



## MEMORANDUM

**FOR :** **The Undersecretary**  
Organizational Transformation and Human Resources

**The Directors**  
Legal Affairs Service  
Policy and Planning Service  
Climate Change Service  
Knowledge and Information Systems Service

**All Bureau Directors and Attached Agencies**

**The Executive Directors**  
Manila Bay Coordinating Office  
River Basin Control Office  
Pasig River Coordinating and Management Office

**All Regional Executive Directors**

**FROM :** **The Undersecretary**  
Special Concerns and Legislative Affairs

**SUBJECT :** **INVITATION TO COMMITTEE MEETING AND REQUEST FOR POSITION PAPER ON NATIONAL AND LOCAL BILLS FROM THE COMMITTEE ON NATURAL RESOURCES OF THE HOUSE OF REPRESENTATIVES**

**DATE :** 13 July 2023

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In reference to the electronic letter received by our Office, the Committee on Natural Resources of the House of Representatives will hold a **face-to-face Committee Meeting on 2 August 2023 (Wednesday), 1:00 PM at Speaker Villar Hall, South Wing Annex, House of Representatives** to discuss the following legislative measures:

### NATIONAL BILLS

#### A. Magna Carta for Environment and Natural Resources Personnel

- **House Bill No. 823** - "An Act Providing For The Magna Carta For Environment And Natural Resources Personnel", authored by Rep. Michael L. Romero, Ph. D.; and
- **House Bill No. 2586** - "An Act Providing For A Magna Carta For Environmental And Natural Resources Personnel, Providing Funds Therefor, And For Other Purposes", authored by Rep. Edwin L. Olivarez

## **B. Modernization of the Land Management Bureau**

- **House Bill No. 5155** - "An Act Providing For Modernization Funding For The Lands Management Bureau (LMB), To Augment Land Survey Standards And Guidelines, Expanding Its Powers And Functions, And For Other Purposes", authored by Rep. Michael L. Romero, Ph.D.

## **LOCAL BILLS**

- **House Bill No. 4214** - "An Act Disestablishing The Lipatan-Liangan River Mangrove Swamp Forest Reserve As Protected Area, Amending For This Purpose Proclamation No. 2152 Series Of 1981", authored by Rep. Mohamad Khalid Q. Dimaporo;
- **House Bill No. 4219** - "An Act Authorizing The Director Of The Land Management Bureau To Subdivide The Lands Within The Balo-I Airport Belonging To The Republic Of The Philippines And To Dispose Of The Same By Sale Or Transfer, Subject To Certain Conditions, And For Other Purposes", authored by Rep. Mohamad Khalid Q. Dimaporo;
- **House Bill No. 4404** - "An Act Reclassifying And Converting Parcels Of Timberland Located In Barangays 1 And 2 (Poblacion), Bulawan, Caraycay, Libertad, Malobago, Maputi, San Roque, San Miguel In The Municipality Of Maslog And Small Portion In The Municipalities Of Arteche, Oras, And Dolores In The Province Of Eastern Samar, As Alienable And Disposable Lands", authored by Rep. Maria Fe. R. Abunda; and
- **House Bill No. 4419** - "An Act To Convert Barangay Itbud, Municipality Of Uyugan, Province Of Batanes, From Its Present Classification As National Park To An Alienable And Disposable Residential Land/Site", authored by Rep. Ciriaco B. Gato, Jr., M.D.

In this regard, may we respectfully request a **position paper on the abovementioned bills, in anticipation of the Committee meeting**, as requested by the Committee. Kindly send them on or before **21 July 2023, at 5 PM** via email at [denrlo@denr.gov.ph](mailto:denrlo@denr.gov.ph). Further, kindly inform us of the name/s of the representative/s from your office who will participate in the meeting so we may include him/her/them as resource person/s.

Attached herewith are the Letter Invitation, and the House bills for your reference.

  
**IGNATIUS LOYOLA A. RODRIGUEZ**

Cc: Chief of Staff and Supervising Undersecretary for Strategic Communications  
Undersecretary for Policy, Planning, and International Affairs  
Undersecretary for Legal and Administration  
Undersecretary for Finance, Information Systems and Climate Change  
Undersecretary for Integrated Environmental Science  
Undersecretary for Field Operations - Luzon, Visayas and Environment  
Undersecretary for Field Operations-Mindanao



Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
**Committee on Natural Resources**

✉ Committee Affairs Department, 3/F Speaker Ramon V. Mitra Building, Batasan Complex, Quezon City  
☎ +63 (2) 8931-5001 local 7161; Telefax: +63(2) 8951-3003  
[committee.naturalresources@house.gov.ph](mailto:committee.naturalresources@house.gov.ph), [naturalresources.hrep@gmail.com](mailto:naturalresources.hrep@gmail.com)

11 July 2023

**ATTY. JONAS R. LEONES, CESO I**

*Undersecretary for Policy, Planning, and International Affairs*  
Department of Environment and Natural Resources  
DENR Bldg. Visayas Avenue, Diliman,  
Quezon City

**Dear Undersecretary Leones:**

The Committee on Natural Resources of the House of Representatives will be holding a face-to-face Committee Meeting on **2 August 2023 (Wednesday), 1:00 in the afternoon at Speaker Villar Hall, South Wing Annex, House of Representatives.**

In light of this, we would like to invite you or your authorized representative to attend the said meeting and shed light on the following:

**National Bills**

1. Magna Carta for Environment and Natural Resources Personnel
  - a. House Bill No. 823, entitled "An Act Providing For The Magna Carta For Environment And Natural Resources Personnel", authored by Rep. Michael L. Romero, Ph. D.; and
  - b. House Bill No. 2586, entitled "An Act Providing For A Magna Carta For Environmental And Natural Resources Personnel, Providing Funds Therefor, And For Other Purposes", authored by Rep. Edwin L. Olivarez
2. Modernization of the Land Management Bureau  
House Bill No. 5155, entitled "An Act Providing For Modernization Funding For The Lands Management Bureau (LMB), To Augment Land Survey Standards And Guidelines, Expanding Its Powers And Functions, And For Other Purposes", authored by Rep. Michael L. Romero, Ph.D.

**Local Bills**

1. House Bill No. 4214, entitled "An Act Disestablishing The Lipatan-Liangan River Mangrove Swamp Forest Reserve As Protected Area, Amending For This Purpose Proclamation No. 2152 Series Of 1981", authored by Rep. Mohamad Khalid Q. Dimaporo;
2. House Bill No. 4219, entitled "An Act Authorizing The Director Of The Land Management Bureau To Subdivide The Lands Within The Balo-I Airport Belonging To The Republic Of The Philippines And To Dispose Of The Same By Sale Or Transfer, Subject To Certain Conditions, And For Other Purposes", authored by Rep. Mohamad Khalid Q. Dimaporo;

3. House Bill No. 4404, entitled "An Act Reclassifying And Converting Parcels Of Timberland Located In Barangays 1 And 2 (Poblacion), Bulawan, Caraycay, Libertad, Malobago, Maputi, San Roque, San Miguel In The Municipality Of Maslog And Small Portion In The Municipalities Of Arteche, Oras, And Dolores In The Province Of Eastern Samar, As Alienable And Disposable Lands", authored by Rep. Maria Fe. R. Abunda;
4. House Bill No. 4419, entitled "An Act To Convert Barangay Itbud, Municipality Of Uyugan, Province Of Batanes, From Its Present Classification As National Park To An Alienable And Disposable Residential Land/Site", authored by Rep. Ciriaco B. Gato, Jr., M.D.

We would like to request the submission of your **position paper** on the aforementioned measures, or a draft thereof, on or before **26 July 2023**, in order to give the Committee Members enough time to read through the materials. Attached herewith is a copy of the House Bills, for your kind reference.

For confirmation of attendance or further inquiries, the Committee may be reached at [committee.naturalresources@house.gov.ph](mailto:committee.naturalresources@house.gov.ph). We are looking forward to having a fruitful discussion with you on the said measures. Thank you very much!

Very truly yours,

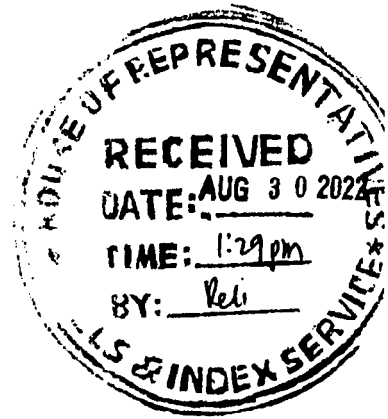


**HON. ELPIDIO F. BARZAGA JR.**  
*Chairperson*  
Committee on Natural Resources

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**NINETEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 4219**



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*Introduced by Rep. Mohamad Khalid Q. Dimaporo*

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### EXPLANATORY NOTE

The Marawi Siege has shown our nation the widespread difficulties our countrymen, not only in Marawi City, but in the Province of Lanao del Sur and in the adjacent Provinces as well, have experienced. It is only just for our Government to extend any help to our fellow Filipinos, particularly those who were displaced because of the conflict.

Given that the Balo-I airport is no longer being utilized as a public airport, and is an idle asset of the government, and in recognition of the authority of the State to provide basic shelter to its citizens, the subdivision, conversion and sale of the Balo-I Airport into affordable housing projects is rightly justified.

For these reasons, this measure seeks to authorize the use of the lands of the Balo-I Airport, to be sold to qualified beneficiaries who were either displaced because of the armed conflict or uniformed personnel or qualified civil servants.

In view of the foregoing, the immediate passage of this bill is earnestly sought.

  
**MOHAMAD KHALID Q. DIMAPORO**  
*First District, Lanao del Norte*

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**NINETEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 4219**

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*Introduced by Rep. Mohamad Khalid Q. Dimaporo*

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1 AN ACT AUTHORIZING THE DIRECTOR OF THE LAND MANAGEMENT  
2 BUREAU TO SUBDIVIDE THE LANDS WITHIN THE BALO-I AIRPORT  
3 BELONGING TO THE REPUBLIC OF THE PHILIPPINES AND TO DISPOSE OF  
4 THE SAME BY SALE OR TRANSFER, SUBJECT TO CERTAIN CONDITIONS, AND  
5 FOR OTHER PURPOSES

6

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

8

9 **SECTION 1.** The Director of the Land Management Bureau shall cause the subdivision  
10 of lands within the Balo-I Airport owned by the Republic of the Philippines which may  
11 be declared by the President of the Philippines as no longer needed for its intended  
12 purpose.

13

14 **SECTION 2.** Subject to the approval of Secretary of Transportation, in coordination with  
15 the Secretary of the Environment and Natural Resources, the area of each lot within the  
16 subdivisions shall be determined by the Director of the Land Management Bureau  
17 according to the nature of the land, the number of prospective applicants, and the  
18 purpose for which it will be utilized.

19

20 **SECTION 3.** All lands so subdivided, except such portion thereof as may be needed for  
21 the public service may, with the approval of the President of the Philippines, be sold to  
22 persons qualified to acquire public lands under existing laws, or transferred to the  
23 National Housing Authority: *Provided*, however, that in the sale thereof, first priority shall  
24 be given to internally-displaced persons, uniformed personnel and government  
25 employees.

26

27 **SECTION 4.** This Act shall take effect upon its approval.

28

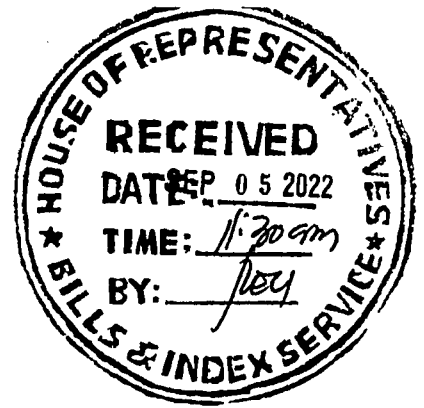
29 *Approved.*

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Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**NINETEENTH CONGRESS**  
First Regular Session

House Bill No. 4404



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Introduced by **HON. MARIA FE R. ABUNDA**  
Representative, Lone District, Eastern Samar

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**EXPLANATORY NOTE**

The previous decade has seen an increase in the number of available opportunities in the Province of Eastern Samar, there having been introduced several avenues for tourism, handicrafts, business, service training, and material processing. All this progress notwithstanding, what remains to be the primary livelihood in the province still is agriculture. – and the municipalities subject of this bill, of course, pose no exception.

However, some areas in the province remain unable to maximize the potential of the land. For instance, the Municipal Government of Maslog, Eastern Samar, in 2020 issued Municipal Resolution No. 37 seeking the reclassification of parcels of land in the municipality from timberland to alienable and disposable land, stating that despite while “*the existing settlers within have been occupying thus cultivating the area for more or less 50 years*”, the reality is that “*the needed sources of revenues for the delivery of goods and services to my fellow constituents depends only n the assistance from National and Provincial Government.*”

All said, the 1987 Constitution authorizes the conversion of timber or forest land into alienable and disposable land. It is through such mechanism that lands could be ceded to its many cultivators so as to allow for further agricultural development. Thus, this proposed bill is forwarded to effect the reclassification of certain parcels of land in the abovementioned municipalities. The ultimate goal is to afford *Estehanon*s all prospects possible for agricultural growth.

And so, in view of the further progress of the Province of Eastern Samar, passage of this bill is earnestly sought.

