



**MEMORANDUM**

**FOR :** **The Directors**  
Biodiversity Management Bureau  
Ecosystems Research and Development Bureau  
Environmental Management Bureau  
Land Management Bureau  
Mines and Geosciences Bureau

**FROM :** **The OIC- Director, Policy and Planning Service**

**SUBJECT :** **AMENDING CERTAIN PROVISIONS OF DENR ADMINISTRATIVE ORDER (DAO) NO. 2004-28 AND DAO NO. 2004-59 RE: RULES AND REGULATIONS GOVERNING THE USE OF FOREST LANDS FOR TOURISM PURPOSES AND RULES AND REGULATIONS FOR THE SPECIAL USES OF FOREST LANDS**

**DATE :** **22 DEC 2020**

---

**BACKGROUND**

The proposed DAO was crafted to standardize the schedule of payment of government share (annual user's fee) of the holders of Special Land Use Permit/Agreements. This is to ensure the timely collection and remittance of such fee by the tenure holders of SLUP, FLAg, and FLAgT to DENR Field Offices.

**SALIENT FEATURES**

- The draft guidelines provides that government share or user's fee for SLUP, FLAg and FLAgT shall be paid within thirty (30) days upon issuance of the said tenure instruments and annually thereafter on or before March 31 of the succeeding years.
- It also provides that if the tenure holder fails to pay the user's fee within the prescribed period, surcharges of 8.33% monthly for late payment or 100% for one (1) year shall be incurred.
- A database to monitor the status of collection of government share or user's fee shall be developed by the Forest Management Bureau (FMB). The said database shall also be incorporated in the Enhanced Forestry Information System (eFIS).
- Concerned DENR Field Offices shall regularly monitor the status of collection of government share or user's fee, especially those that are about to become due and

demandable. To ensure compliance, this responsibility shall be included in their respective annual performance commitment.

#### **ACTIONS TAKEN**

The draft DAO was first endorsed to this Office thru email on 29 August 2020. It was then presented to the DENR Policy Technical Working Group (PTWG) in its meeting on 10 November 2020. Thereafter, the PTWG Secretariat incorporated the comments of the PTWG to insert provisions on the development of a database and the responsibility of the Field Offices, as well as the granting of incentives for early payment. A revised version of the policy was endorsed to FMB in a memorandum dated 18 November 2020.

In a memorandum dated 16 December 2020, the FMB agreed to the proposed revisions except for the granting of incentives since the payment of user's fee is one of the major obligations of holders of FLAg and FLAgT as per the tenure instrument's Terms and Conditions.

#### **ACTION REQUESTED**

Should you concur with the proposed DAO, please notify this Office in writing **on or before 29 December 2020**. Otherwise, your lack of feedback shall be considered as your concurrence or no objection to the said proposed policy, which we shall endorse for vetting by the Undersecretaries prior to the approval by the Secretary.

Attached is the draft DAO Amending Certain Provisions of DENR Administrative Order (DAO) No. 2004-28 and DAO No. 2004-59 re: Rules and Regulations Governing the Use of Forest Lands for Tourism Purposes and Rules and Regulations for the Special Uses of Forest Lands, for your consideration.

  
**MELINDA C. CAPISTRANO**

cc: FMB- Forest Policy Section  
fmbpolicysection@gmail.com



1 **DENR Administrative Order**

2 No. 2020-\_\_\_\_\_

3

4 s

5 **SUBJECT: AMENDING CERTAIN PROVISIONS OF DENR**  
6 **ADMINISTRATIVE ORDER (DAO) NO. 2004-28 AND DAO**  
7 **NO. 2004-59 RE: RULES AND REGULATIONS**  
8 **GOVERNING THE USE OF FOREST LANDS FOR**  
9 **TOURISM PURPOSES AND RULES AND REGULATIONS**  
10 **FOR THE SPECIAL USES OF FOREST LANDS**  
11

12 In the interest of the service and to ensure the on-time payment of government share  
13 in the form of user's fee by the holders of Special Land Use Permit (SLUP), Forest Landuse  
14 Agreement (FLAg) and Forest Landuse Agreement for Tourism Purposes (FLAgT) to the  
15 concerned DENR Field Offices, and to ensure the latter's timely collection of user's fee as  
16 well as efficient accounting and remittance of the collected user's fees to the National  
17 Treasury, the following provisions of DAO No. 2004-28 dated August 25, 2004 and DAO  
18 No. 2004-59 dated August 31, 2004 are hereby amended.

