

FORESTRY SECTOR

**DENR Administrative Order
No. 2
Jan. 20, 1988**

**SUBJECT : Amending Further Paragraph C.
Section 10 of Ministry
Administrative Order No. 48,
re: Regulations and Guidelines
Implementing the Integrated
Social Forestry Program (ISFP)**

Pursuant to Letter of Instruction No. 1260 dated 28 July 1982 and in line with the Government's policy to democratize the disposition of public forest lands and to promote more equitable distribution of the forest resources, paragraph C. Section 10 of Ministry Administrative Order No. 48, series of 1982 is hereby amended as follows:

"Section 10. Prohibited Areas. The following conditions will render an area prohibited from forest occupancy under this program:

- c) The area is the subject of a valid timber license agreement (TLA), pasture lease agreement (PLA), industrial tree plantation lease agreement (ITP), agroforestry farm lease agreement (AFLA), or any approved government lease or project for purpose other than the ISF program."

The foregoing provisions to the contrary notwithstanding, the following areas may be allowed for development:

1. Areas within existing TLA, PLA, ITP or AFLA which have been occupied as of Dec. 31, 1981 and developed up to the present, and are devoid of standing timber, and where there is consent, either actual or implied or acquiescence by the license or lease holder.
2. Communal forest, communal pasture or any other BFD project which has ceased to serve its original intention, neglected or abandoned as determine by a

study team to be designated by the Secretary or his authorized representative.

Provided, that the concerned forest occupants shall develop the land into productive agroforestry farms using economically feasible and environmentally accepted practices; provided, further, that they shall protect and conserve the forest trees and forest products naturally growing thereat and shall cooperate with the Department of Environment and Natural Resources in the protection of forest areas immediately adjacent thereto; provided, finally that any ISF participants who expand their cultivation outside the areas allocated to them and violate forest rules and regulations shall be dealt with in accordance with the provisions of PD 705, as amended.

This Order shall take effect immediately and revoke Ministry Administrative Order No. 39 series of 1986.

(Sgd) FULGENCIO S. FACTORAN, JR.
Secretary

Recommending Approval:

(Sgd) CIRILO B. SERNA
Director

DENR Administrative Order

No. 3

Feb. 3, 1988

SUBJECT : Creation of the FAO assisted Forest Fire Management Project and providing for its organization, operation and management

1.0 Name of the Project

In order to effectively implement the provisions of the Project Agreement entered into between the Philippine Government (GOP) and Food and Agriculture Organization (FAO) of the United Nations, under TCP/PHI/6653 (T), there is hereby created a project which shall be known as the Forest Fire Management Project, hereto referred as the Project. The Project which shall run for a duration of two (2) years shall be based at NRD-1-13, Pacdal, Baguio City.

2.0 Project Objectives

The Project which shall serve as an initial phase for the preparation of a national fire control/management programme and intended to strengthen the capabilities of the Forest Management Bureau (FMB) in fire prevention and control shall have the following objectives:

- a. Provide guidelines and recommendations for national fire control/management programme;
- b. Organize two (2) model fire fighting teams in the pine region (Region 1);
- c. Upgrade the fire control capability of the Forest Management Bureau through provision of the most urgently needed modern equipment;
- d. Train staff of the Forest Management Bureau (FMB) and Ecosystems Research and Development Bureau (ERDB) in forest fire management including basic fire research techniques;
- e. Prepare a training manual for field personnel;

- f. Prepare an outline for a research programme on forest fire management with special emphasis on fire-induced secondary pests and fire history, and initiate research in priority areas.

3.0 Organization and Management

The Project Manager under the direct supervision of the Regional Technical Director, Forest Management Sector, DENR Region 1, shall have full responsibility for the management and administration of day-to-day project operations. He shall submit reports to the Assistant Secretary for Foreign-Funded and Special Projects thru the FMB Director at least once a month on the progress of the Project, with copies thereof furnish to the District Foresters of NRD-1-12 and NRD-1-13 and the Regional Executive Director of Region 1, Baguio City.

To ensure smooth implementation of the Project the following implementing units are created:

- a. Operations Unit
- b. Training Unit
- c. Research and Extension Unit

Each of the technical units shall be headed by a Forester and staffed by such number of qualified and competent technical and administrative personnel as may be determined by the Project Manager and shall be provided by DENR Region 1, Baguio City. These personnel shall be designated by the Undersecretary for Field Operations upon recommendation of the Assistant Secretary for Foreign-Funded and Special Projects and the FMB Director.

In addition to the personnel, the vehicle purchased by FAO now assigned to NRD-1-13 shall be re-deployed for use by the Project throughout its duration, and shall be returned to same unit upon project termination. Other equipment which shall be purchased by the Project shall be turned-over to the Forest Fire Control Center after the conclusion of the project.

4.0 Project Operations

For effective and efficient implementation of the Project, the following arrangement shall be observed:

a. External Arrangements

The Project shall maintain linkage and close liaison with the local government and such other entities/agencies involved in forest fire control, such as the following:

- 1) Forest Fire Control Center
- 2) Sangguniang Panglungsod ng Baguio
- 3) Sangguniang Panglalawigan ng Benguet
- 4) Sangguniang Panglalawigan ng Mountain Province
- 5) National Power Corporation
- 6) Department of Education and Culture
- 7) UPLB-CF Northern Philippines Forestry Extension Office
- 8) Ecosystem Research and Development Bureau -Baguio Research Station (formerly Conifer Research Center)
- 9) UABAC Trust
- 10) Philippine Air Force
- 11) Region 1 PC/INP - Benguet and Mountain Province Regional Command (RECOM 1).

b. Funding Arrangements

The funding scheme for the project shall be based on the contributions of the Philippine Government (GOP) and the Food and Agriculture Organization (FAO) as provided in the Project Agreement (TCP/PHI/6653-(I)).

c. Accounting Procedures

The Project shall adopt an accounting procedure which shall be in accordance with existing agency policies and in conformity with accounting and auditing regulations.

d. Monitoring System

The Project shall adopt a monitoring system which shall be consistent with the guidelines/procedure for monitoring set by the Office of the Assistant Secretary for Foreign-Funded and Special

Projects.

5.0 Effectivity

This Order takes effect immediately and supersedes and amends all other orders inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

Recommending Approval:

(Sgd) RICARDO M. UMALI
Undersecretary for
Planning & Policy

(Sgd) LIRIO T. ABUYUAN
Assistant Secretary for
Foreign-Assisted & Special Projects

**DENR Administrative Order
No. 10
Feb. 24, 1988**

**SUBJECT : Guidelines for Determining the Floor
Price of Timber to be Harvested**

1. Pursuant to Article XII of the 1987 Constitution, Section 3 and 5 of Executive Order No. 192 and Section 64 and 65 of PD 705, which adopts stumpage valuation as an official instrument for determining the true and fair market value of timber, a guideline for computing floor price of timber is hereby adopted.
2. Definition of Terms:
 - a. **Stumpage** — refers to standing timber in its unprocessed form as it is found in the woods.
 - b. **Seller** — refers to the government particularly to the Department of Environment and Natural Resources (DENR).
 - c. **Buyer** — refers to the winning bidder(s) over an areas containing merchantable timber advertised/opened for bidding/sale by the seller.
 - d. **Market Price** — refers to the prevailing price in the free market.
 - e. **Stumpage Valuation** — the process of estimating the value of standing timber for purposes of revenue assessment, tax collection and as guide for buying and selling timber.
 - f. **Stumpage Price** — the price at which the seller sells the timber.
 - g. **Stumpage Value** — selling price minus production costs minus margin for profit and risks.
 - h. **Selling Price** — equals market price.

- i. **Natural Forests** — naturally grown timber, generally consisting of species of the Dipterocarpaceae family, and remnant forests of important hardwoods including narra, akle, ipil, kamagong.
- j. **Forest Plantations** — refers to artificially grown forest inside forest lands.
- k. **Forest lands** — areas declared as such pursuant to existing land classification procedures of the national government.
- l. **Production Cost** — all items of cost incurred in forest production by the seller.
- m. **Floor Price** — amount that will accrue to the government and composed of SV + all government costs.
- n. **Logging Cost** — all items cost incurred in harvesting by buyer.

3. Determination of Floor Price

a. For Natural Forest

The following basic formula shall be used in determining the stumpage value of merchantable timber:

$$SV = SP - (PC + mpr)$$

WHERE:

SV = stumpage value

SP = prevailing selling price*

PC = production costs

mpr = margin of profit and risk (based on bank rate)

a.1 Breakdown of Production Costs:

a.1.1 Government Cost (GC) — To be added to SV

- (1) forest inventory
 - (2) tree marking
 - (3) road construction
 - (4) forest protection
 - (5) administrative costs
 - (6) reforestation costs
 - (7) taxes and fees
- (forest charges and realty tax)

*Central Bank price index will be followed for domestic market. The prevailing International Market Price for export market.

- b. Buyer's or Bidder's Costs (Including Logging Cost) (BC) - To be deducted from the selling price.

- (1) labor cost
- (2) equipment
- (3) gasoline and oil
- (4) transport
- (5) administrative

- all items under production costs to be undertaken by the government will accrue to the government.
- all items under production costs to be undertaken by the buyer will accrue to the buyer.
- costs to be undertaken either by the government or the buyer may be mutually decided later.

- c. Floor Price for Natural Forest

Floor price shall be equal to the stumpage value (SV) plus all government costs (GC). The floor price will serve as a minimum price in public bidding.

FORMULA:

$$\text{Floor price (FP)} = \text{SV} + \text{GC}$$

4. The Forest Management Bureau (FMB) shall continuously monitor, evaluate and verify existing production costs and selling price of stumpage.
5. This Administrative Order refers only to naturally grown timber and does not include forest plantations, where there is an establishment cost that has to be compounded through time at present value plus some amount to be realized by the government in the sale of timber.
6. This Order shall take effect immediately and supercedes all other orders, circulars, and instructions inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No. 18
March 10, 1988**

**SUBJECT : Policy Guidelines Governing the Issuance/
Renewal of Permits or Contracts/Agreements
to Cut, Remove and Dispose Timber in
DAR Settlement Projects**

These policy guidelines are promulgated jointly by the Department of Agrarian Reform (DAR) and the Department of Environment and Natural Resources (DENR) in consonance with the provisions of Joint Administrative Order, Series of 1979, "Guidelines in the Selection and Development of, and Jurisdiction Over Settlement of Resettlement Reservations."

Pursuant to the provisions of Republic Act No. 3844, as amended by Republic Act No. 6389, portions of the public domain were proclaimed by the President of the Philippines as agricultural settlement reservations under the administration and disposition of the DAR. To facilitate the growth and improvement of the proclaimed area, the DAR was authorized to cut, remove and dispose the available timber resources in the area to be used in the development of the settlement. Provided, however, in this Joint Administrative Order that in cases where DAR directly Joint Administrative Order that in the cases where DAR directly engages in cutting, removing or disposing such timber or forest products — it shall also obtain the necessary permit from DENR.

In settlement projects wherein the DAR lacks the necessary equipment, machinery, and personnel to undertake the aforementioned activity, the DAR may commission or enter into an agreement with a private firm for the cutting, removal and disposal of timber within specific settlement areas subject to the rules and regulations of the DENR and the following policy guidelines:

1. The DAR shall, in coordination with the DENR, DA, DLG, DND, NEDA and other government agencies concerned, promote and preserve the ecological balance in settlement projects;
2. Cutting of trees may be allowed only in areas which are earmarked for farmlots, townsites and barangay sites and classified or

recommended for classification by the DENR as alienable and disposable. In all cases, however, no cutting shall be allowed in watershed areas and within a strip of at least twenty (20) meters on both sides of rivers and along shores of lakes and other bodies of water;

3. In alienable and disposable areas which have been subdivided and allocated to individual beneficiaries, cutting/utilization permits may be issued by the DENR only upon accreditation and recommendation of the DAR;
4. Areas within settlement projects that are classified as timberland and which cannot be reclassified as alienable and disposable in accordance with Presidential Decree No. 705 and other forestry rules and regulations, shall be reclassified as permanent forests and henceforth, there will be no land allocation and cutting of trees;
5. All applications for the issuance/renewal of permits for the cutting, utilization and recovery of trees/logs within DAR settlement projects shall be filed with the Office of the DAR Secretary. After the initial/preliminary evaluation of the application, copies of the same shall be forwarded to the Regional Offices of DAR and DENR which shall jointly conduct an ocular inspection and investigation of the area and submit a joint report of their findings and recommendations on the following:
 - (a) A map on the land classification of the area showing the location of relative position of the critical watersheds;
 - (b) Inventory of the timberland within the proposed area of operations;
 - (c) Technical and financial capability of the applicant including an inventory of his machinery and equipment;
 - (d) Advantages and pecuniary benefits that will accrue to the government;
 - (e) Plans and measures to be undertaken by the Regional Offices of both DAR and DENR to control logging/utilization operation including those that would protect critical watershed areas and

preserve the ecological balance; and

- (f) Such other information as may be necessary to help in the disposition of the application.
6. The DENR shall approve and issue permits for the cutting, removal and disposal of timber and other forest products within DAR settlement projects, after compliance by the applicant with all the requirement thereof.

This Joint Administrative Order shall take effect immediately.

(SGD.) FULGENCIO S. FACTORAN, JR.
Secretary
Department of Environment and
Natural Resources

SGD.)PHILIP ELLA JUICO
Secretary
Department of Agrarian
Reform

**DENR Administrative Order
No.19
March 21, 1988**

**SUBJECT : Amendments to Certain Provisions Of
DENR Administrative Order No. 72,
Series of 1987 Re: Guidelines on the
Production and Exportation of Boules**

In support of the wood processing industry and to facilitate the exportation of boules, the following modifications/amendments to DENR Administrative Order No. 72, Series of 1987 are hereby prescribed:

Section 9.6 Loading of boules for export shall only be through the ports of Manila, Cebu, and Davao.

Section 10.1 The exportation of boules shall be covered by a verification clearance issued as such by the assigned Lumber Grader or authorized Lumber Inspector in a form to be prescribed by this Office, to be attested to by two (2) representatives from the Office of the Secretary who will be sent to the point of loading concerned.

All pertinent provisions of DENR Administrative Order No. 72, Series of 1987 remain in force and effect.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No. 21
Mar. 29,1988**

**SUBJECT : Revised Regulations Governing Rattan
Resources**

Pursuant to PD No. 705, as amended, Executive Order No. 192 dated 10 June 1987, and in line with the policy of Government of ensuring the sustainable productivity of and equal access to the rattan resources as a tool to economic recovery and national security, the following rules and regulations governing rattan are hereby promulgated:

**CHAPTER 1
TITLE, POLICIES AND OBJECTIVES**

SECTION 1. Title. This Administrative Order shall be known as the Revised Regulations Governing Rattan Resources.

SECTION 2. Policies and Objectives. The policies and objectives of Government on rattan resources shall be:

- 2.1 To ensure the sustainable productivity, expanding availability, and egalitarian access to, the rattan resource for the continuing support to dependent industries and the generation of employment opportunities and revenues;
- 2.2 To provide a system of rational harvesting, and gainful and efficient utilization of the resources;
- 2.3 To prohibit its exportation in the raw or semi-finished form and encourage importation in the said forms;
- 2.4 To rationalize the industries which are dependent upon rattan as their primary raw materials.

CHAPTER II

FOREST LANDS AVAILABLE AND DISPOSITION OF AREAS FOR THE HARVESTING OF RATTAN

SECTION 3. Rattan Harvesting/Cutting. Rattan may be cut, gathered, transported and disposed only through a license issued by the Department of Environment and Natural Resources (DENR) following the guidelines prescribed in these regulations.

SECTION 4. Forest Lands Available for Harvesting of Rattan. Rattan may be cut and gathered in any forest lands except in experimental forest, national parks and equivalent reserves, wilderness areas, and such other areas as may hereinafter be closed to rattan cutting and gathering. Public A&D lands not subject of applications for patents, however, may also be made available for harvesting of rattan.

SECTION 5. Identification and Delimitation of Probable Areas. The DENR shall identify, with the aid of satellite imageries, aerial photographs, forest resources maps, and other appropriate technical data and references, lands of the public domain the vegetative cover character of which indicates that the occurrence of rattan therein is highly probable.

Areas so identified shall be demarcated/delimited on a map of convenient scale as basis in determining the relative location and extent of probable areas that may be made available for the harvesting of rattan.

SECTION 6. Modes of Disposition of Available Areas. As a general policy, no license or permit to cut and gather naturally grown rattan from forest lands or other areas containing rattan shall be granted except through public bidding undertaken in consonance with this Order. *PROVIDED, That,* To remove undue advantage of the big entrepreneurs over the small entrepreneurs in bidding, specific areas shall be allocated for bidding between and among the big entrepreneurs, on one hand, and also specific areas for bidding between and among the small entrepreneurs, on the other hand.

SECTION 7. Inventory Requirement. Before an area is advertised for disposition or the grant of a license, the area covered

thereby shall be inspected and inventoried by authorized forest officers following prescribed procedures and standards set therefor. The corresponding inspection report that shall be submitted shall contain, among others, such relevant information as; legal status of the area; forest cover; current land-use; rattan density per hectare; and, other information that may be necessary to guide the Department Secretary and/or prospective bidders in their actions.

CHAPTER III COMPETITIVE BIDDING

SECTION 8. Organization of Areas Subject of Competitive Bidding. Areas previously identified as available for the harvesting of rattan shall, before they are advertised for bidding or considered for disposition under this Order, be organized into production units or blocks of appropriate sizes taking into consideration, among others, the quantity of the available resource, the raw material needs of dependent industries, and such other socio-economic factors as are essential to national economic recovery, development, and progress. As much as possible, the delineation of rattan production blocks shall consider natural boundaries. *PROVIDED That*, the Department shall identify which production block (s) are for the big or small entrepreneurs; *PROVIDED FURTHER*, That 55 percent of the rattan production area of any region shall be allocated to the small entrepreneurs, with a capitalization of ₱ 100,000.00 or less. The big entrepreneurs with a capitalization exceeding ₱ 100,000.00 shall be allocated 45 percent of the region's rattan production area; *PROVIDED FINALLY*, That, at least Ten percent (10%) of the region's total rattan production shall be reserved for local consumption/use where there are existing users of the product within the region.

SECTION 9. Notice of Invitation to Pre-qualify to Bid. Prospective bidders over the production unit or block organized under the immediately preceding section shall be invited to prequalify to bid over the subject area by way of a public announcement in at least two (2) newspapers of general circulation. The Notice of Invitation for pre-qualification shall run once for three (3) consecutive weeks for new bids and once for two (2) consecutive weeks in the case of rebidding. In addition a copy of the Notice shall be posted at the Department and its Regional, Provincial and Community Offices where the area being advertised is located. *PROVIDED*, That the Notice shall specify

among others, whether the rattan area up for bidding is for small entrepreneurs or not in accordance with Sections 6 and 8 hereof, the location and technical description of the area, the allowable cut, and other important details thereof to guide the prospective bidders.

SECTION 10. Who May Qualify. The following may qualify for pre-qualification, with preferential rights to Filipinos pursuant to the provisions of the constitution.

- 10.1 Corporations, partnerships, or associations organized under the laws of the Philippines with at least 60% of the capital stock owned by Filipinos citizens.
- 10.2 Owners/operators of rattan processing plants who satisfy without exception, all of the following requirement:
 - 10.2.1 The plant must have an annual rated capacity of not less than 300,000 linear meters;
 - 10.2.2 Paid-up capital or owner's equity of at least ₱ 250,000.00; and
 - 10.2.3 DENR license to operate a rattan processing plant.
- 10.3 Individual rattan gatherers or cooperatives of rattan gatherers organized under the laws of the Philippines;
- 10.4 Individual or associations of rattan gatherers/users duly accredited by the local Action Officer of the Bagong Kilusang Kabuhayan at Kaunlaran (BKKK) or by NACIDA:
- 10.5 Individual or associations of members of indigenous cultural communities/tribal groups, duly attested by pertinent government offices on Muslim affairs and
- 10.6 Individual or associations of rebel returnees, war veterans or veterans of military campaigns, duly attested by the Department of National Defense: and
- 10.7 Holders of timber license agreement in whose concession the area being bid is situated.

SECTION 11. Prequalification Requirements. In addition to such other documents as are specified in the prequalification forms, the following requirements shall be submitted by prospective bidders.

11.1 For owners/operators of rattan processing plants:

- 11.1.1 Proof of paid-up capital or owners's equity of not less than p 250,000.00.
- 11.1.2 License to operate a rattan processing plant issued by DENR.
- 11.1.3 If corporate body: a) certified photocopy of Certificate of Registration issued by the Securities and Exchange Commission (SEC); b) certified photocopy of Articles of Incorporation and By-Laws; c) description and background of current stockholders, directors, and officers including their nationalities, biodata and related experiences.
- 11.1.4 Audited Financial Statements for the immediate past three (3) years;
- 11.1.5 List and quantity of rattan product lines;
- 11.1.6 Past export revenues from processed rattan products, if any, duly certified by the Central Bank;
- 11.1.7 Sworn statement authorizing representative(s) of DENR to verify submitted information; and
- 11.1.8 Statement of undertaking to employ, wherever applicable, members of cultural communities and local residents in its operations.

11.2 For individual local rattan gatherer:

- 11.2.1 Certification from the Provincial Governor/Mayor concerned that the individual rattan gatherer is a bonafide resident of the municipality/province where subject rattan area is located;

- 11.2.2 Proof of available capital and credit lines;
 - 11.2.3 Supply contract with existing rattan furniture or rattan craft manufacturers ; and
 - 11.2.4 Sworn statement authorizing DENR representative(s) to verify submitted information.
- 11.3 For cooperatives of rattan gatherers:
- 11.3.1 Certificate of registration issued by. The Bureau of Cooperatives Development (BCOD);
 - 11.3.2 Certificate from the Mayor/Provincial Governor concerned that the members of the Cooperative are bonafide residents of the municipality/province where the area is located;
 - 11.3.3 Certificate of training issued by BCOD;
 - 11.3.4 Audited Financial Statements for the immediate past three (3) years;
 - 11.3.5 Proof of available capital and credit lines.
 - 11.3.6 Supply contract with existing rattan furniture or rattan craft manufacturers; and
 - 11.3.7 Sworn statement authorizing DENR representative(s) to verify submitted information.
- 11.4 For individual BKKK-accredited rattan gatherer or NACIDA registered rattan user:
- 11.4.1 Certificate of accreditation by local BKKK Action Officer or certified copy of NACIDA - registration;
 - 11.4.2 Proof of available capital or credit lines;
 - 11.4.3 List and quantity of product lines;

- 11.4.4 Marketing/supply agreements; and
 - 11.4.5 Sworn statement authorizing DENR representative(s) to verify submitted information.
- 11.5 For associations of BKKK-accredited rattan gatherers/users, or NACIDA-registered rattan users, as the case maybe:
- 11.5.1 Articles of Association duly accredited by the BKKK Action Officer concerned;
 - 11.5.2 Articles of Association duly registered with the NACIDA;
 - 11.5.3 Proof of available capital or credit lines;
 - 11.5.4 List and quality of product lines;
 - 11.5.5 Marketing/supply agreements; and
 - 11.5.6 Sworn statement authorizing DENR representative(s) to verify submitted information.
- 11.6 For individual or associations of members of indigenous cultural communities/tribal groups:**
- 11.6.1 Certification from the Chieftain/Head of the cultural community or tribe, attested by the Mayor/Provincial Governor concerned, that the individual or members of the association is/are bonafide resident(s) of the municipality/province where the area is located;
 - 11.6.2 Certification from the pertinent government office concerned with affairs of Muslims or cultural communities, that it is a duly recognized association;
 - 11.6.3 Proof of available capital and/or credit lines;
 - 11.6.4 Supply contract with existing rattan furniture or rattan craft manufacturers; and

11.6.5 Sworn statement authorizing DENR representative(s) to verify submitted information.

11.7 For individual or associations of rebel returnees or war veterans or veterans of military campaigns:

11.7.1 Certification from the Mayor /Provincial Governor concerned that the individual or members of the association is/are bonafide resident(s) of the municipality/province where the area is located;

11.7.2 Certification from the Department of National Defense that the individual or members of the association is/are truly rebel returnees, war veterans or veterans of military campaigns, and if an association is a duly recognized association of rebel returnees, war veterans or veterans of military campaigns;

11.7.3 Proof of available capital and/or credit lines;

11.7.4 Supply contract with existing rattan furniture or rattan craft manufacturers; and

11.7.5 Sworn statement authorizing DENR representative(s) to verify submitted information.

11.8 For holders of timber license agreement:

11.8.1 Certified copy of the TLA;

11.8.2 Certification from a wood industry association recognized by DENR that they are members of good standing;

11.8.3 If corporate body: a) certified photocopy of Certificate of Registration issued by the SEC; b) certified photocopy of Articles of Incorporation and By-Laws; c) description and background of current stockholders, directors, and officers, including their

nationalities, biodata, and related experiences.

11.8.4 Audited Financial Statement for the immediate past three (3) years;

11.8.5 Statement of undertaking to employ, wherever applicable, members of cultural communities and local residents in the operations;

11.8.6 Sworn statement authorizing DENR representative(s) to verify submitted information.

11.9 For partnerships/corporations:

11.9.1 Certified photocopy of Certificate of Registration issued by the SEC;

11.9.2 Certified photocopy of Articles of Partnership/Incorporation and By-Laws;

11.9.3 Description and background of current stockholders, directors, and officers including their nationalities, biodata, and related experiences;

11.9.4 Audited Financial Statements for the immediate past three (3) years;

11.9.5 Proof of available capital and/or credit lines;

1.1.9.6 Statement of undertaking to employ wherever applicable members of cultural communities and local residents in its operations; and

1.1.9.7 Sworn statement authorizing DENR representative(s) to verify submitted information.

SECTION 12. Submission of Documents/Requirements.

Prequalification documents, together with the necessary supporting requirements, shall be submitted in two (2) copies at the Office of the Secretary, DENR, in sealed envelopes not later than the time and date

specified in the Notice of Invitation to Pre-qualify. All papers and documents submitted by prospective bidders shall be public unless authorized by the Secretary.

SECTION 13. Screening and Awards Committee. The DENR Secretary, shall create a Rattan Screening and Awards Committee (RSAC) which shall be primarily responsible for the proper receipt, recording, safekeeping and evaluation of pre-qualification and bid proposals pertaining to the rattan resources including the conduct of bidding and recommendations for the award of an area being disposed in accordance with these regulations.

The members of the RSAC shall be designated by the Secretary and shall be composed of a Chairman, and Executive Officer, and two (2) members from the technical forestry group with a rank not lower than a Division or its equivalent and Commission on Audit representative as observer.

SECTION 14. Evaluation of Pre-qualification Requirements. The RSAC shall, upon submission of a prospective bidder's pre-qualification documents and supporting papers, immediately number the pages of the submitted documents, and record the same and time of receipt, including the number of pages. Forthwith, the RSAC shall start evaluating the documents taking into account the completeness of requirements and the following considerations:

- 14.1 Financial capacity - prospective bidder should have a net worth which should at least equal to the floor price of rattan for the area to be bidden. This may be supplemented by proofs of available cash capital and credit line facilities. The floor price shall be determined by the DENR, following guidelines to be promulgated thereof.
- 14.2 Technical competence - proof of technical know - how and experience, and/or ability to hire the services of competent technical personnel;
- 14.3 Community development obligations - firm plans commitments for the upliftment of the socio-economic status of the rural citizenry within its sphere of operations.

14.4 Standing of prospective bidder - prospective bidder should be of good standing status and that they are not in the blacklisted or suspended category.

SECTION 15. Action on Pre-qualification Documents. If, upon evaluation, the RSAC is convinced that the prospective bidder meets all the requirements, the application for pre-qualification shall be stamped "PREQUALIFIED" and shall be submitted to the Secretary for review and approval. Subsequently; the Committee shall inform the concerned parties within five (5) days after approval that they have pre-qualified.

On the other hand, application of prospective bidders who do not meet the prequalification requirements shall be stamped "PREDISQUALIFIED" and shall likewise be submitted to the Secretary for his information and record. Predisqualified applicants shall be informed in writing within five (5) days that they have been predisqualified.

SECTION 16. Rattan Bid Proposal Forms and Particulars . Bid proposal forms and particulars on an area to be bid shall be made available by the RSAC to prequalified bidders upon request, and payment of the corresponding fees therefor.

SECTION 17. Submission of Bid Proposals. Bid proposals shall be submitted in two (2) copies and in sealed envelopes to the RSAC within the period specified in the public notice. Proposals submitted after the prescribed period shall not be accepted by the RSAC.

SECTION 18. Receiving and Opening of Bids. Bid proposals submitted to the RSAC within the specified period and in accordance with these regulations shall be stamped by the record officer of the Committee indicating the date and time of receipt hereof. The same is recorded thereafter in chronological order to a permanent record book provided for the purpose. RSAC chairman shall see to it that the sealed proposals are properly secured and shall not be opened until the specified date and time.

The chairman shall open the sealed bids publicly at the place, time, and date stated in the notice which shall be attended by the bidders or their authorized representatives. Every page of a bid proposal, including the documents attached there to shall be numbered consecutively and

initialed by the RSAC records officer.

After the opening and the numbering of the pages of the bid proposals have been completed, the corresponding abstract shall be prepared which shall be signed by the committee members and the resident auditor or his representative, attaching thereto all the bids with their corresponding supporting papers/documents and the proceedings of the bidding.

SECTION 19. Bid Guaranty. All bid proposals shall be accompanied by a Bid Guaranty equivalent to twenty-five percent (25%) of the bid price being offered by the proponent and shall be in the form of a Manager's Check issued by a reputable bank in favor of the DENR. Failure to submit the required bid guaranty with the bid tender shall be sufficient cause for rejection. Full amount of the bid guaranty shall be returned to losing bidders.