  
**MARIA FE R. ABUNDA**  
Representative Lone District, Eastern Samar

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**NINETEENTH CONGRESS**

First Regular Session

House Bill No. 4404

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Introduced by **HON. MARIA FE R. ABUNDA**  
Representative, Lone District, Eastern Samar

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**AN ACT**  
**RECLASSIFYING AND CONVERTING PARCELS OF TIMBERLAND LOCATED IN**  
**BARANGAYS 1 AND 2 (POBLACION), BULAWAN, CARAYCAY, LIBERTAD,**  
**MALOBAGO, MAPUTI, SAN ROQUE, SAN MIGUEL IN THE MUNICIPALITY OF**  
**MASLOG AND SMALL PORTION IN THE MUNICIPALITIES OF ARTECHE, ORAS,**  
**AND DOLORES IN THE PROVINCE OF EASTERN SAMAR, AS ALIENABLE AND**  
**DISPOSABLE LANDS**

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

**SECTION 1. Coverage.** - The land comprising three (3) parcels, of which Parcel 1 is about Two Thousand Nine and 48/100 hectares (2,009.48 hectares) , Parcel 2 about Six hundred sixty-four thousand and eight hundred hectares (664,800 hectares), Parcel 3 about One million three hundred thirty-four thousand and four hundred hectares (1,334,400 hectares) , all situated in Barangays 1 and 2 (Poblacion), Bulawan, Caraycay, Libertad, Malobago, Maputi, San Roque, San Miguel in the Municipality of Maslog, and in small portions in the Municipalities of Arteche, in the province of eastern samar, is hereby converted from timberland to alienable and disposable land. The respective parcels of land are particularly described as follows:

<b>PARCEL 1 (Area 2,009.48 hectare)</b>				
<b>STATION</b>	<b>BEARING</b>	<b>DISTANCE</b>	<b>EASTING</b>	<b>NORTHING</b>
TP-1 88M-12, Dolores Cad. 1001	N 68-15 W	29,210.00	552471.790	1,331,216.39
1	N 16-00 E	240	525, 341.260	1,342,040.370
2	N 26-00 E	300	525,407.410	1,342,271,070
3	N 19-00 E	330	525, 538.920	1,342,540.710
4	N 19-00 W	360	525,646.360	1,342,852.730
5	N 10-00 W	260	525,529.160	1,343,193.120
6	N 15-00 E	370	525,484.010	1,343,449.170



7	N 28-00 E	310	525,579.770	1,343,806.560
8	N 17-00 W	360	525,725.310	1,344,080.270
9	N 81-00 W	490	525,620.060	1,344,424.540
10	N 85-00 W	390	525,135.090	1,344,501.190
11	N 48-00 W	220	524,747.570	1,344,535.180
12	N 04-00 W	370	524,584.080	1,344,682.390
13	N 56-00 E	440	524,558,270	1,345,051.490
14	N 10-00 W	340	524,923.050	1,345,297.530
15	N 42-11 E	360	524,864.010	1,345,632.360
16	N 05-00 W	480	525,104.900	1,345,899.890
17	N 09-00 E	440	525,063.070	1,346,378.060
18	N 29-00 W	450	525,131.900	1,346,812.640
19	N 11-00 W	470	524,913.740	1,347,206.220
20	N 20-00 E	420	524,824.060	1,347,667.580
21	N 53-00 E	500	524,967.710	1,348,062.250
22	N 17-00 E	460	525,367.030	1,348,363.160
23	N 13-00 W	500	525,498.600	1,348,793.500
24	N 27-00 E	260	525,386.120	1,349,280.690
25	N 07-00 W	500	525,594.960	1,349,690.550
26	N 44-00 W	260	525,534.030	1,350,186.820
27	S 75-00 E	880	525,353.420	1,350,373.850
28	S 07-00 E	380	526,473.200	1,350,146.090
29	S 04-00 W	420	526,249.740	1,349,768.920
30	S 37-00 E	420	526,220.440	1,349,349.940
31	S 05-00 F	410	527,473.200	1,349,014.510
32	S 17-00 E	410	526,508.930	1,348,606.070
33	S 18-00 E	420	526,628.800	1,348,213.990
34	S 25-00 E	170	526,758.590	1,347,814.550
35	S 37-00 E	390	526,830.440	1,347,630.480
36	S 26-00 W	90	526,595.730	1,347,319.010
37	S 09-00 E	520	526,556.280	1,347,238.120
38	S 60-00 E	500	526,637.630	1,346,724.520
39	N 41-00 k	550	527,070.640	1,346,474.520
40	N 23-00 E	520	527,431.470	1,346,889.610
41	N 83-00 E	500	527,634.650	1,347,368.270
42	S 71-00 E	440	528,130.920	1,347,307.340
43	S 51-00 E	450	528,546.950	1,347,164.090
44	S 20-00 E	420	528,896.670	1,346,880.900

45	S 25-00 E	520	529,040.320	1,346,486.230
46	S 18-00 E	440	529,260.080	1,346,014.950
47	S 10-00 E	390	529,396.050	1,345,596.490
48	S 49-00 W	470	529,463.770	1,345,212.410
49	S 55-00 W	440	529,109.060	1,344,904.060
50	S 89-00 W	560	528,748.630	1,344,651.690
51	S 19-00 W	240	528,188.720	1,344,641.920
52	S 01-00 E	310	528,110.580	1,344,415.000
53	S 14-00 W	460	528,115.990	1,344,105.050
54	S 30-00 W	440	528,004.710	1,343,658.710
55	S 31-00 E	480	527,784.710	1,343,277.660
56	S 67-00 W	250	528,037.930	1,342,866.220
57	S 62-00 W	380	527,801.800	1,342,768.540
58	S 56-00 W	260	527,446.280	1,342,590.140
59	S 74-00 W	370	527,250.730	1,342,444.750
60	S 33-00 W	260	526,895.060	1,342,342.760
61	S 75-00 W	550	526,753.450	1,342,124.710
62	S 81-00 W	500	526,222.190	1,341,982.360
63	S 36-00 W	400	525,728.350	1,341,904.140
64	N 55-00 W	300	525,493.240	1,342,580.530
65	N 08-00 W	180	525,247.490	1,341,752.600
66	N 50-03 E	154.96	525,222.480	1,341,930.850

<b>PARCEL 2 (Area 664,800 Hectares)</b>				
<b>STATION</b>	<b>BEARING</b>	<b>DISTANCE</b>	<b>EASTING</b>	<b>NORTHING</b>
<b>TP-1 88M-12, Dolores Cad. 1001</b>	<b>N 68-59 W</b>	<b>31,911.48</b>	<b>552,471.790</b>	<b>1,331,216.390</b>
1	S 87-00 W	300	522,682.130	1,342,658.350
2	S 85-00 W	50	522,382.540	1,342,642.650
3	S 09-00 W	90	522,332.730	1,342,638.290
4	S 85-00 W	500	522,318.650	1,342,549.400
5	S 88-00 W	100	521,820.550	1,342,505.820
6	S 77-00 W	320	521,720.610	1,342,502.330
7	N 03-00 W	670	521,408.810	1,342,430.350
8	N 50-00 E	230	521,373.740	1,343,099.430
9	S 54-00 E	280	521,548.930	1,343,247.270
10	S 65-00 E	280	521,776.450	1,343,082.690
11	S 72-00 E	400	522,030.220	1,342,964.360

12	S 74-00 E	250	522,410.640	1,342,840.750
13	S 48-00 E	80	522,650.960	1,342,771.840
14	N 76-00 E	250	522,710.410	1,342,718.310
15	S 75-00 E	150	522,952.980	1,342,778.790
16	S 02-00 E	100	523,097.870	1,342,739.970
17	S 07-11 E	250	523,101.360	1,342,640.030
18	N 59-21 W	522.72	523,131.830	1,342,391.890

<b>PARCEL 3 (Area 1,334,400 Hectares)</b>				
<b>STATION</b>	<b>BEARING</b>	<b>DISTANCE</b>	<b>EASTING</b>	<b>NORTHING</b>
<b>TP-1 88M-12, Dolores Cad. 1001</b>	<b>N 54-13 W</b>	<b>31,911.48</b>	<b>552,471.790</b>	<b>1,331,216.390</b>
1	N 75-00 W	880	526,216.200	1,350,138.240
2	N 44-00 W	200	525,336.190	1,350,366.000
3	N 24-00 W	480	525,227.260	1,350,509.870
4	N 10-00 W	400	525,032.030	1,350,948.370
5	N 51-00 E	490	524,926.570	1,351,342.290
6	N 87-00 E	490	525,343.370	1,351,650.660
7	N 39-00 E	500	525,832.700	1,351,676.300
8	S 04-00 E	430	526,147.360	1,351,064.870
9	S 31-00 W	460	526,177.360	1,351,635.920
10	S 16-00 W	370	525,940.440	1,351,241.620
11	S 44-00 E	480	525,838.450	1,350,885.950
12	S 06-17 E	404.86	526,171.890	1,350,540.670

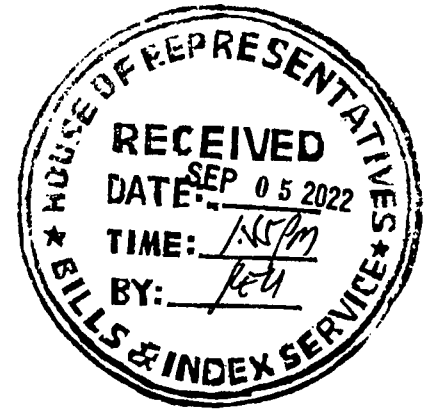
**SECTION 2. *Implementing Rules and Regulations.*** - The Department of Environment and Natural Resources shall issue the necessary rules and regulations for the effective implementation of this Act.

**SECTION 3. *Repealing Clause.*** - All laws, decrees, orders, rules and regulation or parts thereof, which are inconsistent with this Act are hereby repealed or amended accordingly.

**SECTION 4. *Effectivity.*** -This Act shall take effect immediately after fifteen (15) days following its complete publication in the Official Gazette or in at least a newspaper of general circulation.

Approved,

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



NINETEENTH CONGRESS  
First Regular Session

HOUSE BILL NO. 4419

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Introduced by Representative CIRIACO B. GATO, JR., MD, FPSO-HNS

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#### EXPLANATORY NOTE

This bill seeks to reclassify Barangay Itbud, Municipality of Uyugan, Province of Batanes, from a National Park into Alienable and Disposable residential area/site.

In 1910, people migrated and settled in the area after the Spanish rule in 1789 and before the American occupation. In 1920, the first chapel, residential stone and lime houses, and school buildings were constructed. Grades I and II classes were opened in 1927-1928. Home to at least five hundred people, Barangay Itbud is now a detached barangay of the Municipality of Uyugan, situated along the National Road, 23km south of the capital town – Basco. Its conversion from a National Park to an Alienable and Disposable residential area/site will provide long-time residents opportunities and entitlements as genuine owners.

The Department of Environment and Natural Resources, through the Provincial Environment and Natural Resources Office in Batanes, approved the Survey Plan for the six (6) hectare-wide Barangay Itbud. It provides the Technical Description of the map location, as a basis whether to exclude Barangay Itbud as part of the BPLS under NIPAS, for the assessment and reclassification of the land to sustainable development and strengthen land conservation and cultural practices of importance to Batanes' Indigenous people while maintaining a sound

ecosystem that will be beneficial to the whole community.

This bill was filed in the 17th and 18th Congress; however, due to lack of material time, it did not become a law.

In view of the forgoing considerations, the approval of this bill is ardently sought.

A handwritten signature in black ink, consisting of a large, sweeping loop followed by a few smaller, less distinct strokes.

**CIRIACO B. GATO, JR., MD, FPSO-HNS**

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

**NINETEENTH CONGRESS  
First Regular Session**

**HOUSE BILL NO. 4419**

---

**Introduced by Representative CIRIACO B. GATO, JR., MD, FPSO-HNS**

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**AN ACT TO CONVERT BARANGAY ITBUD, MUNICIPALITY OF UYUGAN,  
PROVINCE OF BATANES, FROM ITS PRESENT CLASSIFICATION AS NATIONAL  
PARK TO AN ALIENABLE AND DISPOSABLE RESIDENTIAL LAND/SITE**

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

**ARTICLE I  
Title and Guiding Principles**

***SECTION 1. Short Title.*** – This Act shall be known as the “Batanes Land Classification Act of 2022”.

***SECTION 2. Declaration of Policy.*** – It is hereby declared the policy of the State to provide access to land development and sustainability in certain localities in the Philippines in the highest consideration to advocate social welfare and put forward the advancement of rural development and industrialization in the far-flung areas.

In relation thereto, with consideration for the integrity of farmers and landowners to fair remuneration and the ecological needs of the country, this Act must implement more equitable distribution to empower the people and give them the chance to improve their quality of life and to identify issues using locally available resources and knowledge towards increased productivity in their residential site.

The State shall adhere to the principles that land distribution is a social responsibility, and the awarding of land and titles should promote high productivity in the community and the district.

The State recognizes the role of the Local Government and strategically, local stakeholders in providing services and access to land systematization in supporting the Filipino People. Thus, these authorities must be given the necessary power to reorganize the land use. It is hereby declared the policy of the State to address the concerns of the citizens to reestablish public relations and mobilize them to protect the area of concern.

**SECTION 3. Objectives.** – Pursuant to the above declaration of policy, the State shall endeavor to accomplish the following objectives:

- (a) Develop and promote comprehensive approach and social contract in mending local based issues in a collective manner by all relevant stakeholders including planning, organizing, decision making, implementation, and evaluation.
- (b) Ensure the conservation of the land and the local cultural heritage in the community.
- (c) Development of an extensive tourism to stimulate investments and produce livelihood for the locality as a tourism-based economy for undeveloped remote areas whilst preserving the heritage and culture.
- (d) Enabling all Indigenous cultural community stakeholders to advance skills and competencies which accords inclusive local development.
- (e) Guarantee that the development of the residential area governed by the LGU ensures the necessities of the residents in terms of public services and establishment of certain structures shall be first met and safeguarded.

**ARTICLE II**  
**Definition of Terms**

**SECTION 4. Definition of Terms.** - As used in this Act:

(a) *“Alienable and Disposable Land”* - Alienable and disposable lands refer to those lands of the public domain which have been the subject of the present system of classification and declared as not needed for forest, mineral purposes, and national park;<sup>1</sup>

(b) *“BPLS”* refers to Batanes Protected Landscape and Seascape;

(c) *“Indigenous cultural community”* - refers to a group of people sharing common bonds of language, customs, traditions, and other distinctive cultural traits and who have since time immemorial, occupied, possessed, and utilized a territory<sup>2</sup>;

(d) *“Indigenous People”* – refers to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed customs, tradition and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and culture, become historically differentiated from the majority of Filipinos;<sup>3</sup>

(e) *“Land Classification”* - A system for determining land of the public domain into forest land, mineral land, national parks, and agricultural land based on the 1987 Constitution<sup>4</sup>;

(f) *“Land Reclassification”* - The process of allocating land of the public domain to specific uses

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<sup>1</sup> THIRTEENTH CONGRESS OF THE REPUBLIC) OF PHILIPPINES SENATE Introduced ..., <https://legacy.senate.gov.ph/lisdata/11405641.pdf>.

