENR officers/personnel shall be authorized to enter the registered plantation areas/backyard farms to inspect and shall be allowed to present available documents as may be required by the inspectors; and
7. Violation of any of the above terms and conditions shall be sufficient ground for termination/cancellation of the certificate, subject to due process without prejudice to the imposition of appropriate penalties pursuant to existing regulations.

ANNEX C. REGISTRATION FORM

Name of Applicant: _____
 Company Name (if applicable): _____
 Principal/Permanent Address: _____
 Location of Plantation: _____
 Area planted (in hectares): _____
 Species of Bamboo Planted: _____
 Number of Bamboo Poles to be Harvested, if applicable: _____

CHECKLIST OF REQUIREMENTS. Please check the appropriate box.

Bamboo Plantations within Agricultural Lands/ (Alienable and Disposable) and/or Private Lands	
<input type="checkbox"/>	Duly accomplished Registration form
<input type="checkbox"/>	A copy of proof of possession of the land (e.g. lease, mortgage, pledge, trust and the like), in case the applicant is not the registered owner of the land;
<input type="checkbox"/>	Inventory list of bamboo plantation reflecting the species planted, total no. of clumps and total no. of area planted
<input type="checkbox"/>	Certified True Copy of Tax Declaration, in case of Untitled A&D land
<input type="checkbox"/>	Authenticated Copy of Land Title Ownership
<input type="checkbox"/>	Photograph of the bamboo plantation
<input type="checkbox"/>	Payment of Registration Fee (attach Official Receipt)

Bamboo Plantations within Ancestral Lands	
<input type="checkbox"/>	Photograph of the bamboo plantation
<input type="checkbox"/>	Copy of Certificate of Ancestral Domain Title/Certificate of Ancestral Land Title (CADT/CALT)
<input type="checkbox"/>	Copy of Ancestral Domains Sustainable Development and Protection Plan (ADSDPP) indicating the establishment and management of bamboo plantations

Bamboo Plantations under the National Greening Program-Family Approach	
<input type="checkbox"/>	Copy of signed Letter of Agreement
<input type="checkbox"/>	Photograph of the bamboo plantation