SECTION 20. Evaluation of Bids. The following general guidelines shall govern the evaluation of bid proposals:

- 20.1 Bid shall be prepared in the form as prescribed in the instruction supplied to bidders;
- 20.2 There shall at least be two (2) competing bidders at the time of opening of bids. In the event that there is only one bidders, the bid shall be returned unopened and the area advertised anew for rebidding.
- 20.3 A bid which does not comply with the conditions or requirements set forth in the bid documents shall be rejected.
- 20.4 The Secretary reserves the right to reject any or all bid proposals when in his opinion, public interest will be adversely affected. The right is also reserved to waive the consideration of minor deviations in the bids which do not affect the substance and validity of the bids, or to disregard any bid which is obviously unbalanced particularly in the major items.
- 20.5 After the bids have been evaluated, the committee shall

submit a report of its findings to the Secretary who shall decide as to whom the area shall be awarded.

SECTION 21. Basis of Award. The area subject of bid shall be awarded to the highest bidder. The highest bidder is one who, having complied with the necessary requirements, offers the biggest cash value of the rattan resources within the bidden area, exclusive of license fees and other government charges; *PROVIDED That*, the bid offer is not lower than the floor price for rattan as determined by the Department, *PROVIDED FURTHER*, that,; if there are two or more equal highest bids and one of the equal bids is that of the former licensee, the former licensee 's bid shall be accepted; *PROVIDED FURTHER*, That, if his bid is not one of such equal highest bids, the former licensee shall be given the option must be exercised within three (3) days exclusive of Sundays and Holidays from the time the highest bid is announced, otherwise said option shall be deemed waived. **PROVIDED, FURTHERMORE**, That, in the case where the former licensee waives his option as in the foregoing, or the bidding did not include the former licensee, equal highest bids shall be resolved consonant to the following rattan bidder hierarchy of priority (highest to lowest) : individuals or associations of indigenous cultural community/tribal group; war veterans or veterans of military campaigns; rebel returnees; owners/operators of rattan processing plants; holders of TLAs and lastly, corporations/partnerships; *PROVIDED, FINALLY*, That for equal bids between an individual or community, preference shall be to the community, except if the individual is the former licensee; among communities of the same category, preference shall be given to the community with greatest number of membership; and, between or among corporations or partnership, preference shall be given to the one with the greatest percentage of ownership by Filipino citizens. However, the Secretary may, if national interest so requires, grant rattan cutting licenses through negotiated contract to individuals or associations of indigenous cultural communities/tribal groups over area predominated by such cultural/tribal groups, provided that such areas shall not exceed ten (10) percent of the total rattan production blocks per region.

SECTION 22. Decision of Award. The Secretary, based on a review of the evaluation report of RSAC, shall make his decision as to whom the area shall be awarded and for which a Notice of Award shall be issued; *PROVIDED, That*, should the awardee refuses or fail to comply with the requirements called for in the Notice of Award within

the period prescribed therein, the award shall be nullified and the Bid Guaranty submitted shall be forfeited in favor of the Government; *PROVIDED FURTHER*, That, in such an eventuality, the second highest complying bidder shall be considered provided that his bid is at least 75% of the highest bid but in no case less than the floor price for rattan; and *PROVIDED FINALLY*, That these rules shall apply to the third highest bidder in case of refusal on the second highest bidder and so on.

SECTION 23. Issuance of Rattan Cutting License. A license for the cutting, gathering, transport, utilization and disposition shall be issued by the Undersecretary for Operations by authority of the Secretary in favor of the winning bidder after compliance with the administrative fees and requirements provided in these regulations and other pertinent regulations of the Department.

CHAPTER IV RATTAN CUTTING LICENSE

SECTION 24. Rattan Cutting License. Rattan may be cut, gathered and transported only thru a license issued by the DENR in consonance with rules herein provided.

SECTION 25. Maximum Area Under Rattan Cutting License. Consistent with the state-adopted policy of providing equitable access to rattan resources without disturbing the regular flow of raw materials to industries dependent thereto the maximum area for individuals shall be 5,000 hectares; for corporations, partnership, associations, cooperatives, 30,000 hectares. *PROVIDED, That*, licensees may avail of more than one rattan cutting license located in different areas/regions but in no case shall the aggregate area of these exceed the maximum area limit corresponding to their classification; *PROVIDED, FURTHER*, That, each rattan license area should be able to sustain an annual allowable cut of 50,000 lineal meters.

SECTION 26. Sustained Yield Cut. The sustained yield cut that may be granted annually under a rattan cutting license shall be determined in accordance with the following formula:

$$SYC = \frac{A \times D}{r} \times f$$

Where:

- SYC = Sustained yield cut in linear meters on annual basis
- A = forested area in hectares

- D = average density per hectare in linear meters
- r = rotation period of 15 years
- f = recovery factor of 85%

SECTION 27. Duration of License. An original rattan cutting license issued in consonance herewith shall have duration of not more than ten (10) years, renewable only for a similar period at the option of the Department Secretary, subject to the provisions of the succeeding section.

SECTION 28. Renewal of License. A rattan cutting license may be renewed upon an application duly filed and the necessary requirements complied with, and upon proof that there are still sufficient rattan available for harvesting to warrant a viable and economic operation, subject to satisfactory performance and compliance with license terms and conditions.

SECTION 29. Privileges Under a Rattan Cutting License. A holder of a license issued in consonance with this Order shall be entitled to the following privileges:

- 29.1 To enter designated areas with forest lands in order to cut and gathered, to the exclusion of others, rattan; *PROVIDED*, That, no timber or forest products other than rattan shall be cut or gathered; and *PROVIDED FURTHER*, That, in case the area or portion thereof covered by the license is within a timber concession, the activities of the rattan licensee shall be undertaken in coordination with the timber licensee or licensees concerned;

- 29.2 To transport rattan poles and to dispose same for the local manufacture of rattan furniture or handicrafts, subject to the provisions of Section 30 hereof.

- 29.3 To have priority, subject to the provisions of these regulations, over the area specified in the license for development into rattan plantation; and
- 29.4 To cut, gather and transport an amount of rattan poles or materials, the quantity of which shall be within the sustained yield annual allowable cut specified in the license.

SECTION 30. General Conditions Under Which a Rattan Cutting License is Issued. The cutting, gathering, transporting, and disposition of rattan under a license issued in consonance with these regulations shall be subject to the following general conditions pertinent conditions contained in Section 58 hereof:

- 30.1 The license is granted upon the expressed condition that the licensee assumes responsibility for any or all acts connected with his operations;
- 30.2 The licensee shall submit to the Community. Environment and Natural Resources Office (CENRO) concerned a quarterly and annual report on the rattan poles cut/collected/transported under the license indicating the species, volume/quantity cut and utilized and to whom rattan was supplied. among other information related to disposal of the resource.
- 30.3 In the case of cooperatives and/or associations, to keep and maintain a book of accounts which should be kept readily available for inspection/verification by authorized forest officers and/or agents of the Department;
- 30.4 Only rattan with a length of 25 linear meters or longer shall be cut and gathered;
- 30.5 In the harvesting of rattan, care must be exercised to prevent damage to trees and young rattan plants;
- 30.6 Holders of rattan cutting licenses who do not own/operate rattan processing plants shall dispose their production in

consonance with rules and regulations provided therefor;

- 30.7 The licensee agrees, unconditionally, to comply with all applicable forest and related laws, rules and regulations governing the cutting, and/or gathering, transport, disposition and/or utilization of forest products;
- 30.8 Depending upon the market demands and processing requirements, including species suitability, the allowable cut of rattan poles (unsplit) authorized under the license may be converted to split rattan at the empirical conversion ratio of twelve (12) linear meters (unsplit) to a kilo of split rattan; *PROVIDED, That*, the CENRO Officer concerned shall be properly and priorly notified of any undertaking for any conversion thereof;
- 30.9 The licensee shall plant the required number of rattan seedlings for every linear meter of rattan pole cut, as determined by the Department Secretary or his authorized representative, or following the scheme as may be provided for the purpose;
- 30.10 The Department shall delimit on the ground at the expense of the license holder, the boundary of the area covered by the license following guidelines provided for the purpose; and
- 30.11 To submit, following the guidelines provided for the purpose, and annual cutting and replanting , for approval by the Regional Executive Director concerned.

CHAPTER V RATTAN PROCESSING AND UTILIZATION

SECTION 31. Rationalization of the Rattan Industry. While the establishment, operation and expansion of rattan processing plants shall be encouraged, their location, capacities and types shall be regulated consistent with the industry rationalization program. Processing plants which are inefficient, wasteful, uneconomical, perennially short in raw materials, or which are not responsive to the rationalization program may be phased-out, suspended, or cancelled by the Secretary.

SECTION 32. Rattan Pole Production and Processing. The national production of raw rattan poles shall be regulated in order that it shall not exceed the annual sustained yield capacity of the rattan resource. Rattan whether split or unsplit, produced by rattan cutting license holders who are not themselves processors shall dispose their production to legitimate rattan processing plant license holders and/or users through a rattan supply contract/agreement approved by the Secretary of his authorized representative. Processing of rattan nearer to its source is encouraged by the Department.

SECTION 33. Rattan Processing Plant License. The rattan resource may only be processed with rattan processing plant license issued by the Secretary or his authorized representative.

SECTION 34. Establishment/expansion of Rattan Processing Plant License. Authority to establish a rattan processing plant license may be issued by the Department Secretary, upon an application duly filed, subject to the provisions of this Order. The Regional Executive Director concerned, shall forthwith issue the necessary license to operate a rattan processing plant if all the requirements prescribed herein have been properly complied with.

The expansion of capacities of existing rattan processing plants may be granted by the Regional Executive Director concerned after a field evaluation/verification of the existing capacity of the plant and proof of availability of raw materials to sustain continuous normal operations.

SECTION 35. Who May Apply. The following may apply for a license to establish, operate, or expand a rattan processing plant:

- 35.1 A person, who at the time of application, owns and operates a rattan processing plant; and
- 35.2 A person, who at the time of application possesses the necessary qualification to establish a rattan processing plant.

SECTION 36. Application Requirements. For an application for a license to be given due course, the prescribed application form shall be accomplished by the applicant and filed with the DENR Regional Office concerned, together with the following requirements:

- 36.1 In case the application is for a license to operate or expand an existing rattan processing plant:
 - 36.1.1 Proof of the existence and ownership of a rattan processing plant;
 - 36.1.2 Certificate of registration issued to the applicant to engage in business in the Philippines; and
 - 36.1.3 Business plan indicating, among others, management and work force, plant lay-out, machinery and procedures of processing product lines, markets and marketing channels, and audited financial statement for the immediate past three (3) years.
 - 36.1.4 Clearance from Community/Provincial Environment and Natural Resources officer concerned that expansion of the plant will not be pollutive and will not cause any damage to the environment.
- 36.2 In case the application is for a license to establish a new rattan processing plant:
 - 36.2.1 Certificate of registration issued to the applicant to engage in business in the Philippines;
 - 36.2.2 A complete feasibility study; and
 - 36.2.3 A rattan pole supply contract with a rattan cutting license/licensees.
 - 36.2.4 Clearance from Community/Provincial Environment and Natural Resources Officer concerned that the plant will not be pollutive and will not cause any damage to the environment.

SECTION 37. Duration of License. An original rattan processing plant license shall have a duration of five (5) years which may be renewed for a similar period upon proof of availability of sufficient rattan supply and proper compliance with existing laws and regulations including

pertinent conditions stipulated in Section 58 hereof and the terms and conditions stipulated in the license.

SECTION 38. Rattan Importation. To supplement locally source rattan supply, the importation of rattan in its raw and/or semi-worked form shall be encouraged. The Department shall not issue permits for importation. The licensee, however, should possess the necessary permits from the other government agencies involved in importation including the Plant Quarantine Service of the Department of Agriculture to prevent the introduction of exotic plant pests and diseases.

CHAPTER VI

RATTAN PLANTATION ESTABLISHMENT AND DEVELOPMENT

SECTION 39. Development of Rattan Plantation. The development of rattan plantations as an alternative source of raw materials shall be encouraged and pursued.

SECTION 40. Forest Lands Available for Rattan Plantation Development Except in specific areas in forest lands mentioned in Section 4 hereof the following, whether inside timber concession or not may be made available for rattan plantation development:

- 40.1 Brushlands and open lands;
- 40.2 Recently logged-over forests;
- 40.3 Second growth forest not scheduled for relogging within the next twenty (20) years;
- 40.4 Established plantations inside forest tree plantation development projects or existing government reforestation project.

SECTION 41. Rattan Plantation Lease. The development of rattan plantations within forest lands may be allowed only under a lease issued by the Secretary, upon recommendation of the Regional Executive Director concerned and in compliance with the requirements prescribed herein.

A rattan plantation lease shall have a duration of twenty five (25) years, renewable for a similar period; *PROVIDED, That* the terms and conditions stipulated in the lease and applicable laws and regulations are properly complied with.

SECTION 42. Who May Apply. The following persons may obtain a lease to establish and develop rattan plantations inside forest lands:

- 42.1 Holders of rattan processing plant permits;
- 42.2 Holders of rattan cutting permits;
- 42.3 Holders of timber license agreements or other timber licenses, provided that the area applied for is within their respective concession holdings;
- 42.4 Filipino citizens who are residents of the community near, adjacent, or surrounding forest lands desired to be developed into rattan plantations; and
- 42.5 Filipino citizens possessing the qualification to lease forest lands.

SECTION 43. Application Requirements. For an application for a lease to be given due course, the prescribed application form shall be accomplished by the applicant and filed with the DENR Regional Office concerned, together with the following requirements:

43.1 Common Requirements

- 43.1.1 A certification from the local community environment and natural resources officer concerned that the area is available, accessible, and suitable for development into plantation by way of new, supplemental, or enrichment planting;
- 43.1.2 A rattan plantation development and management plan prepared by or under the supervision of, and signed and sealed by a registered forester;
- 43.1.3 Proof of financial capability to engage in such rattan

plantation activity to the extent of at least one thousand pesos (₱ 1,000.00) per hectare;

43.1.4 If a corporate body, partnership, or association (a) certified photocopy of the Articles of Incorporation, Partnership or Association, and By-Laws, as the case may be; (b) Certified photocopy of Registration with the Securities and Exchange Commission; (c) description and background of current stockholders, directors and officers, including their nationalities, bio-data and relevant experiences.

43.2 Specific requirements

43.2.1 For holders of a rattan processing plant license - copy of existing rattan processing plant license.

43.2.2 For holders of a rattan cutting permit copy of existing and valid rattan cutting license;

43.2.3 For holders of a license agreement or timber license;

Copy of existing and valid timber license agreement or other forms of timber license;

Project feasibility study;

43.2.4 For holders of a tree plantation lease

Copy of existing and valid forest tree plantation lease agreement;

Feasibility study;

43.2.5 For individual persons - a certification from the Mayor/Provincial Governor concerned that the applicant is a bonafide resident of the municipality/province where the area applied for is located.

No area shall be leased for rattan plantation purposes if such area during the inventory conducted by the local community environment and natural resources officer, contains more than five hundred (500) growing rattan seedlings or plants more or less uniformly and widely spread over each hectare of forest lands.

SECTION 44. Size of Rattan Plantation. The size of area that may be the subject of rattan plantation lease shall not be more than 1,000 hectares.

SECTION 45. Obligation of the Lessee. The lessee shall strictly observe the following and the pertinent conditions stipulated in Section 58 hereof:

- 45.1 To undertake at his own expense the delimitation the boundary of the leased area, in coordination with the Department, and to be familiar with and be responsible for the maintenance of said boundary;
- 45.2 To protect his area, his rattan plantation, the forest land and its resources where his rattan plantation is located as well as its immediate vicinity against manmade/man caused disturbances or destructions;
- 45.3 To do no timber cutting, unnecessary under brushing, forest floor clearing and burning, or gathering of any other forest products, or undertaking of any activities not consistent with the purpose of the lease;
- 45.4 To implement strictly his program of rattan plantation development following as closely as possible the schedule of planting, maintenance and improvement;
- 45.5 To follow, as closely as possible, accepted silvicultural and utilization practices, as well as the rotation cycle, for rattan:
 - 45.5.1 For rattan with diameter 2 cm. and above, the minimum stocking requirement is 400 uniformly spaced seedlings per hectare; for rattan below 2 cm. in diameter, the minimum stocking requirement is

1000 uniformly spaced seedlings per hectare. When possible, fertilization should be applied in order to hasten the growth of rattan plants;

45.5.2 Unless otherwise provided for in the approved rattan plantation management development plan, only mature canes shall be cut.

45.5.3 Cutting into proper pole lengths and avoiding injury to the rinds of canes should be observed so as to minimize wastage.

SECTION 46. Incentives. Rattan raised in plantation belongs to the lessee who shall have the right to sell, contract, convey or dispose of the said rattan in any manner he sees fit, in accordance with forestry laws, rules and regulations.

To encourage the establishment of rattan plantation the following incentives are hereby granted to holders of rattan plantation lease:

46.1 The minimum rental fee p0.50 centavos per hectare shall be imposed, provided that there will be no rental fee payments for the first five (5) years of the lease;

46.2 Provisions of rattan seedlings at production cost and free technical assistance by DENR field personnel;

46.3 Forest charges on the rattan cut out of the plantation shall be fifty (50) percent of the regular assessment; and

46.4 Rattan raised in plantation belongs to the lessee who shall have the right to sell, contract, convey, or dispose of the rattan in any manner he sees fit, in accordance with forestry laws, rules and regulations, provided that no exportation of raw rattan canes shall be allowed.

Where deemed meritorious, the DENR may enter into rattan plantation development contract with any interested and/or qualified individual or entity.

CHAPTER VII REGULATORY FEES

SECTION 47. Old rates stipulated in Chapter 5 of BFD Administrative Order No. 2-85 shall be retained except for rate of the license fee to operate rattan processing plants which shall be ₱ 25.00 for every ₱ 10,000.00 capitalization provided that the total license fee due is not less than ₱ 1,000.00 and at most ₱ 5,000.00 only.

CHAPTER VIII CRIMINAL OFFENSES AND PENALTIES

SECTION 48. Criminal Offenses and Penalties. The cutting, harvesting, gathering or transporting of rattan without a permit shall be illegal and any person or persons committing such act or acts shall be punished in accordance with Section 68 of Presidential Decree No. 705, as amended, and appropriate laws. Confiscated or seized rattan poles shall be immediately disposed of through public bidding following the guidelines to be prescribed by the Secretary.

The operation, expansion or establishment of rattan processing plant without a license, likewise, shall be illegal and any person or persons committing such act or acts shall be punished by perpetual disqualification from ever acquiring such license or rattan cutting permit.

SECTION 49. Causes for the Suspension Revocation and/or Cancellation of Licenses/leases. Depending upon the degree of and the mitigating circumstances attendant to the violation, a license or lease may be suspended, cancelled and/or revoked for any of the following reasons:

- 49.1 For late or non-payment of the required fees, within the prescribed period;
- 49.2 Cutting without an approved annual cutting operations plan;
- 49.3 Cutting outside the area covered by the rattan cutting license;
- 49.4 Cutting outside the approved annual cutting operations plan;
- 49.5 Cutting in excess of the annual allowable cut;

- 49.6 Invoicing of rattan materials coming from illegal or questionable sources;
- 49.7 Illegally transporting rattan materials;
- 49.8 Failure to submit the required annual planting plan or to satisfactorily replant the areas prescribed in approved plan;
- 49.9 Failure to delimit the license boundaries within the prescribed period;
- 49.10 Failure to effectively protect the area under license;
- 49.11 Refusal to allow authorized forest officers to enter the area under license, or the processing plant premises, or to make available documents as may be required by said forest officers;
- 49.12 Cutting of forest product other than what is specified in the license;
- 49.13 For processing illegally cut/transported rattan;
- 49.14 Failure to properly enter into the Rattan Registry Book all rattan material deliveries, whether purchased or not from its own rattan license, immediately or soon after delivery;
- 49.15 For unauthorized expansion of his rattan processing plant capacity;
- 49.16 For grossly unsatisfactory performance as verified and reported by authorized forest officers;
- 49.17 For violation of existing forest and related laws, rules and regulations and the terms and conditions of the license or lease.

Persons found and verified to have cut rattan, or have operated a rattan processing plant without the necessary license, shall be perpetually disqualified from acquiring any forestry license related to the utilization of

this resource, without prejudice to the imposition of such other sanctions as may be warranted.

CHAPTER IX RATTAN SPECIAL DEPOSIT

SECTION 50. Purpose and Natural of Special Deposit. There shall be collected from holders of rattan cutting licenses a specific amount which will accrue to a Rattan Special Deposit in addition to the basic forest charges provided for under existing forestry laws, and regulations, which amount shall be expended for the rattan replanting obligations of said licensees. The special deposit collected in consonance herewith shall be considered as a trust fund deposit to be treated in accordance with Section 65 and of PD 705, as amended.

SECTION 51. Amount of Special Deposit. The rattan special deposit to be collected pursuant hereof shall be in the amount of THIRTY CENTAVOS (P 0.30) for every linear meter of rattan which is two (2) centimeters in diameter or larger, and TEN CENTAVOS (P0.10) for every linear meter of rattan which is below two (2) centimeters in diameter. The conversion factor from kilogram to linear meter, where this is necessary to assess the rattan deposit shall be in accordance with existing regulations or as determined by the DENR.

SECTION 52. Assessment. Every holder of a duly issued rattan cutting license shall pay the specified amount based on the annual allowable cut stipulated in the license.

SECTION 53. Collection. The amount specified herein as Special Rattan Deposit shall be collected by the Regional Executive Director, to be deposited with the Philippine National Bank, and may be withdrawn only on the basis of a consolidated annual budget work program for the specific purpose of establishing rattan plantations or in the prosecution of the rattan replanting program of the concerned rattan cutting license holder.

SECTION 54. Manner of Collection. The special deposit shall be collected at the time of issuance of a new permit or renewal thereof, but in no case shall it be less than FIFTY PERCENT (50%) of the assessed amount to be deposited. The balance of the deposit may be paid in

installments during the lifetime of the license in accordance with the schedule under a written undertaking executed by the licensee, duly approved by the Regional Executive Director or his authorized representative.

SECTION 55. Use of Special Deposit. The special deposit collected in consonance herewith shall be utilized for the replanting of areas with rattan in pursuance to the terms and conditions of the rattan cutting license.

SECTION 56. Sub-Contracting. Holders of rattan cutting licenses may sub-contract to private parties or government entities duly accredited by the Regional Executive Director or his authorized representative, to undertake the replanting of rattan within the area covered by the license or within areas for rattan plantation development. The rattan replanting/plantation development activities shall be funded by special deposit contributed by the licensee and shall be monitored and evaluated by the Regional Executive Director or his authorized representative. Approval of the sub-contract shall be considered as substantial compliance with the rattan replanting requirement called for in the rattan cutting license.

CHAPTER XI MISCELLANEOUS PROVISIONS

SECTION 57. Transitory Provision. In the interim where the new division of forest areas into production blocks and/or inventory of rattan in the area has not been completed, the existing and available inventory data shall be adopted. *PROVIDED*, That the winning bidder shall agree to conduct with DENR, within six (6) months of award of the bid, an update inventory and to defray costs therefor, which amount excluding the cost incurred in connection with Section 30.10 hereof, shall be deductible to the bid price. *PROVIDED FUTHER*, That, the winning bidder shall agree to an amendment of the initially set annual allowable cut or sustained yield cut (SYC) based on the update inventory. *PROVIDED FINALLY*, That, in all areas where there are no interested bidders or where the prospective bidders are not willing to undertake the update inventory, these areas shall be unavailable for rattan production until such time that these have been organized into production blocks and the resource inventory has been completed.

To provide ample time for the conduct of necessary activities preparatory to bidding such as the division of forest areas into production blocks and undertaking of new or update resource inventories as provided for by Section 7 and 8 hereof, there shall be an automatic extension of existing rattan cutting licenses up to June 30,1988. PROVIDED, That no permits, new or renewal shall be issued from the signing of this order up the said date.

SECTION 58. Additional Conditions for Rattan Cutting. Processing and Plantation License/Leases. In addition to the general conditions prescribed herein, the following conditions shall also apply to the rattan permits and leases issued in consonance with these regulations:

- 58.1 No subsequent cutting of rattan shall be allowed in residual or second growth forest which have been the subject of an initial cutting of rattan until after the fifteenth year; PROVIDED, That, a recutting may be allowed therein as certified by the local Community Environment and Natural Resources Officer and upon approval by the Regional Executive Director concerned.
- 58.2 The licensee/lessee assumes responsibility for any or all acts of his agents and employees;
- 58.3 Authorized forest officers shall have free access to the area under license or any of the facilities set up by the licensee/lessee, including all records pertaining to the operation of the license or lease issued;
- 58.4 Establishment of rattan plantation by the license holder may be allowed, subject to approval of the Regional Executive Director concerned; PROVIDED, That, if the establishment and conserved development of the plantation shall be undertaken through the services of a consultancy or a management firm, the development plan therefor shall be priorly approved by the Regional Executive Director concerned;
- 58.5 Holders of rattan cutting licenses or rattan plantation leases shall employ the required number of forest concession guards as may be prescribed by the Regional Executive Director concerned.

SECTION 59. Definition of Terms. As used in this Order the following definitions shall apply:

- 59.1 "**Bid**" refers to a proposal or offering for the purchased of or the privilege to utilize forest products within a given tract of land.
- 59.2 "**Bidding**" is the process of determining the awardee to a license or lease for the privilege to utilize forest products within a given tract of land.
- 59.3 "**Experimental forest**" refers to a tract of forest land established purposely for experiment, research, or study on forest resources as well as their influences on man and the environment, and vice-versa.
- 59.4 "**Floor price**" refers to the minimum fair market value at which a forest product may be offered for bid.
- 59.5 "**Forest land**" refers to the public forest, permanent forests, or forest reserves and reservation .
- 59.6 "**Lease**" is a privilege granted by the State to a person to occupy and possess, in consideration of specified rental, any forest land of the public domain in order to undertake any authorized activity thereon.
- 59.7 "**License**" is a privilege granted by the State to a person to utilize specified forest resources within any forest land without any right of occupation or possession over the same, or to conduct any activity involving the utilization of other forest resources.
- 59.8 "**National Park**" refers to forest land reservation essentially of primitive or wilderness character which has been withdrawn from settlement to preserve the scenery, the natural and historic objectives and the wild animals or plants therein, and to provide enjoyment of these features in such a manner as will leave them unimpaired for the future generation.

- 59.9 "**Person**" refers to natural as well as juridical person, such as individual, partnership, association, cooperative or corporation.
- 59.10 "**Rationalization**" refers to the organization of a business through sound management principles and simplified procedures to obtain greater efficiency and profitability of operation.
- 59.11 "**Rattan**" refers to a group of cane like climbing palm species such as the palasan (*calamus maximus* Blanco), limuran (*C. ornatus* Blanco), balanog (*C. symphysious* Blanco), and daemonorops Spp., belonging to the family palmae generally found in moist tropical rain forests.
- 59.12 "**Rattan industry**" refers to the small, medium or large scale productive activity involving, in the main, the cutting, gathering, transporting, trading, processing or manufacturing of rattan.
- 59.13 "**Rattan processing plant**" is any mechanical set-up, device, machine or combination of machines used for the purpose of converting raw, unworked rattan materials into semi-finished rattan-generic products, ready for assembly into furniture.
- 59.14 "**Raw/unworked rattan**" means a piece of rattan pole that has not undergone any processing or manufacturing except cutting to sizes or application of preservatives.
- 59.15 "**Rattan product**" refers to any material directly derived from a rattan plant such as: raw rattan (split or unsplit), poles (scraped or unscraped), furniture stocks, handicrafts, basketing and the like.
- 59.16 "**Secretary**" refers to the secretary of the Department of Environment and Natural Resources.
- 59.17 "**semi-worked rattan**" means a piece of pole that has undergone preliminary processing but cannot be directly

assemble into a furniture piece.

- 59.18 "**Small entrepreneurs**" refer to proponents of a rattan cutting enterprise with capitalization of not more than ONE HUNDRED THOUSAND PESOS (P100,000.00).
- 59.19 "**Big entrepreneur**" refer to proponents of rattan cutting enterprise with capitalization exceeding one HUNDRED THOUSAND PESOS (100,000.00).
- 59.20 "**Rattan abandoned**" refers to cut rattan poles which have been left in the cutting areas and /or collection points for more than two weeks without appropriate preservative treatment, and that signs of extensive staining and deterioration have set in.
- 59.21 "**Wilderness area**" refers to the land of the public domain, which has been reserved as such by the president . by virtue of letter of instructions, NO.917, as amended, to preserve its natural conditions, maintain its hydrologic quality and restrict public use,. in the interest of national welfare and security.

SECTION 60. Effectivity. This order takes effect immediately and supersedes BFD administrative order No. 2-85 dated 21 January 1985, as amended.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No.25
April 7, 1988**

**SUBJECT : Pilot Scale Implementation of Timber
Production Sharing Agreement(TPSA)**

Pursuant to Section 2, Article XII of the 1986 constitution and as further emboldened by the Executive Order No. 278, the State through the Department of Environment and Natural Resources shall undertake a more active role in the exploration, development, and utilization of the country's natural resources and as such may enter into co-production, joint-venture, or production sharing agreements with Filipino citizens or corporation or associations.

As a preparatory step towards the development of specific guidelines for the implementation of the appropriate instrument of extracting the true economic rent from the timber resource, it is necessary to generate useful and timely information and to augment the existing pool of knowledge on timber production and harvesting costs, forest development technology and standards, conservation strategies and performance standards measures, and other relevant information on the scientific, technological and entrepreneurial aspects of timber resource utilization in order to:

- (1) Develop an effective administrative mechanism to implement co-production, joint-venture, or production sharing arrangement;
- (2) Develop appropriate policy guidelines towards the effective implementation of co-production, joint-venture, or production sharing arrangement; and
- (3) Effect equitable sharing benefits from the utilization of the timber resource, promote social and political stability and government credibility within the framework of a market economy.