<sup>2</sup> Republic Act 1138/ [https://lawphil.net/statutes/repacts/ra2018/ra\\_11038\\_2018.html](https://lawphil.net/statutes/repacts/ra2018/ra_11038_2018.html)

<sup>3</sup> Republic Act No. 8371 <https://www.officialgazette.gov.ph/1997/10/29/republic-act-no-8371/>

<sup>4</sup> <https://fasps.denr.gov.ph/index.php/resources/glossary-of-terms/land-classification#:~:text=Term,land%20and%20alienable%20%26%20disposable%20land.>



such as agriculture, residential, industrial, or commercial.;<sup>5</sup>

(g) “*Land Use*” - The manner of utilizing the land, including its allocation, development, and management.<sup>6</sup>

(h) “*Land Use Conversion*” – refers to the conversion of a piece of agricultural land’s existing physical use into another use such as commercial, residential, industrial, or other agricultural use other than cultivation of the soil, crop planting, or tree growth, as allowed by Department of Agrarian Reform (DAR);<sup>7</sup>

(i) “*National Integrated Protected Areas System (NIPAS)*” - is the classification and administration of all designated protected areas to maintain essential ecological processes and life-support systems, to preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the greatest extent possible;<sup>8</sup>

(j) “*National Park*” - refers to a forest reservation essentially of natural wilderness character which has been withdrawn from settlement, occupancy, or any form of exploitation except in conformity with approved management plan and set aside as such exclusively to conserve the area or preserve the scenery, the natural and historic objects, wild animals, and plants therein and to provide enjoyment of these features in such areas;<sup>9</sup>

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<sup>5</sup> Foreign-Assisted and Special Projects Service / <https://fasps.denr.gov.ph/index.php/resources/glossary-of-terms/land-reclassification>

<sup>6</sup> DAR ADMINISTRATIVE ORDER NO. 01-02/

<http://lis.dar.gov.ph/documents/368#:~:text=Land%20Use%20Conversion%20refers%20to%20the%20act%20or,of%20produce%20therefrom%2C%20as%20approved%20by%20DAR.%202.13.>

<sup>7</sup> DAR ADMINISTRATIVE ORDER NO. 01-02/

<http://lis.dar.gov.ph/documents/368#:~:text=Land%20Use%20Conversion%20refers%20to%20the%20act%20or,of%20produce%20therefrom%2C%20as%20approved%20by%20DAR.%202.13.>

<sup>8</sup> REPUBLIC ACT NO. 7586/

[https://lawphil.net/statutes/repacts/ra1992/ra\\_7586\\_1992.html#:~:text=%22National%20Integrated%20Protecte d%20Areas%20System%20%28NIPAS%29%22%20is%20the,their%20natural%20conditions%20to%20the%20great est%20extent%20possible%3B](https://lawphil.net/statutes/repacts/ra1992/ra_7586_1992.html#:~:text=%22National%20Integrated%20Protecte d%20Areas%20System%20%28NIPAS%29%22%20is%20the,their%20natural%20conditions%20to%20the%20great est%20extent%20possible%3B)

<sup>9</sup> REPUBLIC ACT NO. 7586/

[https://lawphil.net/statutes/repacts/ra1992/ra\\_7586\\_1992.html#:~:text=%22National%20Integrated%20Protecte d%20Areas%20System%20%28NIPAS%29%22%20is%20the,their%20natural%20conditions%20to%20the%20great est%20extent%20possible%3B](https://lawphil.net/statutes/repacts/ra1992/ra_7586_1992.html#:~:text=%22National%20Integrated%20Protecte d%20Areas%20System%20%28NIPAS%29%22%20is%20the,their%20natural%20conditions%20to%20the%20great est%20extent%20possible%3B)

(k) *“Protected Area”* - Protected area (PA) refers to identified portions of land and/or water set aside for their unique physical and biological diversity and protected from destructive human exploitation. PAs are categorized as: (a) Natural Park; (b) Natural Monument; (c) National Park; (d) Wildlife Sanctuary; (e) Protected Landscape/Seascape; (f) Resource Reserve; (g) Natural Biotic Area; (h) Marine Reserve; (i) Managed Resource Protected Area; (j) Game Refuge and Bird/Fish Sanctuary; (k) Watershed Forest Reserve; (l) Watershed Reservation; (m) Wilderness Area; (n) Mangrove Swamp Forest Reserve; and (o) Other Categories established by law, conventions or international agreements which the Philippine Government is a signatory;<sup>10</sup>

(l) *“Protected Area Suitability Assessment (PASA)”* – refers to a rapid screening and evaluation of protected areas, to determine their suitability for retention, establishment, or disestablishment as protected areas, the modification of their boundaries, or the inclusion of proposed additional areas in the System;<sup>11</sup>

(m) *“Residential Area/Site”* – refers to the land used as a permanent residence or domicile;

(n) *“Timber Land”* – land covered with forest that is suitable or managed for timber.

### **ARTICLE III** **Land Management and Classification**

**SECTION 5. Land Classification.** – The land comprising Barangay Itbud, with approximate area of six (6) hectares, situated along the National Road, 23 km south of the capital town – Basco is reflected as Project No. 6, Block-B, Timber Land as per Land Classification Map 610 duly approved on August 04, (1926). However, according to Section 2 of R.A. 8991 otherwise known as the Batanes Protected Area Act of 2000, the land coverage within the area of Barangay Itbud is classified as a National Park under the Constitution and to some extent, the conversion of National Park or any portion thereof into Residential Land shall require the conduct of Protected Area Suitability Assessment (PASA) pursuant to RA 7586, as amended by

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<sup>10</sup> Philippine Protected Areas at a Glance/  
[https://legacy.senate.gov.ph/publications/SEPO/AAG%20on%20Protected%20Areas\\_Final%20Sept2021.pdf#:~:text=Protected%20area%20%28PA%29%20refers%20to%20identified%20portions%20of,biological%20diversity%20and%20protected%20from%20destructive%20human%20exploitation.](https://legacy.senate.gov.ph/publications/SEPO/AAG%20on%20Protected%20Areas_Final%20Sept2021.pdf#:~:text=Protected%20area%20%28PA%29%20refers%20to%20identified%20portions%20of,biological%20diversity%20and%20protected%20from%20destructive%20human%20exploitation.)

<sup>11</sup> Technical Guide on Biodiversity Assessment and Monitoring System for Coastal and Marine Ecosystems, BMB Technical Bulletin No. 2019-04, 2019

RA 11038. Moreover, PASA will be the basis if Barangay Itbud should be excluded from the coverage of BPLS under the National Integrated Protected Areas System.

***SECTION 6. Ecological Sustainability.*** - The final use of the herein declared residential land shall not in any way prejudice ecological balance, and the removal of forest products therein shall continue to be subject to forestry laws and regulations.

***SECTION 7. Disestablishment as Protected Area and Declaration as Residential Site.*** – When in the opinion of the DENR a certain protected area should be withdrawn or disestablished, or its boundaries modified as warranted by a study and sanctioned by the majority of the members of the respective committee for the protected area as herein established in Section 8, it shall, in turn, advise Congress. Disestablishment of a protected area under the System or modification of its boundary shall take effect pursuant to an act of Congress. Thereafter, said area shall revert to the category of a National Park unless otherwise classified by Congress: Provided, however, that after disestablishment by Congress, The Secretary may recommend the transfer of such disestablished area to other government agencies to serve other priority programs of national interest.

***SECTION 8. Political Boundaries and Jurisdiction.*** – Within six (6) months following the effectivity of this Act, the DENR shall issue the final land classification maps covering Barangay Itbud and shall also establish the boundary on the ground between permanent forestlands and residential land with concrete minor monuments at corners, major monuments every 1 kilometer, and visible cut lines, signboards and uniformly-spaced distinctive tress between the concrete monuments which shall be maintained at all times.

**ARTICLE IV**  
***Disposition and Administration of Residential Site***

***SECTION 9. Agencies and Program Administration.*** - The scheme of distribution of the land, including the identities of the bona fide and long-term farmers/occupants thereon, shall be prepared by a Committee which shall be composed of the following: the representative of the Department of Environment and Natural Resources as Chairman; the representative of the Agrarian Reform as Vice-Chairman; and the Municipal Mayor of Uyugan and the Head of the homeowner's organization. The scheme of distribution shall include the technical description of each lot pertaining to each of the occupants. Provided, that the distribution shall be as equitable as possible without gross disparities among the awardees.

Conflicts shall be decided by the Committee after due hearing, appealable to the Department Secretary under whose jurisdiction the issue involved falls into. The Secretary's decision or order on appeal may be subject to a petition for review by the Office of the President within fifteen (15) days from promulgation of notice of the decision or order appealed from; Provided, that said petition for review shall be decided within thirty (30) days after receipt thereof, otherwise, the decision or order from shall be deemed ratified and final.

***SECTION 10. Land Distribution.*** - Once the Committee approves the scheme of distribution, the DENR shall undertake the actual distribution of the residential land pursuant to the provisions of Commonwealth Act No. 141, otherwise known as the Public Land Act, or the Residential Free Patent Law (R.A. 10023), whichever is applicable.

**ARTICLE V**  
**Miscellaneous Provisions**

**SECTION 11. Disciplinary and Corrective Proceedings.** - Administrative offenses committed by persons involved in or in relation to the implementation of this Act, shall be subject to administrative penalties in accordance with the applicable rules under the concern agencies or government departments.

**SECTION 12. Implementing Rules and Regulations (IRR).** - Within thirty (30) days following the approval of this Act, the DENR shall be tasked to formulate and approve the necessary rules and regulations, orders, and circulars to implement the objectives and purposes of this Act. The rules and regulations shall include provisions on land distribution and such other matters as the DENR may deem necessary or essential to fully implement the objectives and the purposes of this Act.

**SECTION 13. Repealing Clause.** - All other laws, orders, rules, regulations and other issuances, or parts thereof, which are inconsistent with this Act are hereby repealed, amended, or modified accordingly.

**SECTION 14. Separability Clause.** - If any provision of this Act or the application of such provision to any person or circumstance is declared unconstitutional, it shall not affect the validity of the other provisions thereof.

**SECTION 15. Effectivity Clause.** - This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or in any newspaper of general circulation in the Philippines unless it is otherwise provided.

Approved,

### ***Survey Plan***

Pursuant to *Republic Act 7586, as amended by Republic Act 11038*, requiring the conduct of *Protected Area Suitability Assessment (PASA)*, attached herewith is the *Survey Plan* including *Technical Description of Boundaries* with the area ***One Hundred Twenty-Four Thousand Seven Hundred Seventy-Six (124, 776) sq. m.*** covered by Barangay Itbud, Municipality of Uyugan, Province of Batanes. The survey was done from January 6-7, 2020, and approved on June 25, 2020, by the Engineering Department under the Office of Survey and Mapping Division of DENR-Region 02.

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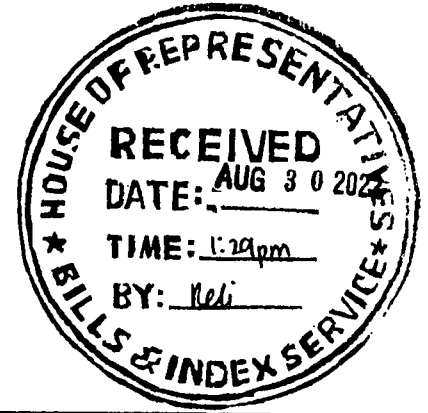
<b>LINE</b>	<b>BEARING</b>	<b>DISTANCE</b>
1-2	S 68 30'W	7.61 m.
2-3	S 44 16'W	13.82 m.
3-4	N 35 05'W	10.99 m.
4-5	N 07 25'W	75.22 m.
5-6	S 88 54'E	9.99 m.
6-7	N 26 51'E	58.50 m.
7-8	N 09 24'W	29.62 m.
8-9	N 38 14'W	23.97 m.
9-10	N 38 14'W	32. 80 m.
10-11	N 23 42'W	38. 32 m.
11-12	N 36 36'W	18.46 m.
12-13	N 28 12'W	49.48 m.
13-14	N 85 40'E	54.61 m.
14-15	S 72 28'E	45.88 m.
15-16	S 82 56'E	16.59 m.
16-17	N 64 17'E	13.43 m.
17-18	S 40 30'E	3.36 m.
18-19	S 19 43'W	31.93 m.
19-20	N 76 35'E	40.42 m.
20-21	S 70 09'E	11.57 m.
21-22	N 03 07'W	96.43 m.
22-23	N 52 44'E	16.58 m.
23-24	DUE EAST	21.92 m.
24-25	S 42 56'E	31.88 m.
25-26	S 73 22'E	56.01 m.
26-27	S 50 20'E	32.10 m.
27-28	S 36 48'W	62.63 m.

28-29	S 00 46'E	30.69 m.
29-30	S 62 08'W	27.56 m.
30-31	S 65 47'E	18.32 m.
31-32	S 58 31'E	31.97 m.
32-33	N 69 35'E	22.32 m.
33-34	S 89 00'E	30.52 m.
34-35	S 81 17'E	26.51 m.
35-36	S 88 32'E	24.50 m.
36-37	N 82 47'E	27.22 m.
37-38	DUE EAST	15.92 m.
38-39	S 87 29'E	15.96 m.
39-40	N 79 02'E	51.68 m.
40-41	N 09 29'E	58.33 m.
41-42	N 34 36'E	43.11 m.
42-43	N 86 11'E	39.51 m.
43-44	N 26 04'E	46.11 m.
44-45	S 81 38'E	26.59 m.
45-46	S 03 56'E	163.76 m.
46-47	S 42 01'E	66.12 m.
47-48	S 86 17'E	26.02 m.
48-49	S 18 32'W	17.01 m.
49-50	S 18 32'W	27.58 m.
50-51	N 82 15'W	71.71 m.
51-52	S 89 19'W	125.61 m.
52-53	S 57 58'W	9.69 m.
53-54	S 59 20'W	81.14 m.
54-55	S 66 22'W	63.31 m.
55-56	S 72 22'W	28.51 m.
56-57	S 88 53'W	40.82 m.

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

NINETEENTH CONGRESS  
First Regular Session

HOUSE BILL NO. 4214



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*Introduced by Rep. Mohamad Khalid Q. Dimaporo*

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### EXPLANATORY NOTE

This bill seeks to disestablish and declassify the Lipatan-Liangan River Mangrove Swamp Forest Reserve (LLRMSFR) as a protected area under the Department of the Environment and Natural Resources.

This legislative measure intends to amend and delete the Lipatan-Liangan River Mangrove Swamp Forest Reserve from the list of Protected Areas under Proclamation No. 2152 Series of 1981 issued by then President Ferdinand E. Marcos, Sr. The aforementioned protected area was not included as an initial component in Republic Act No. 11038 or the Expanded National Integrated Protected Areas System (E-NIPAS) Act of 2018. In the said legislation, only those enumerated protected areas are to be declared the initial components of the E-NIPAS, and the remaining areas shall, within three (3) years from the effectivity of the E-NIPAS Act, be established as protected areas through an act of Congress. With the absence of any legislation from Congress, the LLRMSFR being a protected area precluded from the initial components of the E-NIPAS, should then be delisted as a protected area under the DENR.

In view of the foregoing premises, the prompt approval of this measure is earnestly sought and recommended.



