

Malacañang Memorandum Order
No. 162
August 19, 1993

SUBJECT : Providing Guidelines For the Disposition of Confiscated Logs, Lumber and Other Forest Products for Public Infrastructure Projects and Other Purposes

I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby promulgate the following guidelines in the disposition of confiscated logs, lumber and other forest products:

Section 1. Coverage. - The following confiscated logs, lumber and other forest products may be disposed through donation:

- a. Those which are not subject of a pending case in court or with other appropriate office;
- 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.

Section 2. Beneficiaries. - The following are qualified to receive donations of confiscated logs, lumber and other forest products:

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

Section 3. Supporting Documents. - The request for donation shall be supported by the following documents:

- 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 from the CENRO/PENRO/Regional Office concerned that said volume or amount of forest products is available for disposition.

Section 4. Prioritization. - In the event that two (2) or more parties are requesting for the same confiscated forest products, priority shall be given in accordance with the following order:

- a. Needy victims of disasters as certified by the Department of Social Work and Development (DSWD);
- b. School Building Program of the Department of Education Culture and Sports (DECS) and those undertaken by the Department of National Defense/AFP Engineering Brigade;
- c. Health Centers;
- d. Public Markets;
- e. Municipal Buildings;
- f. Police Station;
- g. AFP camps;
- h. The Department of Public Works and Highways (DPWH) whose projects cater to the benefit of the greater number and pursuant to a Memorandum of Agreement entered into between DPWH and the DENR dated 18 June 1992;
- i. Local Government Units which have jurisdiction over the place where the logs, lumber and other forest products were cut, gathered and/or confiscated; and
- j. Commitments to provincial, regional and national projects.

Section 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 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 confiscated logs, lumber or other forest products shall release the same and issue the necessary supporting documents.

The recipient shall sign an acknowledgement receipt of the donated logs, lumber or other forest products and submit the same to the CENRO/PENRO/Regional Officer concerned.

Section 6. Post Requirements. - A certification of completion of the project shall be submitted by the donee to the concerned DENR office duly attested 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 project/s;
- 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.

Section 7. Repealing Clause. - All Memorandum Orders, Circulars, Rules and Regulations inconsistent with this Order are hereby repealed or modified accordingly.

Section 8. Effectivity. - This Memorandum Order shall take effect immediately.

DONE in the City of Manila, Philippines, this 19th day of August, in the year of Our Lord, nineteen hundred and ninety-three.

(Sgd.) **FIDEL V. RAMOS**
President of the Philippines

By the President:

(Sgd.) **TEOFISTO T. GUINGONA, JR.**
Executive Secretary