Production Sharing as the Mode of Allocating Timber Resources

Since co-production and joint-venture arrangements, for the most part, require substantial financial involvement on the part of the government, production sharing shall be considered the most readily

feasible mode of allocation of timber resources. To this effect, a Timber Production Sharing Agreement (TPSA) shall be pilot-tested preparatory to formal adoption as a workable scheme of allocating timber rights.

Creation of a TPSA Study Group

To carry out the pilot testing of TPSA, a study group shall be created shortly hereinafter to be composed of responsible officers of the DENR from the forestry, field operations, planning, and research sectors to:

- (1) Develop the interim guidelines for the TPSA;
- (2) Formulate, implement, monitor, and evaluate the research and field operations plan for the TPSA pilot project; and
- (3) Develop the final guidelines/standards for the national application of the TPSA.

The study group shall endeavor to enlist the cooperation and participation of academic institutions engaged in forestry research.

Coverage of TPSA Pilot Studies

The TPSA shall be piloted using the following variables:

- (1) Timber Resource Type: Old Growth Forest, Commercial Logged Over Forest, and Industrial Tree Plantation.
- (2) Size of Operation: Small Scale, Medium-Scale, Large-Scale.
- (3) Type of Organization: Private company, community association, and NGO.

The Study Group shall identify the subject areas for conducting the pilot studies and recommend to the Secretary the number of pilot study areas that would be minimally sufficient to generate the required information for firming-up all the necessary guidelines for the national application of the TPSA.

Repealing Clause — All orders inconsistent herewith are hereby revoked, cancelled, or modified accordingly.

Done in Quezon City, Philippines, on the 7th day of April,
Nineteen Hundred and Eighty Eight.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No. 32
May 5, 1988**

SUBJECT : Prescribing Guidelines for the Payment, Disbursements and Use of Reforestation Deposit Required Under DENR Administrative Order No. 79, Series of 1987

Pursuant to Executive Order No. 192, dated July 10, 1987 and to effectively implement the reforestation deposit required under DENR Administrative Order No. 79, Series of 1987, the following guidelines are hereby prescribed:

1. Who are Required to Put up Reforestation Deposit

All timber licensees/permittees who, on the basis of existing policies and regulations, are required to submit an integrated annual operations plan (IAOP) shall put up a reforestation deposit.

2. Area for Reforestation and Amount to be Paid

Timber licensees/permittees required to make a deposit for reforestation shall, for the year 1988 put up the amount of P10,000 per hectare, based on the equivalent area programmed for reforestation of the open and denuded areas for the year as indicated in the IAOP/TMP.

In case there is no open and denuded portion within the license/permit area, payment shall be based on the equivalent area programmed for reforestation which shall not be more than 50% of the total planting goal as indicated in the approved IAOP/TMP. The DENR shall select an open and denuded area for reforestation outside the license/permit area.

The DENR however has the option to change the amount to be deposited based on current average reforestation cost.

3. Purpose of the Deposit

The reforestation deposit shall be used to pay the reforestation cost in open and denuded areas within the timber concession and other areas requiring reforestation, the priority of which shall be determined by DENR in accordance with Item No. 2.

4. Option to Contract

Based on past reforestation performance of the licensee/permittee, or in cases where the licensee/permittee waives his right to undertake the reforestation DENR has the option either to contract reforestation work to the licensees/permittees themselves or to other contracting parties.

5. Area Accomplishment and Survival Rate Requirements

The reforestation undertaken by the timber licensee/permittee or reforestation contractor, as the case may be, shall at least be 80% of the total areas targeted/projected to be planted for the year with a required survival rate of 80% of the total target area for the current year.

6. Mechanics for Deposit

The timber licensee/permittee shall make the deposit within the first five working days of each quarter. Each deposit shall be equivalent to 25% of the total annual reforestation deposit contribution per licensee/permittee, provided that for 1988, the deposit shall start at the second quarter. In such case, the one-quarter deficiency payment shall no longer be required for the good performers who have already expended said amount in the implementation of their reforestation plan but those not falling within this category shall pay the equivalent amount representing two (2) quarters.

The reforestation deposit shall be deposited in a private account in a reputable bank in Metro Manila in accordance with the Memo of Agreement between the DENR and TLA holder.

7. Management Committee

A Management Committee composed of three (3) members from DENR and two (2) members from PWPA shall be created to oversee the administration of the reforestation deposit with the Secretary of DENR as Chairman.

8. Procedure of Disbursement

Withdrawals against and disbursement on the reforestation deposit shall be through bank drafts signed by the authorized official to be based on the reforestation work and financial plan submitted under oath by the licensee/permittee or contractor.

The Management Committee shall disburse the amounts to each and every timber licensee/permittee concerned as a reforestation deposit for use in undertaking reforestation as required herein.

In cases where the reforestation work shall be undertaken by other contractors, the guidelines on contract reforestation shall apply.

9. Penalties

- 9.1 For failure to put up the reforestation deposit within the prescribed period the following penalties shall be imposed:
 - 9.1.1 After the quarter prescribed, a fine of 0.1% of the amount due for the quarter for every day of delay;
 - 9.1.2 Beyond 90 day delay, a fine of a 0.15% per day of delay to be reckoned from the original deadline.
 - 9.1.3 Beyond 180 days delay, one month suspension of the cutting operations and the violator is given within said period to comply with the payment and penalties due;
 - 9.1.4 Inability to comply with the payment within the one-month suspension, license/permit shall be

cancelled.

9.2 For failure to accomplish the required hectarage as scheduled, the following penalties shall be imposed:

9.2.1 Deficiency during the first offense shall be doubled and added to the reforestation goal of the next year with the corresponding reforestation deposit, provided that if the performance is within the norm as indicated in Item No. 5, the deficiency shall be carried over for the next year without the corresponding reforestation deposit;

9.2.2 Failure to accomplish hectarage required for the second time below the norm of 80%, the license/permit shall be cancelled;

9.2.3 For failure of the reforestation contractors other than the timber licensee/permittee to carry-out the terms and conditions of the contract, the penalties imposed under the guidelines for contract reforestation shall be imposed.

10. Repealing Clause

All orders, circulars, memoranda and instructions which are inconsistent with this Order are hereby repealed or modified accordingly.

11. Effectivity

This Order shall take effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No. 33
May 6, 1988**

**SUBJECT : Regulations Governing the Exportation of
Lumber and Plantation Logs**

Pursuant to the pertinent provisions of P.D. 705, as amended, and Executive Order No. 192, the following regulations governing the exportation of lumber and logs produced from tree plantations are hereby promulgated.

SECTION 1. Title. This Administrative Order shall be known as the "Lumber and Plantation Logs Export Regulations".

Sec. 2. Objectives and Policies. These regulations are in pursuance of the following objectives and policies:

1. The policy banning the exportation of round logs and flitches produced from naturally grown trees and lumber produced from premium hardwood and prohibited species shall be maintained.
2. Exportation of logs produced from planted trees shall continue to be allowed without restrictions to provide incentive to the private sector to engage in the development of tree plantations.

Sec. 3. Wood Products Requiring Export Authority and Commodity Clearance from DENR.

The following wood products may be allowed for exportation only upon prior authority and commodity clearance from the DENR Secretary or his duly authorized representatives.

- 3.1 Logs produced from planted trees regardless of species.
- 3.2 Lumber except those produced from naturally grown premium hardwood and banned tree species.

Sec. 4. Person Qualified for Wood Products Export.

4.1 For Log Export

Only holders of Certificates of Registration as Log Dealer for plantation species issued by DENR may be allowed to export logs.

4.2 Only holders of Certificate of Registration as Lumber Dealer may qualify to export lumber.

Sec. 5. Application Requirements for Authority to Export Wood Products.

5.1 Common Requirements

5.1.1 Application form duly accomplished

5.1.2 Purchase Order

5.1.3 Payment of application fee of P100.00

5.2 Specific Requirements

5.2.1 For Plantation Log Export

5.2.1.1 Log Supply/Sales Contract if exporter buys the logs sought to be exported.

5.2.1.2 Copy of cutting permit, if logs are taken from forest land.

5.2.1.3 Certificate of verification from CENRO concerned if logs are taken from private lands or A or D lands covered by approved public land applications.

5.2.1.4 Certificate of Registration as Plantation Log Dealer.

5.2.2 For Lumber Export

- 5.2.2.1 Sales Invoice if lumber were bought.
- 5.2.2.2 Copy of sawmill permit if exporter is the holder thereof.
- 5.2.2.3 Auxiliary Invoice.
- 5.2.2.4 Certificate of Lumber Origin.
- 5.2.2.5 Certificate of Registration as Lumber Dealer.

Sec. 6. Requirements in the Issuance of Commodity Clearance.

- 6.1 For Plantation Log Export
 - 6.1.1 Auxiliary Invoice
 - 6.1.2 Certificate of Timber Origin
 - 6.1.3 Tally Sheets
 - 6.1.4 Payment of inspection fee of P10,00/cu. m.
- 6.2 For Lumber Export
 - 6.2.1 All the aforesaid requirements specified under Section 5.52
 - 6.2.2 Payment of inspection/grading fee of P20.00/cu. m.

Sec. 7. Inspection/Grading. — The logs subject for export shall be inspected at 100% intensity in accordance with existing procedures. In the case of lumber, same shall be inspected/graded, following existing lumber grading rules, at 20% random sampling.

Sec. 8. Effectivity. — This Order takes effect immediately and cancels/amends all orders and instructions inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

NOTE: In case of transshipment, the following certificate of verification shall be issued by the forest office and attested by the CENRO concerned:

CERTIFICATE OF TRANSSHIPMENT

- 1) This is to certify that the undersigned has verified and found that the logs covered by foregoing CTO are the same logs unloaded at _____ on _____.
- 2) This is to certify further that the subject logs are to be transhipped to _____ as indicated in the above-noted CTO.
- 3) This certification is valid up to _____.
- 4) This certification is issued this _____ day _____ of _____, 19 _____ upon the request of _____ for purposes of transshipment of the said logs.

Forest Officer

ATTESTED BY;

CENRO

Republic of the Philippines
Department of Environment and Natural Resources
OFFICE OF THE CENRO

Serial No. _____

CERTIFICATE OF TIMBER ORIGIN

- 1) This is to certify that (no.) pieces _____ logs with an equivalent volume of _____ cubic meters which are being or to be transported from (place of loading) via on board (conveyance) on or about _____ were legitimately cut and removed from the forest area of _____ under TLA/SP No. _____ issued by the Secretary of Environment and Natural Resources and/or his duly authorized representative, to expire on _____, with an annual/authorize cut of _____ cubic meters, located at _____ (municipality & province) destined/consigned to _____ (name and address of consignee)
- 2) This is to certify further that the aforecited logs were a) cut in accordance with the terms and conditions of the above noted license/permit; b) scaled on _____ at _____ by the DENR Scaler _____ and marked with BFD Hatchet No. _____; c) likewise marked with the timber licensees/permittees registered private log mark _____; d) covered by auxiliary invoice No.(s) _____ dated _____ issued by _____ at _____ with the corresponding forest charges paid as per O.R. No. _____ issued on _____.
- 3) This certificate is valid up to _____ or after loading, in case of export, or in case of domestic transport, upon discharge of the product at the point of destination, whichever comes first.
- 4) This certificate is issued this _____ day of _____, 19 _____ upon the request of _____. Certification fee in the amount of (P) in favor of the Director, FMB, Diliman, Quezon City was

paid under O.R. No. _____ dated _____,
copy of which is attached.

Timber Management Officer

ATTESTED BY:

Community Environment and
Natural Resources Officer

SUBSCRIBED AND SWORN to before me this ____ day ____ of
____, 19 ____ at
_____.

Authorized person to administer oath

**DENR Administrative Order
No. 34
May 6, 1988**

**SUBJECT : Guidelines on Certificate of Timber Origin
(CTO)**

The following guidelines on Certificate of Timber Origin are hereby issued for effective monitoring of the movement or transport of timber/logs and law enforcement implementation:

1) Accountable Form

The CTO shall be an accountable form of the DENR. Any official or employee who receives such form shall account for its use or non-use and disposition.

2) Color-Coded Form

It shall be color-coded, watermarked and distributed as follows:

Original copy (White) - To be given to the purchaser/consignee which shall accompany the shipment.

Duplicate copy (Blue) - For file of District Forester/PENRO.

Triplicate copy (Yellow) - For file of the licensee.

Quadruplicate copy (Green) - For file of the Timber Management Officer/CENRO.

Quintuplicate copy (Pink) - File of the Regional Technical Director/RED.

Sixtuplicate copy (Orange) - File of the Undersecretary for Field Operations.

In addition to the color assignment, each copy shall bear the printed name of the recipient, such as Purchaser/Consignee's copy,

District Forester/PENRO copy, Licensee's copy, Timber Management Officer/CENRO copy, Regional Technical Director's copy, and Undersecretary for Field Operation's copy, as the case may be. This will preclude any confusion as to what copy is valid under any circumstances.

3) Serially Numbered

Sets of serial numbers shall be assigned to each Regional Office by the Central Office. The serial number of the CTO form shall be placed at its upper right hand corner wherein the Region/Province/District/Community where the form was issued/filled out executed are indicated. Regional assignments of CTO numbers shall be for one year and acknowledged in proper form.

4) Issuance and Validity

The CTO shall be issued on a one-shipment basis. A CTO shall be valid only for a period of fifteen (15) days (including Saturdays, Sundays and Holidays) from date of issuance, or after loading in case of export, or in case of domestic transport, upon discharge at the point of destination, whichever comes first. In case of expiration before reaching the point of destination, renewal or extension thereof should be secured from the nearest DENR field office.

5) Who shall Issue and When to Issue CTO

Only the Timber Management Officer/CENRO having jurisdiction over the area from where the timber were cut shall fill out and issue the CTO to be attested to by the PENRO concerned. The CTO shall be issued only upon application in writing by the timber licensee and/or shipper concerned which must be submitted at least one (1) week before the shipment in case the conveyance to be used is a ship or vessel and twenty-four (24) hours in case of trucks or land conveyances. Applications for issuance of CTO shall be charged a minimum certification fee of five (P5.00) pesos. The official receipt for such fee shall be attached with the application.

6) Information Contained in CTO

The timber licensee and/or shipper concerned shall furnish the following information, among others, to be contained in the CTO:

- a) No. of pieces/volume of timber for shipment;
- b) Date of loading/transport;
- c) Point of loading
- d) Conveyance;
- e) Name and address of consignee; and
- f) Point of destination
- g) In case of transshipment, the CTO shall be extended if already expired and all the important facts such as volume, etc. shall be indicated in the CTO and/or transshipment form, as the case may be.

7) Requirements before Shipment of Logs/Timber

Besides the CTO and other necessary papers such as auxiliary invoice, sales or commercial invoice, log supply contract or LSPA, that should accompany the shipment of logs as required by existing regulations, logs should be duly scaled and marked with the forest officer's marking hatchet and likewise with the timber licensees registered private log mark before allowing their shipments, otherwise same shall be subject to the penalties provided under existing regulations and the official (s) concerned who failed to require compliance thereto shall be subject to disciplinary action.

8) CTO considered public document

The CTO is considered a public document, it having been executed with the intervention of a public official and forms part of the official record. Hence, no unauthorized reproduction, copying, xeroxing of the CTO form for purposes of shipment shall be made by any person.

9) Timber/Log Shipments without CTO

Timber/logs transported or shipped without the accompanying CTO as herein required shall be presumed as coming from illegal sources and as such, shall be subject to confiscation and disposition in accordance with Executive Order No. 277 and other applicable laws and their implementing regulations. The offender shall also be subject to prosecution.

10) Monthly reporting

The Timber Management Officer, CENRO, PENRO and other officials and employees who receive CTO forms for official use or disposition shall submit a monthly report on CTO forms used and unused.

11) Punishable acts and penalties

- a) For failure to have the logs marked with the forest officers marking hatchet same logs shall be subject to 300 percent surcharge and the owner/shipper thereof shall be held liable. The forest officer or scaler concerned shall be subject to disciplinary action and Civil Service law and regulation.
- b) For falsifying the CTO form, the offender shall be prosecuted under the Revised Penal Code.
- c) For making false and/or inaccurate certification in the CTO, the offender shall be prosecuted under the provisions of the Revised Penal Code.
- d) For violation or non-compliance with any provisions of this Order, the offender concerned shall be subject to disciplinary action under the Civil Service law and regulation.

12) Repealing clause

All orders, circulars, memoranda and other issuances which are inconsistent herewith are hereby revoked/amended or modified accordingly.

13) Effectivity

This Order takes effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No. 35
May 6, 1988**

**SUBJECT : Regulations Governing the Grant of
Rewards to Informers on Violations of
Forest Laws, Rules and Regulations**

Pursuant to Section 68-B of Presidential Decree No. 705, as amended, otherwise known as the Revised Forestry Code of the Philippines which provides for the granting of rewards to informers who shall furnish information leading to the apprehension and conviction of any offender of forest laws, rules and regulations, or confiscation of forest products, the following rules and regulations are hereby promulgated:

Section 1. Rewards of informants. Any person who shall provide any information leading to the apprehension and conviction of any offender for any violation of PD 705, as amended, otherwise known as the Revised Forestry Code, or other forest laws, rules and regulations, or confiscation of forest products, shall be entitled to a reward. A total of twenty (20%) per centum of the proceeds of the confiscated forest products shall be available for rewards subject to evaluation by the Rewards Committee.

Section 2. Who are entitled to rewards. Any person, including officials and employees of the Department of Environment and Natural Resources and the Bureaus and Offices under it, members of the military and police and other public officials, who shall qualify as informers under these regulations may be entitled to the reward. The term officials shall include forest guards but not Division Chiefs and other positions of equivalent rank and above. DENR officials and employees performing law enforcement and intelligence work and similarly related functions are not qualified to be informers.

The informer may be a private person, public official or employee as above, whose information led directly and immediately to the apprehension and conviction of any offender for violation of PD 705, as amended, or other forest laws, rules and regulations, or confiscation of forest products, without which information, such apprehension, conviction or confiscation could not have been effected.

Section 3. Form and contents of the information. The information given by the informer shall be in the form of voluntary statement and shall state definitely the facts constituting the violation of the Revised Forestry Code and/or other forest laws, rules and regulations. The information shall, in appropriate cases, state the description of the contraband, estimate of the volume, location and/or manner of conveyance, etc, such information shall be subject to authentication by the Regional Executive Director concerned.

Any documents, records or books, or copies or excerpts thereof, which may serve as evidence of the violation shall be submitted with the statement, unless the informer does not have possession or control thereof. If, however, the informer has knowledge of the person who has the custody, possession or control thereof and/or the place where such books/documents or records are kept, he shall state the name of the person and/or the place where such books/documents or records are kept.

Section 4. Kinds of information entitled to reward. In order to entitle an informer to a reward, the information submitted must not yet be in the possession of the Department, nor shall it refer to a case or violation already pending or previously investigated or examined by the DENR. In case the informer is not entitled to a reward, he shall be immediately advised of such fact.

Section 5. To whom information shall be furnished. The information may be furnished either to the Secretary of the Environment and Natural Resources, or his duly designated representative, or to the Regional Executive Director or in case of the latter's absence or incapacity, the Regional Technical Director.

If the information is not given to the Secretary of Environment and Natural Resources or his designated representative, the other above-mentioned officers who may have received the information shall forward to the Secretary of Environment and Natural Resources a copy of the information on the exact day of the receipt thereof.

Section 6. Recording of information in entry book. Any information received must be immediately entered in a confidential entry book provided for the purpose by the official to whom the information is directly given and the entries shall be consecutively numbered in

chronological order. The individual entries must indicate the day and time the information is received, the name and address of the informer, the name and address of the person reported, the names and addresses of witnesses, if any, the particular violation reported, nature and/or subject matter of the information given, and the list of records, documents and books submitted, if any. If a bundy clock is in use, the date and time of receipt must be stamped on the envelope and letter.

The statement received shall be assigned a corresponding entry number in the entry book. The statement shall be stamped with the official date stamp of the custodian of the entry book, and shall bear his signature or initial, and exact time of its receipt. The informer shall retain a stamped, timed, and signed or initialed copy of his statement as his identification or evidence that he is the informer.

There shall also be entered in the entry book, at the close of each business or working day, a certification by its custodian as to the number of information received and entered, and, if no information received on that day, that fact shall also be certified and entered.

In case the information filed by an informer requires urgent or expeditious action and its immediate posting on the entry book cannot be made, the officer taking action on the information must report the fact immediately after the termination of his action to the Secretary of Environment and Natural Resources or to his authorized representative.

Section 7. Action on the information. Information given conformably with these regulations shall immediately be the subject of a discrete investigation or surveillance, and proper action taken based on the findings. A complete action report, including the disposition of the subject matter of the information shall be submitted to the Secretary of Environment and Natural Resources or his representative, as the case may be, upon termination and final resolution of the case.

Section 8. Payment of reward. If discovery, apprehension and/or prosecution of the offender or violator or confiscation of forest products is made or accomplished as a result of the information given in accordance with these regulations, the Secretary of Environment and Natural Resources or his representative, shall advise the informer that he is entitled to the reward. Within the thirty (30) days from receipt of notice, the formal claim of reward, stating his name and address, his

means of identification, date when the information was filed, the nature of the information, his copy of the information filed and such other data as may be needed to evaluate his claim. The treasury warrant or check, representing the reward shall be delivered by the Secretary of Environment and Natural Resources or his representative duly authorized with special power of attorney or shall be sent to the informer by registered mail with return card. The informer or his authorized representative shall acknowledge receipt of the treasury warrant or check, in case of personal delivery, or the informer shall sign the registry return card, in case of delivery or registered mail and shall, in either case, surrender his copy of his statement.

In case of the rewards to DENR field officials and employees, payments may be given through the Regional Executive Director or in his absence (unavailability at a particular date), to the Regional Technical Director concerned.

In no case, and under no circumstance shall any sum be paid as reward to the informer without the prior approval of the Secretary of Environment and Natural Resources.

Section 9. Appropriation for reward. The payment of claims for rewards shall come from the proceeds of forest products sold/bidder. Subject to budgeting and accounting procedures, the Office of the Secretary shall allocate in its yearly appropriation the estimated amounts for the purpose.

Section 10. Conflicting claims for reward. Where there are two or more informers claiming the reward in the same case, the following factors may be considered in the evaluation of said claims.

- a. Compliance of the information given with the rules and conditions stipulated in this regulations.
- b. Priority as to time of submission of said information;
- c. Such other relevant and material factors.

In meritorious case, the rewards may be apportioned equally or pro-rata among the qualified informers.

Section 11. Confidentiality Of Informer's Identity. Except when the information is proven to be malicious or false, the identity of the informer shall be kept confidential at all times, either before or after the termination of the case, and shall not be divulged to any unauthorized persons, particularly to the offender or violator, without the consent of the informer. Any officer or employee of the DENR, who reveals the identity of any informer without his consent shall be subject to severe disciplinary action which may include but not limited to dismissal or suspension.

The Department may designate authorized informers for the purpose of gathering information who may be entitled to rewards and whose identities are known to the Secretary or his authorized representative.

Section 12. Rewards Committee. The Secretary of Environment and Natural Resources shall create a Rewards Committee to evaluate information received and claims for reward and settle any issue that may arise from the information received and from claims for reward filed, and submit appropriate recommendations to the Secretary.

SECTION 13. Effectivity. These regulations shall take effect after fifteen (15) days following its publication either in the Official Gazette or in a Newspaper of general circulation in the Philippines.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Administrative Order
No.37
May 2, 1988

**SUBJECT: Imposing an Environmental Fee For
Private Land Timber Permits**

In order that the government will have more capability to arrest environmental degradation that may be caused by tree-cutting activities inside private lands and alienable or disposable areas with approved public land applications, and to maintain a wholesome environment through the enforcement of environmental protection laws as mandated under Executive Order 192 dated June 10, 1987, an environmental fee is hereby imposed, to wit:

1. For naturally-grown timber, P30.00 for every cubic meter of the first and second groups and P15.00 for the third and fourth groups; and
2. For planted trees or plantation-grown species, no environmental fee shall be assessed.

The environmental fee shall be collected before the issuance of the Certificate of Timber Origin and shall, upon approval by the Department of Budget Management accrue to a Special Fund to be administered by the Department of Environment and Natural Resources for use in environmental projects, programs, and measures such as soil erosion control, reforestation, slope stabilization and others.

This Order takes effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No. 38
March 28, 1988**

**SUBJECT : Guidelines In The Processing Of Free
Patent Applications After December 31,
1987.**

In view of the expiration of Presidential Decree No. 1073, dated January 25, 1987, which extended the period of filing applications for administrative legalization (free patent) and judicial confirmation of imperfect and incomplete titles to alienable and disposable lands of the public domain under Chapter VII and Chapter VIII of Commonwealth Act No. 141, as amended, up to December 31, 1987, and in order to attain uniformity in our action in the processing of free patent applications, the following information/guidelines are hereby issued for the guidance of all concerned:

1. After December 31, 1987, all Natural Resources District Offices are hereby enjoined to desist from accepting free patent applications, there being no more legal basis to do so on account of the expiration of the period provided in PD 1073;
2. All free patent applications filed on or before December 31, 1987 shall continue to be processed and corresponding patent issued thereafter after satisfactory proof that the following conditions are present:
 - a. The application and requisite documents like joint affidavit of two disinterested persons, applicant's sworn statement, notice of filing of application for free patent, investigation report and copy of the approved survey plan of land if not covered by Pls of cadastral survey.
 - b. Applicants have satisfactorily complied with other requirements of law leading to the issuance of patent in his favor, such as the 1) submission of a certification from the Clerk of Court concerned that the land sought to be patented is not involved in a pending land registration or civil case and 2) certification from the National Land Titles and Deeds Registration Authority to the effect that no decree or title has

as yet been issued over the land subject of the application.

3. Those accepted after December 31, 1987 should be placed on hold subject to whatever Congress will later on enact. Proper advise to applicant should be issued.

Strict compliance herewith is enjoined.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Administrative Order
No. 39
May 26, 1988

**SUBJECT : Guidelines Governing the Bidding And
Awarding of Regular Reforestation
Contracts**

In line with the National Forestation Program of the government and the new contract reforestation initiatives launched by the Department of Environment and Natural Resources and to achieve equitable distribution of the benefits derived from our forest resources, the following guidelines governing the bidding, award and execution of regular reforestation contracts are hereby promulgated:

ARTICLE I

Policy, Objectives, and Definition of Terms

SECTION 1. Basic Policy.

Consistent with national thrusts on forest development, conservation, and equitable distribution of the benefits derived from our forest resources, it is the policy of the government to democratize the disposition of incentives to encourage the participation of the private sector, including forest occupants and rural communities, in forest resources development, management and protection.

SECTION 2. Program Concept.

The scheme hereinafter referred to as Contract Reforestation is conceived to tap the services of interested and technically and financially competent private corporations, local government units, non-government organizations, communities, and families in establishing, developing, maintaining, and protecting forest plantations. The program is expected to promote forest conservation, instill public awareness in the values of forest resources, and foster the growth of dynamic private sector participation in the reforestation industry.

SECTION 3. Objectives.

The objectives of the program are:

- 3.1 To use reforestation as a tool for addressing rural equity and development issues;
- 3.2 To create new jobs and expand the opportunities for profitable self-employment, improving the socio-economic condition of the rural population living within or adjacent to public forest lands;
- 3.3 To foster the growth of a dynamic private sector reforestation industry;
- 3.4 To attain a condition of balanced ecosystem and optimum and sustainable productivity of forest resources; and
- 3.5 To install an efficient system for broad-based private sector participation in the management of bids, awards, monitoring, evaluation, certification and payment for contract reforestation work.

SECTION 4. Definition of Terms.

- 4.1 Bidding — a process of arriving at an awardee for a reforestation contract.
- 4.2 Bidder — a prospective awardee of a reforestation contract who has been pre-qualified to bid.
- 4.3 Contractor — refers to the final awardee of a reforestation contract.
- 4.4 Financial Capacity — refers to the capacity of the bidder to finance and operate a reforestation contract.
- 4.5 Modified Family Approach — a scheme of reforestation wherein the government contracts association or individual family heads to undertake reforestation within their occupied forest lands either through bidding or negotiation.
- 4.6 Reforestation Package — an area packaged and subject for bidding or negotiation.

- 4.7 Reforestation Contract — refers to the agreement between DENR and heads of family, communities, associations, or corporations for a reforestation package.

ARTICLE II

Identification of Project Sites

SECTION 5. Role of Central and Field Offices.

- 5.1 The DENR Central Office shall identify on a macro-level the specific regions/provinces which need reforestation based on the framework of the National Forestation Plan.
- 5.2 The regional and field offices shall identify and delineate specific areas for the purpose.

SECTION 6. Areas Available for the Purpose.

- 6.1 Idle denuded forest lands including watershed reservations;
- 6.2 Underdeveloped portions of reforestation projects which are not covered by the development plan for the next five (5) years;
- 6.3 Denuded portions of mangrove areas not covered by existing permits or leases; and
- 6.4 Areas within Timber License Agreement with poor reforestation performance, in which case the reforestation deposit by the TLA holder shall be used.

ARTICLE III

Bidding/Negotiation and Selection of Contractors

SECTION 7. Prospective Applicants.

- 7.1 Family/Community Approach — Any of the following may apply:
- 7.1.1 Head of the family;
- 7.1.2 Duly recognized association or cooperatives of project participants;

- 7.1.3 Other civic or religious organization within the project area;
 - 7.1.4 Barangay Development Council in the project area;
 - 7.1.5 Tribal communities within project areas
- 7.2 In all other cases except above, private corporations, non-government organizations, local government units, and the like may apply.