**MOHAMAD KHALID Q. DIMAPORO**  
*1<sup>st</sup> District, Lanao del Norte*



Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**NINETEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 4214**

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*Introduced by Rep. Mohamad Khalid Q. Dimaporo*

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**AN ACT**  
**DISESTABLISHING THE LIPATAN-LIANGAN RIVER MANGROVE SWAMP**  
**FOREST RESERVE AS A PROTECTED AREA, AMENDING FOR THIS PURPOSE**  
**PROCLAMATION NO. 2152 SERIES OF 1981**

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

**SECTION 1.** Paragraph Two of Proclamation No. 2152 Series of 1981 is hereby amended to read as follows:

"The entire province of Palawan; from Palsabangan River up to Mazintuto River at long. 121° 42'44" to 121° 44'16" and Lat. 13° 58'10" to 13° 59'19" Bacong River up to Sandoval Point at Long. 122° 11'43" and Lat. 13° 37'48" Long. 122° 17'05" and Lat. 13° 34'26", Long. 122° 17'40" and Lat. 13° 36'28", from Pala Point up to Mulanay River, Bondoc Peninsula at Long. 122° 19'36" and Lat. 13° 34'00", Long. 122° 19'41" and Lat. 13° 33'36" Long. 122° 21'57" and Lat. 13° 33'30" Long. 122° 23'50" and Lat. 13° 31'10", from Bondoc River in Aurora up to Pinamutangan Point, Bondoc Peninsula at Long. 122° 30'00" and Lat 13° 14'25", Long. 122° 31'50" and Lat. 13° 20'58", from San Andres to Arena Point, Bondoc Peninsula at Long. 123° 46'6" to Lat 13° 15'6" and Long. 122° 41'00" to Lat. 13° 13'5" all located at Tayabas Bay in the province of Quezon; the Islands of Polillo, Alabat, Cabalete, Jomalig, Patnanonga, Kalotkot, Kalongkooan, Palasan, Calabao, Icol and San Rafael all located at Lamon Bay in the province of Quezon; the Mangrove areas from Del Pilar River to Palita Island, Bo. Salvacion and Dahican at Long. 122° 23'25" and Lat. 14° 16'08" located in the province of Camarines Norte; from Tanglar Point up to Bicol River at Long. 123° 14'24" to Lat. 13° 44'42" and Long. 123° 07'12" to Lat. 13° 44'00", mangroves along the banks of Looc River at Long. 123° 18'57" and Lat. 113° 54'25", Long. 123° 21'10" and Lat. 13° 59'00", mangrove areas of Port Tambang including banks of Tambang River and Olas River, the area at Long. 123° 24'40" and Lat. 13° 54'00", Long. 127° 27'56" and Lat. 13° 57'28", the mangroves in Bo. Gibgos and Tabaon, the area at Long. 123° 45'00" and Lat. 13° 50'00", Long. 123° 45'11" and Lat. 13° 50'00", Long. 123° 46'00" Lat. 13° 50'00", Long. 123° 47'00" and Lat. 13° 51'50", Long. 123° 47'10" and Lat. 13° 52'10", Long. 123° 47'20" and Lat. 13° 51'48", Long. 123° 48'00" and Lat. 13° 53'40" Long. 123° 48'20" and Lat. 13° 53'39", the mangroves along the banks of Salog River at Long. 123° 42'50" and Lat. 13° 52'00", Long. 123° 41'30" and Lat. 13° 54'09", all mangrove areas along the banks of Delchi River

Buang Creek, and Parasan River in Sinuran and Sapnitan Bay Long. 123° 15'00" and Lat. 14° 00'00", Long. 123° 17'30" and Lat. 14° 03'30", mangroves along the banks of Sagnay River at Long. 123° 31'20" and Lat. 13° 35'48", Long. 123° 31'25" and Lat. 13° 36'20", Quinabucsan Point to San Vicente Bay at Long. 123° 19'39" and Lat. 14° 00'00", Long. 123° 22'00" and Lat. 14° 05'00", from Northern Bank of Caima River up to Bo. Binahian at Long. 122° 52'10" and Lat. 13° 40'26", Long. 122° 52'35" and Lat. 13° 40'57", Long. 122° 51'19" and Lat. 13° 40'57" and 122° 51'17" and Lat. 13° 42'10", from Cagraray Pass to Gimbal Point in Cagraray Island at Long. 123° 52'41" and Lat. 13° 20'40" and 13° 17'50" and the Islands of Lahay Lucsuhin, Haponan, Quinabungan, Malabungot, Lanit and Batan all in the province of Camarines Sur; from Pigbucan to Paron Point in the municipality of Manito at Long. 123° 50'57" to 123° 54'08" and Lat. 13° 06'11", located in the province of Albay; from Putiao River to Malbog River at Long. 123° 40'33" and Lat. 12° 55', Long 123° 41'30" and Lat. 12° 58'40", Long. 123° 45' and Lat. 13° 00', from Getumbro Point up to the Municipality of Sorsogon at Long. 123° 55'30" to 124° 00' and Lat. 12° 57'12" to 12° 59'12", from Malazimbo Point to Municipality of Juban in Sorsogon Bay at Long. 123° 55'28" and Lat. 12° 50'35", Long. 124° 00' and Lat. 12° 53'24", mangroves along the banks of Dansel River at Long. 123° 35'07" and Lat. 12° 54'29", Long. 123° 35'50" and Lat. 12° 55'12", from Papucha Point in Sugot Bay up to Bo. Quidolog, Prieto Diaz boundaries divided into 2 quadrants: (a) Sta. Lucia to Buenavista at Long. 124° 03'39" to 124° 06'15" and Lat. 12° 59'33" to 13° 02'39" (b) Buenavista to Dingay Point at Long. 124° 04'10" to 124° 12'35" and Lat. 13° 02'39" to 13° 04'47", from Panuntignan Point in Gubat up to Tagdon River in Barcelona at Long. 124° 05'40" to 124° 09'07" and Lat. 12° 55'24" to 12° 57'10" and from Sinagatan Bay to Mantay Point in Ginablan at Long. 124° 44" to 124° 6'21" and Lat. 12° 31'58" to 12° 34'39" all located in the province of Sorsogon, the Islands of Sta. Cruz and Salomaque, the foreshoreline of Bo. Dapdap and Alabo up to the mouth of Tagum River at Long. 122° 04'12" and Lat. 13° 27'45", Long. 122° 04'27" and Lat. 13° 28'25", Long. 122° 07'01" and Lat. 13° 29'01", Malinao Creek up to Salomaque Point at Long. 122° 06'42" and Lat. 13° 23'12", Long. 122° 08'42" and Lat. 13° 22'18" and the foreshoreline of Bo. Cabuyagan to the eastern side of Dating Bayan River in Calancan Bay at Long. 121° 58'20" to 122° 03'00" and Lat. 13° 30'28" all located in the province of Marinduque; from Malaquing River up to Mabung River at Long. 123° 8'28" to 123° 11'52" and Lat. 12° 54'23" to 13° 00', from Cueva Point up to Kimartines Point at Long. 122° 55'35" to 122° 57'46" and Lat. 13° 4'25" to 13° 7'19", and from Kabugao Point up to Kabalong Andang Point at Long. 123° 8'53" to 123° 12'17" and Lat. 12° 53'44" to 13° 01'19" all located in Burias Island; Basin Island near Burias Island; Sibuyan Island; from Panciscan Point in Bitos Bay up to Bano Sanlay at Long. 123° 48' to 123° 46'43" and Lat. 12° 21'25" to 12° 23'30", from Panicijan River in Butuan Bay at Long. 123° 45'28" to 123° 46'43" and Lat. 12° 24'30" to 12° 25'19", mangroves along the banks of Sta. Rosa River in San Jacinto town at Long. 123° 41'91" to 123° 43'14" and Lat. 12° 34'6" to 12° 35', mangroves between Bo. Tamosa and Bagasico at Long. 123° 40' to 123° 41'51" and Lat. 12° 37'53" to 12° 38'39", from Magdangay Point up to Taguictic Point at Long. 123° 18'29" to 123° 20' and Lat. 12° 28'21" to 12° 25'16", from Bo. Magdangay to Malobago, Port Barrera at Long. 123° 20' to 123° 21'51" and Lat. 12° 28'21" to 12° 33'30", from Guinobatan River up to Bariis at Long. 123° 21'51" to 123° 23'13" and

Lat. 12° 28'39" to 12° 31'8", from Bayuar Cove to Tinago Cove at Long. 123° 24'11" to 123° 25'19" and Lat. 12° 31'6" to 12° 31'30", mangroves along the banks of Balono River at Long. 123° 29'3" to 123° 29'39" and Lat. 12° 27'34" to 12° 24'23", mangroves along the banks of Pasil River, Magdalena at Long. 123° 31'44" to 123° 32'32" and Lat. 12° 26'29" to 12° 27'30", mangroves in Toos Cove in Mandaon at Long. 123° 12'58" to 123° 15'19", and Lat. 12° 13'53" to 12° 15'32" Bagupantao Point to Amutag Point at Long. 123° 15'34" to 123° 17'58" and Lat 12° 22'24" to 12° 27'52", mangroves along the banks of Daraga River, mangrove areas from Diutag River to Lomocab River at Long. 124° 13'31" to 124° 15'16" and Lat. 11° 57'18" to 11° 54'59" and the Island of Caroga all located in the province of Masbate; mangrove areas along the banks of Mamburao River at Long. 120° 35' to 120° 36'14" and Lat. 13° 13'32" to 13° 14'29", Buluagan River to Lagarum River, Naujan at Long. 121° 17'42" to 121° 20'17" and Lat. 13° 17'8" to 13° 20', mangrove areas in the banks of Batel Creek, Sta. Cruz at Long. 120° 42'35" to 120° 44'5" and Lat. 13° 4'14" to 13° 6'29", Sablayan Point up to the mouth of Bagong Sabang River at Long. 120° 45'31" to 120° 46'0" and Lat. 12° 44'38" to 12° 50'34" Bo. Labangan to Calalayuan Point, Ilin Island of Long. 121° 2'42" to 121° 4'32" and Lat. 12° 18'14" to 12° 17'19", mangroves at the western side of Sucol River in Bongabong at Long. 121° 28'21" to 121° 29'26" and Lat. 12° 45'00" to 12° 42'20", mangroves at the western side of Casiliga River and Island of Soguicay all located in the province of Mindoro; mangrove areas along the coastline of Dupon River at Long. 124° 24'20" and Lat. 10° 54'42", Long. 124° 26'02" and Lat. 10° 54'42", Long. 124° 24'20" and Lat. 10° 57'21", Long. 124° 26'02" and Lat. 10° 57'21", from Apali Point to Calunangan Point at Long. 124° 28'24" to 124° 30'54" and Lat. 10° 52'12" to 10° 52'24", Puerto Bello to Lao at Long. 124° 31'20" and Lat. 10° 58'36" to Long. 124° 33'48" and Lat. 11° 1'30", mangrove areas from Bo. Tuban and Bo. Manpagui in Santa Cruz at Long. 124° 47' to 124° 48'42" and Lat. 11° 21'47" to Lat. 11° 23'36" all in the province of Leyte; the islands of Ponson, Poro and Pacihan located at Camote Sea all in the province Cebu; the Islands of Pamasuan, Handayan, and Majanay, the islets of Banoon and Lapinig Chico and mangrove areas east of Soom River to Pampang at Long. 124° 25'84" and Lat. 10° 05'33" to Lat. 106° 39' all located at Camotes Sea in the Province of Bohol; the Islands of Ambugan, Pangangan, Cabilao and Sandingan, the Islet of Batas, mangrove areas east of Inabanga River to Bo. Pampang at Long. 124° 07'00" and Lat. 10° 2'2" to 10° 36'00" all located at Cebu Strait all in the province of Bohol; mangrove areas from Agio Point up to the municipality of Cambuyao, mangrove areas from Bo. Biabas to Bo. Ondol including Bo. Condray, and Juagdan except the Island of Tintiman which is a mangrove Wilderness Area, at Long. 124° 32'58" to 124° 36' and Lat. 9° 56'48" to 9° 59'18", and the area from Basiao Point up to Kasag Point, at Lapinig at Long. 124°33' and Lat. 10° 03'24" to Long 124° 36'18" and Lat. 10° 05'24" Island all located at Mindanao Sea all in the Province of Bohol; the Island of Panglao and the mangrove areas from the west of Loboc River to the municipality of Laya which is at Long. 123° 56'9" and Lat. 9° 40'40" located at Mindanao Sea all in the province of Bohol; ~~mangrove areas from Liangan River up to Lipatan River of the municipality of Lapayan in the province of Lanao del Norte~~, the area from Bo. Bagumbang to Malautan River of Ozamis City at Long. 123° 39'41" to 123° 49'19" and Lat. 8° 01'53" to 8° 8'14" in the province of Misamis Occidental; mangrove areas from Baculin Point to Lakud Point at Long. 126° 34'12" and

Lat. 7° 26'43" to 7° 34'30", mangrove areas from Tanguip Point in Banao to Kinablangan Island of Long. 126° 32'16" to 126° 34'49" and Lat. 7° 41'49" to 7° 43'50" and the Island of Samal all in the province of Davao del Norte; the Islands of Siargao, Bucas Grande, Middle Bucos and East Bucas all located at Dinagat Sound in the province of Surigao del Norte, the Island of Dinagat, Hikdop, Sibale, Hanigad all located at Surigao Strait all in the province of Surigao del Norte; the mangrove areas along the municipalities of Lavigan and Valencia up to the Taon River of the municipality of Barcelona at Long. 126° 25'24" to 126° 30' and Lat. 8° 10' to 8° 15" and the Islands of Masopelid, Mahaba, Condon, Bayagnan, Bilabid and Caye all in the province of Surigao del Sur; the mangrove areas in Tumalong Bay, Baong River and Pongao Bay, the mangrove areas from Malubog Point up to the municipality of Sambalawan including the Island of Pisan, at Long 123° 21'36" to 123° 28'8" and Lat. 7° 33'10" to 7° 38'10" and the Islands of Sagayapan, Tintauan and Sacol, all in the province of Zamboanga del Sur, the mangrove areas from the municipality of Tagasilay to the mouth of Tigbao River including east of the Island of Vitali at Long. 122° 16'00" and Lat. 7° 25'00", Long. 122° 22'00" and Lat. 7° 18'00" located at Sibugay Bay all in the province of Zamboanga del Sur."

**SECTION 2.** The Secretary of the Department of the Environment and Natural Resources shall issue such guidelines, orders or rules and regulations as may be necessary for the implementation of the provisions and purposes of this Act.

**SECTION 3. Separability Clause.** - If any section or provision of this Act is declared unconstitutional, the other section or provision not so declared shall continue to be in full force and effect.

**SECTION 4. Repealing Clause.** - All laws, decrees, orders, rules and regulations and other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

**SECTION 5. Effectivity.** - This Act shall take effect fifteen (15) days following its complete publication in the Official Gazette and in at least two (2) national newspapers of general circulation, and one (1) local newspaper of general circulation in the autonomous region.

*Approved,*

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City



**19TH CONGRESS**  
First Regular Session

HOUSE BILL NO. 823

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**Introduced by Honorable Michael L. Romero**

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**EXPLANATORY NOTE**

The 1987 Philippine Constitution specifically Section 16, Article II, laid down the framework for the protection and advancement/promotion of the people's right to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

The right to a clean environment is recognized as a human right in the Philippines, it being a duty imposed upon the State and responsibility required of individuals.