19

20 **Section 1. Amendments to DAO Nos. 2004-28 and 2004-59.** Section 16 of DAO No.  
21 2004-28 and Section 18 of DAO No. 2004-59, both entitled: Payment of government share  
22 and surcharges for late payment, shall read as follows:

23

24 The government share or user's fee for SLUP, FLAg and FLAgT shall be paid  
25 within thirty (30) days upon issuance of SLUP, FLAg and FLAgT and  
26 **annually thereafter on or before March 31 of the succeeding years.** Failure  
27 of the SLUP, FLAg and FLAgT holder to pay the user's fee within the  
28 prescribed period shall be subject to surcharges of 8.33% monthly for late  
29 payment or 100% for one (1) year.

30

31 **Sec. 2. Development of Database.** The FMB shall develop a database to monitor the  
32 status of collection of government share or user's fee. The said database shall also be  
33 incorporated in the Enhanced Forestry Information System (eFIS).

34

35 **Sec. 3. Responsibility of the Field Offices.** The concerned DENR Field Offices shall  
36 regularly monitor the status of collection of government share or user's fee, especially those  
37 that are about to become due and demandable. To ensure compliance, this responsibility shall  
38 be included in their respective annual performance commitment.

39

40 **Sec. 4. Transitory Provision.** All existing SLUP, FLAg and FLAgT holders shall  
41 continue paying their government share or user's fee for 2020. The new schedule of payment  
42 shall commence on 2021.

43

44           **Sec. 5. Repealing Clause.** All other provisions of DAO No. 2004-28 and DAO No.  
45 2004-59 not affected by this amendment shall remain in full force and effect.

46  
47           **Sec. 6. Effectivity Clause.** This Order shall take effect fifteen (15) days after  
48 publication in at least two (2) newspapers of general circulation and upon submission of three  
49 (3) copies to the Office of the National Administrative Register (ONAR) of the UP Law  
50 Center.

51

52

53

54

55

56

**ROY A. CIMATU**  
Secretary



Search mail

Compose

Inbox 22

Starred

Snoozed

Sent

Drafts 1

More

Meet

New meeting

My meetings

Hangouts

Amisol

Nehemiah Leo Carlo Salvador  
You: d\_owede kuya paul kasi player

PSD



# DRAFT DAO AMENDING CERTAIN PROVISIONS OF DENR ADMINISTRATIVE ORDER (DAO) NO. 2004-28 AND DAO NO. 2004-59 RE: RULES AND REGULATIONS GOVERNING THE USE OF FOREST LANDS FOR TOURISM PURPOSES AND REGULATIONS GOVERNING THE USE OF FOREST LANDS FOR TOURISM PURPOSES AND RU

Inbox x

## FMB Policy

to PSD, Amisol, febrilyn

Dear Sir/ Madam,

We are pleased to submit the revised draft DAO amending certain provisions of DAO 2004-28 and DAO 2004-59 for your consideration.

Thank you,

## Forest Policy Section

Forest Policy, Planning and Knowledge Management Division,  
Forest Management Bureau

Department of Environment and Natural Resources

Visayas Ave., Diliman, Quezon City

PHILIPPINES

Tel. No.: (02) 8926-2141

Fax: (02) 8920-0368

"Harassing forestry science for sustainable development"



UNITED STATES OF AMERICA  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
FOREST MANAGEMENT BUREAU  
FOREST POLICY, PLANNING AND KNOWLEDGE MANAGEMENT DIVISION  
VISAYAS AVENUE, DILIMAN, QUEZON CITY, PHILIPPINES  
TELEPHONE: (02) 8926-2141  
FACSIMILE: (02) 8920-0368  
WWW.DENR.GOV.PH

FPPKMD 5863\_DA...