However, priority shall be given to individuals or associations who are within or nearest to the project site.

SECTION 8. Creation of Reforestation Bids and Awards Committee (RBAC).

8.1 Central Office (RBAC)

In the Central Office, a Reforestation Bids and Awards Committee shall be created which shall be responsible for the prequalification of applicants and awarding of contracts for areas more than 500 hectares. It shall be composed of the following:

- a. Chairman — FMB Director
- b. Vice-Chairman — Chief of Planning Service DENR
- c. Members —
 - (1) Legal Officer
 - (1) Technical Personnel designated by the Undersecretary for Field Operations
 - (3) Chiefs of the Reforestation and Social Forestry Division of FMB; and Finance Service Chief of DENR
 - (1) COA Representative — witness
 - (1) FASPO Representative — witness

8.2 Regional Office (RBAC)

In the regional level, a Reforestation Bids and Awards Committee shall also be created which shall be responsible for the

pre-qualification of applicants and awarding of contracts for areas less than 500 hectares. It shall be composed of the following:

- a. Chairman — Regional Executive Director (RED)
- b. Vice-Chairman — Regional Technical Director (RTD)
for Forestry
- c. Members — (1) Legal Officer

(3) All Chiefs, Reforestation Division; Social Forestry Division; and Planning and Programming Division

(1) COA Representative — witness

8.3 Reporting and Document Safekeeping

8.3.1 The RBAC Chairman shall create a Secretariat from their staff whose composition shall be approved by the Secretary to handle all documentations and prepare all and such other necessary papers relating to the process conducted. Likewise, it shall be his responsibility to keep copies of all said documents for referral purposes.

SECTION 9. Selection of Contractors.

9.1 Contracts shall be awarded through competitive bidding. Before the bidding stage, all applicants should undergo pre-qualification. The major criteria shall be the technical, financial and administrative capabilities. However, in the case of modified family/community approach as in Article III, Section 7.1 of this Order, the Secretary may grant reforestation contracts through negotiation.

9.1.1 Prequalification Stage

9.1.1.1 Qualification of Bidders

Those enumerated under Article 3, Section 1.1 and in the case of corporation or partnership, same should be duly organized under the laws of the Philippines, and at least sixty percent (60%) of the capital stock belong to Filipino Citizens.

9.1.1.2 Invitation to Prequalify

The prospective bidders for the RC shall be invited to pre-qualify through:

One advertisement, in at least one (1) national newspaper and one (1) local newspaper. In addition, the same notice shall be posted in the regional, provincial and community offices where the area being advertised is located.

9.1.1.3 Issuance to Pre-qualification Forms

9.1.1.3.1 The RBAC shall issue notices of pre-qualification and other important details and features of the project to guide in evaluating their capabilities and decide whether or not to participate in the bidding of reforestation contract.

9.1.1.3.2 The following documents shall, among others be required and submitted by the prospective bidders to the RBAC.

Documents on Legal and Corporate Matters

- a. Certified photocopy of the Certificate of Registration of the Corporation as issued by the Securities and Exchange Commission;
- b. Articles on Incorporation and By-Laws of the Corporation;
- c. Description and background of current major stockholders, directors and officials of the corporation including nationalities;
- d. If bidder is currently a member of an organization, certification as to his membership of good standing. If he is not a member of any accredited organization, a certification under oath as to his track records.

Documents on Technical Matters

- a. Corporate experience in reforestation work and related projects;
- b. Organizational chart and a complete qualification and experience data sheet of the key personnel;
- c. Conditional employment contract to employ duly qualified Operations Manager who have managed or supervised reforestation/plantation development projects;
- d. Technical/management proposal.

Document on Equipment Facilities

- e. List of equipment/facilities pledged to be used for the RC.

Document on Financial Matters

- a. Certification on the company's paid-up capitalization;
- b. Audited Financial Statements (Income and Balance Sheet) for three (3) years;
- c. Certification from banks on guarantees, credit lines, loans, and other financial accommodations which were secured for such PRC and other aggregate outstanding from each institution in each year.

Other Documents

- a. Presentation of Authorization for a Department Representative to verify submitted information.

9.1.1.3.3 The RBAC shall maintain adequate security over the documents submitted and in no case shall make public unless otherwise authorize

9.1.1.4 Processing of Pre-qualification Forms

9.1.1.4.1 The RBAC shall examine the documents submitted to determine whether the legal, technical, financial and other requirements are met. If all the requirements are met, the RBAC shall register the prospective bidders in the role of pre-qualified bidders.

9.1.1.4.2 The financial capacity (FC) of the prospective bidder shall be its present net worth as shown in its balance sheet a prospective bidder may be qualified to bid if its present net worth is at least equivalent to the first five (5) months working capital of the project applied for. For medium-scale or non-profit groups and organizations, however, the present net worth shall be at least equivalent to the first two (2) months operating capital of the project.

9.1.1.4.3 The RBAC shall check whether the prospective bidder or any one of the members in case of a joint venture, is presently suspended or blacklisted for previous projects. Suspended or blacklisted stockholder(s), director(s), or officer(s) are grounds for disqualification.

9.1.1.4.4 After processing by the RBAC, the pre-qualification documents shall be marked "Pre-qualified or Pre-disqualified" and shall be countersigned by members of the RBAC to review and approval of the Secretary or his duly authorized representative.

Prequalified PRC shall be informed within five (5) working days. Pre-disqualified applicants should, likewise, be informed stating therein the grounds for their disqualification. Those pre-disqualified are given five (5) days upon receipt of notice within which to appeal for reconsideration.

9.1.2 Bidding Stage

9.1.2.1 To simplify the bidding procedures, and to be sure that the appropriate and desired technology of the Department shall be applied, the DENR/FMB shall be responsible for preparing the terms of reference together with the approved agency estimate (AAE). The contractor shall be responsible for preparing the comprehensive development plan. However, the CENRO concerned shall prepare the development plan for family/community approach program.

9.1.2.2 All pre-qualified applicants shall be requested to bid the project cost. The proponent with the lowest acceptable cost which is within the FMB Contract Reforestation Cost Standard shall be declared the winner.

9.1.2.3 All bids shall be in sealed envelopes with the name of the prospective contractor and submitted to the RBAC on or before the specified deadline. Strictly no late bids shall be accepted by the RBAC.

9.1.3 Requirements for Family Participants

Interested families who may wish to avail of reforestation contracts shall signify their intention and shall fill-up a census form. The number of the participating members shall be determined by the PENRO in accordance with availability of funds and extent of the project area to be reforested. The applicants shall be screened by a committee to be formed by the PENRO based on the following:

9.1.3.1 Must be bonafide resident of the project site;

9.1.3.2 Must be of legal age and Filipino;

9.1.3.3 Must be physically fit to conduct various reforestation activities;

9.1.3.4 Priority shall be given to the interested participants who are residing within the project site;

9.1.3.5 Priority shall be given to those interested participants who have an annual income of less than P5,000.

SECTION 10. Contract Preparation. —

- 10.1 The declared winner shall be awarded the contract for the reforestation of the subject site and given notice to proceed.
- 10.2 The appendices of the contract shall include among others the comprehensive development plan and the schedule of payment.
- 10.3 The contract shall be signed by and between the DENR and the proponent.
- 10.4 The following documents shall form part of Reforestation Contract.
 - 10.4.1. Development Plan
 - 10.4.2. Notice to Proceed
 - 10.4.3. Other Contract Documents

ARTICLE IV

Implementing Rules, Repealing Clause and Effectivity

SECTION 11. Implementing Rules and Regulations. —

The FMB in coordination with the RBAC shall promulgate the appropriate rules, procedures, and regulations and design official forms and documents to implement this Order.

SECTION 12. Incentives, Benefits & Privileges. —

Family participants shall be entitled of the following privileges:

- 12.1 Families shall avail of free technical assistance, educational materials and training in reforestation, agro-forestry and related farming technologies.
- 12.2 Participants shall be allowed to raise cash crops in between rows of planted forest trees and maintain other livelihood project not detrimental to the established plantation at the

duration of the contract.

- 12.3 An extra amount of at least P0.10 per surviving planted tree shall be given to the family participants who has attained an eighty percent (80%) survival count in the plantation at the end of the contract.
- 12.4 For future utilization and management of resources contained in the established plantations family participants shall be given the priority to apply for a Woodlot Lease Agreement pursuant to Department Administrative Order (DAO) No. 36, Series of 1987.

SECTION 13. Grounds for Cancellation of Reforestation Contract.

The Assistant Secretary for Operations concerned upon recommendation of the Regional Executive Director may cancel reforestation contracts for any of the following grounds:

- 13.1 If the contract was obtained through a fraud, misrepresentation or omission of material facts at the time of application.
- 13.2 Abandonment of the area, or failure to start operational activities within three (3) months from the award/issuance of the contract.
- 13.3 Violation of any of the terms and conditions of the contract.

SECTION 14. Penalties.

The cancellation of reforestation contracts for reasons stated in Section 13 herein shall result in the permanent disqualification of the contractor to enter into a contract with the government involving natural resources development, conservation, and utilization. Furthermore the reforestation performance bond shall be forfeited in favor of the government.

SECTION 15. Special Provisions.

Contract Reforestation projects under the ADB program shall be covered by these guidelines unless otherwise specified in supplemental

Administrative issuances.

SECTION 16. Repealing Clause.

All existing Administrative Order, Memoranda, Circulars and related documents or provisions inconsistent, herewith, are hereby repealed or amended accordingly.

SECTION 17. Effectivity.

This Order shall take effect immediately.

APPROVED:

(SGD.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDING APPROVAL:

(SGD.) RICARDO M. UMALI
Undersecretary

**DENR Administrative Order
No. 40
June 13, 1988**

**SUBJECT: Amendment of Certain Provisions of
Ministry Administrative Order No. 50,
Series of 1986, on the Regulations
Governing the Establishment and
Operations of Wood Processing Plants**

1. The provisions of sub-paragraph 6.2.1 and 6.2.2. of Ministry Administrative Order No. 50, Series of 1986, are hereby amended to the effect that the requirement imposed under said provisions for the submission of an Equity Participation Agreement or a long-term Timber Processing Agreement, or any feasible scheme by new and renewal applications for wood processing permit is hereby set aside and in lieu thereof, a Log Supply Purchase Agreement (LSPA) or the Domestic Log Shipment Declaration (DLSD) approved by the Regional Executive Director concerned shall be submitted.
2. All other provisions of Ministry Administrative Order No. 50, Series of 1986, shall remain in full force and effect.

This order shall take effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Administrative Order
No. 62
28 January 1988

**SUBJECT : Establishment of Communal Grazing Land
Located in Barangay Cabasan, Penablanca,
Cagayan**

In connection with the Resolution of the Barangay Councils of Cabbo, Cabasan, Bugatay and Sisim, Penablanca, Cagayan and pursuant to Section 39 of Ministry Administrative Order No. 50, Series of 1982 and upon the recommendation of the Director, Forest Management Bureau, a certain parcel of land located in Barangay Cabasan, Municipality of Penablanca, Province of Cagayan is hereby established as Communal Grazing Land, which is more particularly described as follows:

A parcel of land situated in Sitio Nagbacaun, et. al., Barangay Cabasan, Municipality of Penablanca, Province of Cagayan, beginning at Corner I identical to corner 4 of proposed FLGLA of M. Servitillo, and also identical to corner 22 Project No. 20-N, Block III, A & D N11° 00'E, 190 meters to corner 2.

Thence, N11°00'E, 270 meters to corner 3;
Thence, N11°00'E, 140 meters to corner 4;
Thence, N28°00'W, 120 meters to corner 5;
Thence, N50°00'W, 140 meters to corner 6;
Thence, N67°00'W, 180 meters to corner 7;
Thence, N36°00'W, 140 meters to corner 8;
Thence, N12°00'E, 220 meters to corner 9;
Thence, N3°00'W, 220 meters to corner 10;
Thence, N32°00'W, 70 meters to corner 11;
Thence, following Cabasan River upstream N-E direction
400 meters to corner 12;
Thence, following Cabasan River upstream N-E direction
400 meters to corner 13;
Thence, following Cabasan River upstream S-E direction
320 meters to corner 14;
Thence, following Cabasan River upstream S-E direction
400 meters to corner 15;
Thence, following Cabasan River upstream N-E direction
300 meters to corner 16;

Thence, following Cabasan River upstream N-E direction
300 meters to corner 17;
Thence, following Cabasan River upstream S-E direction
150 meters to corner 18;
Thence, due South 80 meters to corner 19;
Thence, S27°00'W, 150 meters to corner 20;
Thence, S29°00'E, 250 meters to corner 21;
Thence, S29°00'E, 150 meters to corner 22;
Thence, S4°00'E, 200 meters to corner 23;
Thence, S36°00'E, 200 meters to corner 24;
Thence, S01°E, 200 meters to corner 25;
Thence, S01°E, 250 meters to corner 26;
Thence, S4°00'E, 200 meters to corner 27;
Thence, due West, 250 meters to corner 28;
Thence, due West, 250 meters to corner 29;
Thence, due West, 250 meters to corner 30;
Thence, due West, 250 meters to corner 31;
Thence, due West, 250 meters to corner 32;
Thence, due West, 250 meters to corner 33;
Thence, due West, 250 meters to corner 34;
Thence, due West, 250 meters to corner 35;
Thence, due West, 180 meters to corner 1,
containing an approximate area of
300 hectares.

This reservation shall be under the Administration and control of the Sangguniang Bayan concerned, however, in the event that said grazing land is no longer needed for such purpose or suspended/disestablished for failure of the user to introduce improvements therein, same shall be automatically under the administrative control of the Forest Management Bureau. All points referred to are indicated on the map and are marked on the ground.

This Order takes effect immediately and supersedes all previous order inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY:

(Sgd.) CIRILO B. SERNA
Director

DENR Administrative Order

No. 63

July 13, 1988

**SUBJECT : Amendment of Certain Provisions of
DENR ADMINISTRATIVE ORDER
NO. 32 Series of 1988**

In order to achieve an effective and efficient implementation of the reforestation deposit requirement, the following provisions of DENR ADMINISTRATIVE ORDER No. 32, Series of 1988 are hereby amended and/or added to read as follows:

4. Option to Contract

Based on reforestation performance of the licensee/permittee, or in cases where the licensee/permittee waives his right to undertake the reforestation of his licensed area, the PWPA has the option to contract the reforestation work with other licensees/permittees or to other contracting third parties, to be duly noted by DENR.

6. Mechanics for Deposit

The timber licensee/permittee shall make the deposit within the first five (5) working days of each quarter. Each deposit shall be equivalent to twenty-five (25%) of the total annual reforestation deposit contribution per licensee/permittee; provided that for 1988, the deposit shall start at the third quarter; Provided further, that all licensees/permittees shall submit their sworn certification on their level of accomplishment for the first and second quarters in terms of percentage of accomplishment.

For those who have deficiency, the deposit for the first and second quarters shall be proportionate to the level of deficiency of the accomplishment based on the sworn certification.

The reforestation deposit shall be deposited in a reputable bank in Metro Manila under a private trust account of the Philippine Wood Products Association (PWPA) in accordance with the Memorandum of Agreement between the PWPA and the TLA holder or contractor to be duly noted by the DENR.

7. Management Committee

The PWPA shall set up a Management Committee to oversee the administration of the reforestation deposit. The Committee shall submit a monthly report to the DENR in this regard.

8. Procedure of Disbursement

Withdrawals against and disbursement on the reforestation deposit shall be based on the reforestation work and financial plan submitted under oath by the licensee/permittee or contractor to the Forest Management Bureau which shall endorse the same to the PWPA Management Committee.

The PWPA Management Committee shall disburse the amount to the licensee/permittee or contractor for the exclusive use in undertaking the reforestation required herein.

9.2.3 For failure of the reforestation contractors other than the timber licensee/permittee to carry-out the terms and conditions of the contract, the appropriate penalties in accordance with the pertinent provisions of the Civil Code and/or Revised Penal Code, as the case may be, shall be imposed against the contractor.

10. The preceding paragraphs notwithstanding, the general rule is that the TLA holder is under obligation to reforest open and denuded areas as indicated in his approved Integrated Annual Operation Plan (IAOP). However, for compliance with Paragraph No. 6.6, of DENR Administrative Order No. 79, Series of 1987, which requires the reforestation of one hectare for every hectare logged, accomplishments in Timber Stand Improvement (TSI) and enrichment planting shall be counted in favor of the TLA holder; provided that not less than 50% of the targeted open and denuded areas are reforested and the balance can compromise of TSI and enrichment planting.

In case the TLA holder decides to increase or reduce total area to be logged in his approved IAOP for justifiable reasons, the TLA holder must immediately inform the DENR in writing indicating the increase or reduction, as the case may be, so that

his corresponding obligation under the provisions of DENR Administrative Order 79, Series of 1987 shall be proportionately adjusted.

All others provisions of DENR ADMINISTRATIVE ORDER No 32, Series of 1988, which are not inconsistent herewith shall remain in full force.

This Order takes effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR ADMINISTRATIVE ORDER
No. 71
Aug. 8, 1988

**SUBJECT : COMPOSITION OF THE REWARDS
COMMITTEE REGARDING THE
GRANT OF REWARDS TO INFORMERS
ON VIOLATIONS OF FOREST LAWS ,
RULES AND REGULATIONS**

Pursuant to Section 12 of DENR Administrative Order No. 36, dated May 6, 1988, the Rewards Committee shall be composed of the following, to wit:

Secretary	-	Chairman
Undersecretary for Field Operations	-	Member
Assistant Secretary for Legal Affairs	-	Member
Director Forest Management Bureau	-	Member
Director Special Concerns Office	-	Member
Chief Finance and Management Services	-	Member

The Committee shall evaluate information received and claims for reward and settle any issue that may arise from the information received and from claims for reward filed, and submit appropriate recommendations.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Administrative Order
No.72
Aug. 11, 1988

SUBJECT : Revising/Amending DENR Administrative Order No. 33, Series of 1988

Pertinent sections of the DENR Administrative Order No. 33, Series of 1988 on the "Regulation governing the exportation of lumber and plantation logs" are hereby amended, to read as follows:

"Sec. 3. Wood Products Requiring Export Authority from DENR. — Only the following wood products may be allowed for exportation upon prior authority from the DENR Secretary or his duly authorized representatives.

3.1 Logs produced from planted trees except banned tree species which only the Secretary and no other may act upon and approve for exportation.

3.2 Lumber except those produced from naturally grown premium hardwood and banned tree species."

"Sec. 5. Application Requirements for Authority to Export Wood Products.

5.1 Common Requirements

5.1.1 Application form for verification, duly accomplished

5.1.2 Purchase Order

5.1.3 Payment of application fee of P100.00

5.2 Specific Requirements

"xxx

5.2.2 For Lumber Export

5.2.2.1 Certification as to species and volume and other important additional

information signed by the verifying officer.

5.2.2.2 Logbook of all lumber transactions. (per attached form).

5.2.2.3 Monthly report of sources of logs/lumber. (per attached form) .

"Sec. 6. Requirements in the Issuance of Certificate of Verification.

"xxx"

6.2 For Lumber Export

"xxx"

6.2.1 Aforecited requirement specified in 5.2.2.1

6.2.2 Payment of verification fee of P20.00/cu.m."

All other provisions of DENR Administrative Order No. 33, Series of 1988 shall remain in full force and effect until revoked.

This Order shall take effect August 15, 1988 and cancels/amends all orders and instructions inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Administrative Order
No. 74
Sept. 8, 1988

**SUBJECT : Declaring and Certifying Certain
Portion of the Public Forest as
Available for Fishpond Development,
under LC Project No. 29-H of Ragay,
Province of Camarines Sur**

Pursuant to Section 13 of PD 705, otherwise known as the Revised Forestry Code of the Philippines, as amended, I hereby declare and certify the portion of the forest land containing an area of 82.776 hectares as available for fishpond development, the administration and management of which is hereby transferred to the Department of Agriculture and Food, through the Bureau of Fisheries and Aquatic Resources, located in the aforementioned municipality and province, shown and described in FMB Map LC-, which is attached hereto and forms an integral part of this order, subject however, to the following conditions:

- a. The strips of mangrove or swampland fifty (50) meters wide fronting oceans, lakes and other bodies of water, and the strips of land 20 meters on both sides of river channels/banks are reserved for shoreline and/or bank protection.
- b. The utilization of forest products existing therein shall remain subject to Forest and Internal Revenue Laws and Regulations, and the present holders, if any, of licenses covering such areas that may be occupied for purposes of development under the authorization of the Director of Fisheries and Aquatic Resources shall have the preferential right in the utilization of the timber thereof.
- c. The areas herein certified and declared as available for fishpond development must be developed or utilized for purposes stated within five (5) years from approval hereof, otherwise the declaration/certification as such is automatically revoked or cancelled pursuant to paragraph 3, Section 43 of PD 705, and the Forest Management Bureau shall take immediate administration and control over these areas.

This Order takes effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY:

(SGD.) CIRILO B. SERNA
Director

DENR Administrative Order
No. 75
Sept. 8, 1988

**SUBJECT: Guidelines and Procedures on the
Inventory of Forest Occupants**

Pursuant to the provisions of Section 52 of PD 705, LOI 1260 and MAO 41, series of 1986, and in line with the implementation of the Comprehensive Agrarian Reform Program (CARP Program D), the following Guidelines and Procedures are hereby promulgated to implement the Inventory of Forest Occupants:

SECTION 1. Mandate. The Department of Environment and Natural Resources (DENR) shall be primarily responsible for the execution of the Implementing Guidelines and Procedures on the Inventory of Forest Occupants in coordination with the Department of Agrarian Reform (DAR), the National Statistical Coordination Board (NSCB), National Statistics Office (NSO) and National Mapping and Resource Information Authority (NAMRIA).

SECTION 2. Objectives. — In pursuance of this mandate, the following objectives shall be accomplished:

- 10.1 To obtain a complete list of the actual number of occupants, within forestlands including civil, military and other forest reservations,
- 10.2 To gather information on the specific locations of the forest occupants and to determine the extent of areas occupied,
- 10.3 To gather other relevant information such as crops/trees planted, family size, income level, sources of livelihood and other data related to CARP, and
- 10.4 To determine CARP beneficiaries within the areas subject of inventory.

SECTION 3. Definition of Terms.

3.1 Forestland includes the public forests, permanent forests or forest

reserves and forest reservations.

- 3.2 Forest occupant refers to a person actually and directly occupying and/or cultivating forestland including civil, military and other forest reservations.
- 3.3 Inventory of Forest Occupants - The process of collecting, compiling, evaluating, analyzing and publishing data pertaining to forest occupants at a specified time in a well-defined portion of the forestland including civil, military and other forest reservations.
- 3.4 Barangay is a basic political unit which serves as primary planning and implementing unit of government programs/projects and activities.

SECTION 4. Scope of Inventory. —

- 4.1 The inventory shall cover all forest occupants such as kaingineros, squatters, cultural minorities and other residents actually occupying and/or developing portion/s of forestlands regardless of whether they were covered or not by previous censuses.
- 4.2 For the purpose of the inventory, known political subdivisions should be considered as enumeration area/s.

SECTION 5. Organization. —

- 5.1 The Field Operations of the DENR and the Forest Management Bureau shall be primarily responsible for the execution of the Implementing Guidelines and Procedures on the inventory of forest occupants.
- 5.2 There shall be created an Executed Committee and Project Management Team in the Central Office composed of representatives from the DENR Field Operations, FMB, DAR, NSO, NAMRIA, NSCB, and the Planning Service of the DENR. The Executive Committee shall set policies and provide direction in the implementation of the inventory of forest

occupants while the Project Management Team shall formulate guidelines and procedures, collate and analyze reports on this activities.

5.3 A Project Management Team shall likewise be created at the CENRO which shall be responsible for the complete inventory of forest occupants within their areas of jurisdiction.

5.4 The forest guards and members of the Land Evaluation and Survey Teams (LEST) shall be tapped for the actual inventory of forest occupants within their respective patrol sectors or areas of assignment.

Additional enumerators shall be hired to conduct inventory of forest occupants in addition to the existing forest guards and LEST.

In cases where it is practical and feasible, services of concession guards shall be solicited in the inventory of forest occupants within their respective timber concession areas. The enumerators shall, during the conduct of inventory, receive additional remuneration in accordance with existing rules and regulations.

SECTION 6. Operational Activities and Guidelines. —

6.1 Preparation of Control Maps

The NAMRIA shall prepare CENRO Location Map with a scale of 1:50,000 showing barangays and municipalities within forestlands, civil and military reservations. This map shall be used to indicate approximate location of forest occupants as to their legal/regulatory status (e.g. TLA, watershed, national park, game refuge, etc.) and progress of census activity in the area. Four (4) sets of maps for every CENRO shall be prepared for the purpose.

6.2 Preparation, Reproduction and Distribution of Forms and Manuals

The Central Office Project Management Team shall prepare,

reproduce and distribute the prescribed forms and manuals on the inventory of forest occupants.

6.3 Orientation and Training

A briefing shall be conducted at the DENR Central Office and shall be participated in by the Secretary, Undersecretaries, Assistant Secretaries for Field Operations, Regional Executive Directors (REDs) and representatives from the NSCB, NSO and DAR.

A trainers' training shall be conducted at the DENR Central Office and shall be participated in by members of the Project Management Team, who shall act as resource persons during the training of the Provincial Environment and Natural Resources Officers (PENROs), Community Environment and Natural Resources Officers (CENROs) and Regional Information Officers (RIOs) in the Regional Offices.

Training of forest guards, members of the Land Evaluation and Survey Teams and other additional enumerators shall likewise be conducted at the CENRO.

6.4 Inventory of Forest Occupants

The inventory of forest occupants actually occupying and cultivating portions of forestlands including civil and military reservations shall be conducted by the forest guards, members of LEST and additional enumerators using the prescribed forms.

6.5 Processing and Analysis of Inventory Data

The Project Management Team at the Central Office shall process and analyze the data on the Inventory of Forest Occupants that shall be submitted by the CENRO.

SECTION 7. Reporting. —

Progress and final report shall be submitted by the CENRO including the control maps directly to the DENR Executive Committee furnishing a copy to the PENRO and the DENR Regional Offices.

SECTION 8. Budget. —

The budget appropriation for the conduct of inventory of forest occupants shall come from the Comprehensive Agrarian Reform Program (CARP, Program D) allotment.

This Order shall take effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No. 76
September 13, 1988**

**SUBJECT : Further Amending MAO No. 50,
Series of 1986, as Amended by DENR
Administrative Order No. 40, Series of
1988 on the Regulations Governing the
Establishment and Operations of Wood
Processing Plant**

SECTION 1. Section 1 of DENR Administrative Order No. 40 dated 13 June 1988 is hereby amended to the effect that the required Log Sales/Purchase Agreement (LS/PA) or the Domestic Log Sales Declarations (DLSD) shall henceforth be approved by the Community Environment and Natural Resources Officer (CENRO) who has jurisdiction over the area where the logs subject of the LS/PA or DLSD are being sourced.

SECTION 2. Consistent with the Department policy on extending assistance to the wood industry, the LS/PA and DLSD required for new sawmills/mini-sawmills shall be for a log volume equivalent to at least a two-month log volume requirement for initial operations. In the case of renewal applications, the same may be processed and the permit renewed, **PROVIDED**, that there is still sufficient log supply in the mill yard to warrant operations for at least one (1) month. Otherwise, a logs sales/purchase agreement to cover the necessary volume shall be executed and approved; **PROVIDED FURTHER THAT**, the applicant has complied with the renewal requirements provided for under existing regulations.

SECTION 3. This Order takes effect immediately and supersedes DENR Administrative Order No. 40 and other memoranda, circulars, and instructions inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Administrative Order

No. 86

Oct. 4, 1988

**SUBJECT : Deregulation of Tree Harvesting, Transporting
and Sale of Firewood, Pulpwood or Timber
Planted in Private Lands**

In line with the National Forestation Program and in order to promote the planting of trees by owners of private lands and give incentives to the tree farmers, Ministry Administrative Order No. 4 dated 19 January 1987 which lifted the restriction in the harvesting, transporting and sale of firewood, pulpwood or timber produced from Ipil-ipil (*Leucaenia* spp.) and Falcata (*Albizzia falcataria*) is hereby amended to include all other tree species planted in private lands except premium hardwood species. Henceforth, no permit is required in the cutting of planted trees within titled lands or tax-declared A & D lands with corresponding application for patent or acquired through court proceedings, except those belonging to premium species listed under DENR Administrative Order No. 78, Series of 1987.

This Order takes effect immediately and amends/revokes or modifies all other Administrative Orders, Memoranda or Circulars inconsistent herewith.

(SGD.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No. 95
Dec. 1, 1988**

**SUBJECT : Amendment to Certain Provisions of DENR
Administrative Order Nos. 32 and 63, of 1988**

In order to give ample time for timber licensees/permittees to pay the required reforestation deposit, proviso No. 6 of DENR Administrative Order Nos. 32 and 63 is hereby amended to read as follows:

6. Mechanics for Deposit

The timber licensee/permittee shall make the deposit within the first FIFTEEN (15) days of each quarter . . ."

Consequently, proviso 9.1.1 of DENR Administrative Order No. 32, Series of 1988 is also amended to read:

9.1.1 After the [quarter prescribed] FIRST FIFTEEN (15) DAYS OF THE QUARTER PRESCRIBED, a fine of 0.1% of the amount due for the quarter for every day of delay;

All other provisions of DENR Administrative Order Nos. 32 and 63, Series of 1988, which are not inconsistent herewith shall remain in full force.

This Order takes effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Administrative Order
No. 97
Dec. 29, 1988

**SUBJECT : Revised Regulations Implementing The
Integrated Social Forestry Program
under LOI 1260**

Pursuant to Executive Order 192, LOI 1260 implementing the Integrated Social Forestry (ISF) Program, and the Comprehensive Agrarian Reform Law, the following regulations and guidelines are hereby promulgated.