The State shall instill environment consciousness among our people to effectively carry out the different environmental programs and projects of the government essential for the protection, preservation and revival of the quality of the environment and natural resources of the country.

This House Bill aims: (a) to promote and improve the health, physical safety, social and economic well-being of the environment and natural resources personnel, their living and working conditions, security and terms of employment; (b) to develop their skills and capabilities in order that they will be more responsive and better equipped to deliver environmental management functions and sustainable development of natural resources in the attainment of projects and programs; and (c) to encourage those with proper qualifications and excellent abilities to join, contribute their expertise and remain in government service and in the country.

The Environment and Natural Resources (ENR) Personnel includes but is

not limited to the personnel of the DENR, its Bureaus, Regional Offices, and attached Agencies, environmental units in the other government agencies; the ecological solid waste management and climate change adaptation and disaster risk management departments of the local government units; and units of other government agencies that are involved in environmental management, pollution prevention and rehabilitation works.

This includes the forest rangers and park rangers that look after our forest and protected areas. A forest ranger guards or has jurisdiction over a very large forest area, around 5,000-10,000 hectares. However, his salary, is not as large as the area he is protecting.

Passage of this Bill is earnestly sought to encourage those with proper qualifications and excellent abilities to remain in government service and in the country to work together for a clean and healthy environment.

A handwritten signature in black ink, appearing to read 'Michael L. Romero', with a long horizontal flourish extending to the right.

**MICHAEL L. ROMERO, Ph.D.**

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**19TH CONGRESS**  
First Regular Session

HOUSE BILL NO. 823

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**Introduced by Honorable Michael L. Romero**

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**AN ACT**

**PROVIDING FOR THE MAGNA CARTA FOR ENVIRONMENT AND  
NATURAL RESOURCES PERSONNEL**

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

1 **Chapter I. General Provisions**

2 **Sec. 1. Title.** This Act shall be known as the "**Magna Carta for Environment**  
3 **and Natural Resources Personnel.**"

4 **Sec. 2. Declaration of Policy and Objective.** The State shall instill environment  
5 consciousness among our people to effectively carry out the different  
6 environmental programs and projects of the government essential for the  
7 protection, preservation and revival of the quality of the environment and  
8 natural resources of the country.

9 Towards this end, this Act aims: (a) to promote and improve the health,  
10 physical safety, social and economic well-being of the environment and natural  
11 resources personnel, their living and working conditions, security and terms  
12 of employment; (b) to develop their skills and capabilities in order that they will be  
13 more responsive and better equipped to deliver environmental management  
14 functions and sustainable development of natural resources in the attainment  
15 of projects and programs; and (c) to encourage those with proper qualifications  
16 and excellent abilities to join, contribute their expertise and remain in  
17 government service and in the country.

1 **Chapter II. Definition and Coverage**

2 **Sec. 3. Definition.** For purposes of this Act,

3 **“Department”** shall mean the Department of Environment and Natural  
4 Resources.

5  
6 **“Environment and Natural Resources Personnel or ENR Personnel”** shall  
7 mean:

- 8 1. all persons who are engaged in the protection of the environment,  
9 environmental management, and environment-related work;
- 10 2. all persons employed as environment and natural resources officers and  
11 personnel in the environmental and ecological solid waste management  
12 and climate change adaptation and disaster risk management units in  
13 all local government units, and administrative and support personnel  
14 employed regardless of their employment status;
- 15 3. all persons employed in the environmental units of the national and  
16 regional government agencies and companies owned and operated by the  
17 Government or its political subdivisions and shall include, but is not  
18 limited to engineers, environmental management specialists, science  
19 research specialists, ecosystems management specialists, foresters,  
20 forest and park rangers, marine environmental protection officers and  
21 personnel, and administrative and support personnel employed  
22 regardless of their employment status; and
- 23 4. all persons employed in the environmental unit of private  
24 corporations/enterprises including, but not limited to, pollution control  
25 officers (PCOs) regardless of their employment status; and
- 26 5. all persons (officials and personnel) employed with the Department, its  
27 Bureaus, Regional Offices and attached Agencies, regardless of employment  
28 status, including but not limited, to permanent, temporary, contractual,  
29 contract of service/procurement service/Object 29 employment status.

30 **Sec. 4. Coverage.** This Act shall cover all environment and natural resources  
31 personnel employed in the government service and private sector regardless of their  
32 employment status.

33 **Chapter III. Recruitment, Qualification and Promotion**

34 **Sec. 5. Recruitment and Qualification.** Recruitment policy and minimum  
35 requirements with respect to the selection and appointment of an environment  
36 and natural resources personnel shall be developed and implemented by the



1 appropriate government agencies concerned in accordance with policies and  
2 standards of the Civil Service Commission: Provided, That in the absence of  
3 appropriate eligible and it becomes necessary in the public interest to fill a  
4 vacancy, a temporary appointment shall be issued to the person who meets all  
5 the requirements for the position to which he/she is being appointed except  
6 the appropriate civil service eligibility: Provided, further, That such temporary  
7 appointment shall not exceed twelve (12) months nor be less than three (3)  
8 months renewable thereafter but that the appointee may be replaced sooner if  
9 (a) qualified civil service eligible becomes available, or (b) the appointee is found  
10 wanting in performance or conduct befitting a government employee.

11 **Sec. 6. Merit Promotion and Career System.** The Secretary of Environment  
12 and Natural Resources, upon consultation with the proper government  
13 agencies concerned and the Environment and Natural Resources workers'  
14 organization, shall prepare a uniform career and personnel development plan  
15 applicable to all environment and natural resources personnel. Such  
16 career and personnel development plan shall include, but is not limited to,  
17 provisions on merit promotion, performance evaluation, in-service training  
18 grants, education / training / schooling or advance studies (graduate school),  
19 opportunity for or to complete undergraduate studies, job rotation, suggestions  
20 and incentive award system.

21 The performance evaluation plan shall consider foremost the improvement  
22 of individual employee efficiency and organizational effectiveness: Provided, That  
23 each employee shall be informed regularly by his/her supervisor of his/her  
24 performance evaluation.

25 The merit promotion plan shall be in consonance with the rules of the Civil  
26 Service Commission.

27 **Sec. 7. Code of Conduct.** Within six (6) months from the approval of this Act,  
28 the Secretary of Environment and Natural Resources, upon consultation with  
29 other appropriate agencies, professional and environment and natural resources  
30 worker's organization, shall formulate and prepare a Code of Conduct for ENR  
31 personnel, which shall be disseminated as widely as possible.

#### 32 **Chapter IV. Rights and Benefits of ENR Personnel**

33 **Sec. 8. Normal Hours of Work.** The normal hours of work of any environment

1 and natural resources personnel shall not exceed eight (8) hours a day or forty  
2 (40) hours a week.

3 Hours worked shall include:

4 a) the time during which an environment and natural resources personnel is  
5 required to be on active duty or to be at a prescribed workplace; and

6 b) the time during which an environment and natural resources personnel is  
7 permitted to work.

8 c) the time during which an environment and natural resources personnel is  
9 required in a place other than the prescribed workplace.

10 Provided, That, the time when an environment and natural resources worker is  
11 placed on "On Call" status shall not be considered as hours worked but shall  
12 entitle the environment and natural resources worker to an "On Call" pay  
13 equivalent to fifty percent (50%) of his/her regular wage. "On Call" status refers  
14 to a condition when environment and natural resources workers are called upon  
15 to respond to urgent or immediate need for pollution incidences during  
16 emergencies such that he/she cannot devote the time for his/her own use.

17 An environment and natural resources personnel can also teach or practice their  
18 profession after office hours.

19 **Sec. 9. Overtime Work.** Where the exigencies of the service so require, any  
20 environment and natural resources personnel may be required to render  
21 service beyond the normal eight (8) hours a day, inclusive of Saturdays, Sundays  
22 or nonworking holidays. In such a case, the environment and natural resources  
23 personnel shall be paid an additional compensation in accordance with  
24 existing laws and prevailing practices

25 **Sec. 10. Work During Rest Day.** a) Where an environment and natural  
26 resources personnel is made to work on his/her scheduled rest day, he/she  
27 shall be paid an additional compensation in accordance with existing laws.

28 b) Where an environment and natural resources personnel is made to work on  
29 any special holiday he/she shall be paid an additional compensation in  
30 accordance with existing laws. Where such holiday work falls on the personnel's  
31 scheduled rest day, he/she shall be entitled to an additional compensation as  
32 may be provided by existing laws.

1 **Sec. 11. Compensation.** The existing laws on the salary scale of government  
2 employees shall apply in determining the salaries of environment and natural  
3 resources personnel. In case of violations of this provision, the ENR personnel  
4 concerned shall file the necessary complaint to the Civil Service Commission  
5 (CSC) or NLRC through the ENR Management and Consultative Council.

6 **Sec. 12. Leave Benefits for ENR personnel.** Environment and natural  
7 resources personnel are entitled to all leave benefits and privilege such as but  
8 not limited to maternity, paternity, sick leave and vacation leaves, as provided  
9 for under existing laws: Provided, That upon separation of ENR personnel from  
10 service, they shall be entitled to all accumulated leave credits with pay.

11 **Sec. 13. Other Benefits.** Aside from the benefits received as required under  
12 existing laws and executive orders, an environment and natural resources  
13 personnel shall receive the following allowances:

14 **1. Honorarium.** ENR personnel who rendered services beyond the established  
15 irregular workload of ENR personnel whose broad and superior  
16 knowledge, expertise or professional standing in a specific field contributes  
17 to productivity and innovativeness shall be entitled to receive honorarium  
18 subject to rules to be set by the Department.

19 **2. Hazard Allowance.** ENR personnel involved in hazardous undertakings such  
20 as, but not limited to conduct of field inspections and air/water/chemical  
21 and hazardous waste monitoring and sampling, forest ranger work and  
22 assigned in the following units, but not limited to: environmental impact  
23 assessment division, environmental quality division, compliance and permitting  
24 division, environmental monitoring and enforcement division, mine safety  
25 environment and social development division, environment health and safety  
26 division, pollution control divisions, conservation and development division,  
27 environmental protection units, and environmental research and laboratory  
28 services divisions and other environment and natural resources offices/field  
29 offices located in difficult areas which expose them to great danger, contagion,  
30 radiation, volcanic activity/eruption, occupational risks or threats to life,  
31 shall be compensated with hazard allowances equivalent to at least twenty-  
32 five percent (25%) of the monthly basic salary.

33 **3. Subsistence Allowance/Transportation Allowance.** ENR personnel  
34 who are required to render service in forest/watershed areas, pollution  
35 incident sites and other areas, in order, to make their services available at  
36 all times, shall be entitled to daily full subsistence allowance for three (3)

1 meals which shall be computed in accordance with prevailing  
2 circumstances. Those assigned out of their regular work stations shall be  
3 entitled per diem in place of this allowance. Actual transportation allowance  
4 shall also be provided to environment and natural resources personnel on  
5 field work.

6 **4. Clothing and Laundry Allowance.** All ENR personnel shall be entitled to a  
7 minimum of Six thousand pesos (Php 6,000.00) clothing allowance annually,  
8 which amount shall be adjusted annually as needed.

9 In addition to the above, all environment and natural resources personnel  
10 who are required to wear uniforms regularly shall be entitled to a minimum  
11 of One thousand pesos (Php1,000.00) per month laundry allowance.  
12 Provided further, that these rates shall be reviewed periodically and  
13 increased accordingly as needed.

14 **5. Housing and Living Quarters Allowance.** All environment and natural  
15 resources personnel and officials, including, but not limited to Directors and  
16 Regional Directors, who are transferred to another assignment due to the  
17 exigency of the service shall be entitled to free housing within the agency  
18 concerned: Provided, that if living quarters are not available within the agency  
19 and the personnel has his/her residence outside of fifty (50) kilometer  
20 radius from such government facility, he/she shall receive a housing  
21 allowance of not less than Ten thousand pesos (Php 10,000.00), and: Provided  
22 further, that the rate of such housing allowance shall be periodically adjusted  
23 for inflation.

24 For purposes of this Section, the Department of Environment and Natural  
25 Resources is authorized to develop housing projects in its own lands, not  
26 otherwise devoted for other uses, for ENR personnel in coordination with  
27 appropriate government agencies.

28 **6. Longevity Pay.** A monthly longevity pay equivalent to the ten percent (10%)  
29 of the monthly basic pay shall be paid to an ENR personnel for the first five  
30 (5) years of continuous, efficient and meritorious services rendered as  
31 certified by the chief of office concerned, commencing with the service after  
32 the approval of this Act.

33 Further, for every succeeding years of continuous, efficient and meritorious  
34 services, the monthly longevity pay equivalent shall be as follows: ten (10)

1 years – fifteen percent (15%) of monthly basic pay; fifteen (15) years –  
2 twenty percent (20%) of monthly basic pay; twenty (20) years – twenty-five  
3 percent (25%) of monthly basic pay; twenty-five (25) years – thirty percent  
4 (30%) of monthly basic pay; thirty (30) years – thirty-five percent (35%) of  
5 monthly basic pay; thirty-five (35) years – forty percent (40%) of monthly  
6 basic pay; forty (40) years – forty-five percent (45%) of monthly basic pay;  
7 forty-five (45) years – fifty percent (50%) of monthly basic pay. Said amount  
8 shall be paid over and above the monthly salary of the ENR personnel.

9 **7. Remote Assignment Allowance.** ENR personnel who accept assignments  
10 as such in remote areas or isolated stations, which for reasons of far distance  
11 or hard accessibility, such positions had not been filled for the last two (2)  
12 years prior to the approval of this Act, shall be entitled to an incentive bonus  
13 in the form of remote assignment allowance equivalent to fifty percent (50%)  
14 of their basic pay, and shall be entitled to reimbursement of the cost of  
15 reasonable transportation to and from such remote post or station, upon  
16 assuming or leaving such position and during official trips.

17 In addition to the above, such ENR personnel mentioned in the preceding  
18 paragraph shall be given priority in promotion or assignment to better areas.  
19 Their tour of duties in the remote areas shall not exceed two (2) years, except  
20 when there are no positions for their transfer or they prefer to stay in such  
21 posts in excess of two (2) years.

22 **8. Personal Protective Equipment.** ENR personnel which regularly conduct  
23 field inspection, monitoring and sampling shall be provided by their  
24 respective offices with the proper personal protective equipment's (PPEs) in  
25 accordance with existing laws on occupational health and safety.

26 **9. Medical Examination and Immunization.** During the tenure of their  
27 employment, ENR personnel shall be given a compulsory medical  
28 examination once a year and immunization as the case may warrant. The  
29 medical examination shall include, but not be limited to:

- 30 a. Complete physical examination;
- 31 b. Routine laboratory, chest x-ray and ECG;
- 32 c. Psychometric examination;
- 33 d. Dental examination; and
- 34 e. Other indicative examination.

