

**Administrative Order
No. 50
November 10, 1992**

SUBJECT : Guidelines on the Disposition or Confiscated Logs, Lumber and Other Forest Products for Public Infrastructure Projects.

Pursuant to the provisions of Presidential Decree No. 705, as amended, and other pertinent policies, laws and regulations, and in order to systematize the processing of various requests of Local Government Units and other Government Agencies for the utilization of confiscated logs, lumber and other forest products, particularly in the rehabilitation projects, the following procedures are hereby issued for the information and guidance of all concerned.

1. Logs, lumber and other forest products subject to disposition thru donation

Confiscated logs, lumber and other forest products subject to disposition are the following:

- a. Those which are not the subject of a pending case in court or with other appropriate offices;
- b. Those without claimants or offenders against whom the case could be filed; and
- c. Those found abandoned within forest areas, the ownership of which could not be ascertained and without claimants.

2. Who are qualified to receive donations of confiscated forest products

- a. Provincial and Municipal Governments
- b. Barangays
- c. Other Government Agencies who, by nature of their functions require wood materials or other forest products in order to enhance their services to the general public.

3. Documents to support request for donations.

The following documents shall be attached to the request:

- a. Justification for the construction/establishment of the infrastructure;
- b. Bill of materials and building plan duly approved by the Project Engineer; provided that in the case of barangay constructions or similar projects, a simple sketch plan duly signed by the building foreman or Barangay Captain shall be sufficient;
- c. Certification issued by the Provincial Auditor that there is no fund or appropriation for the purchase of the required wood materials; provided that for Barangay constructions or similar projects, a certification from the Municipal Development Officer shall be sufficient; and
- d. Certification from the CENRO/PENRO/Regional Office concerned that said volume or amount of forest products is available for disposition.

4. Prioritization in the award of confiscated forest products

In the event that two (2) or more parties are requesting for the same forest products, priority shall be as follows:

- a. The Department of Public Works and Highways (DPWH) whose projects cater to the benefits of the greater number and pursuant to Memorandum of Agreement entered into by and between DPWH and DENR dated 18 June 1992;
- b. Needy victims of natural calamities as certified by DSWD;
- c. Local Government Units which have jurisdiction over the place where the forest products were cut/gathered and/or confiscated; and
- d. Commitments to provincial, regional and national projects.

5. Disposition

All disposition of confiscated logs, lumber and other forest products for public infrastructure projects shall be made upon the approval of the Secretary of the Department of Environment and Natural Resources or his duly authorized representative pursuant to DENR Administrative Order No. 38, Series of 1990 and DENR Memorandum Circular No. 12, Series of 1992.

Upon approval of the disposition, the official concerned who has custody of the forest products shall release the same and issue the necessary supporting documents.

The recipient shall sign an acknowledgment receipt of the donated forest products and submit the same to the CENRO/PENRO/Regional Officer concerned.

6. Post requirements

A certificate of completion of the project shall be submitted by the donee to the concerned DENR office duly attested to by the DENR official concerned and the Provincial Auditor, accompanied by the following documents:

- a. Certification by the Project Engineer of the completion of the projects;
- b. Species and volume of timber and other forest products utilized in the project out of the disposed forest products; and
- c. Photographs of the completed project, showing the specific portion(s) of the project where the donated materials were utilized.

7. Repealing Clause

All policies, memoranda, rules and regulations which are inconsistent with this Order are hereby repealed and/or amended accordingly.

8. Effectivity

This Order takes effect immediately.

ANGEL C. ALCALA
Secretary