SECTION 1. Basic Policy. — To achieve the national objectives of economic and social development, it is the government policy to democratize the use of public forest land and to promote more equitable distribution of the forest bounty. In line with this policy, the government shall provide security of tenure and assist kaingineros and other deserving forest occupants dependent on forest lands for their livelihood. The ISF Program shall therefore be pursued according to the following policy guidelines:

- a. **Security of Tenure.** Consistent with the provisions of the Constitution, ISF Program participants, through Stewardship Agreements, shall be given a tenure over the subject land for a period of 25 years, renewable for an additional 25 years.
- b. **Continued Occupancy of Present Clearings.** Forest occupants shall be allowed to cultivate and further develop their clearings and homelots or settlement areas provided that continued occupancy and development will not impair the forest ecosystem nor shall it encroach or cover areas which have been declared as national parks or reservations or have been the subject of lease contracts with the government, more particularly described in Section 10 hereof.
- c. **Size of holdings.** The land shall consist of economically viable size holdings which, depending on topography, soil, and general conditions of the area, shall, as much as

possible, cover three to seven hectares.

- d. **Development of Forest Lands by Individuals.** Forest occupants dependent on the public forest for their livelihood shall be allowed and assisted in developing individually allocated parcels of open and denuded forest land into productive agroforestry farms and shall be encouraged to organize themselves into associations or cooperatives.
- e. **Program Management.** The ISF Program participants shall be enjoined to actively participate in the preparation and implementation of their respective project development and management plans where all government agencies indicated in LOI 1260 shall provide assistance as may be required.
- f. **Communal Forest Leases.** Forest communities shall be allowed to lease on a communal basis the areas they are presently utilizing for non-commercial purposes subject to the limitations under Section 10 hereof; Provided, that continued utilization will not impair the forest ecosystem and that the communities organize themselves into associations or cooperatives which may be authorized to enter into Stewardship Agreements. The lease shall obligate the communities to conserve and protect forest resources within the leased areas; and
- g. **Government Efforts.** The continuing implementation of the program shall be effected through concerted efforts of various government agencies and instrumentalities as mandated by LOI 1260.

SECTION 2. Objectives. — The program aims to mobilize forest resources for economic and social progress of the nation through the involvement of kaingineros and other occupants of forest lands who shall be made effective agents of the State in food production and in rehabilitation of forest lands. The program shall therefore endeavor to achieve the following specific social, economic, and ecological objectives:

- a. Establishment of a lasting partnership between the

government and forest occupants in promoting sustainable use of public lands through a managerial system that is environmentally productive and culturally appropriate;

- b. Conservation, development and protection of forest resources;
- c. Increased income of program participants;
- d. Stabilization of farming systems in forest lands by harnessing the capabilities and potentials of forest occupants;
- e. Identification and dissemination of information concerning applicable technologies that are economically feasible, socially acceptable and environmentally sound;
- f. Development of sustainable and income-generating activities by providing necessary social, financial, technical, educational, and other community services to forest occupants;
- g. Identification and design of sustainable and economically viable second-generation projects complementing and/or utilizing agroforestry products;
- h. Establishment of effective linkages to institutionalize synergy forest occupants and communities and other institutions and agencies which have the capacity to provide the necessary social, economic and physical infrastructure support;
- i. Improvement of the quality of life of the kainginero and settler populations by expanding, strengthening, and assimilating the existing socio-oriented programs such as PROFEM, Forest Occupancy Management (FOM), Communal Tree Farming and Industrial Tree Plantations into the National Livelihood KKK Movement; and
- j. Continuing improvement in Program design and implementation by encouraging and supporting interdisciplinary research and experimentation.

SECTION 3. Definition of Terms. —

- a. **Integrated Social Forestry (ISF)** refers to the national program launched under LOI 1260 designed to maximize land productivity and enhance ecological stability, and to improve the socio-economic conditions of forest occupants and communities.
- b. **Forest Occupants** refers to a citizen actually and directly occupying and/or cultivating public forest land as of December 31, 1981.
- c. **Forest Community** refers to forest occupants who are members of indigenous socio-cultural groupings.
- d. **Next-of-Kin** refers to the spouse and children, or if not applicable, the parents, the brothers or sisters of a forest occupant who has entered into Stewardship Agreement.
- e. **Stewardship Agreement** refers to a contract entered into by and between an individual forest occupant or forest community association or cooperative and the government allowing the former the right to peaceful occupation and possession over designated area.
- f. **Certificate of Stewardship** refers to the document issued by the government pursuant to the Stewardship Agreement.
- g. **Program Participant** refers to a forest occupant or community association or cooperative which has entered into a Stewardship Agreement and actively involved in the ISF Program.
- h. **Project Area** refers to a public forest land which is utilized by a specific, proximate groupings of Program participants or prospective Program participants.
- i. **Integrated Area Project** refers to a large tract of public forest land settled by forest occupants which is designated as such for reasons of diverse community needs with the

end in view of providing social and other necessary services in an inter-agency basis.

- j. **Program** as used in these regulations refers to Integrated Social Forestry.

SECTION 4. Participants. — The following are qualified to participate in the ISF Program:

- a. Individuals or heads of families who occupied forest lands prior to January 1, 1982; and
- b. National Minorities or tribal communities.

Stewardship Agreements shall not be entered into with absentee claimants, landlords, speculators or any other persons, including forest occupants, not personally cultivating and/or utilizing land to be allocated pursuant to PROFEM II.

SECTION 5. Available Areas. — The following areas within public forest land shall be identified as ISF Project Areas:

- a. Areas covered by existing Projects on Forest Occupancy Management (FOM), Family Approach to Reforestation (FAR), Communal Tree Farm (CTF) and other suitable reforestation/afforestation projects.
- b. Areas including mangrove swamps actually and directly occupied and cultivated by forest occupants as of December 31, 1981, except under conditions stipulated in Sec. 10 hereof.
- c. Other open and denuded areas suited for ISF development.

SECTION 6. General Criteria. — The following criteria, among others, shall be considered in the design and implementation of projects aimed at achieving the objectives of the Program:

- a. Economic self-sufficiency and ecological stability shall be the key considerations.

- b. Each project will focus initially on a single strategic activity responding to an immediate concern of the participants as identified during the assessment and appraisal of the project area needs.
- c. Program participants shall be actively involved in project area planning, design and implementation.
- d. Project design and implementation shall be made flexible to allow revision as often as necessary.
- e. Community associations or cooperatives shall be developed and whenever appropriate local institutions shall be strengthened for future autonomy.
- f. Appropriate indigenous practices shall be identified and documented for reference and possible adoption elsewhere.
- g. Technical, organizational, marketing, legal, financial and other relevant assistance shall be extended to Project participants by government agencies concerned as required.

SECTION 7. Incentives. — To encourage qualified persons to participate in the Program, the following incentives shall be provided:

- a. No fees shall be collected for the use of the allocated land during the first five years of the Stewardship Agreement, provided that annual fees which shall not exceed ten pesos (P10.00) per hectare may thereafter be collected as determined by the Secretary of the Department of Environment and Natural Resources (DENR).
- b. All income/proceeds derived from the land shall accrue to Program participants.
- c. Forest products derived and/or harvested from the Project Area shall be exempted from the payment of forest charges.
- d. Program participants may mortgage or assign their allocated land to any financial institution as collateral for loans to be used in developing the land.

- e. Technical, legal, financial, marketing and other needed assistance shall be extended to program participants.
- f. Program participants may avail of assistance provided by the government national livelihood Bagong Kilusang Kabuhayan at Kaunlaran (BKKK) movement; and
- g. Upon expiration of the Stewardship Agreements, Program participants or their direct heirs shall have the right of preemption to any subsequent Stewardship Agreement covering their allocated land, and when for some reason the government opts not to allocate the land for Stewardship, the participants concerned shall be entitled to just compensation for permanent improvements, introduced, including trees that will not be removed.

SECTION 8. Responsibilities of the Program Participants. — The Program participants shall strictly observe and/or implement the following:

- a. Develop their land into productive farm to make their families economically viable and self-reliant consistent with accepted scientific practices and with environmental protection.
- b. Devote portions of their land to tree farming of suitable species to contribute to the reforestation efforts of the government.
- c. Protect and conserve the forest growth in their allocated land and cooperate with the Community Environment and Natural Resources Officers (CENRO) in protecting forest areas adjacent thereto.
- d. Preserve monuments and other landmarks indicating corners and outlines of boundaries within the confines of their allocated land in the course of implementing the project development plan.
- e. Prevent and suppress unauthorized and unregulated fires on their allocated land and other areas immediately adjacent thereto and when necessary shall assist the CENRO in extinguishing forest fires within the Project Area.
- f. Plant at least five (5) edible fruit bearing trees per hectare on their allocated land.

- g. They shall not cut trees or other vegetation within a strip of twenty (20) meters on each side along the banks of creeks, rivers or streams, bordering or passing through their allocated land.
- h. They shall not cut or harvest timber crops when notified by the DENR that to do so would adversely affect the forest ecosystem; and
- i. They shall not transfer or assign their allocated land or any portion thereof without prior authorization from the DENR Secretary.

SECTION 9. Program Components. — The Program shall include the following components:

- a. **Information Drive.** The National Secretariat shall prepare and disseminate information to forest occupants which will explain and encourage their participation in the Program, as well as identify and package technology applicable to the project areas. The Project Teams and Social Forestry Officers (SFOs) shall assist in the dissemination of information preferably thru face-to-face dialogues with prospective program participants.
- b. **Identification and Assessment of Project Areas.** The Regional Executive Directors (REDs) shall identify ISF Project Areas. Identified Project Areas shall then be assessed by the Project Teams or SFO as to forest occupancy and cultivation practices, land uses, market accessibility, topography, soil fertility, available hectarage, willingness of forest occupants to join the Program, support of local officials, climate, on-going or proposed development projects, socio-economic and demographic information, significant problems and constraints. Based on the assessment, the Project Team or Social Forestry Officer concerned together with the Program participants, shall identify the project area needs and formulate the corresponding technology package.

The National Secretariat shall recommend areas that may be designated as Integrated Area Project which shall be implemented as such.

- c. **Preparation of Development Plan.** A Development Plan for each

Project Area shall be prepared in accordance with established guidelines by the Project Team or SFOs in consultation with the concerned Program participants. The plan shall include a description of the project area, its objectives, technology package, operational strategies, resource requirements, schedule of activities, marketing schemes, etc. and shall serve as guide in the development of the Project Area. The Project Team and/or SFOs shall assist participants in the final packaging of a Program Management Development Plan for implementation and if necessary, submission to institutions involved in BKKK or other funding institutions.

- d. **Census of Forest Occupants.** A complete census of forest occupants shall be taken in coordination with concerned agencies. The data gathered shall include a demographic profile which will be used in the preparation of the Project Development Plan.
- e. **Community Organization.** The Project Teams and SFOs shall facilitate the formation of associations and/or cooperatives of Program participants for registration with appropriate agencies and for possible accreditation under the BKKK livelihood program of the government. Existing organizations shall be recognized and strengthened to improve their capabilities in the development of agroforestry farms/plantations and other livelihood projects. In areas where there are no existing organization(s) among ISF Program participants, they shall be encouraged to organize into associations or cooperatives and develop them as effective government's counterparts in the implementation and supervision of social forestry projects.
- f. **Perimeter and Parcel Surveys.** The Regional Executive Director (RED) and CENRO concerned with the help of the Project Teams and SFOs shall effect the conduct of perimeter surveys of Project Areas and Communal Forest Leases and prepare corresponding standard ISF maps drawn to suitable scale.

A survey of the parcels allocated to individual Program participants shall be conducted, allocating three (3) to seven (7) hectares per individual. If the area cultivated by an individual Program participants is more than seven (7) hectares, the excess shall be divided among the participant's next-of-kin whose allocation, if any, is less than seven (7) hectares. Areas leased by forest

communities on a communal basis will be allocated by the community pursuant to the native custom and accepted practices resulting from long period of association.

Land allocated to the individual program participants shall be made contiguous unless economic feasibility, indigenous cropping patterns or natural barrier's prevent contiguity.

- g. **Processing and Issuance of Certificates of Stewardship.** The RED shall be primarily responsible in the processing and issuance of Stewardship Agreements.

Forest occupants shall apply for Stewardship Agreement in the appropriate CENRO. The CENRO, in coordination with the concerned project team and/or SFO(s), shall process the application pursuant to this Order. If the applicant is qualified, the Social Forestry Unit Head shall prepare a Stewardship Agreement, which need not be notarized, in English or Pilipino, and the ISF standard map and attached them to the individual Certificate of Stewardship.

The CENRO shall review the documents to determine compliance with existing regulations and completeness of the required documents. After reviewing the documents and if satisfied that it complies with existing regulations, he shall then approve the Stewardship Certificate covering an area of not more than five (5) hectares. The CENRO Officer shall then issue the Program participant the duplicate copy of the Stewardship Certificate. A copy of the Stewardship Certificate shall be sent to the National Secretariat, the CENRO retains a copy for his file and record. The original copy of the Agreement shall be forwarded to the Regional Office for proper control and record. Stewardship Certificate together with the ISF standard map and other relevant documents covering areas more than five (5) hectares shall be endorsed to the RED.

The RED shall review the documents and when satisfied that it complies with existing regulations, shall approve the Stewardship Certificate covering an area of more than five (5) hectares up to seven (7) hectares.

The National Secretariat shall keep copies of all approved Stewardship Certificates.

- h. Nursery and Demonstration Farm Establishment.** Each ISF Project shall have a central nursery to ensure the continuous supply of high quality planting materials and a demonstration farm to serve as show window of appropriate agroforestry technologies for the upland farmers. Nurseries and demonstration farms shall be constructed on newly established areas including those on-going projects where nurseries and demonstration farms are deemed necessary as determined by the participants and SFO concerned.
1. As much as possible, the area of the nursery to be established should be contiguous with the demonstration farm with a minimum area of one (1) hectare for every three hundred hectares total project area.
 2. The bunkhouse to be constructed should be spacious enough to accommodate the SFTs, SFOs, tools and/or equipment and shall serve as multi-purpose hall for the community such as farmers' meetings and trainings.
 3. The nursery and the demonstration farm shall be constructed by the community through self-help or bayanihan system with the direct supervision of the SFO and SFT.
 4. The bunkhouse and other facilities should be made from readily available indigenous materials and should have a minimum service life of not less than 5 years.
 5. The nursery and the demonstration farm shall be jointly managed by the concerned DENR personnel and the community, the proceeds of which shall accrue to the farmer participants.
- i. Development of Agroforest Farms.** Program participants shall be encouraged to undertake the necessary steps to develop their allocated land, in accordance with the Program Management Plan, into Agro-Forest Farms. Program participants shall call the attention of the appropriate personnel of the FMB, the Department of Agriculture and other government agencies for assistance on plantation establishment, farm management and other services. Program participants shall simultaneously plant a combination of

forest trees and agricultural crops to increase the productivity of the land. The cropping pattern to be employed shall give due consideration to the protection of the land from erosion. Livestock or fisheries may also be introduced, if appropriate.

Boundaries of land allocated to individual Program participants shall be planted with forest tree species.

- j. **Training Program.** The Project Team and/or SFO(s) will conduct periodic trainings for program participants to disseminated information or appropriate agroforestry technology, community organization, financing and marketing.
- k. **Program Assistance.** All the agencies concerned with the implementation of LOI 1260 shall render technical, organizational, legal, marketing, financial and other assistance to the Program participants.
 1. Construction of Access Roads and ISF Project Trails. There shall be constructed access roads and trails in the ISF Projects strategically located to facilitate farm development including the transport of all products derived therein. In areas where there are already existing access roads/trails, the same shall be maintained and developed to enhance mobility in the project.
 - 1.1 The construction of access road shall be undertaken with the support of the local government concerned and in coordination with the Department of Public Works and Highways. Provided, that access roads shall be constructed only when and if absolutely necessary.
 - 1.2 Access trails with a minimum density of 100 m/ha and a maximum width of one (1) meter shall be constructed through Bayanihan system utilizing the existing community organizations or associations.
 2. Water Impounding Dams. Whenever feasible and as many as necessary, water impounding dams shall be constructed in each ISF Project.

3. Fertilizer may be supplied to Program participants at cost or at subsidized price.

All assistance to be provided by the participating agencies as provided by LOI 1260, in addition to the above, shall be covered by a Memorandum of Agreement, subject to PARC approval.

SECTION 10. Prohibited Areas. — The following conditions will render an area prohibited from forest occupancy under this Program:

- a. The area is located within a national park, critical watershed, proclaimed watershed or other reservation.
- b. Continued occupancy of the area would result in soil erosion, sedimentation of rivers and streams, reduction in water yield and impairment of other resources to the detriment of community and public interest.
- c. The area is the subject of a valid timber license agreement (TLA), pasture lease agreement (PLA), industrial tree plantation lease agreement (ITPLA), agroforestry farm lease agreement (AFLA) or any approved government lease or project for purposes other than the ISF Program.

The foregoing provisions to the contrary notwithstanding, the following areas may be allowed for development:

- 1) Areas within existing TLA, PLA, ITP or AFLA which have been occupied as of December 31, 1981 and developed up to the present, and are devoid of standing timber, and where there is consent, either actual or implied or acquiescence by the license or lease holder.
- 2) Communal forest, communal pasture or any other BFD Project which has ceased to serve its original intention, neglected or abandoned as determined by a study team to be designated by the Secretary.

Forest occupants prohibited areas as indicated above shall be relocated after being given due notice and an opportunity to participate in

the identification of their relocation site.

SECTION 11. Program Management. — The Program shall be managed and implemented through an Executive Committed to be assisted by a National Secretariat (refer to Annex A), the FMB Social Forestry Division, and appropriate Project Teams and Social Forestry Officers.

- a. **Executive Committee.** The ISF Program shall be managed by an inter-agency Executive Committed to be chaired by the DENR Secretary. The Committee shall include the Secretaries of Environment and Natural Resources, Agrarian Reform, Agriculture, Education, Culture and Sports, Health, Justice, Public Works and Highways, Social Services and Development, and Local Governments and the NEDA Director General. The Committee shall have two-fold function of ISF Program planning and policy making.
- b. **National Secretariat.** A National Secretariat shall be established and its composition appointed by the Secretary of Environment and Natural Resources. The Secretariat shall provide overall direction and administration of program implementation. The Secretariat shall:
 - 1) Develop and coordinate the implementation and execution of ISF policy, plans and projects through the Social Forestry Division of FMB and the duly constituted Project Teams and Social Forestry Officers.
 - 2) Formulate and recommend guidelines in the identification, establishment, and development of ISF projects.
 - 2) Establish technical committees to conduct inter-disciplinary research and experimentation;
 - 3) Monitor and evaluate field activities;
 - 4) Assist in the identification of ISF project funding;
 - 5) Provide the Executive Committee of the Program with periodic reports on ISF program activities; and

- 6) Perform such other related functions as maybe assigned to it.
- c. **Social Forestry Division.** The Social Forestry Division shall be strengthened and shall provide staff support to the National Secretariat in the development of guidelines and coordination of the implementation and execution of ISF policies, plans, and projects, formulation of guidelines in the identification, establishment and development of ISF projects, the monitoring and evaluation of field activities, preparation of periodic reports, process applications for Stewardship Agreements thru its regional counterparts and shall carry out other functions which shall be assigned to it.
- d. **Project Teams.** The National Secretariat shall organize Project Teams which shall be responsible for the actual management and implementation of ISF Program in areas designated as Integrated Area Projects.

The Team shall be composed mainly of appropriate personnel from the Regional Offices supported by personnel from other member agencies as indicated by LOI 1260. The Project Team shall be under the direct supervision of the RED.

- e. **Social Forestry Officers.** The RED in consultation with the National Secretariat, shall designate at least one Social Forestry Officer for each Project Area. He shall be responsible for actual management and implementation of ISF Program in the Project Area under the direct supervision of the CENRO concerned.

SECTION 12. Death or Incapacity of a Program Participant. — In the event of the death or incapacity of the Program participant before the expiration of the Stewardship Agreement, the rights and privileges, emanating therefrom shall pass on to the Program participant's next-of-kin who shall work on and develop the land in accordance with the terms of the Stewardship Agreement and for the remaining unexpired term.

SECTION 13. Cancellation of the Stewardship Agreement; Compensation. The Stewardship Agreement may be cancelled for any

of the following causes:

- a. When a Program participant fails to comply with the terms and conditions of the Agreement within six (6) months after being notified of his neglect in writing by the RED;
- b. Serious and continued violation of forestry laws, rules and regulations in the development of the area; and
- c. When public interest as determined by the Secretary of DENR so demands.

In the event that the Stewardship Agreement is cancelled for any of the causes listed in this preceding paragraph, the former participant shall be entitled to a fair compensation for all permanent improvements introduced on the land. The amount of compensation shall be based on the fair market value of such improvements as assessed by a government assessor or a disinterested and qualified third party as of the date of cancellation, minus all charges or other monetary obligations accruing to the government, if any. For this purpose, permanent improvements are those which cannot be removed without damaged to the land. Temporary improvements of similar nature shall be removed by the participant within a reasonable period to be determined by the DENR.

SECTION 14. Institutional Linkage. — The Secretariat shall initiate the establishment of linkages with other support agencies and shall coordinate the provision of technical and material assistance, infrastructure development, educational, health care facilities and related social welfare and other services to Program participants. The FMB Social Forestry Division, Regional, PENR and CENR Offices shall insure that workable and lasting institutional linkages among agencies at the regional, provincial and community levels are effected.

SECTION 15. Monitoring and Evaluation. — In order to assure the success of the Program, regular monitoring of the Project Areas shall be conducted by the Project Teams and/or SFOs. Project Area report shall be submitted to the National Secretariat every three months. A Team composed of representatives from the support agencies may also be organized for this purpose.

The Regional Office shall regularly monitor, evaluate and

document existing social forestry projects within their jurisdiction. They shall submit to the DENR Central Office reports highlighting problems and opportunities including recommendations to further improve ISF program/projects implementation.

SECTION 16. Technical Assistance and Services. — Technical Assistance shall be provided to ISFP participants, particularly on community organizing, agroforestry development, marketing of agroforestry products, soil and water conservation and forest livelihood projects. The REDs shall see to it that SFTs are assigned and devote most of their time in social forestry projects to assist the Program participants in the development and management of the project.

SECTION 17. Participation of Non-Governmental Organizations (NGOs). NGOs shall be tapped to participate in the various program components, specifically but not limited to, census of forest occupants, community organization, information and technology dissemination, and monitoring and evaluation of agroforestry projects. These NGOs shall be identified and selected from the existing Inventory of NGOs and Other Private Organizations of the Department.

SECTION 18. Integrated Social Forestry Funds. ISFP funds shall be used exclusively to support the Program implementation. REDs shall see to it that funds allocated for ISFP are properly programmed to finance social forestry activities.

SECTION 19. Additional Guidelines. The Undersecretary for Field Operations may issued additional instructions and circulars as may be necessary for the effective implementation of this Order.

SECTION 20. Repealing Clause. This Order supersedes MAO 48, Series of 1982 and revises/amends all existing forestry rules and regulations which are inconsistent.

SECTION 21. Effectivity. This Order shall take effect immediately.

(Sgd.) **FULGENCIO S. FACTORAN, JR.**
Secretary

EXECUTIVE COMMITTEE

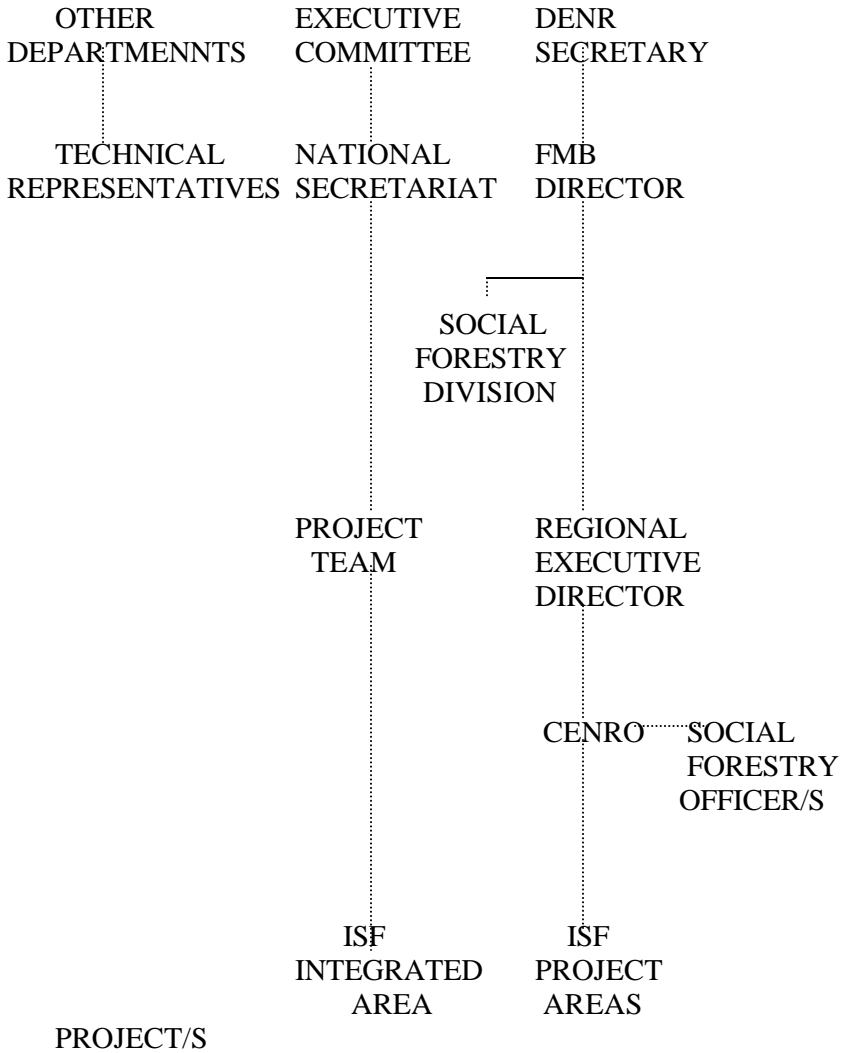
Secretary of Environment and Natural Resources	- Chairman
Secretary of Agrarian Reform	- Member
Secretary of Agriculture	- Member
Secretary of Education, Culture and Sports	- Member
Secretary of Health	- Member
Secretary of Justice	- Member
Secretary of Public Works and Highways	- Member
Secretary of Social Services and Development	- Member
Secretary of Local Government	- Member
Director General of NEDA	- Member

NATIONAL SECRETARIAT

Undersecretary for Field Operations	- Chairman
Director of FMB	- Vice Chairman
DAR Representative	- Member
DA Representative	- Member
DOH Representative	- Member
DOJ Representative	- Member
DECS Representative	- Member
DPWH Representative	- Member
DSSD Representative	- Member
DLG Representative	- Member
NEDA Representative	- Member

ANNEX A

ISF ORGANIZATIONAL STRUCTURE



**DENR Administrative Order
No. 99
Dec. 29, 1988**

**SUBJECT : Amending Certain Portions of
Ministry Administrative Order
No. 50, Series of 1986**

In order to encourage the establishment and operation of wood processing plants producing higher value added products, consistent with the national economic development program of the government, Section 6.2.1.4. of MAO No. 50, Series of 1986 is hereby amended to read as follows:

"6.2.1.4 Plywood/Veneer Plant. — Copy of timber license if applicant is a timber concession holder. In case of non-timber concession holders, copy of approved Log Sales/Purchase Agreement or Domestic Log Sales Declarations or other appropriate schemes with an existing timber licensee."

This Order shall take effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR CIRCULAR
NO. 1
Aug. 18, 1988**

**SUBJECT : Clarifying the Policies and Guidelines
on the Reforestation Deposit.**

Pursuant to the provisions of DENR Administrative Order No. 63, Series of 1988 and after due consultation with the Philippine Wood Products Association, the following are hereby issued to clarify certain policies and guidelines concerning Fund Deposit:

9. The option of a timber licensee/permittee to waive and contract out his reforestation obligation previously allowed under the existing guidelines are hereby suspended. Towards this end, the concerned timber licensee/permittee shall, by himself, undertake the reforestation activities. However, if the licensee/permittee decides to hire a reforestation contractor, said licensee/permittee shall be fully responsible for his contractor's performance.
10. The corresponding Reforestation Deposit as determined by the Secretary shall still be required and deposited by the licensee/permittee concerned to the PWPA Reforestation Trust Fund.
11. The proviso of existing guidelines whereby all timber licensee/permittees required to submit an Integrated Annual Operations Plan (IAOP) shall comply with the Reforestation Deposit requirement shall not apply to Special Timber Licenses/Permits to cut softwood (e.g. Gubas), Private Land Timber Licenses, or similar licenses to cut a few selected timber species. In this connection, the Forest Management Bureau shall prepare and circularize to all concerned a listing of all licensee/permittees who are required under existing regulations to submit an IAOP and the payment of the Reforestation Deposit.
12. On the matter of undertaking reforestation activities in areas outside the timber concession area for the reason that there are no available open areas, or the available areas are insufficient to cover the required hectareage based on the approved IAOP, the 50% requirement shall be based on the original targetted reforestation goal

of the IAOP.

13. The DENR shall closely monitor the reforestation activities of the licenses/permittees.
14. With respect to procedure of disbursement, withdrawals and disbursement on the reforestation deposit based on the work and financial plan shall be submitted under oath by the licensee/permittee direct to the PWPA Management Committee. The amount received by the licensee from the Reforestation Trust Fund shall be held in trust by the licensee to be spent only for the specific purpose of reforestation as mandated under DENR Administrative Order No. 79, Series of 1987.
15. Maintenance and protection of areas planted in the ensuing years will still be responsibility of the TLA holder.
16. All existing policies and guidelines on the Reforestation Deposit which are adversely affected by the foregoing clarifications are hereby suspended. In lieu thereof, the provisions of this circular shall apply.
17. This Circular shall take effect immediately.