35 Provided, that where medical examination shows that medical treatment

1 and/or hospitalization is necessary for those already in government service,  
2 the treatment and/or hospitalization including medicines shall be provided  
3 free either in a government or a private hospital by the government entity  
4 paying the salary of the ENR personnel especially in occupational-health  
5 related illness. Provided, further, that the cost of such medical examination  
6 and treatment shall be included as automatic appropriation in said  
7 agency's annual budget.

8 **10. Medical Examination and Immunization for the Dependents of ENR**  
9 **Personnel.** During the tenure of their employment, dependents of ENR  
10 personnel shall be given a compulsory medical examination once a year and  
11 immunization as the case may warrant. The medical examination shall  
12 include, but not be limited to:

- 13 a. Complete physical examination;
- 14 b. Routine laboratory, chest x-ray and ECG;
- 15 c. Psychometric examination;
- 16 d. Dental examination; and
- 17 e. Other indicative examination.

18 Provided, that the cost of such medical examination and immunization  
19 shall be included as automatic appropriation in said agency's annual  
20 budget.

21 **Sec. 14. Compensation for Injuries/Illnesses/Death.** ENR personnel shall  
22 be protected against the consequences of employment  
23 injuries/occupational-related illnesses/death in accordance with existing  
24 laws. Injuries incurred while doing overtime work shall be presumed work-  
25 connected.

26 **Sec. 15. Non-DENR ENR Personnel.** ENR Personnel not employed by the  
27 Department, who are involved in environmental management and environment  
28 and natural resources protection functions, and regardless of their employment  
29 status may avail of the benefits of this Act, chargeable against their respective  
30 agencies/local government units/offices/private corporations, upon  
31 certification of the Secretary of the Department.

32 **Sec. 16. Honorarium for other services.** ENR personnel shall be allowed to  
33 render consultancy services to the private sector and shall be entitled to receive  
34 such honorarium that may be paid to them by the private entity concerned. Such  
35 payments shall be over and above their salary from the government during the

1 period of the consultancy and skill not be considered as double compensation:  
2 *Provided*, That the consultancy work will not jeopardize or adversely affect the  
3 operations or activities of his originating office: *Provided, further*, That the  
4 Secretary of the Department approves such consultancy.

5 **Sec. 17. Exemption from the Attrition Law and Civil Service Rule on**  
6 **nepotism.** — Appointment of ENR personnel to positions of research assistant  
7 and upwards shall not be covered by the Attrition Law and CSC rule on nepotism  
8 in consideration of the highly technical nature of these positions.

9 **Sec. 18. Rights of an ENR Personnel.** ENR personnel shall have the following  
10 rights:

- 11 1. Protection from discrimination by reason of sex, sexual orientation, age,  
12 political or religious beliefs, civil status, physical characteristics/disability  
13 or ethnicity;
- 14 2. Protection from any form of interference, intimidation, harassment or  
15 punishment to include, but not limited to, arbitrary reassignment or  
16 termination of service, in the performance of his/her duties and  
17 responsibilities.
- 18 3. Join, organize, or assist organizations or unions for lawful purposes;
- 19 4. Protection from any act that will prevent his/her applying  
20 professional interventions that the clients' situation may require; and
- 21 5. Opportunities for continuing professional growth and development.

22 **Sec. 19. Reassignment of ENR Personnel.**

- 23 a. a transfer is a movement from one position to another which is of  
24 equivalent rank, level or salary without break in service;
- 25 b. a geographical reassignment, hereinafter referred to as "reassignment,"  
26 is a movement from one geographical location to another; and
- 27 c. Except in the interest of public service, no transfer or geographical  
28 reassignment shall be made or effected without written notice to an  
29 environment and natural resources personnel: *Provided*, That said written  
30 notice, stating the reasons for the reassignment, shall be made at least thirty  
31 (30) days prior to the date of transfer or reassignment: *Provided, further*,  
32 That, if the environment and natural resources personnel believes that  
33 there is no justification for the transfer and/or reassignment, he/she may  
34 appeal his/her case to the CSC, which shall cause his/her transfer and/or

1 reassignment to be held in abeyance: Provided, furthermore, That  
2 reassignment coinciding with any local or national election shall be  
3 made in compliance with Election Code and other existing laws and rules:  
4 Provided, finally, That the necessary expenses of the transfer and/or  
5 reassignment of the environment and natural resources personnel and  
6 his/her immediate family shall be paid for by the agency concerned.

7 **Sec. 20. Married ENR Personnel.** Whenever possible, the proper authorities  
8 shall take steps to enable married couples, both of whom are ENR personnel,  
9 to be employed or assigned in the same office, but not in the same unit. Provided,  
10 that it shall not apply to married ENR personnel already assigned in the same  
11 office at the time that this Act takes effect.

12 **Sec. 21. Freedom from Interference or Coercion.** It shall be unlawful for  
13 any person to commit any of the following acts of interference or coercion:

14 a. to require as a condition of employment that an ENR personnel shall not  
15 join an ENR workers' organization or union or shall relinquish  
16 membership therein;

17 b. to discriminate in regard to hiring or tenure of employment or any item or  
18 condition of employment in order to encourage or discourage membership  
19 in any ENR workers' organization or union;

20 c. to prevent an ENR personnel from carrying out duties laid upon  
21 him/her by his/her position in the organization or union, or to  
22 penalize him/her for the action undertaken in such capacity;

23 d. to harass or interfere with the discharge of the functions of the ENR  
24 personnel when these are calculated to intimidate or to prevent the  
25 performance of his/her duties and responsibilities; and

26 e. to otherwise interfere in the establishment, functioning, or administration  
27 of ENR workers' organizations or unions through acts designed to place  
28 such organization or union under the control of government authority.

29 **Sec. 22. Freedom from Discrimination.** It shall be unlawful for any person  
30 or employer to discriminate against ENR personnel who falls under any of the  
31 following:

32 a. ENR Personnel that are Solo Parents;



- 1 b. ENR Personnel that are Benefactors of Senior Citizens. Benefactor shall  
2 mean any person related to a Senior Citizen or not who takes care of  
3 him/her as a dependent;
- 4 c. ENR Personnel that are Person with Disabilities (PWD); and
- 5 d. ENR Personnel that are Benefactors or Parents of a Person with  
6 Disabilities (PWD) or Person with Special Needs or Person with  
7 Developmental Disorders;

## 8 **Chapter V. Periodic Review Clause**

9 **Sec. 23. Human Resource Development.** The Department shall conduct a  
10 periodic human resource development/management study into, among others,  
11 the following areas:

- 12 a) Adequacy of facilities and resources to render quality environment and  
13 natural resources management functions;
- 14 b) Opportunities for ENR personnel to grow professionally and develop their  
15 potentials and experience a sense of worth and dignity in their work;
- 16 c) Mechanism for democratic consultations;
- 17 d) Ways and means of enabling the rank-and-file workers to avail of  
18 educational opportunities for personal growth and development;
- 19 e) Upgrading of working conditions, reclassification of positions and salaries  
20 of ENR personnel, regardless of employment status to correct disparity vis-  
21 a-vis other professions; and
- 22 f) Allocation of funds for the participation of ENR personnel in seminars,  
23 conferences, conventions, physical fitness and sports development  
24 program/activities and similar activities as part of their continuing  
25 professional growth.

## 26 **Chapter VI. Security of Tenure and Retirement**

27 **Sec. 24. Security of Tenure.** — No ENR personnel holding a permanent  
28 position shall be terminated except for cause: Provided, That, in the event the

1 environment and natural resources personnel is found to be unjustly dismissed  
2 by the CSC or the NLRC; as the case may be, he/she shall be entitled to  
3 reinstatement without loss of seniority rights and back wages with twelve per  
4 centum (12%) interest to be computed from the time his/her compensation was  
5 withheld from him/her up to the time of reinstatement.

6 **Sec. 25. Highest Basic Salary Upon Retirement.** Upon retirement, the  
7 Environment and Natural Resources personnel shall automatically be granted  
8 an increase of one (1) salary range or grade higher than his/her basic salary  
9 and his/her retirement benefit thereafter, computed on the basis of his/her  
10 highest salary received: Provided, That he/she has reached the age and  
11 fulfilled service requirements under existing laws.

12 **Sec. 26. Hiring of retired ENR personnel.** — An employee retired under any  
13 existing law, who, in the judgment of the governing board or head of a  
14 environmental agency, possesses technical qualifications and the capability to  
15 undertake environmental management activities, may be rehired on contractual  
16 basis without refunding the unexpired portion of the gratuity and  
17 accumulated leave benefits received by him from the Government: *Provided,* That  
18 no qualified environment and natural resources expert is available to  
19 undertake said technical activities.

20 **Sec. 27. Environmental Awards.** - There shall be established an Environment  
21 and Natural Resources Awards Committee which shall confer annually the  
22 Environment and Natural Resources Awards for outstanding achievement/s  
23 and excellence or original contribution to environmental protection/management.  
24 The Committee shall promulgate the guidelines in implementing this Section  
25 and shall specify the categories of awards to be given and the amount of  
26 financial reward for each category.

## 27 **Chapter VII. Congressional Commission**

28 **Sec. 28. Congressional Commission on Environment and Natural**  
29 **Resources.** - There is hereby created a Congressional Commission on  
30 Environment and Natural Resources (ENVICOM) that shall Oversee the  
31 implementation of all the Environment and Natural Resources laws; review  
32 and assess, among others, the state of the Philippine environmental security,  
33 human resources development in Environment and Natural Resources field; and  
34 the implementation of this Act. The Commission shall be composed of five (5)  
35 Members of the House of Representatives and five (5) Members of the Senate. It

1 shall be co-chaired by the Chairpersons of the Committee on Environment and  
2 Natural Resources of the Senate and the Committees of Ecology and Natural  
3 Resources of the Lower House. Such congressional review shall be undertaken at  
4 least once every five (5) years.

### 5 **Chapter VIII. Implementing Rules and Regulations**

6 **Sec. 29. Implementing Rules and Regulations.** The Secretary of the  
7 Environment and Natural Resources after consultation with appropriate  
8 agencies of the Government as well as professional and environment and natural  
9 resources workers' organizations or unions, shall formulate and prepare the  
10 necessary rules and regulations to implement the provisions of this Act. Rules  
11 and regulations issued pursuant to this Section shall take effect thirty (30)  
12 days after publication in a newspaper of general circulation.

### 13 **Chapter IX. Prohibitions**

14 **Sec. 30. Prohibition Against Double Recovery of Benefits.** Whenever other  
15 laws provide for the same benefits covered by this Act, the Environment and  
16 Natural Resources personnel shall have the option to choose which benefits will  
17 be paid to him/her. However, in the event that the benefits chosen are less than  
18 that provided under this Act, the ENR personnel shall be paid only the difference.

19 **Sec. 31. Prohibition Against Elimination and/or Diminution.** Nothing in this  
20 law shall be construed to eliminate or in any way diminish benefits being enjoyed  
21 by an Environment and Natural Resources workers at the time of the effectivity of  
22 this Act.

23 **Sec. 32. Penal Provision.** Any person who shall willfully interfere with, restrain  
24 or coerce any Environment and Natural Resources personnel in the exercise of  
25 his/her rights or shall in any manner commit any act in violation of any of the  
26 provisions of this Act, upon conviction, shall be punished by a fine of not less  
27 than Fifty thousand pesos (P50,000.00) but not more than Eighty thousand  
28 Pesos (P80,000.00) or imprisonment of not more than one (1) year or both at the  
29 discretion of the court.

30 If the offender is a public official, the court, in addition to the penalties provided in  
31 the preceding paragraph, may impose the additional penalty of disqualification  
32 from office.

### 33 **Chapter X. Transitory Provisions**

1 **Sec. 33. Special Treatment for Benefits of ENR Personnel.** All benefits  
2 received by an Environment and Natural Resources Personnel under this law,  
3 including but not limited to, benefits given to rank-and-file employees, whether  
4 granted under a collective bargaining agreement or not, fringe benefits and de  
5 minimis benefits, are not taxable pursuant to Section 33.C.3 of the Republic Act  
6 8424 (Tax Reform Act of 1997).

7 **Sec. 34. Appropriations/Funding.** The amount necessary to fully  
8 implement this Act shall be provided in the General Appropriations Act (GAA)  
9 of the year following its enactment into law under the budgetary appropriations  
10 of the DENR, concerned agencies and local government units.

11 Additional funding may be sourced from five percent (5%) of the fines and  
12 penalties collected by the DENR, Bureaus, Regional Offices, Attached Agencies,  
13 Pollution Adjudication Board (PAB).

14 Private companies with ENR personnel shall allocate their respective funds for  
15 their companies' implementation of this Act.

16 **Sec. 35. Annual Report.** The Secretary of the Department shall submit to the  
17 Congressional Commission on Environment and Natural Resources an annual  
18 report on the implementation of this Act.

#### 19 **Chapter XI. Separability and Repealing Clauses**

20 **Sec. 36. Separability Clause.** The provisions of this Act is declared  
21 separable. In the event that any provision hereof is rendered unconstitutional,  
22 those that are not affected shall remain valid and effective.

23 **Sec. 37. Repealing Clause.** All laws, presidential decrees, executive orders  
24 and their implementing rules, or parts thereof, inconsistent with the provisions  
25 of this Act are hereby, repealed; amended or modified accordingly.

#### 26 **Chapter XII. Effectivity Clause**

27 **Sec. 38. Effectivity.** This Act shall take effect fifteen (15) days after its  
28 publication in at least two (2) national newspapers of general circulation.

29 Approved,

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Constitution Hills, Quezon City

**NINETEENTH CONGRESS**

First Regular Session

House Bill No. 2586



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Introduced by: **REPRESENTATIVE EDWIN L. OLIVAREZ**

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**EXPLANATORY NOTE**

Article II, Section 16 of the 1987 Philippine Constitution provides that "the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature". The said provision is also echoed in the various provisions of Article XII on National Economy and Patrimony as framework for the State's environmental mandate. Significantly, the right to a clean environment is recognized as a human right in the Philippines while protection of that right is a duty imposed upon the State and certain responsibilities are required of individuals. The State shall instill environment consciousness among our people to effectively carry out the different environmental programs and projects of the government essential for the protection, preservation and revival of the quality of the environment and natural resources of the country. The important role of environment and natural resources personnel is widely accepted.

The State shall also used international environmental policies in the protection of the natural resources and its citizens against pollution created by factories and sewage systems. Like the Marpol Convention of 1973 wherein it covers the oil pollutions in the sea, chemical and harmful substances excreted by sewers and improper garbage disposal. In Ramsar Convention of 1971 it provides for the framework for the national and international action for the proper use of wetlands and its resources. For the preservation of the endangered species in the country, the State may use as a guideline or to implement a law for its protection as provided in the Convention On International Trade in Endangered Species of Wild Fauna and Flora (CITES) of 1973. That the CITES seeks to control the international trade in species in danger of extinction. For the decrease of air pollution in the country, the State may use the Montreal Protocol of 1987 wherein it

calls for phasing out production and consumption of compounds that deplete ozone in the stratosphere such as chlorofluorocarbons, halons, carbon tetrachloride and methyl chloroform.