(Sgd) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Circular
No. 2
Oct. 05, 1988**

SUBJECT : Guidelines and procedures governing the payment and collection of annual fees from holders of Certificate of Stewardship Contract and Community Forest Stewardship Agreement.

Pursuant to MAO No. 48, S. 1982, as amended, and in order to facilitate and regulate the payment and collection of annual fees for the used of land, five (5) years after the issuance of Certificate of Stewardship Contract (CSC) and Community Forest Stewardship Agreement (CFSA) under the Integrated Social Forest (ISF) Program, the following guidelines and procedures are hereby promulgated:

SECTION 1. Scope - All holders of CSC and CFSA for five (5) years and above shall be collected an annual fee for the use of the land allocated to them under the ISF Program.

SECTION 2. Rental Fee - An annual fee of ten pesos (P10.00) per hectare or a fraction thereof shall be collected as a rental fee for the use of the land covered by individual CSC and the areas actually cultivated or developed for agroforestry production in the CFSA.

SECTION 3. Procedures - To ensure effective implementation of this Order, the following procedures shall be adopted:

- a) The Social Forestry Officer (SFO) of the Community Environment and Natural Resources Office (CENRO) shall conduct inventory of CSC/CFSA holders to determine those who are covered by Section 1 hereof.
- b) A team to be composed of duly authorized representative of the CFSA holder and the SFO and other concerned personnel of the CENRO shall be created to determine the area actually cultivated and developed for agroforestry production by CFSA holder to serve as basis for the amount of rental to be collected therefrom.

- c) The SFO shall prepare Order of Payment in quadruplicate for every CSC/CFSA holder covered under Section 1 hereof following the herein attached form (Annex A). Copies of which shall be distributed as follows:

Original - CENRO Disbursing Officer
Duplicate - CSC/CFSA Holder
Triplicate - CENRO
Quadruplicate - Resident Auditor

- d) The CENRO shall notify each CSC/CFSA holder subject of rental collection following the notice form (Annex B) where the duplicate copy of Order of Payment shall be attached.
- e) All payments shall be made within sixty (60) days upon receipt of the notice on installment basis or as preferred by the CSC holder provided within the specified sixty (60) days period, to the CENRO Disbursing Officer based on the Order of Payment to be presented by the payee and as validated from the original copy the same. No amount of money either in cash, checks, or money order shall be accepted by the CENRO Disbursing Officer without any Order of Payment duly approved by the Community Environment and Natural Resources Officer.

Failure to pay without justifiable cause the annual rental after sixty (60) days period shall be subject to a surcharge as follows:

Rental paid within three (3) months - 10% surcharge
Rental paid within six (6) months - 20% surcharge
Rental paid within nine (9) months - 30% surcharge

Rental paid one year after the due date, a surcharge of 100% per year shall be collected.

- f.) Before issuing an official receipts, the CENRO Disbursing Officer shall carefully review the order of payment and ensure that the same has been accomplished properly and completely and the amount presented for payment of the

CSC/CFSA holder tallies with that indicated in the original order of payment in his office. No official receipt shall be issued when the order of payment contains alterations and/or erasures.

- g.) All payments made shall be issued with corresponding official receipt.
- h.) The original and the carbon copies of the official receipt issued shall be forwarded to the SFO where the same shall be checked carefully and determined whether it tallies with the order of payment. The SFO shall promptly report any mistake or defect noted by him to the Disbursing Officer who shall immediately take appropriate measures to correct the same.
- i.) For purposes of control, record and auditing purposes the CENRO shall submit copies of the Order of Payment for collection of fees every month to the Resident Auditor having audit jurisdiction of the office.

SECTION 4. All collected payments shall accrue to and constitute a part of the general fund of the National Government.

This Order shall take effect immediately.

(Sgd.) VICTOR O. RAMOS
Undersecretary

ANNEX A

Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL
RESOURCES

Region _____
CENRO _____

Date

ORDERS OF PAYMENT

MEMORANDUM for the CENRO Disbursing Officer
Municipality, Province

Please receive the amount of _____
_____ (P _____) covering the
remittance described below:

Name of remitter/CSC/CFSA Holder : _____

Address
: _____

Description of remittances : _____

Purpose of payment :

_____ P

_____ P

T O T A L =====P

CENRO

Paid under OR No. _____

Date Paid : _____

Collected by : _____

ANNEX B

Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL
RESOURCES

Region _____
CENRO _____

Date

NOTICE

This is to inform you of your obligation being a holder of Certificate of Stewardship Contract/Community Forest Stewardship Agreement No. _____ covering an area of _____ hectares, located at _____ issued on _____ 19 ____.

Attached is a copy of Order of Payment which you shall present to the CENRO Disbursing Officer in paying said rental fee for the year _____.

Thank you very much.

CENRO

Note : Payment shall be made within thirty (30) days upon receipt thereof.

MEMORANDUM CIRCULAR

No. 08

Aug. 11, 1988

To : All DENR Field Officials concerned

FROM : Undersecretary for Field Operations

DATE : August 4, 1988

**SUBJECT : Guidelines with the recent amendments to DENR
Administrative Order No 33, Series of 1988 as
amended.**

In connection with the recent amendments to DENR Administrative Order No. 33, Series of 1988 covering the "Regulations Governing the Inspection of Plantation Logs and Lumber for Export," the following instructions are hereby issued.

1. For Plantation Log Export

1.1. The Certificate of Timber Origin (CTO) is still required. In addition, the shipper should keep a logbook of all his transactions to be checked from time to time by the field officials concerned. In addition to the logbook, monthly reports shall be submitted by them to the Regional Office. Attached are the sample forms for the purpose.

1.2. A verification fee of P20.00 per cubic meter shall be charged.

2. For Lumber Export

2.1 The Certificate of Lumber Origin (CLO) shall no longer be required. Instead, a logbook should be maintained by the shipper and in addition, he shall submit monthly reports per the attached forms.

2.2 The Certificate of Registration as Lumber Dealer shall no longer be required.

2.3 A verification fee shall be charged at the rate of P20.00 per cubic meter.

- 2.4 Verification shall be done at the lumber yard where the lumber is being prepared for export. In exceptional cases, verification may be done at the pier or place of loading where there are verified reports of any irregularity.
- 2.5 The verifying officer shall hatchet mark both ends of the logs verified by him and each bundle of lumber verified shall also bear at least five (5) hatchet marks.
- 2.6 The application for export should be filed at the place oR Office where the verifying officer is based. In the National Capital Region, it should be filed with the Regional Office and in the other regions, it should be filed at the office nearest to the location of the applicant either the CENRO, PENRO or Regional Office. The verifying officer should sign the Certificate of Verification.
- 2.7 Payments of the verification fee shall be on per shipment basis. The Certificate of Verification shall also be on a per shipment basis. Any shut out volume or verified lumber not loaded will be issued another certification rather than allowing it as a carry-over of the old. This will make monitoring easier.
- 2.8 It is mandatory that each verifying officer should have his own marking hatchet. This is to pinpoint responsibility as to who made the inspection and/or verification.

Consistent with existing laws, rules and regulations governing the exportation of plantation logs and lumber, any misdeclaration, falsification or any such other violations of Administrative Order No. 33, S. 1988 as amended, shall be penalized accordingly.

The field officers concerned are further instructed to read carefully the provisions of DENR Administrative Order No. 33 and its amendatory order no. 72 for proper information and compliance.

Please be guided accordingly.

(Sgd.) VICTOR O. RAMOS
Undersecretary for Field Operations

**DENR Memorandum Circular
No. 11
Oct. 11, 1988**

**SUBJECT : IMPLEMENTING RULES AND
REGULATIONS OF REFORESTATION
CONTRACTS.**

Pursuant to DENR Administrative Order No. 39, series of 1988 and in order to immediately operationalize and implement the contract forestation/reforestation program of the government, and insure the effective conduct of bidding, award and execution of reforestation contracts, the following guidelines are hereby adopted for the guidance of all concerned:

POLICY, OBJECTIVES, AND DEFINITION OF TERMS

SEC. 1. Basic Policy. Consistent with national objectives pertinent to forest development, conservation, and equitable distribution of the benefits derived from forest resources, it is the policy of the government to create incentives that will encourage the participation of non-government organizations, local government units and the private sectors, including forest occupants and rural communities, in forest resources development management and protection, and the enforcement of laws, rules and regulations pertinent to the conservation of forest resources for present and future generations.

SEC. 2. Objectives of the Program. The objectives of this program are:

- a) To use reforestation as a tool for addressing rural equity and development issues;
- b) To create new jobs and expand the opportunities for profitable self-employment;
- c) To forest the growth of a dynamic private sector reforestation industry;
- d) To encourage local government units, non-government

organizations and to participate in contract reforestation;

- e) To attain a condition of ecological stability, and optimum/sustainable productivity of forest resources; and
- f) To install an efficient system for broad-based private sector participation in the management of bids, awards, monitoring, evaluation, certification and payment for contract reforestation work.

SEC. 3. Definition of Terms. Amplifying further the provisions of Sec. 4, DENR Administrative Order No. 39, series of 1988, the following words as used in this order are hereby defined:

- a) DEPARTMENT or DENR - refers to the Department of Environment and Natural Resources.
- b) SECRETARY - refers to the Secretary of the DENR.
- c) UNDERSECRETARY - refers to the Undersecretary for Field Operations of the DENR.
- d) DIRECTOR - refers to the Director of the Forest Management Bureau.
- e) PROGRAM - refers to the contract reforestation program of the Government.
- f) REGIONAL/PROVINCIAL AND WATERSHED MANAGEMENT/REFORESTATION PLAN - refers to the detailed development plan for an area programmed for contract reforestation.
- g) DEVELOPMENT PLAN - refers to the plan which describes a site programmed for Contract Reforestation development; such plan to include targets, quantities and quality of work to be performed, schedules and cost estimates.
- h) PRE-QUALIFICATION - is the process whereby an

individual, entity or organization, after having submitted evidence of adequate capability to implement a reforestation contract, is registered with the DENR as a prospective bidder.

- i) **CONTRACT** - means an Agreement between the Government represented by the DENR, and an entity or individual, whereby by the latter agrees to implement and activity or a series of activities required to reforest a denuded portion of the public domain the former (DENR) agrees to pay for the activity or activities duly-accomplished, pursuant to the items and conditions of the Agreement.
- j) **CORPORATE REFORESTATION CONTRACT** - refers to a **CONTRACT** between the government represent by DENR and private corporations, non-government organizations, local government units and other formal/legally-constituted entities for purposes of profit or other legitimate objectives of the entity concerned.
- k) **FAMILY APPROACH REFORESTATION CONTRACT** - refers to a **CONTRACT** entered into by and between the government represented by the DENR and the head of a family.
- l) **COMMUNITY REFORESTATION CONTRACT** - refers to a **Contract** between the government represented by the DENR and a duly recognized entity such as an association, cooperative, foundation, civic or religious organization acting for and in behalf of residents of a community located in or adjacent to a reforestation site, whereby the residents in the contract under supervision of the entity, which would in turn be directly responsible to the DENR for performance under the **CONTRACT**.
- m) **CASH CROPS** - refers to annual or semi-annual plants, usually intercropped with tree species which when harvested can be sold or utilized. Illegal plants such as

marijuana and the like are not considered as cash crops.

- n) RED - refers to the Regional Executive Director of the DENR Regional Office.
- o) PENRO - refers to the Provincial Environment and Natural Resources Officer.
- p) CENRO - refers to the Community Environment and Natural Resources Officer.

ARTICLE II

SITE IDENTIFICATION, DELINEATION AND PREPARATION OF REGIONAL/PROVINCIAL REFORESTATION PLAN.

SEC. 4. Identification of Project Sites. Consistent with the total framework of the National Forestation Program, the Secretary or his duly-authorized representative shall identify the specific denuded/logged-over areas in regions, provinces and/or watersheds which need reforestation following the criteria for selecting areas for contract reforestation found in Annex J.

SEC. 5. Delineation and Approval of Project Sites Five Hundred Hectares (500) or Less Size. The Regional Executive Directors shall within three (3) months from the promulgation of this Order, identify, delineate and approve for implementation the specific sites for development under this Program. Provided, that priority shall be given to the following locations:

- a. Lands that are accessible by motorized transport (e.g. jeep motorcycle) or not more than two hours hiking distance (est. 8 km) from a road or trail accessible by motorized transport;
- b. Lands that are visible from roads traversed by public transport vehicles;

- c. Totally or partially denuded lands where there is an obvious need for reforestation;
- d. At least sixty percent (60%) of the land area is suitable for the establishment of production forest, or
- e. The proposed site is a catchment area providing water for irrigation, household consumption or hydro-power generation.

SEC.6. Central Office Approval of Sites More Than Five Hundred Hectares (500 ha). For sites exceeding five hundred hectares (500 ha) the RED shall submit all documents describing the proposed sites to the Secretary or his duly authorized representative, for information and approval. These documents shall include the following:

- a. Location Map
- b. Updated project site map indicating:
 - 1. Boundaries and technical descriptions determined by surveying methods which have the precision adequate to protect against boundary conflicts (e.g. compass quality azimuth and distances with stand is or plane-table precision);
 - 2. Existing vegetable cover;
 - 3. Areas already forested, areas for development into production forests, areas for development as protection forests, and areas under permanent occupation or cultivation;
 - 4. Rivers, streams, lakes, existing, roads, trails, buildings, settlements and other major physical features;
 - 5. Contour lines at twenty meter (20 m) contour intervals; and

6. Identification of areas with forest occupants indicating their approximate number (i. e. population) and the number of hectares occupied.

Pursuant to DAO-30, the RED shall not be required to secure the Secretary's approval for sites with area of five hundred hectares (500 ha) or less.

SEC. 7. Regional/Provincial and Watershed Management/Reforestation Plan. Upon approval of the project sites, the RED in consultation with concerned local officials and/or instrumentalities shall prepare Regional/Provincial and Watershed Management/Reforestation Plans, which shall contain among others, the following:

- a. Proposed alignments or locations of roads, trails, bridges, buildings and structures to be constructed;
- b. Location of proposed right-of-way that would link the project sites with the nearest municipal, provincial or national all-weather roads;
- c. Location of areas proposed for development as production forests and as protection forests;
- d. Locations of settlements or upland communities;
- e. Proposed locations of water impounding dams or reservoirs;
- f. Watershed boundaries of major rivers as defined by the National Irrigation Administration (NIA);
- g. Suitable species based on soil analysis, indicator plants other reliable parameters and the need to optimize species diversification in reforestation projects and avoid extensive monocultures.
- h. Strategic locations of fire lanes, and other fire control

structures, and

- i. Locations of forest nurseries.

SEC. 8. Adherence to Regional/Provincial and Watershed Management/Reforestation Plan. All development activities to be undertaken in the project sites shall as much as practicable conform with the Regional/Provincial and Watershed Management/Reforestation Plans: Provided that deviations thereof shall be allowed subject to approval by the Secretary or his duly authorized representative upon recommendation of the RED.

ARTICLE III

TYPE OF REFORESTATION CONTRACTS, PROCEDURES AND MODE OF IMPLEMENTATION

SEC. 9. Types of Contract Reforestation. Pursuant to Sec. 3 hereof, there are three (3) distinct types of contract reforestation under this program, namely:

- a. Family Approach Contract Reforestation
- b. Community Contract Reforestation
- c. Corporate Contract Reforestation

SEC. 9-A. Contract Award Procedures. Family Approach and Community Contracts may be awarded through negotiated bidding procedures, subject however to the rules, regulations and financial ceilings pertinent to negotiated contracts that been, or may subsequently be, prescribed by the duly authorized government offices/agencies. However, Family Approach and Community Contracts involving an expenditure that exceeds the authorized financial ceiling for negotiated contracts shall be awarded through competitive bidding procedures described in Chapter III of this Order, unless exempted by duly-authorized offices of governments pursuant to existing rules and regulations.

SEC. 9-B. Activities Specific Contracts/Sub-Contracts. To

enhance participation by all sectors of the population and enlist their specific areas of expertise, any of these three types of contracts may at the discretion of the approving authority or official concerned, be broken down into activity specific contracts or sub-contracts including but not limited to (i) seedling production, (ii) site delineation and parcellary surveys, (iii) site preparation (iv) enhancement of natural regeneration, (v) cover crop establishment, (vi) construction of roads, trails and other infrastructure, (vii) implementation of soil and water conservation measures, (viii) agroforestry, (ix) preparation of site-specific development plans including design and financial feasibility studies and (x) monitoring and evaluation of performance preferably by non-government organizations.

SEC. 9-C. Determination of Costs. In arriving at the costs for inclusion in contract documents, whether implemented by the Family Approach, Community or Corporate mode, or by activity specific or sub-contracting arrangements in accordance with these modes, costs shall be determined in accordance with the Guide for Cost Estimates in Annex K of his duly authorized representative, or as adjusted from time-to-time reflecting changes brought about by inflation and other price escalation/de-escalation factors.

CHAPTER I FAMILY APPROACH CONTRACTS REFORESTATION

SEC. 10. Areas for Family Approach Reforestation Projects (FAR). Family Approach Reforestation may be implemented in public forest lands identified and/or delineated pursuant to Sec. 5 of this Order: Provided, that areas near rural communities and population centers shall be preferred.

SEC. 11. Size of Contracts Area. For an individual family head, size of the area to be developed shall not be less than one (1) hectare nor more than five (5) hectares; Provided, however, that the forgoing limitations shall not preclude the awarding of subsequent contracts for reforestation of additional lands after the initial areas shall have been fully and properly reforestation.

SEC. 12. Prospective Contractors. Any head of family described hereunder may be selected to implement a Family Approach Reforestation Contract:

- a. Married/Widow/Widower with dependent children
- b. Unmarried man or woman who is head of the family

SEC. 13. Project Organizational Group. Personnel administering FAR projects on behalf of the DENR shall come from the PENRO or CENRO where the project site is located. Project Leaders and Special Disbursing Officers (SDO's) may be designated by the RED or his duly authorized representative, either or both of whom may serve on a part-time or full-time basis and be responsible for one or more contracts. SDOs should be the holders of a regular appointment under the PENRO or CENRO. Additional personnel may be assigned depending on the size and the other requirements of the projects.

SEC.14. Recruitment and Selection of Participants. Participants in family approach reforestation shall be recruited and selected by the recognized natural leaders of each area targeted for development. To bring this about, the RED, shall instruct the PENRO and CENRO, to follow the process set forth hereunder:

- a. In consultation with reliable local informants (e.g. local government officials local school principal/head teachers; parish priest or minister, tribal chief or datu) and knowledgeable DENR personnel (e.g. social forestry officer assigned to the area), identify the recognized natural leaders in each area and submit a report to the RED listing the individuals so identified;
- b. Though background information investigations or other feasible methods appraise the credibility, character and other personal attributes of the leaders listed per "a" (above) and submit this information in a report for review and concurrence by the RED;

- c. Secure the RED's concurrence with the list of identified leaders and, having done so, meet with the leaders to explain the terms and conditions of family approach reforestation;
- d. Based on the amount of funds available for the purpose, inform the leaders how many hectares are targeted for family approach reforestation in their area;
- e. Organize the leaders to screen and select participants to implement family approach reforestation in their respective areas; and inform the leaders that DENR will entrust them with this responsibility;
- f. Inform the leaders that participants must be selected with due consideration of the following minimum criteria; (i) a Filipino citizen; (ii) of legal age or head of a family; (iii) physically fit to do reforestation work; (iv) of good moral character; (v) resident of the area;
- g. Advise the leaders that future expansion of family approach reforestation in their areas, and the additional job opportunities implicit therein, will be contingent on satisfactory performance of the participants they select; provided however that in cases of unsatisfactory performance identified by duly-authorized DENR personnel, DENR shall entrust the leaders with responsibility for implementing appropriate remedial measures including the selection of a suitable replacement to take over development of the area previously allocated to a participant whose performance was unsatisfactory; and
- h. Assist the leaders formalize participation of the families/individuals they select pursuant to the process described above, by accomplishing the various official forms required by existing rules and regulations.
- i. In situations where the RED, PENRO and CENRO unanimously agree that it is impossible to identify natural leaders who are competent to conduct an objective, fair and

reliable selection of family approach participants, the activities described in paragraphs "c" to "h" above may be implemented by the PENRO or CENRO; provided however, that the concerned Assistant Secretary for Field Operations is duly informed of the situation and authorizes the PENRO or CENRO, though the RED, to conduct the selection process.

SEC. 15. Preparation of Development Plans. After completing the activities described in Sec. 14 (above) the PENRO, drawing on the services of the CENRO and the Project Leader, shall prepare and submit to the RED appropriate plans and recommendations to implement a FAR project (or projects) in the target areas concerned. It shall not be necessary to complete coverage of all the targeted areas within a PENRO's jurisdiction before recommending the launching of a FAR project. Each project shall be recommended for launching as soon as the activities described above have been complete. Among others, the plan shall include the items enumerated hereafter in Sec. 19 to Sec. 27 of this Order.

SEC. 16. Preparation and Processing of FAR Contracts. The RED or his duly-authorized representative shall, within fifteen (15) working days after receipt of the PENRO's recommendation, approve, modify or disapprove the same and send a written advice accordingly to the PENRO and the applicants. For each approved project, the RED shall order the preparation of a CONTRACT based on the PENRO's recommendation and furnish one (1) copy each of the approved contract to the RED, PENRO, participant, Undersecretary and the Director. Among others, contracts shall include provisions for transfer of responsibility for implementation in the event of death or disability. Where appropriate, contracts may also provide for combination of DENR- implemented activities in a project (e.g. DENR provided seedlings, Contractors plant, maintain and protect).

In case of disapproval, the RED or his authorized representative shall inform the PENRO and the applicants of the reasons thereof.

SEC. 17. Duration of Family Approach Contracts. FAR Contracts shall have a duration of three (3) years subject to extension when warranted because of climatic conditions (like drought, typhoons), security problems or similar unforeseen circumstances which interrupt the anticipated schedule of activities. Thereafter, any and all rights to improvements made by the contractors shall automatically belong to the government except as provided in Sec. 27 hereof ("Incentives, Benefits, and Privileges"). However, in situations where Family Approach Reforestation is included as a component of the Integrated Social Forestry Program (ISFP) or the Comprehensive Agrarian Reform Program (CARP), the duration, tenure security provisions and privileges thereof shall prevail.

SEC. 18. Organization of Participants. To facilitate management, coordination and control, FAR participants implementing reforestation adjacent or near one another shall be encouraged to group themselves into formal or informal organizations and to elect a set of official who shall oversee the operation of the project; or appoint one or more authorized persons to represent their group in dealing(s) with the DENR Office concerned.

SEC. 19. Seminars and Trainings. Prior to the implementation of a FAR project, the PENRO or CENRO concerned shall conduct a seminar for the participants, explaining all aspects of the project and the procedures to be applied. All participating families shall be required to attend the seminar and subsequent trainings conducted on-site by the PENRO or CENRO, in order to equip them with the necessary technical know-how in raising seedlings, site preparation, protection of plantations and related activities.

SEC. 20. Nursery Establishment. With the assistance of DENR field technical personnel, the participating families shall choose a common nursery site which shall be centrally located in the project site, and having all the required elements such as water supply, accessibility, gentle slope, exposure to sunlight, etc.

SEC. 21. Choice of Species and Sources of Seeds The

species to be planted shall depend on the site conditions and the purposes of the plantation, (i.e. whether for production forest, protection forest or agro-forestry).

The Project Leader (Sec. 13) shall request the FAR participants and local leaders concerned (Sec. 14) to recommend the species they believe are suitable and desirable to plant and to suggest of seeds and other planting materials, After due consideration of these recommendations, the Project Leader in consultation with reforestation and social forestry specialists in the CENRO shall have the final responsibility for the choice of species and sources taking into account site suitability, and related technical criteria, optimal species diversification and avoidance of extensive monocultures, financial viability criteria and marketing potentials e.g. accessibility to processing centers/prospects for added-value via processing). However, in the process of finalizing species/seed choice strive for consensus with the local leaders and participants to help ensure that species planted are perceived by the residents of the area to be useful and desirable with marketing and processing potentials.

SEC. 22. Plantation Operations.

- a. Assignment of Parcels/lots. The CENRO shall predetermine the area of the project site (i.e. no. of hectares) by referring to available maps and double - checking this data through actual survey and delineation of the boundaries of each participants. The area shall be subdivided into, parcels, each parcel containing an approximate area of not more than five (5) hectares per participants depending on the condition and area of the site. The distribution of parcels shall done by drawing lots of any other feasible arrangement installed by the local leaders referred to in Sec. 14. The CENRO shall mark project and parcel boundaries by installing monuments, placement of durable hardwood posts or planning tree, palm or other species which clearly demarcate the boundaries.
- b. Site Preparation. The participating families shall

constructs trails leading to and traversing the project site, for proper supervision and management. Trail construction costs may be included as an allowable expense under the contract. Various site preparation treatments may be applied, depending on site characteristics, technical feasibility and preferences of the participants such as: (i) complete brushing; (ii) complete brushing followed by plowing; (iii) strip brushing; (iv) strip plowing; (v) combinations of the foregoing. At a minimum, however, Strip brushing of at least one (1) meter width following the orientation of the contour shall be prescribed depending on the recommended spacing for the particular species. Planting holes shall be prepared before the start of the rainy seasons and shall be fifty percent (50%) larger in size than the planting pots to be used.

- c. Assisted natural regeneration. Wherever feasible, FAR Contracts may incorporate appropriate methods, techniques and procedures to enhance/assist natural regeneration of existing pioneer species.

SEC. 23. Planting Activities. Planting of seedlings shall begin after of the start rainy seasons. The procedures to be followed shall be in accordance with standard prescribed by DENR

SEC. 24. Plantation Maintenance.

- a. Applications of Fertilizer(s) - To enhance the growth of seedlings, fertilizer(s) shall be applied once during planting and at least once thereafter, preferably during the first rainy seasons of the plantation establishment. Whenever feasible organic fertilizers shall be used instead of inorganic (i.e. chemical fertilizer).
- b. Weeding - Weeding (ring or strip) shall be conducted at least once during the first year and three (3) times

during the first year and two (2) times a year during the second and third years of plantation establishment. More frequent weeding shall be prescribed if necessary;

- c. Cultivation - This shall be done by breaking the soil in a radius of approximately thirty (30) centimeters around the planted seedlings, coinciding with the ring weeding cycles cited above;
- d. Replanting - Dead or substandard seedling shall be replaced within two (2) months after initial planting or at the start of rainy season in the succeeding year.

SEC. 25. PROTECTION.

- a. Greenbreaks - Greenbreaks measuring ten to fifteen meters (10-15 m) wide shall be established using fire resistant species with economic value such as bananas or tree species with good cropping ability;
- b. Patrol and Fire Prevention - Participants shall patrol the area to prevent the occurrence of fire;
- c. Protection Against Pests and Diseases - Participants shall from time to time conduct ocular survey of their plantation and report immediately to the DENR any symptom or occurrence of pests or diseases, or if necessary request technical assistance;
- d. Protection from illegal occupants - The participants shall protect the project area from illegal occupation.
- e. Negligence and/or unsatisfactory implementation of protection measures shall be grounds for the imposition of sanctions and penalties as provided in Article III of this Order.

SEC. 26. Funding Requirements.

- a. Sources of Funds - In general, funds for FAR

Projects shall come from DENR appropriations. However, other sources may also be used (e.g. Grants). Allotments from DENR appropriations shall be based on the actual needs of the project. Funds management systems shall be consistent with duly-prescribed procedures.

- b. Disbursement of Funds - To ensure prompt payment for labor and other services provided by the participants, Special Disbursing Officers (SDOs) may be appointed and made responsible for the financial aspects of implementation pursuant to existing rules and procedures. SDOs shall be bonded in amounts adequate to allow withdrawal of cash advances sufficient to make timely payments to FAR participants. In carrying with these functions, SDOs shall also be responsible for timely submission of liquidation reports and requests for cash advance reimbursements with sufficient lead time for processing the same to ensure DENR compliance with the payment targets and schedules prescribed in contracts.
- c. Schedule of payment - The project leader, in consultation with the CENRO and PENRO, shall prepare the schedule of payment for each project, and submit the same to the RED for approval and for inclusion in the contract. It shall be the objectives to make payments at least once each month during the first year of contract implementation since most families who cannot afford long delays between payments. From the second year onward, payments may be made at longer intervals already be deriving some income from intercrops

SEC. 27. Incentives, Benefits and Privileges. Family Participants shall be entitled to the following:

- a. Families may avail of free technical assistance, educational materials and training in reforestation, agroforestry and related farming technologies, all of

which shall be provided by the DENR through the PENRO/CENRO;

- b. Throughout the duration of the contract, participants shall be allowed to raise cash crops in between rows of planted trees and maintain other livelihood projects not detrimental to the established plantation;
- c. The CENRO may allow participants to cut, collect and utilize thinnings and/or pruned branches provided these treatments are limited to situations where the canopies of adjacent trees are crowded and inhibiting development of the faster growing trees (in the case of thinning) or when there is a need to improve form (in the case of pruning). In no case however shall thinning or pruning unduly reduce the canopy to such an extent that grass or other non-woody species would become the dominant vegetative cover. The CENRO concerned shall provide advice and assistance on this matter, consistent with sound silvicultural practices. The CENRO shall further be responsible for monitoring thinning/pruning activities to prevent abuse of this privilege and for enforcing rules/regulations prescribed by the RED for the purpose.
- d. Each FAR contract and budget shall include provisions for paying a bonus to participants who successfully fire or other serious destruction to their assigned areas and who attain survival rate of not less than eighty percent (80%) of the number of trees prescribed in their contracts. The total amounts paid as bonus shall not exceed twenty percent (20%) of the total value of the contract. Bonuses for preventing fire or other serious destruction shall be paid annually on month after the end of the dry seasons. Bonuses of attaining a survival the rate of not less than eighty percent (80%) shall be paid upon conclusion of the contract.
- e. Participants who successfully comply with the terms

and conditions of their contracts, may, at the conclusion thereof, be granted Woodlot Lease Agreements provided the operations under such grants would conform with the principle of sustained-yield management, provided further that areas of lands developed as production forest are available and, provided finally, that such grants are consistent with the existing rules and regulations governing such agreement as currently be tested and developed in DENR Region VII, and amendments and modifications thereto which the DENR may promulgate from time to time.