However, the situations prevailing in the areas contested by business, environment workers and advocates and of government have placed the workers' lives in danger. There are numerous cases, a few of them are: - Joey Estriber, an environmental activist and radio broadcaster was abducted on March 3, 2006, in Baler, Aurora. He headed the illegal-logging and mining campaign Butaris, a Multi-Sectoral Action Group of Aurora. Elpidio de la Victoria, Program Director of the Cebu City Bantay Dagat Commission, was shot dead on April 17, 2006. He campaigned for a ban on commercial and destructive forms of fishing in the Visayan Sea Marine Triangle. Eyewitnesses pointed to a member of the Philippine National Police as the gunman. The Cebu City government offered a One Million Peso reward for information leading to the arrest of De la Victoria's killer - Armin Marin, an oppositor of the nickel exploration project of the Sibuyan Nickel Property Development Corp. and BHP Silliton was shot dead on October 3, 2007. The nickel project was found to be inimical to the biodiversity of Sibuyan Island, called the Galapagos of Asia. Fernando Sarmiento, Secretary General of the environmental group Panalipdan-Southern Mindanao Region, was killed December 23, 2008. He opposed the PhilCo Mining Corporation gold project in New Bataan, Compostela Valley as destructive of the environment and people's health. Eliezer Billanes, GawadngBayaningKalikasan awardee was killed in Koronadal City on March 09, 2009. He opposed the Xstrata mine in Socsargen. - On April 29, 2009, Ludinio Monzon, an oppositor to the Boston Mineral Mining Corp/Omega Gold Mining Company in Davao Oriental was killed. Mike Rivera, an anti-mining movement leader, was shot dead on May 16, 2010 in front of the Calapan United Evangelical Church of the Philippines on Ramirez St., San Vicente Central, Calapan City. Desidario "Jessie" Camangyan, a radio broadcaster at Sunrise FM-Mati in Manay town, Davao Oriental, was shot on June 15, 2010. He was discussing illegal logging in the east coast of Davao Oriental. - Gensun Agustin, a leader of the illegal magnetite mining in Buguey in Cagayan Valley, was shot dead on March 1, 2010. He was a leader of the Alliance for Buguey Community Advocates and the Federation of Anti-Mining Advocates in Cagayan.

This Bill aims: (a) to promote and improve the health, physical safety, social and economic well-being of the environment and natural resources personnel, their living and working conditions, security and terms of employment; (b) to develop their skills and capabilities in order that they will be more responsive and better equipped to deliver environmental management functions in the attainment of projects and programs; (c) to encourage those with proper qualifications and excellent abilities to join, contribute their expertise and remain in government service and in the country; and (d) to help further implementation on the rules and regulations of the DENR by the help of the conventions. The Environment and Natural Resources (ENR) Personnel includes but is not limited to the personnel of

the DENR, its Bureaus, Regional Offices, and attached Agencies, environmental units in the other government agencies and the ecological waste management department of the local government units.

This Bill includes the forest rangers and park rangers that look after our forest and protected areas. A forest ranger guards or has jurisdiction over a very large forest area, around 5,000-10,000 hectares. However, his salary is not as large as the area he is protecting. The same situation exists in watershed areas.

It is for the foregoing reasons that the approval and passage of this house bill is earnestly sought.



EDWIN L. OLIVAREZ

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Constitution Hills, Quezon City

**NINETEENTH CONGRESS**

First Regular Session

House Bill No. 2586

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Introduced by: **REPRESENTATIVE EDWIN L. OLIVAREZ**

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**AN ACT**  
**PROVIDING FOR A MAGNA CARTA FOR ENVIRONMENTAL**  
**AND NATURAL RESOURCES PERSONNEL, PROVIDING FUNDS**  
**THEREFOR, AND FOR OTHER PURPOSES**

**SECTION 1. *Short Title.*** – This Act shall be known as the “Magna Carta for Environmental and Natural Resources Personnel of 2022”.

**SECTION 2. *Declaration of Policy.*** – The State shall instill the environment consciousness among our people to effectively carry out the different environmental programs and projects of the government essential for the protection, preservation and revival of the quality of the environment and natural resources of the country. Towards this end, this Act aims to promote and improve the health, physical safety, social and economic well-being of environmental service workers, their living and working conditions, and terms of employment. It shall develop their skills and capabilities to make them more productive, prolific and dynamic in maintaining environmental and inspection control standards within established policies and procedures and better equipped in delivering environmental services and programs. Likewise to encourage those with proper qualifications and excellent abilities join, contribute



their expertise and remain in government service and to encourage them to stay in the country.

**SECTION 3. *Definition of Terms.*** - As used in and for the purposes of this Act, the following terms shall mean:

a) "Department" shall mean the Department of Environment and Natural Resources (DENR); and

b) "Environmental and Natural Resources Personnel or ENR Personnel" shall refer to:

1) all persons who are engaged in the protection of the environment, environmental management and environment-related work;

2) all persons employed as environment and natural resources officers and personnel in the environmental and ecological solid waste management units in all local government units, and administrative and support personnel employees regardless of their employment status;

3) all persons employed in the environmental units of the national and regional government agencies and companies owned and operated by the government or its political subdivisions and shall include engineers, environmental management specialists, science research specialists, foresters, forest and park rangers, marine environmental protection officers and personnel, and administrative and support personnel employed regardless of their employment status;

4) all persons employed in the environmental unit of government owned and controlled corporations including but not limited to pollution control officers regardless of their employment status; and

5) all persons employed with the Department, its Bureaus, Regional Offices and attached Agencies, regardless of employment status, including but not limited to permanent, temporary, contractual

service/procurement service regardless of their employment status.

**SECTION. 4. Coverage.** - This Act shall cover all ENR Personnel employed in the government service including government owned and controlled corporations regardless of their employment status.

**SECTION. 5. Recruitment and Qualification.** - Recruitment policy and minimum requirements with respect to the selection and appointment of an ENR Personnel shall be developed and implemented by the appropriate government agencies concerned in accordance with policies and standards of the Civil Service Commission (CSC): Provided, That in the absence of appropriate eligible applicant and it becomes necessary in the public interest to fill a vacancy, a temporary appointment shall be issued to the person who meets all the requirements for the position to which he/she is being appointed except the appropriate civil service eligibility: Provided, further, That such temporary appointment shall not exceed twelve (12) months nor be less than three (3) months renewable thereafter but that the appointee may be replaced sooner if (a) qualified civil service eligible becomes available, or (b) the appointee is found wanting in performance or conduct befitting a government employee.

**SECTION. 6. Merit Promotion and Career System.** - The Secretary of the DENR, upon consultation with the proper government agencies concerned and the Environment and Natural Resources workers' organization, shall prepare a uniform career and personnel development plan applicable to all ENR Personnel. Such career and personnel development plan shall include provisions on merit promotion, performance evaluation, in service training grants, job rotation, suggestions and incentive award system.

The performance evaluation plan shall consider foremost the improvement of individual employee efficiency and organizational effectiveness: Provided, that each employee shall be informed regularly by his/her supervisor of his/her performance evaluation.

The merit promotion plan shall be in consonance with the rules of the CSC.

**SECTION. 7. Code of Conduct.** - Within six (6) months from the approval of this Act, the Secretary of the DENR, upon consultation with other appropriate agencies, professional and environment and natural resources worker's organization, shall formulate and prepare a Code of Conduct for ENR Personnel, which shall be disseminated as widely as possible.

**SECTION. 8. Normal Hours of Work.** - The normal hours of work of any ENR Personnel shall not exceed eight (8) hours a day or forty (40) hours a week.

Hours worked shall include:

- a) the time during which an ENR Personnel is required to be on active duty or to be at a prescribed workplace;
- b) the time during which an ENR Personnel is permitted to work;
- c) the time during which an ENR Personnel is required in a place other than the prescribed workplace.

Provided, That, the time when an ENR Personnel is placed on "On Call" status shall not be considered as hours worked but shall entitle the ENR Personnel to an "On Call" pay equivalent to fifty percent (50%) of his/her regular wage. "On Call" status refers to a condition when ENR Personnel are called upon to respond to urgent or immediate need for environmental emergencies such as pollution incidences and other emergencies such that he/she cannot devote the time for his/her own use.

An ENR Personnel can also teach or practice their profession after office hours.

**SECTION. 9. Overtime Work.** - Where the exigencies of the service so require, any ENR Personnel may be required to render service beyond the normal eight (8) hours a day, inclusive of Saturdays, Sundays or nonworking holidays. In

such a case, the ENR Personnel shall be paid an additional compensation in accordance with existing laws and prevailing practices.

**SECTION. 10. *Work During Rest Day.***-

a) Where an ENR Personnel is made to work on his/her scheduled rest day, he/she shall be paid an additional compensation in accordance with existing laws, rules and regulations.

b) Where an ENR Personnel is made to work on any special holiday he/she shall be paid an additional compensation in accordance with existing laws. Where such holiday work falls on the personnel's scheduled rest day, he/she shall be entitled to an additional compensation as may be provided by existing laws.

**SECTION. 11. *Compensation.*** - The existing laws on the salary scale of government employees shall apply in determining the salaries of ENR Personnel. In case of violation of this provision, the ENR Personnel concerned shall file the necessary complaint to the ENR Management and Consultative Council or the Civil Service Commission (CSC).

**SECTION. 12. *Leave Benefits for ENR Personnel.*** - ENR Personnel are entitled to all leave benefits and privilege such as but not limited to maternity, paternity, sick leave and vacation leaves, as provided for under existing laws: Provided, That upon separation of ENR Personnel from service, they shall be entitled to all accumulated leave credits with pay.

**SECTION. 13. *Highest Basic Salary Upon Retirement.*** - Upon retirement, the ENR Personnel shall automatically be granted an increase of one (1) Salary Grade higher than his/her basic salary and his/her retirement benefit thereafter, computed on the basis of his/her highest salary received: Provided, That he/she has reached the age and fulfilled the service requirements under existing laws.

**SECTION. 14. *Other Benefits.*** - Aside from the benefits received as required under existing laws and executive

orders, an ENR Personnel shall receive the following allowances:

a) *Honorarium.* ENR Personnel who rendered service beyond the established irregular workload of ENR Personnel whose broad and superior knowledge, expertise or professional standing in a specific field contributes to productivity and innovativeness shall be entitled to receive honorarium subject to rules to be set by the Department.

b) *Hazard Allowance.* ENR Personnel involved in hazardous undertakings such as, but not limited to conduct of field inspections and air/water/chemical and hazardous waste monitoring and sampling, forest ranger work and assigned in the following units: environmental impact assessment division, environmental quality division, pollution control divisions, environmental protection units, and research and development divisions and other environment and natural resources offices/field offices located in difficult areas which expose them to great danger, contagion, radiation, volcanic activity/eruption, occupational risks or threats to life, shall be compensated with hazard allowances equivalent to at least twenty-five percent (25%) of the monthly basic salary.

c) *Subsistence Allowance/Transportation Allowance.* ENR Personnel who are required to render service in forest/watershed areas, pollution incident sites and other areas, in order, to make their services available at all times, shall be entitled to daily full subsistence allowance for three (3) meals which shall be computed in accordance with prevailing circumstances. Those assigned out of their regular work stations shall be entitled per diem in place of this allowance. Actual transportation allowance shall also be provided to ENR Personnel on field work.

d) *Clothing and Laundry Allowance.* All ENR Personnel shall be entitled to a minimum of One Thousand Five Hundred Pesos (PhP 1,500.00) clothing allowance annually, which amount shall be adjusted as needed.

In addition to the above, all ENR Personnel who are required to wear uniforms regularly shall be entitled to a minimum of Two Hundred and Fifty Pesos (PhP250.00) per

month laundry allowance. Provided further, That these rates shall be reviewed periodically and increased accordingly as needed.

*e) Housing and Living Quarters Allowance.* All ENR Personnel who are transferred to another assignment due to the exigency of the service shall be entitled to free housing within the agency concerned: Provided, That if living quarters are not available within the agency and the personnel has his/her residence outside of fifty (50) kilometer radius from such government facility, he/she shall receive a housing allowance, and: Provided further, That the rate of such housing allowance shall be periodically adjusted for inflation. For purposes of this Section, the Department is authorized to develop housing projects in its own lands, not otherwise devoted for other uses, for ENR Personnel in coordination with appropriate government agencies.

*f) Longevity Pay.* A monthly longevity pay equivalent to ten percent (10%) of the monthly basic pay shall be paid to an ENR Personnel for every five (5) years of continuous, efficient and meritorious services rendered as certified by the chief of office concerned, commencing with the service after the approval of this Act.

*g) Remote Assignment Allowance.* ENR Personnel who accept assignments as such in remote areas or isolated stations, which for reasons of far distance or hard accessibility, such positions had not been filled for the last two (2) years prior to the approval of this Act, shall be entitled to an incentive bonus in the form of remote assignment allowance equivalent to fifty percent (50%) of their basic pay, and shall be entitled to reimbursement of the cost of reasonable transportation to and from such remote post or station, upon assuming or leaving such position and during official trips.

In addition to the above, such ENR Personnel mentioned in the preceding paragraph shall be given priority in promotion or assignment to better areas. Their tour of duties in the remote areas shall not exceed two (2) years, except when there are no positions for their transfer or they prefer to stay in such posts in excess of two (2) years.

*h) Medical Examination.* During the tenure of their employment, ENR Personnel shall be given a compulsory medical examination once a year and immunization as the case may warrant. The medical examination shall include, but not be limited to:

1. Complete physical examination;
2. Routine laboratory, chest x-ray and ECG;
3. Psychometric examination;
4. Dental examination; and
5. Other indicative examination.

Provided, That where medical examination shows that medical treatment and/or hospitalization is necessary for those already in government service, the treatment and/or hospitalization including medicines shall be provided free either in a government or a private hospital by the government entity paying the salary of the ENR Personnel especially in occupational-health related illness. Provided, further, That the cost of such medical examination and treatment shall be included as automatic appropriation in said agency's annual budget.

*i) Personal Protective Equipment.* ENR Personnel which regularly conduct field inspection, monitoring and sampling shall be provided by their respective offices with the proper personal protective equipment (PPEs) in accordance with existing laws on occupational health and safety.

**SECTION. 15. Compensation for Injuries/Illnesses.** - ENR Personnel shall be protected against the consequences of employment injuries/occupational-related illnesses in accordance with existing laws. Injuries incurred while doing overtime work shall be presumed work-connected.

**SECTION. 16. Non-DENR ENR Personnel.** - ENR Personnel not employed by the Department, who are involved in environmental management and environment and natural resources protection functions, and regardless of their employment status may avail of the benefits of this Act, chargeable against their respective agencies local

government units/offices/government owned and control corporations, upon certification of the Secretary of the DENR.