SEC. 28. Monitoring and Evaluation. Monthly monitoring and evaluation shall be conducted by the project leader, CENRO, duly-authorized representative or an independent entity contracted for the purposes, to ascertain that the desired targets are accomplished on time without undue waste of effort and resources. In all cases, the Monitoring and Evaluation System (MES) prepared by the National Forestation Program Working Groups shall be applied. However, the RED may at his discretion, prescribe additional, criteria over and above those included in the MES.

SEC. 29. Turn-over of the Contract Reforestation Areas of the DENR. Upon conclusion of the duration of the contract, the RED shall cause an inspection of the project concerned and assess the contractor's performance. Provided performance is consistent with the terms and conditions of the contract, the RED shall certify accordingly and shall formally accept the project for and in behalf of the DENR, free the contractor from further responsibility for all subsequent plantation activities (i.e. protection, maintenance, etc.)

CHAPTER II COMMUNITY CONTRACT REFORESTATION

SEC. 30. Areas for Community Contract Reforestation Projects (CCR). Community Reforestation may be implemented on areas identified under Section 10 of this Order.

SEC. 31. Size of Contract Area The size of the area to be developed under community reforestation shall be more than five (5) hectares but not more than one hundred (100) hectares; Provided, however, that the foregoing limitations shall not preclude the awarding of subsequent contracts for the reforestation of additional lands after the initial areas shall have been fully and properly reforested or developed.

SEC. 32. Prospective Contractors. Any of the following may apply for a Community Reforestation Contract:

- a. Duly recognized association or cooperative of project participants, preferably composed of families and individuals residing in the project area:
- b. Other civic or religious organization, preferably one which is already well-established, locally managed and actively operating within the project area;
- c. The appropriate local government unit having jurisdiction in the project area which has, preferably, demonstrated substantial appreciation for environment concerns, curbing illegal logging, reforestation and other related activities.
- d. Tribal communities that are indigenous to and reside within the project area.
- e. A non-government organization (NGO) preferably a non-profit group, duly registered with the Securities and Exchange Commission that has secured written authorization from all the proposed participants to represent them as their linkage with the DENR.

SEC.33. Project Organizational Group. Personnel administering CCR contracts on behalf of the DENR shall come from the PENRO or CENRO where the project site is located. At a minimum, each project shall have a Project Leader and a Special Disbursing Officer (SDO) may be designated by the RED or his duly authorized representative, either or both of

whom may serve on a part-time or full-time basis to administer one or more projects. The Project Leader and the SDO should be holders of regular appointments. Additional personnel may be assigned depending on the size and other requirements of the project.

SEC. 34. Preparation and Processing of Community Reforestation Contracts. Any of the prospective contractors identified in Section 32 may propose a CCR project to the PENRO through the CENRO. Furthermore, the PENRO or CENRO initiate a CCR project and enlist any of the parties listed in Sec.32 as implementors. In either case, the PENRO concerned shall submit an appropriate development plan and recommendations to the RED. The RED or his representative shall, within fifteen (15) working days after the PENRO's recommendation, approve, modify or disapprove the same and send a written advice accordingly to the PENRO and the applicants. For each approved community reforestation project, the RED shall order the preparation of a contract based on the PENRO's recommendation and furnish one (1) copy each of the approved the contract to the RED, PENRO community/organization representative, Undersecretary and Director.

In case of disapproval, the RED or his duly-authorized representative shall inform the PENRO and the prospective contractor of the reasons thereof.

SEC. 35. Community Assessment. Prior to execution of the project, the concerned PENRO or CENRO shall undertake community assessment (social, economic, political and biophysical characteristics) in the project site to gather baseline information as basis for the preparation of a detailed design.

SEC. 36. Duration of Community Reforestation Contracts. Community contracts shall have a duration of three (3) years subject to additional time period for organization which in no case should exceed two (2) years and extension when warranted because of climatic conditions (like drought, typhoons), security problems or similar unforeseen circumstances which interrupt the anticipated schedule of activities. Thereafter, any

and all rights to improvements made by the contractor shall automatically belong in Sec. 27 hereof ("Incentives, Benefits, and Privileges").

SEC. 37. Organization of Participants. For better management, coordination and control, participants (except those who are already organized) shall be encouraged to group themselves into a formal or informal organization and to elect a set of officers who shall oversee the operation of the project or appoint one or more representative to present their group in dealing with DENR office concerned; Provided, that in case of tribal communities (ethnolinguistic groups) existing local leadership will be further enhanced/recognized based on existing local customs, traditions and beliefs.

SEC. 38. Seminars and Trainings. Prior to the implementation of the project, the PENRO or CENRO shall conduct a seminar for the community participants, explaining all aspects of the project and the procedures to be applied. All participants shall be required to attend the seminar, and subsequent training conducted on-site by the PENRO or CENRO, in order to equip them with the necessary technical know-how in raising seedlings, site preparation, planting techniques, maintenance, protection of plantations and related activities.

SEC. 39. Preparation of Development Plan. The prospective participants shall be encouraged to participate actively in the preparation of the development plan. Technical personnel from the PENRO and CENRO concerned shall be made available to assist specifically on the technical aspects of the plan that the project shall be developed through cooperation efforts of all the participants or by any arrangement cognizant of the existing customs and traditions of the communities, group or associations. Among others, the development plan shall include those items enumerated under Section 40 up to Section 46 of this Order.

SEC. 40. Nursery Establishment. With the assistance of PENRO and CENRO technical personnel, the community participants shall choose a common nursery site which shall be

centrally located in the project site, and having all the required elements such as water supply, accessibility, gentle slope, exposure to sunlight, etc.

SEC. 41. Choice of Species and Source of Seeds. The species to be planted shall depend on the site conditions and the purpose of the plantation, (i.e., whether for production or protection). Procedures applied and responsibility for choosing species/source of seeds shall be consistent with the provisions of Sec. 21 herein, but replacing the words "FAR participants" and "local leaders" in Sec. 21 with "community-based contract reforestation awardee" for purpose of this Section (Sec. 41).

SEC. 42. Plantation Operations Planting Maintenance and Protection. The CENRO shall predetermine the area of the project site (i.e. area in hectares) by referring to available maps and cross-checking the data through actual survey and delineation of boundaries on the ground using methods consistent with the provisions of Section 6, paragraph "b" sub-paragraph 1 on page 4 of this Order. As much as practicable, natural features should be used to mark boundaries. All other activities shall be conducted pursuant to the provisions of Sec. 22, 23, 24 and 25 herein.

SEC. 43. Funding Requirements

- a. Sources of Funds - In general, funds for Community Contract Reforestation shall come from DENR appropriations. However, other sources may also be used (e.g. Grants). Allotment from DENR appropriations shall be based on the actual needs of the project. Funds management systems shall be consistent with duly prescribed procedures;
- b. Disbursement of Funds - To ensure prompt payment for labor and other services, SDOs shall be bonded in amounts adequate to allow withdrawal of cash advances sufficient to make timely payments to community participants.

SEC. 44. Mode of Payment. The community contract

participants shall be paid in accordance with their accomplishment after each major activity has been completed or as stipulated in the contract of works. As a general practice, the participants shall be paid at least ten installments based on the schedule of activities as dictated by the prevailing site and climatic conditions. In general, payments would be consistent with the pattern, schedule and approximate percentage ranges of total costs of the contract as indicated hereunder:

- a. First Payment - (10-15%) This shall be made after acquisition of planting materials, preparation of potbeds, potting soil and sowing beds, successful germination and potting/planting of seedlings, and construction of trails.
- b. Second Payment - (3-5%) This covers the care and maintenance of seedlings in the nursery and would normally be paid before the start of planting season.
- c. Third Payment - (20-30%) This covers the activities for plantation establishment including trail construction, strip brushing, hole digging, plowing, planting and application of fertilizer.
- d. Fourth Payment - (5-10%) This covers ring weeding and cultivation. This payment shall be based on the inventory of surviving seedlings two (2) months after planting and the amount of trail maintenance that was implemented.
- e. Fifth Payment - (3-5%) This covers the second ring weeding cycle, replanting and protection of the plantation during the first rainy season.
- f. Sixth Payment -(3-5%) This covers the third ring weeding cycle, cultivation, cost of fertilizer and labor for application and protection of the plantation up to the start of the first dry season and trail maintenance.
- g. Seventh Payment - (3-5%) This is given after further

maintenance and protection of the plantation and after inventory of surviving seedlings.

- h. Eight Payment - (2-3%) This is given after the fourth ring weeding cycle, cultivation and application of fertilizer and maintenance and protection of the plantation (2 months after the start of the rainy season of the second year).
- i. Ninth Payment - (1-2%) This is given after the fifth ring weeding cycle and if plantation is properly maintained and protection.
- j. Tenth Payment - (10-20%) This is the last payment given to the community contract participants and shall be governed in Sec. 27-d herein.

SEC. 45. Incentive Benefits and Privileges. All of the incentives, benefits and privileges provided in Sec. 27 for Family Approach Reforestation shall also apply to CCR.

SEC. 46. Monitoring and Evaluation. Monitoring and evaluation shall be conducted pursuant to the provisions of Sec. 28.

SEC. 47. Turn-over of Community Contract Reforestation Areas to the DENR. Upon conclusion of the duration of a contract, the RED shall cause an inspection of the project concerned and assess the contractor's performance. Provided, performance is consistent with the terms and conditions of the contract, the RED shall certify accordingly and shall formally accept the project for and in behalf of the DENR, free the contractor from further responsibility for all subsequent plantation activities (i.e. protection, maintenance, etc.).

CHAPTER III

CORPORATE CONTRACT REFORESTATION

SEC. 48. Land Available for Corporate Contract

Reforestation. Corporate Contract Reforestation shall be implemented areas identified and/or delineated for development under the National Forestation Program in accordance with Sec. 4 and Sec. 5 of this Order:

SEC. 49. Development Project Plan. The RED shall cause the preparation of a development project plan for each of the areas approved for development under this program. Plan work may be carried out by DENR personnel or as an activity specific contract pursuant to Sec. 9 of this Order at the discretion of the RED.

The development project plan shall conform with the Regional/Provincial and Watersheds Management/Reforestation Plan, and shall include the following:

- a. Proposed road and trail indication;
- b. Proposed culvert and bridge designs;
- c. Right-of-way documents/agreements for construction and/or upgrading of an access road linking the project site with the nearest municipal, provincial or national all-weather road;
- d. Proposed location of access road not to exceed two (2) meters traveled way (i.e. single lane) with provision for turnouts to allow passage by one vehicle at a time;
- e. Soil analysis of areas targeted for reforestation, (if available);
- f. Plan of nursery, related structure and water system;
- g. Program of work and cost estimates for construction of roads, trails, bridge, culverts, diversion ditches and/or canals, buildings and structures;
- h. Computation of construction quantities to a plus or minus fifteen (15%) percent degree of accuracy;

- i. List of unit cost based on current prices verified by pro-forma quotations from a least three (3) probable suppliers;
- j. Materials and supplies should be in accordance with standards and specifications set by the DENR Secretary;
- k. Construction plans at appropriate scales and in sufficient detail to guide project implementors and performance evaluators;
- l. Preliminary Approved Agency Estimates (AAE) for submission to appropriate authorities;
- m. Planting and maintenance schedules that are consistent with location-specific climatic variables;
- n. Comprehensive list of species suitable for the site, recommended quantities to plant for each species and proposed planting density hectare;
- o. A plantation/forest protection plan;
- p. Recommended measures to generate community support and participation in the project;
- q. Policies for recruitment of laborers, giving priority to local residents;
- r. An incentive plan designed to enhance performance of laborers and supervisors;
- s. A description of problems or constraints that could affect implementation (e.g. peace and order situation); and
- t. Draft of a Contract Reforestation Package.

SEC. 50. Central Office Reforestation Bids and Awards Committee (CO/RBAC). Pursuant to Article III, Sec. 8 of

DENR Administrative Order No. 39, the Central Office RBAC shall be responsible for the pre-qualification of applicants and awarding of contracts for areas more than five hundred (500) hectares. The Committee is composed of the following:

- a. Chairman - FMB Director
- b. Vice Chairman - Chief, Planning Services, DENR
- c. Member - (1) Legal Officer

(2) Technical Personnel designated by the Undersecretary for Field Operations

(1) Chief, Reforestation Division, FMB

(1) Chief, Social Forestry Division, FMB

(1) Chief, Financial Service, DENR

(1) COA Representative (Witness)

(1) FASPO Representative

(1) Society of Filipino Forester Inc. as NGO Representative

SEC. 51. Regional Office Reforestation Bids and Awards Committee (RO/RBAC). As provided in DENR Administrative Order No. 39, series of 1988, the Regional Reforestation Bids and Awards Committee shall be responsible for the pre-qualification of applicants and awarding of contracts for areas with five hundred (500) hectares or less. The Committee is composed of the following:

- a. Chairman- Regional Executive Director
- b. Vice Chairman -Regional Technical Director
for Forestry
- c. Member - (1)Chief, Legal Officer
(1) Chief, Forest Resources Dev. Div. (FMS)

(1) Chief, Planning and Management Division

- (1) COA Representative (Witness)
- (1) Representative, Environment & Protected Areas Sector
- (1) Representative, Eco-system Research Sector

The foregoing paragraph notwithstanding, the Chairman may call upon any member of the regional staff to assist the committee.

SEC. 52. Reporting and Documents Safekeeping. The Central and Regional RBAC Chairman shall create Secretariats from their respective staff to handle and/or prepare all necessary documentation relating to the contracting process. Likewise, it shall be the responsibility of the RBAC Chairman to take appropriate measures to safeguard all said documents for referral purposes.

SEC. 53. Selection of Contractors. Except as otherwise allowed, corporate reforestation contract shall be awarded through competitive bidding. Before the bidding stage, all applicants should undergo pre-qualification. The major criteria shall be the technical, financial and administrative capabilities of the prospective bidders.

SEC. 54. Invitation to Pre-Qualifiers. The RBAC's shall give ample publicity and advertisement to a schedule bidding for corporate contract reforestation, and invite prospective bidders to submit pre-qualification documents, to enable them to qualify as bidders.

For this purposes, the Invitation to Pre-qualify to Bid shall be advertised once in two (2) newspapers of national circulation and one (1) local newspaper to pre-qualify contractors for contracts above five hundred (500) hectares.

Provided, however, that to pre-qualify contractors for areas five hundred (500) hectares and below the Regional RBAC Chairman may forego advertising in a newspaper of national circulation and in lieu thereof advertise in two (2) consecutive issues of a local newspaper in general circulation in the Region concerned,

furnishing a copy thereof to the Central Office RBAC; Provided, finally: that the last date of publication should be not more than fifteen (15) days before the scheduled date of submission of the pre-qualification requirements.

All applicants for Pre-qualification shall submit the following documents:

- a. Articles of Incorporation, Constitution and By-Laws;
- b. Certification of Registration with the Securities and Exchange Commission (SEC), the Bureau of Cooperative Development (BOCD), the Department of Science and Technology (DOST), the Department of Educational, Culture and Sports (DECS), the Department of Social Welfare and Development (DSWD) or other agencies of government authorized to register or accredit non-government organizations/entities, as the case may be;
- c. Financial Statement(s) audited by an independent CPA which compare the last three (3) years. In the case of organization which have been in existence for less than three (3) years, the applicants shall submit an audited financial statement covering the entire period of operation;
- d. Certification of the Company's paid-up capitalization;
- e. Certification from banks or other financial institution regarding guarantees, credit lines, loans and other financial accommodations which may be available for the proposed reforestation contract;
- f. Corporate profile statement indicating experience in reforestation and related project or, in the case of newly-organized entities, a description of the experience and qualification of key personnel who will be responsible for project implementation;
- g. Organizational chart and a complete qualification and

experience data sheet of the key personnel;

- h. Conditional employment contract to employ a duly qualified Operations Manager who has previously managed or supervised reforestation/plantation development projects;
- i. Technical and Management proposals to insure the effective implementation of proposed reforestation projects;
- j. List of tools and equipment owned or leased by the applicant, and available for use in contract reforestation;
- k. Presentation of Authorization for a Department Representative to verify the submitted information.

SEC. 55. Appreciation of Pre-Qualification Documents.

The RBAC shall study and review the pre-qualification documents, and determine the degree of compliance by the applicant with all legal, technical, financial and other requirements. The RBAC shall complete this work not later than fifteen (15) calendar days after submission of an applicant for pre-qualification has been duly-received.

SEC. 56. Marking of Pre-qualification Documents.

After completing study and reviews as provided in Sec. 55 (above), the RBAC shall, within not more than five (5) additional calendar days, mark all pre-qualification documents either as "Pre-Qualified" or "Pre-Disqualified" and countersign the same. Duly processed applications to implement contracts over 500 hectares shall be forwarded to the Secretary for review and approval.

SEC. 57. Notice to Pre-Qualifiers.

Within five (5) days from the approval of Pre-Qualification documents, the RBAC Chairman shall inform all Pre-Qualifiers accordingly. They shall then be registered by the RBAC in the pool of pre-qualified bidders.

SEC. 58. Notice to Pre-Disqualifiers.

Pre-disqualified applicants shall likewise be informed by the RBAC starting

therein the grounds for their disqualification . Those pre-disqualified are given five (5) days upon receipt of notice of disqualification within which to appeal for reconsideration.

SEC. 59. Invitation to Submit Bids. Notice shall be given to prequalified contractors that the DENR is accepting bids to undertaken contract reforestation on a specified project site. Such notice shall explain the terms and conditions for bidding, targets, area, essential features of a bid and other pertinent information based on the items prescribed for development project plan in Sec. 49 of this Order. Such notice further explain that assessment of financial capability of contractors shall be conducted pursuant to the provisions of PD 1594 (Rules and Regulation Governing Government Infrastructure Projects).

Such notice shall be advertised by publication in two (2) newspaper of general circulation not less than two (2) times over a period of not less than two (2) weeks; in newspaper of national circulation for projects over 500 hectares and in regional newspaper for areas 500 hectares and below in which case a copy of the regional advertisement shall be furnished to the Central Office RBAC.

Bid notices shall likewise be posted in a prominent place in the national, regional, provincial and community offices, of the DENR.

Similarly, the notice shall be sent by mail to all pre-qualified bidders. Upon written request all of the information indicated in Sec. 49, paragraphs a, b, c, d, e, f, g, j, and k shall be furnished to a prospective, pre-qualified bidder.

SEC. 61. Grounds for Disqualification. The following situations shall be grounds for disqualification of prospective bidders:

- a. Failure to meet the required legal, technical and financial requirements as borne out by the documents submitted;
- b. The prospective bidder is under suspension, or

blacklisted due to violation of the terms and conditions of a previous reforestation contract;

- c. In the case of joint ventures, where any of the members is presently suspended or blacklisted for violation as herein above provided; and
- d. In case of corporations, suspension or blacklisting of its stockholder(s), director(s), or officer(s).

SEC. 62. Responsibility of the Bidders. The following are the responsibilities of the bidders:

- a. Accomplish the necessary forms and all other requirements specified under this Order.
- b. Carefully examine all pertinent documents received from the DENR;
- c. Determine, verify and satisfy themselves by whatever means they consider necessary or desirable, in regard to all matters pertaining to an invitation to submit a bid, including the location and nature of the work, climatic conditions, terrain, transportation and communications facilities, the accuracy of data provided by the DENR in the Regional/Provincial and Watershed Management/Reforestation Plan or the Development Project Plan, peace and order conditions and all other factors which may affect project implementation. Submission of a bid shall be interpreted by the DENR to mean that the bidder/submittor fully understands all the pertinent documents and data furnished by the Department, and further, that the bidder/submittor has inspected, verified or used other means to satisfy his information requirements prior to submission of the bids;
- d. Assume responsibility for interpretations of all data, specifications, standards and information provided by the DENR and assume full responsibility thereof;

- e. By virtue of submitting a bid proposal, certify to familiarity with and understanding of all laws, ordinances, decrees, rules and regulations of the Philippines which may apply or affect dealings, agreements contracts or transactions with the DENR.

Sec. 63. Contents of a Bid. All bids shall be responsible to the scope of work described in a Bid Notice and shall include the following:

- a. Development work plan and schedule for implementation of the activities defined in the invitation for bids;
- b. Identification of the key personnel responsible for managing project implementation;
- c. Description of previous experience by the bidder and key personnel in reforestation work and related tasks defined in the invitation to bid;
- d. An estimated budget and cash flow broken down into monthly requirements. For this purpose, bidders shall use the DENR publication entitled "Project Budget Preparation Manual" until such time that it is reviewed or revised by the Bids and Awards Committee;
- e. Bid bond equivalent to two-and-one half percent (2 1/2%) of the bid price, from a reputable bonding company;
- f. Proposed site development map indicating the proposed planting compartments, species and number of trees to be planted in each compartment, seedling production and planting schedules, for road/trail/infrastructure activities, and schedules for plantation and infrastructure maintenance;

- g. Proposed responses to the issues/problems/concerns listed in Sec. 49, paragraphs "o" to "s" herein.

SEC. 64. Form of Bidding. All bids shall be submitted to the CO/RBAC (R/RBAC) in sealed envelope with the name of the bidder and the project site typed or printed in capital letters and signed by the bidder.

SEC. 65. Period for Submission of Bids. All bids shall be submitted at the time, date and place specified in the invitation for Bidders which shall be not more than forty-five (45) calendar days after final publication as provided after the scheduled time for submission shall not be accepted.

SEC. 66. Receiving of Bids. The following shall be observed in the reception of bids:

- a. All bids which are consistent with the requirements set forth in this Order, and received by the CO/RBAC (or R/RBAC) Chairman on the designated time, date and place shall be eligible for consideration.
- b. Bids shall be properly identified, initialed by the RBAC and recorded in the appropriate record book by the Secretariat of the Committee.
- c. A bid which is not accompanied by the required bid bond shall be rejected outright;
- d. Prior to opening of bids, the AAE shall be announced.
- e. Bids shall be opened at the place, date and time specified in the advertisement (Sec. 59) by the RBAC. The bidder their duly authorized representatives shall have the option to attend the opening of bids. All bids received and read must be initialed by all members of the RBAC and the Auditor's representatives;

- f. After all bids have been received and opened, the corresponding abstract of bids shall be prepared by the RBAC secretariat and completed within not more than one (1) working day after bids are opened per paragraph, "d" above. The abstract of bids shall be signed by all members of the RBAC, attaching thereto all bids with their corresponding Bid Bond and the minutes or proceeding of the bidding. The abstract of bids shall contain the following:
 1. Name and location of the Contract Reforestation project;
 2. Time, date and place of bidding;
 3. Name of bidders and their corresponding bids arranged from the lowest to highest in terms of cost, and the amount of bid guaranty, and the name of the issuing banks.
 4. On the time and date for opening of bids there shall be at least two (2) competing bidders. In case there is only one bidder, the bid shall be returned unopened and the project shall be advertised anew for bidding. Should after rebidding, there would still be only one bidder, the project may be undertaken by administration or through negotiated contract giving preference to the lone bidder.

SEC. 67. Evaluation of Bids. The RBAC shall complete its appreciation and evaluation of bids not later than ten (10) working days after the bids are opened per Sec. 66 paragraph "d" hereof, determine the ranking of each bidder and inform all the bidders accordingly. Appreciation and evaluation shall be conducted in accordance with the following:

- a. Bids shall be evaluated on the basis of both cost criteria and technical criteria;
- b. The evaluation will compare costs for each major

activity. In general, the bid having the lowest aggregate cost will be ranked highest in preference. However, if estimated costs for one or more major activities are unreasonably low, such that quality of the eventual output may be doubtful, ranking may be adjusted accordingly. The evaluation will likewise examine the technical merits of a bid including:

1. qualifications of the proposed management teams;
 2. previous experience of the contractor and key staff in reforestation work;
 3. feasibility, appropriateness and innovativeness of the proposed development plan;
 4. financial capability;
 5. experience in related forestry operations; and
 6. responsiveness to the terms, conditions and other features of the invitation to bid per Sec. 59 of this Order.
- c. Since each reforestation area will have unique/since-specific features, the importance of each separate activity will vary in relation to overall impact on performance. Therefore, the weights or scores allotted to each activity within the scope of work for each project shall be determined in advance on a site-to-site basis by the CO/RBAC or R/RBAC concerned and shall be specified in the Invitation to Bidders;
- d. During the score of evaluation, any discovery of misrepresentation in prequalification statements or proposals, or any significant change in the situation of a contractor may be cause for downgrading of ranking or outright disqualification; and

- e. The Bid Bond of all losing bidders shall be returned within five (5) working days after completion of evaluation; however, the Performance Bond of the winning bidder shall remain in the possession of the DENR.

SEC. 68. Negotiation of Terms and Conditions. The top ranked bidder, as determined pursuant to Sec. 67 of this Order, shall be invited to meet with the RBAC within not more than five (5) calendar days after appreciation and evaluation has been completed, in order to negotiate and finalize terms and conditions for a contract. Negotiation shall deal with issues in the invitation to bid that (in the opinion of the RBAC) have not been adequately addressed or whose proposed plans can be improved. In no case however, shall negotiation materially revise the original provisions of the invitation to bid, or reduce or increase costs by more than three percent (3%) of the bid price previously submitted and considered during appreciation/evaluation of bids. The primary objective of negotiation will be ensure consensus between DENR (as represented by the RBAC) and the top-ranked bidder, on overall terms and conditions for implementation of the contract. Negotiation shall be conducted and completed within five (5) working days after it is initiated.

SEC. 69. Notice of Award. For purposes of this Order, notice of award shall mean formal notification to the winning bidder that its proposal has been determined to be the most meritorious and that the DENR is prepared to enter into a contract for project implementation.

Such Notice of Award shall be issued within five (5) calendar days after negotiation (Sec. 68) has been completed and shall be deemed complete upon signature by the duly authorized DENR representative and the duly authorized representative of the bidder, indicating the latter's conformity with the terms and conditions of the notice.

SEC. 70 Preparation of Contract. Upon completion of the issuance of Notice of Award, the RBAC shall, within five (5) working days thereafter, prepare a contract for signature by the DENR Secretary, or his authorized representative as the case

may be, and the winning bidder.

SEC. 71. Contents of a Contract. Reforestation contracts shall contain the terms and conditions for implementation, and payments, plus the following annexes:

- a. Copy of pre-qualification notice of approval;
- b. Copy of the Invitation to Bidders;
- c. Copy of the awardee's bid prepared pursuant to Sec. 63 of this Order;
- d. Letter, board resolution or other appropriate document granting authority to the bidder's representative to sign the contract;
- e. Copy of the Notice of Award signed by the duly authorized representative of the DENR and the bidder, the latter indicating conformity thereto;
- f. Performance Bond; and
- g. Other applicable supporting documents.

SEC. 72. Contracting Procedures. The prepared contract shall be processed as follows:

- a. The contract shall be submitted by the RBAC concerned for review, approval or modification by the Secretary, or the Secretary, or the Secretary's duly-authorized representatives; provided however that the RED shall exercise these function up to the financial ceiling of authority granted to RED's by existing rules and regulations; provided further that the RED shall advise the Secretary in writing as to the action/decisions the RED has taken, with copies furnished to the Undersecretary, the FMB Director and the appropriate Assistant Secretary for Field Operations;

- b. After review, approval or modification by the DENR officials identification above, the contract shall be presented to the winning bidder who shall be given five (5) days within which to either indicate conformity by signing the contract or to request modification thereto, in which case the contract shall returned for further review per Paragraph (a) above;
- c. After final completion of the review/approval/modification process described above, and signature by the winning bidder, the contract shall be returned to the Secretary, RED or their duly authorized representatives for signature.

SEC. 73. Provision for Contingency. In the event of refusal or failure of the winning bidder to either sign the contract or request modification thereto within the stipulated time (i.e. 10 working days) the bidder shall be deemed to have defaulted on its agreement to the terms of the notice of Award.

In case of default for the reasons stated above, the bidder's Bid Bond shall be forfeited in favor of the Government. The DENR shall collect the forfeited amount on behalf of the Government.

In such case, the DENR shall apply Sec. 68 to 71 in favor of the second-ranked bidder. If the second-ranked bidder choose not to accept the Notice of Award or defaults, Sec. 68 to 71 shall then apply to the third-ranked bidder.

However, if both the second or third ranking bidders refuse or fail to exercise their option to be awarded and to sign a contract, the project shall be advertised anew for bidding; Provided, however, that should either the second or third ranking bidder choose to exercise their options, the procedures set forth in Sec. 68 to 71 of this Order shall apply.

SEC. 74. Notice to Proceed. The Secretary, RED or their duly-authorized representative shall issue a Notice to Proceed in favor of the contractor within five (5) working days after signing formalities have been completed, the contract has been notarized,

approved by the Commission on Audit (COA) and availability of funds certified by the appropriate DENR Officer.

SEC. 75. Monitoring and Evaluation of Performance. Contractor performance shall be inspected and verified by the Regional Office concerned and a representative of a Non-Government Organization, based on the targets, terms and conditions of the contract. The non-government organization may be contracted for this purpose and paid for its services pursuant to Sec. 9 of this Order. The Central Office shall, at its discretion, conduct periodic spot checking of monitoring work. Monitoring shall be conducted in accordance with the Monitoring and Evaluation System formulated by the National Forestation Program Working Group.