**SECTION. 17. *Honorarium for other services.*** - ENR Personnel shall be allowed to render consultancy services to the private sector and shall be entitled 'to receive such honorarium that may' be paid to them by the private entity concerned. Such payments shall be over and above their salary from the government during the period of the consultancy and shall not be considered as double compensation: Provided, That the consultancy work will not jeopardize or adversely affect the operations or activities of his originating office: Provided, further, That the Secretary of the Department approves such consultancy.

**SECTION. 18. *Exemption from the Attrition Law and Civil Service Rule on Nepotism.*** - Appointment of ENR Personnel to positions of research assistant and upwards shall not be covered by the Attrition Law and CSC rule on nepotism in consideration of the highly technical nature of these positions.

**SECTION. 19. *Rights of an ENR Personnel.*** - ENR Personnel shall have the following rights:

a) Protection from discrimination by reason of sex, sexual orientation, age, political or religious beliefs, civil status, physical characteristics/disability or ethnicity;

b) Protection from any form of interference, intimidation, harassment or punishment to include, but not limited to, arbitrary reassignment or termination of service, in the performance of his/her duties and responsibilities;

c) To join, organize, or assist organizations or unions for lawful purposes;

d) Protection from any act that will prevent his/her applying professional interventions that the clients situation may require; and

e) To avail of opportunities for continuing professional growth and development.



**SECTION. 20. *Reassignment of ENR Personnel.*** - A transfer is a movement from one position to another which is of equivalent rank, level or salary without break in service;

a) geographical reassignment, hereinafter referred to as "reassignment," is a movement from one geographical location to another; and

b) Except in the interest of public service, no transfer or geographical reassignment shall be made or effected without written notice to an ENR Personnel: Provided, That said written notice, stating the reasons for the reassignment, shall be made at least thirty (30) days prior to the date of transfer or reassignment: Provided, further, That, if the ENR Personnel believes that there is no justification for the transfer and/or reassignment, he/she may appeal his/her case to the CSC, which shall cause his/her transfer and/or reassignment to be held in abeyance: Provided, furthermore, That reassignment coinciding with any local or national election shall be made in compliance with Election Code and other existing laws and rules: Provided, finally, That the necessary expenses of the transfer and/or reassignment of the ENR Personnel and his/her immediate family shall be paid for by the agency concerned.

**SECTION. 21. *Married ENR Personnel.*** - Whenever possible, the proper authorities shall take steps to enable married couples, both of whom are ENR Personnel, to be employed or assigned in the same office, but not in the same unit. Provided, that it shall not apply to married ENR Personnel already assigned in the same office at the time that this Act takes effect.

**SECTION. 22. *Freedom from Interference or Coercion.*** - It shall be unlawful for any person to commit any of the following acts of interference or coercion:

a) to require as a condition of employment that an ENR Personnel shall not join an ENR workers' organization or union or shall relinquish membership therein;

b) to discriminate in regard to hiring or tenure of employment or any item or condition of employment in

order to encourage or discourage membership in any ENR workers' organization or union;

c) to prevent an ENR Personnel from carrying out duties laid upon him/her by his/her position in the organization or union, or to penalize him/her for the action undertaken in such capacity;

d) to harass or interfere with the discharge of the functions of the ENR Personnel when these are calculated to intimidate or to prevent the performance of his/her duties and responsibilities; and

e) to otherwise interfere in the establishment, functioning, or administration of ENR workers' organizations or unions through acts designed to place such organization or union under the control of government authority.

**SECTION. 23. *Freedom from Discrimination.*** - It shall be unlawful for any person or employer to discriminate against ENR Personnel who falls under any of the following:

a) ENR Personnel that are Solo Parents;

b) ENR Personnel that are Benefactors of Senior Citizens. Benefactor shall mean any person related to a Senior Citizen or not who takes care of him/her as a dependent;

c) ENR Personnel that are Person with Disabilities (PWD);

and

d) ENR Personnel that are Benefactors or Parents of a Person with Disabilities (PWD) or Person with Special Needs of Person with Developmental Disorders.

**SECTION. 24. *Human Resource Development.*** - The Department shall conduct a periodic human resource development/management study into, among others, the following areas:

- a) Adequacy of facilities and resources to render quality environment and natural resources management functions;
- b) Opportunities for ENR Personnel to grow professionally and develop their potentials and experience a sense of worth and dignity in their work;
- c) Mechanism for democratic consultations;
- d) Ways and means of enabling the rank-and-file workers to avail of educational opportunities for personal growth and development;
- e) Upgrading of working conditions, reclassification of positions and salaries of ENR Personnel, regardless of employment status to correct disparity vis-a-vis other professions; and
- f) Allocation of funds for the participation of ENR Personnel in seminars, conferences, conventions and similar activities as part of their continuing professional growth.

**SECTION. 25. *Security of Tenure.*** - No ENR Personnel holding a permanent position shall be terminated except for cause: Provided, That, in the event the ENR Personnel is found by the CSC to be unjustly dismissed, as the case may be, he/she shall be entitled to reinstatement without loss of seniority rights and back wages with twelve per centum (12%) interest to be computed from the time his/her compensation was withheld from him/her up to the time of reinstatement.

**SECTION. 26. *Highest basic salary upon retirement.*** - Upon retirement, the ENR Personnel concerned shall automatically be granted one (1) Salary Grade higher than his/her basic salary and his/her retirement benefits shall be computed on the basis of his/her highest salary received.

**SECTION. 27. *Hiring of retired ENR Personnel.*** - An employee retired under any existing law, who, in the judgment of the governing board or head of an environmental agency, possesses technical qualifications and the capability to undertake environmental management

activities, may be rehired on contractual basis without refunding the unexpired portion of the gratuity and accumulated leave benefits received by him from the Government: Provided, That no qualified environment and natural resources' expert is available to undertake said technical activities.

**SECTION. 28. *Environmental Awards.*** - There shall be established an Environment and Natural Resources Awards Committee which shall confer annually the Environment and Natural Resources Awards for outstanding achievements and excellence or original contribution to environmental protection/management. The Committee shall promulgate the guidelines in implementing this Section and shall specify the categories of awards to be given and the amount of financial reward for each category.

**SECTION. 29. *Congressional Commission on Environment and Natural Resources.*** - There is hereby created a Congressional Commission on Environment and Natural Resources (ENVICOM) that shall oversee the implementation of all the Environment and Natural Resources laws; review and assess, among others, the state of the Philippine environmental security, human resources development in Environment and Natural Resources field; and the implementation of this Act. The Commission shall be composed of five (5) Members of the House of Representatives and five (5) Members of the Senate. It shall be co-chaired by the Chairpersons of the Committee on Environment and Natural Resources of the Senate and the Committees of Ecology and Natural Resources of the Lower House. Such congressional review shall be undertaken at least once every five (5) years.

**SECTION. 30. *Prohibition Against Double Recovery of Benefits.*** - Whenever other laws provide for the same benefits covered by this Act, the ENR Personnel shall have the option to choose which benefits will be paid to him/her. However, in the event that the benefits chosen are less than that provided under this Act, the ENR Personnel shall be paid only the difference.

**SECTION. 31. *Prohibition Against Elimination and/or Diminution.*** - Nothing in this law shall be construed to

eliminate or in any way diminish benefits being enjoyed by an Environment and Natural Resources workers at the time of the effectivity of this Act.

**SECTION. 32. *Penal Provision.*** - Any person who shall willfully interfere with, restrain or coerce any ENR Personnel in the exercise of his/her rights or shall in any manner commit any act in violation of any of the provisions of this Act, upon conviction, shall be punished by a fine of not less than Twenty thousand pesos (P20,000.00) but not more than Forty thousand Pesos (P40,000.00) or imprisonment of not more than one (1) year or both at the discretion of the court.

If the offender is a public official, the court, in addition to the penalties provided in the preceding paragraph, may impose the additional penalty of disqualification from Office.

**SECTION. 33. *Funding.*** - The amount necessary to fully implement this Act shall be provided in the General Appropriations Act (GAA) of the year following its enactment into law under the budgetary appropriations of the DENR, concerned agencies and local government units.

**SECTION 34. *Annual Report.*** - The Secretary of the Department shall submit to the Congressional Commission on Environment and Natural Resources an annual report on the implementation of this Act.

**SECTION. 35. *Implementing Rules and Regulations.*** - The DENR after consultation with appropriate agencies of the Government as well as professional and environment and natural resources workers' organizations or unions, shall formulate and prepare the necessary rules and regulations to implement the provisions of this Act. Rules and regulations issued pursuant to this Section shall take effect thirty (30) days after publication in a newspaper of general circulation.

**SECTION. 36. *Separability Clause.*** - The provisions of this Act are declared separable. In the event that any provision hereof is rendered unconstitutional, those that are not affected shall remain valid and effective.

**SECTION. 37. *Repealing Clause.*** - All laws, presidential decrees, executive orders and their implementing rules, or parts thereof, inconsistent with the provisions of this Act are hereby, repealed; amended or modified accordingly.

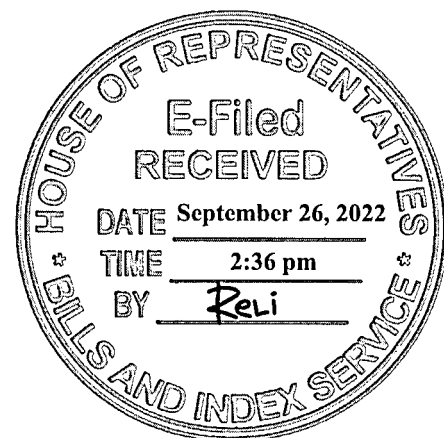
**SECTION. 38. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

**APPROVED.**

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**19TH CONGRESS**  
First Regular Session

HOUSE BILL NO. 5155



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**Introduced by Representative Michael L. Romero**

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### **EXPLANATORY NOTE**

Executive Order No. 192 organized the Department of Environment of Natural Resources (**DENR**) in June 1987. The new organizational set - up integrated the Bureau of Lands District Land Offices to the field offices of the DENR and transformed the Bureau's Central Office to the Land Management Bureau under this set-up LMB became a staff bureau. The re-organized Bureau spearheaded the distribution of public agricultural lands through the Comprehensive Agrarian Reform Program (**CARP**) of the government distributing 1.32 million hectares to the rural community.

For more than a century, the Bureau is in the forefront of the effort of the government to promote social equity by distributing public agricultural lands to the rural masses. From 1901 to 2006, the then Bureau of Lands and the present **Land Management Bureau** and the Land Management Sector of the Department of Environment and Natural Resources is true to its mandate of serving the Filipino people by alleviating poverty and promoting social equality through public land distribution.

This House Bill seeks to provide Modernization **Funding** to the **(LMB)**, to ensure that the country fulfills its commitments to all land classification management and disposition, Mandates and agreements.

Thus, the early passage of this bill is earnestly requested.

A handwritten signature in black ink, appearing to read 'Michael L. Romero', with a long horizontal stroke extending to the right.

**MICHAEL L. ROMERO**



Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**19TH CONGRESS**  
First Regular Session

HOUSE BILL NO. 5155

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**Introduced by Representative Michael L. Romero**

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AN ACT

PROVIDING FOR MODERNIZATION FUNDING FOR THE **LANDS MANAGEMENT BUREAU (LMB)**, TO AUGMENT LAND SURVEY STANDARDS AND GUIDELINES, EXPANDING ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES

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

**SECTION 1. DECLARATION OF POLICY** - The **Lands Management Bureau** is task to absorb all powers and functions of the Bureau of Lands except those line functions and powers which are transferred to the regional field office. The Lands Management Bureau to be headed by a Director and assisted by an Assistant Director shall advise the Secretary on matters pertaining to rational land classification management and disposition.

It shall hereby be a declared policy of the state to provide direction through the development of long and medium-term strategic plans for the land sector and monitoring and evaluation tools to ensure achievement of goals.

The state shall also formulate policies for the efficient and effective administration and management of alienable and disposable public lands and ensure compliance.

**SECTION 2. MODERNIZATION FUNDING.** – The amount of Five Hundred Million Pesos (**Php 500,000,000.00**) for the operation and administration of the **LMB** shall be chargeable against funds for the purpose and other sources recommended by the Department of Budget and Management (**DBM**). Thereafter, appropriations for the **LMB** shall be included in the budget proposals under the Department of Environment and Natural Resources (**DENR**).

Thereafter, the amount needed for the continued implementation of the modernization program, shall be included in the annual General Appropriations Act (**GAA**).

**SECTION 3. LMB MODERNIZATION FUND** – There is hereby created the *LMB Modernization Fund* to be used exclusively for the *LMB Modernization Program*.

*The LMB Modernization Fund* shall be administered by the Secretary of the **DENR** in accordance with existing government budgeting, accounting and auditing rules and regulations.

**SECTION 4. PROGRESS REPORT** – The Secretary of the **DENR** shall prepare an annual report on the status of the implementation of the *LMB Modernization Programs* which shall be submitted, to the Office of the President and to the Chairpersons of the Committee on Energy of the Senate and the House of Representatives.

**SECTION 5. PERIOD OF IMPLEMENTATION** – The modernization program under this Act shall be implemented for an initial period of two **(2)** years:

*Provided*, that payments for multi-year contract obligations incurred under this Act may extend beyond this period:

*Provided*, further, That **LMB** shall continue develop, modernize and constantly update its operational capabilities to keep pace with best global practices.

**SECTION 6. POWERS AND FUNCTIONS.** – The LMB shall continue to exercise and uphold the following powers and functions; but not limited to:

- a) Recommend policies and programs for the efficient and effective administration, surveys, management and disposition of alienable and disposable lands of the public domain and other lands outside the responsibilities of other government agencies; such as reclaimed areas and other areas not needed for or are not being utilized for the purposes for which they have been established;
- b) Advise the Regional Offices on the efficient and effective implementation of policies, programs and projects for more effective public lands management;
- c) Assist in the monitoring and evaluation of land surveys, management and disposition of lands to ensure efficiency and effectiveness thereof;
- d) Issue standards, guidelines, regulations and orders to enforce policies for the maximization of land use and development;
- e) Develop operating standards and procedures to enhance the Bureau's objectives and functions;
- f) have direct executive control of the survey, classification, lease, sale or any other forms of concessions or disposition and management of the lands of the public domain;
- g) Perform other functions as may be assigned by the Secretary and/or provided by law.

**SECTION 7. TRANSITORY PROVISION** – Existing industries, businesses and offices affected by the implementation of this Act shall be given six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

**SECTION 8. IMPLEMENTING RULES AND REGULATIONS.** – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

**SECTION 9. REPEALING CLAUSE.** – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**SECTION 10. SEPARABILITY CLAUSE.** – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

**SECTION 11. EFFECTIVITY CLAUSE.** – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,