SEC. 76. Submission of Inspection Reports. The monitors referred to above (Sec. 75) shall submit their reports in the form of Sworn Statements, to the PENRO within ten (10) calendar days after the inspection has been complete.

SEC. 77. Endorsement of Inspection Report. Within five (5) working days from receipt of the report, the PENRO shall endorse the same to the Regional Executive Director, recommending either payment, in full or in part, or non-payment, based on the data provided in the report. The PENRO shall furnish a copy of the endorsement/recommendation to the contractor.

SEC. 78. Evaluation of the Inspection Report. The RED shall complete evaluation of the inspection report as well as the endorsement/recommendations of the PENRO within seven (7) days from receipt thereof.

SEC. 79. Processing for Payment. Within fifteen (15) days from receipt of the inspection report and endorsement/recommendation of the PENRO, the Regional Executive Director shall process for payment the amounts due to a contractor, and inform the contractor accordingly.

In cases where payments are to be approved in the DENR Central Office, the Regional Executive Director shall forward the

documents described in Secs. 75 to 78 above to the Central Office within five (5) days after completion of evaluation and appraisal, including in such submission a recommendation for either payment (in full or in part) or non-payment.

SEC. 80. Central Office Effects Payment. Within fifteen (15) working days after receipt of communication from the RED per Sections 78 and 79 hereof, the CO/RBAC shall process for payment and release the amounts due to a contractor and inform the contractor accordingly.

SEC. 81. Right to Appeal by Contractor. In the event of an adverse or negative determination and recommendation of the PENRO, the Regional Executive Director, or the CO/RBAC for either partial or non-payment, the Contractors may appeal such determination within ten (10) working days after receipt thereof. Such appeal shall be in writing and duly sworn to by the Contractor Appeals filed after the stipulated ten (10) working days shall no longer be given due course.

ARTICLE III

PENALTIES, GROUNDS FOR CANCELLATION, AND ADMINISTRATIVE SANCTIONS

SEC. 82. Grounds for Cancellation. The Undersecretary, upon the recommendation of the RED after proper investigation may cancel/rescind Corporate Reforestation Contracts, and the RED upon recommendation of the PENRO or CENRO may cancel/rescind Family Approach and Community Reforestation Contracts, for any of the following reasons:

- a. If the contract was obtained through fraud, misrepresentation or omission of material facts at the time of application;
- b. Abandonment of the areas, or failure to start operational activities within one (1) month from the award/issuance of the contract;

- c. Voluntary surrender of contract by contractor for cause; and
- d. Violation of any of the terms and conditions of the contract.

SEC. 83. Penalties. In the case of Corporate Contract Reforestation evidence of misrepresentation of facts by the Contractor during the prequalification or bidding, and violation of contract terms and conditions shall be sufficient grounds for the following sanctions.

- a. Cancellation of Pre-qualification;
- b. Suspension of the privilege to pre-qualify, and/or bid for Contract Reforestation projects for one (1) year for the first offense, disqualification for two (2) years for the second offense, and perpetual disqualification for the third offense;
- c. Forfeiture of 100% of performance Bond;
- d. Prosecution in court for civil or criminal offenses where conditions or circumstances warrant.

In the case of Family Approach and Community Contract Reforestation, evidence of misrepresentation of facts during recruitment/selection/processing per Sections 14,32 and 34 of this Order, and/or violation of contract terms and conditions, shall be sufficient grounds for the following sanctions:

- a. Suspension or cancellation of contracts;
- b. Replacement of a family approach contractor with a new FAR contractor selection by the committee of local leaders identified in Section 14 of this Order.
- c. Suspension of the privilege to implement new Family Approach or Community Contract Reforestation projects for period of not less than two (2) years; and

- d. Prosecution in court for civil or criminal offenses where conditions or circumstances warrant.

SEC. 84. Administrative Sanctions for DENR Employees.

DENR employees may be subject to administrative sanction, including reprimand, demotion, suspension or termination from the service, and to civil and criminal prosecution, subject to the Civil Service Law and other applicable laws, rules and regulations, for any of the following acts:

- a. Solicitation of money, gifts or favors from applicants for pre-qualification, bidders, contractors or co-employees responsible for any phase of Contract Reforestation implementation;
- b. Falsification of inspection reports, evaluation, appraisals and other data relevant to monitoring, evaluation, certification of performance and recommendations for payment or non-payment;
- c. Obstruction or failure to carry out the provisions of this Order, leading to undue delay in pre-qualification, bidding, award, finalization of contracts, monitoring, evaluation, appraisal, certification of performance, submission of recommendations for payment, or implementation of the contract.

SEC. 85. Supplemental Rules and Regulations.

- a. The Undersecretary upon recommendation of the RED shall formulate such supplemental rules and regulations as may be necessary to effectively carry out the objectives of this Order. Additionally, the RED, may promulgate supplemental rules, procedures and regulations which apply to his/her Region. However, such rules and regulations shall be in accordance with this Order, and duly approved by the DENR Secretary.
- b. In carrying out the provisions of this Order, the DENR officers and personnel concerned shall use

the standard forms attached hereto as annexes; provided however, that the RED may design and use alternative forms subject to approval of the same by the Undersecretary.

SEC. 86. Repealing Clause. The provisions of any Administrative Orders, memoranda, circulars and related DENR documents which are inconsistent with this Order are hereby repealed or amended accordingly.

SEC. 87. Effectivity. This Order shall take effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR
Secretary

RECOMMENDING APPROVAL :

(Sgd.) CIRILO B. SERNA
Director
Forest Management Bureau

DENR MEMORANDUM CIRCULAR
No. 12
Oct. 12, 1988

**SUBJECT : CLARIFICATION ON THE ISSUANCE
OF CERTIFICATE OF LUMBER ORIGIN**

In order to have a uniform implementation of the policy on Certificate of Lumber Origin (CLO), the issuance thereof is clarified hereunder:

1. A CLO is required to accompany lumber shipment from legitimate sources if the lumber is shipped outside the province, city or the Greater Manila area to another province or city.
2. A sales invoice, in lieu of a CLO, is required to accompany lumber shipment from legitimate sources if the origin and destination points of the shipment are both within the Greater Manila area or within the same province or city.
3. The substitution of a sales invoice for a CLO apply when the lumber seller or buyer are as follows:

<u>Seller</u>	<u>Buyer</u>
Sawmiller	Lumber dealer
Sawmiller	End User
Lumber dealer	Lumber dealer
Lumber dealer	End User

4. For purpose of this order, Greater Manila area includes:
 - 4.1 the municipalities of Meycauayan, Bocaue and Guiguinto, Province of Bulacan;
 - 4.2 the municipality of San Pedro, Province of Laguna; and
 - 4.3 all the municipalities and cities within Metro Manila.
5. In the case of confiscated lumber, a CLO is required to accompany the shipment from the point of origin to the point of

destination.

6. This order takes effect immediately and amends/revokes other orders or instructions inconsistent herewith.

(Sgd.)FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Memorandum Order
NO. 01
February 22, 1988**

**SUBJECT : Delegation of Authority to Regional
Executive Directors to Sign Permits for
Mini-Sawmill/Resaw Establishment and/or
Operation**

Pursuant to the policy of the Department's decentralization and in order to promote greater efficiency and effectiveness in responding to the needs of the public service, the Regional Executive Directors are hereby given the authority to sign permits for Resaw and Mini-Sawmill Operation/Establishment within their respective jurisdiction in consonance with DENR Memorandum Order No. 11, Series of 1987 embodying regulations on the processing of applications to establish and/or operate sawmill/mini-sawmill/resaw.

This order will cover new applications at Regional Offices, including those applications filed and processed at Central Office, and which shall be returned to the Regions.

This order shall take effect immediately and shall remain in force until revoked in writing by the undersigned.

(SGD.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Memorandum Order
No. 4
April 4,1988

SUBJECT : Extension of Rattan Cutting Permits

In preparation for the new scheme in awarding rattan cutting permits as embodied in DENR Administrative Order No. and to give ample time for the rattan industry to re-align their thrusts and activities with the new guidelines, the following procedures shall be implemented:

1. All rattan cutting permits with expiry dates on March 31,1983, are automatically renewed and/or extended up to June 30,1988.
2. Allowable cut granted for a particular rattan cutting permits shall be calculated on the basis of sustainability which will correspond to three (3) months covered by the extension of the permits.
3. All Regional Executive Directors concerned shall submit to the Undersecretary for Field Operation the result of evaluation of the existing rattan cutting permits in their respective jurisdiction not later than May 30, 1988 with the objective of pre-qualifying previous permit holders.
4. A tentative organization of the regional forestlands into rattan production blocks including areas suitable for rattan plantation development shall also be submitted not later than 30 May 1988, taking into account the following:
 - a. Fifty-five (55) percent of the potential rattan cutting areas shall be subdivided into 5,000 hectare production units;
 - b. The rest or forty-five (45) percent shall be subdivided into production units with a maximum area of 30,000 hectares; and
 - c. Each rattan plantation area shall be at least 1,000 hectares.

5. This Order takes effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Memorandum Order
No. 5
May 31, 1988

SUBJECT : Interim guidelines on the processing of applications for rattan cutting permits

Pending the final implementation of the rattan regulations provided under DENR Administrative Order No. 21, series of 1988 the following interim guidelines on the processing of applications for rattan cutting permits are hereby issued:

1. New applications received in the Central Office on or before 31 December 1987, with 5% timber inventory, shall be processed for approval by the Undersecretary for Field Operations for a tenure up to 31 December 1988.
2. Unrenewed rattan cutting permits which expired 31 December 1987 may be renewed by the Undersecretary for Field Operations up to 31 December 1988 subject to the submission of a certification from the District Forester concerned that the permittee has complied with the terms and conditions of the expired permit and all fees duly paid for.
3. The rattan cutting permits expiring 30 June 1988 may be renewed up to 31 December 1988 by the Regional Executive Directors concerned provided the permittees have not violated any of the terms and conditions of their permits and all fees duly paid for.

This Order takes effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Memorandum Order
No. 7
Jul. 4, 1988

**SUBJECT : Amending Memorandum Order No. 12,
Series of 1987.**

It appears that DENR Order No. 12, Series of 1987 which allowed the extension of expiring TLA's for a provisional period of six (6) months did not cover those which expired after December 31, 1987.

In order to avoid a gap in the operation of these TLA's a Provisional Timber Production Agreement may be entered into with the TLA holders up to October 31, 1988, subject to the same requirements provided for in DENR Memorandum Order No. 12, Series of 1987 and the payment of Reforestation Deposit.

All provisions of DENR Memorandum Order No. 12, Series of 1987 shall remain in full force and effect.

This Order shall take effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Memorandum Order

No. 10

Aug. 8, 1988

Subject: Amendment to DENR Memorandum Order No. 36 Series of 1988 (Guidelines on the Confiscation, Seizure and Disposition of Illegally Cut, Gathered, and/or Transported Forest Products

The following provisions are hereby added to Paragraph 1 of DENR Memorandum Order 36, Series of 1988, to wit:

- l. Report of confiscation/seizure. Whenever a confiscation or seizure is made under these rules, The CENRO/PENRO/RED concerned shall immediately make a report thereof to the Secretary and the DENR Auditor, thru their respective Assistant Secretaries. A collated report will be submitted monthly by the ASECs to the Office of the Undersecretary for Field Operations.
- j. Notice to owner. The CENRO/PENRO/RED shall give the owner or his representative a written notice of the confiscation or seizure and shall give him an opportunity to be heard in reference the ground or reason for the seizure or confiscation by requiring said owner or representative to submit sworn statements or affidavits within ten (10) days from receipt of such written notice. For the purpose of such notice and all proceedings connected with the confiscation, "representative" shall be deemed to include not only any representative in fact of the owner but also any person having possession of the logs, timber, lumber or forest products at the time of confiscation or seizure.
- k. Notice to Unknown Owner. Notice to unknown owner shall be effected by posting for ten (10) days a written notice of seizure in a conspicuous place in the office of the CENRO/PENRO/RED where the seizure was made.
- l. Forfeiture of Forest Products. Upon receipt of the aforesaid sworn statement/affidavit of the owner or representative or if none is received despite due notice, the CENRO/PENRO shall determine whether the logs, timber, lumber or the forest products confiscated were illegally cut, gathered, removed or possessed without necessary

legal documents and shall render a report thereof accompanied by the evidence he has gathered including his recommendations to the Regional Executive Director. Upon finding based on substantial evidence that the logs, timber, or forest products are illegal or not covered by proper documents, the Regional Executive Director shall declare the same forfeited in favor of the government in accordance with Section 68-A of P.D. 705 as amended to be disposed of in accordance with these rules.

- m. Proceedings in case of Property Belonging to Unknown Parties. If, within ten (10) days after the notice prescribed in paragraph (k) above, no owner or representative appears before the CENRO/PENRO/RED, the Regional Executive Director shall declare the logs, timber, lumber or forest products forfeited in favor of the government in accordance with Section 68-A of P.D. 705 as amended to be disposed of in accordance with these regulations.

This amendment shall take effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Memorandum Order

No. 36

May 6, 1988

**SUBJECT : Guidelines on the Confiscation, Seizure
and Disposition of Illegally Cut,
Gathered, and/or Transported Forest
Products**

Pursuant to the provisions of Presidential Decree No. 705, as amended, and Letter of Instructions No. 1020 and other pertinent policies, laws and regulations, the following procedures in the arrest of offender(s), seizure/confiscation, disposition of illegal forest products are hereby issued for the information and guidance of all concerned:

1. Arrest of offenders, seizure and confiscation of illegally cut, gathered and/or questionable forest products.
 - a. In consonance with the Section 68-A of Executive Order No. 277, the Secretary of Environment and Natural Resources or his duly authorized representative have administrative authority to order confiscation of any forest products illegally cut, gathered, removed, possessed or abandoned, including all conveyances used either by land, water or air in the commission of the offense and to dispose of the same in accordance with pertinent laws, regulations or policies on the matter. The term forest products as used herein shall include lumber.
 - b. DENR Officers and other authorized personnel of the DENR, shall have authority to seize/confiscate illegally cut, gathered, removed forest products under their respective jurisdiction.
 - c. Pursuant to Section 80 of P.D. 705, as amended, the Forest Officer may arrest even without warrant any person who has committed or is committing in his presence any of the offenses defined under Chapter IV of P.D. 705, as amended. He shall also seize and confiscate in favor of the government the tools and equipment used in committing the offense and the forest products cut, gathered or removed by the offender. The arresting forest officer shall immediately deliver the offender to the nearest police station.

- d. Immediately after seizure of the forest products together with the tools, conveyances and instrument used in the commission of the offense, the apprehending forest officer shall execute his sworn statement/affidavit surrounding the facts of the case in the form hereto attached as Appendix "A". He shall also take the affidavits or statements of witnesses, if any in the form hereto attached as Appendix "B".
- e. The scaling or measurement of the seized forest products shall be conducted immediately and the assessment thereof shall be based on the gross volume without benefit of deduction for natural defects, after which the corresponding seizure receipt shall be issued by the signing DENR officer(s). All logs confiscated and are to be sold shall be marked with the marking hatchet at both ends.
- f. In cases where the apprehension are made by the PC/INP, EIIB, Coast Guard and other government law enforcement agencies, the apprehending agency shall notify the nearest DENR office and turn over the seized forest products to the CENRO/PENRO/RED as the case may be for proper investigation and disposition. In the same manner, forest products seized/confiscated by the DENR Central Office personnel shall likewise be turned over to the CENRO/PENRO/RED concerned for further investigation and proper disposition in accordance with the procedure herein provided.
- g. In cases where the apprehension is made by the field DENR officer, the forest products and the conveyance used shall be deposited to the nearest CENRO/PENRO/RED office, as the case may be, for safekeeping, wherever it is most convenient. If the transfer of the seized forest products to the above places is not immediately feasible, the same shall be placed under the custody of any licensed sawmill operator or the nearest local public official such as the Barangay Captain, Municipal/City Mayor, Provincial Governor or the PC/INP; at the discretion of the confiscating officer taking into account the safety of the confiscated forest products. All TLA holders shall, upon request, provide transportation facilities for the transfer of the confiscated/seized forest products from the place of apprehension

to the place of custody. In any case, the custody of the forest products shall be duly acknowledged and received by the official taking custody thereof.

- h. All expenses incurred by the CENRO/PENRO/RED in the hauling and transportation of the forest products from the place of apprehension to the depository area as mentioned above shall be reimbursed by the office in the amount equivalent to not more than ten (10) percent of the proceeds of sales through public bidding of the confiscated forest products as administrative costs.
2. Filing of Complaint. — The forest officer shall forthwith file the complaint with the Fiscal's Office in the form prescribed by said office or if the Office of the Fiscal is too far from the place where the offense is committed, the criminal complaint shall be filed with the Municipal Trial Court of the locality in the form hereto attached as Appendix "C" hereof, against any and all person who appear to be responsible for the commission of the offense penalized under Section 68 of P.D. 705, as amended by Executive Order No. 277. In case of partnerships, associations, or corporations, the complaint shall be filed against the officers who ordered the cutting, gathering, collection or possession of the forest products.

The following documents should be attached to the complaint:

- a) Sworn statement of the apprehending/arresting officer; (Annex "A")
 - b) Affidavits of witnesses, if any, who may have knowledge of the commission of the offense; (Annex "B")
 - c) Copy of the Seizure Receipt or Statement showing the number, species and volume of the logs/timber/forest products seized;
 - d) Photographs showing the timber or other forest products seized including the tools, equipment, machinery and conveyances used in the commission of the offense.
3. Referral of Complaint. — Immediately after the complaint is filed, the forest officer shall transmit copy of complaint and all supporting

documents to the Regional Office for proper handling and disposition, copy furnished the Assistant Secretary for Legal Affairs.

4. Prosecution of Offenses. — The prosecution of cases filed under these regulations shall be the primary responsibility of the Regional Office concerned subject to the supervision and control of the Assistant Secretary for Legal Affairs.
4. Disposition of confiscated forest products.
 - a. The RED/CENRO/PENRO, as the case may be, or his duly authorized representative(s) shall without delay sell at public auction and/or dispose in accordance with existing laws, all confiscated forest products, except the following:
 - i) Those subject of judicial proceedings until proper authority is obtained for their disposition from the court where the case is pending.
 - ii) Those earmarked for donation to other agencies or charitable and similar institution; and
 - iii) Those determined by the DENR for its own infrastructure needs.
 - b. Confiscated forest products shall be disposed of through a Committee on Bids and Awards which shall be composed of the following:
 - i).
 - (a) value of P50,000.00 or less-concerned CENRO as chairman, Local Government representative and COA representatives as members;
 - (b) For confiscated forest products with current market value of more than P50,000.00 up to P100,000.00 — concerned PENRO as chairman, and Local Government representative and COA representatives as members; and
 - (c) For confiscated forest products with current market value of more than P100,000.00 shall be disposed of by the Regional Committee on Bids and Awards composed of RED/RTD and Local Government

representative and COA representatives.

Subject to the approval of the Secretary of Natural Resources, the local government concerned may be given a share of the proceeds of the confiscated forest products especially in cases where they had a role in the apprehension/confiscation.

In all the foregoing, the assessment of the current market value shall also be made the Committee concerned based on updated price indices.

- ii) In cases of confiscated forest products that are the subject of court cases, representations with the proper court shall be made for the immediate disposition thereof through public auction to avoid loss of its economic value during the pendency of the case. The proceeds of the sale shall be deposited as the court directs and the same shall be awarded by the latter to whoever shall be entitled thereto based on the final court decision.

In the case of forest products that easily deteriorate like rattan, albizzia falcataria, gubas and similar forest products, efforts shall be made to convince the court that the same shall be disposed of immediately and without delay to avoid deterioration.

c. Invitation to Bid (ITB)

When confiscated forest products are to be sold through public auction, the Chairman shall convene the members immediately and issue an invitation to bid (Annex "C") containing the following:

- ii) Invitation number;
- iii) Place, date and time of opening of bids;
- iiii) Quantity of forest products;
- ivi) Accurate description and specification forest products;

- vi) Terms and conditions including the floor price (Annex "B");
- vii) Bond requirement;
- viii) Right to accept and reject bids (Government reservation clause);
- viii) Instruction to bidders; and
- ix) Bid proposals.

d. Posting and Publication

The Invitation to Bid and Notice of Sale (Annex "D") shall be posted in at least three (3) conspicuous places in the DENR local offices, as the case may be, and in other public places, and it shall be published in at least two (2) newspapers of general circulation for three (3) consecutive days, the last publication of which shall be fifteen (15) days before the opening of the bids. In areas where there is no local newspaper, the posting of notices at least thirty (30) days before the opening of the bids shall be deemed sufficient. Likewise, Letter of Invitation to Bid (Annex "E") shall be sent to prospective bidders such as the PWPA representative, furniture association manufacturers and all sawmills in the locality to inform them of the scheduled public auction sale and of the description of the forest products available for bidding.

In case of rebidding, the Invitation to Rebid and Notice of Sale shall be published in the same newspaper of general circulation at least once every week for three (3) consecutive weeks, the last publication of which shall be one (1) week before the scheduled rebidding.

If after a rebid, no qualified bids are submitted, negotiated bids may be authorized with the approval of the DENR Secretary.

The Secretary may also authorize, negotiated bidding in cases where the value of the forest products is less than P50,000 and the prospective buyers are engaged in furniture and similar industries; and in other cases when social equity is involved. In the later case, the Regional Executive Director, upon prior clarification with the Undersecretary for Field Operations, may segregate the bidding into small lots. It is understood that the cost of bidding shall be deducted from the bidding price.

e. Accreditation of Bidders

The Committee, meeting on quorum, shall not honor the offer or proposal of any bidder unless he has formally submitted an application therefor under oath containing, among others; (a) name and address (b) citizenship; (c) nature of business; (d) statement that he has not committed any of the following grounds for disqualification:

- i) Conviction of a crime related to business, commerce, and trade, as well as for hoarding and profiteering;
- ii) Smuggling/conniving with smugglers of forest products; and
- iii) Deliberate error, omission or commission in the bid tender.

In addition to the above requirements, the prospective bidder shall likewise submit proofs that he is a duly registered lumber or log dealer or sawmill operator, furniture manufacturer for other forest products, or that they are operators of NACIDA registered/recognized cooperatives.

- iv) In no case shall the person from whom the forest products were confiscated be qualified as a bidder.

The DENR officers concerned shall develop and implement an ID Card system for buyers and agents to properly identify them and safeguard against possible misrepresentation.

f. Pre-Bid Conference

If necessary, the Committee may hold a pre-bid conference before the bidding to clarify or explain doubts or ambiguities on the specifications or conditions on the Invitation to Bid. The pre-bid conference shall not be used as an occasion for amending, modifying, or revising advertised specifications and conditions.

g. Deposit

All bidders shall be required to deposit in either cashier's or manager's check in the name of the DENR Secretary equivalent to ten (10) percent of the amount of bid, which deposit shall be returned to the losing bidder after the award is announced.

On the other hand, the 10 percent bid value deposited by the awardee shall be automatically converted into partial payment and failure of the awardee to remit/pay the balance of the amount of the bid on or before 2:00 o'clock in the afternoon of the third working day from the date of the sale will render the award to him as null and void, and the 10 percent deposit shall be forfeited in favor of the government.

h. Opening of Bids

- i) Sealed bids — All sealed bids shall be submitted to and received by the Chairman, Committee on Bids and Awards on Confiscated Forest Products only on the date, time and place for opening of the bids as indicated in the Invitation to Bid. Bidders or authorized representatives may witness the proceedings.

After the bid tenders are opened, all copies shall be properly identified and initialed by the Committee members and shall be recorded in the appropriate record book by the Secretariat the Committee.

- ii) Postponement — No opening of any bid shall be postponed by the Committee. However, in case there is only one (1) bidder, the bidding shall be postponed and rescheduled by the Committee. Likewise, if there is more than one (1) bidder and the date set for the opening of bids falls on a declared/legal holiday, the bids shall be opened on the following working day at the same hour and place specified in the bid.
- iii) Late Bids — Bids submitted after the scheduled time of opening shall not be accepted by the Chairman of the CBACFP.
- iv) Correctness of Bids — After the bids are opened, no bidder shall be allowed to make any correction, alteration or improvement on his bid which may prejudice the government or the other bidders.
- v) Abstract of Bids — The offers submitted by the bidders shall

be abstracted in the prescribed form which shall be certified as to its correctness and authenticity by the CBACFP. The abstract shall serve as the guide in the evaluation of the offers by the CBACFP.

i. Appreciation of Bids

In the appreciation of bids, the Committee shall be guided by the following:

- i) Invalid Bids — Bids submitted which are not signed nor covered by the required bond or does not meet all the requirements shall be declared as "NO BID" to be signed by the Committee members.

j. Bases of Award

Award shall be given to the most advantageous offer. In case of a tie, the bidders shall submit another sealed bid immediately after the Committee declares a tie and the bids shall likewise be opened, which, after the Committee shall prepare the abstract of quotations and its order of award. Furthermore, a certificate of disposal of the forest products seized indicating the quantity, species, the amount of specific taxes and penalties due thereon, together with five (5) copies of the auxiliary invoice shall be prepared furnishing a set of copy thereof to the following: Undersecretary for Field Operations, Regional Executive Director, PENRO, CENRO and representatives of the Local Government concerned and COA.

k. Approval and Notification of Awards

The Committee shall prepare and send the award order or notification to the winning bidder. This award order shall serve as the permit of the awardee to remove, transport and dispose the forest products subject of said award.

6. Expenses in the Transfer of the Seized Forest Products from the Place of Apprehension to a Depository Area

All expenses to be incurred in the hauling and transport of the seized forest product from the place of apprehension to a depository

area shall be added to the value of the forest products to be added to the value of the forest products to be bid and included in the minimum bid price. These expenses shall be reimbursed as administrative costs not to exceed the equivalent of ten (10) percent of the total proceeds of the sale.

In cases of forest products that are subject of court cases and sold/disposed at public auction upon proper representations with the court, the expenses to be incurred in the bidding and transport of the seized forest products from the place of apprehension to a depository area shall likewise be added to the value of forest products to be auctioned and included in the minimum bid price.

7. Remittance of Proceeds of Sale

The proceeds of sale of confiscated forest products, after deducting all administrative costs related to the confiscation of the forest products and their disposition shall be remitted by the Chairman of the CBACFP to the Secretary, DENR either in the form of Cashier's or Manager's check immediately upon receipt of the full payment of the bid forest products.

8. Reporting

a. Individual Cases/Report

- i) Confiscated/seizure/impounding shall be reported immediately by the seizing DENR officer to the CENRO within 24 hours from the time of seizure, through the fastest means of communication followed by a detailed report within three (3) days from the date of seizure together with the circumstances on such confiscation/seizure and action taken thereon.
- ii) Thereafter the CENRO concerned shall likewise send a flash report to the PENRO and Regional Executive Director concerned.
- iii) If confiscation/seizure is made by personnel from the Regional Office the same procedure shall be followed by a flash report of the Regional Executive Director concerned to

the Undersecretary for Field Operations.

b. Monthly Report

- i) A monthly confiscation report shall be submitted by the CENRO/PENRO to the Regional Executive Director together with the status of the confiscated forest products.
- ii) The Regional Executive Director, shall consolidate the monthly confiscation report of all the CENRO/PENRO under his region and in turn forward the same to the Undersecretary for Field Operations concerned.

c. Quarterly Report

- i) The RED shall submit to the DENR Secretary through the Undersecretary for Field Operations a quarterly report on the status of confiscated forest products within the region.

9. Records Keeping and Monitoring

A Secretariat shall be created in the DENR Central Office, which shall handle all paper work and keep all records, data and accounts of all confiscated and disposed forest products.

A monthly summary report on confiscated/disposed forest products shall be submitted to the DENR Secretary within fifteen (15) days after the end of each month.

10. Implementing Guidelines and Instruction

The Undersecretary for Field Operations is hereby authorized to issue implementing guidelines and instructions from time to time for the orderly and effective implementation of this Order. Such guidelines/instructions shall include, among others, other detailed mechanics on the disposition of funds generated from the sale of confiscated forest products through public auction.

11. Repealing Clause

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

12. Effectivity

This Order takes effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

REPUBLIC OF THE PHILIPPINES)
MUNICIPALITY OF _____:
PROVINCE OF _____)

A F F I D A V I T

I, _____, of legal age and a resident of _____, after being duly sworn, depose and state:

1. That I am an _____ of the Department of Environment and Natural Resources, Region _____ with place of assignment at _____;

2. That on or about _____ at _____, I was (state activity such as conducting surveillance, patrolling, etc.);

3. That in the course of the permanence of my work on or about _____ in _____ I apprehended a certain _____ for having cut, gathered, removed, transported and/or in possession of _____ pieces of _____ of logs/timber of lumber with a total volume of _____ cu. m. and with a total value of P _____ without a permit or license or legal supporting documents;

4. That said logs/timber/lumber were cut, gathered, removed, transported and/or possessed without permit, license or legal supporting documents upon order of _____ company, more particularly, _____ who are officials of said company or corporation.

5. That the pieces of logs/timber/lumber do not bear the FMB official log hatchet marking nor any licensee's/permittee's log markings nor supported by any legal document in violation of Section 68 of PD 705, as amended, and as further amended by Executive Order No. 277, series of 1987.

IN WITNESS WHEREOF, I have hereunto signed this affidavit this _____ day of _____ 1988 at _____.

Affiant

SUBSCRIBED and SWORN to before me this _____ day of _____, 1988 at _____.

Administering Official

REPUBLIC OF THE PHILIPPINES)
MUNICIPALITY OF _____:
PROVINCE OF _____)

AFFIDAVIT

I, _____ of legal, age and a resident of _____, after being duly sworn, depose and state:

1. That on or about _____ I was at _____;
2. That on or about said time and date I saw _____.
3. That _____ was later apprehended by _____;
4. That I execute this affidavit to attest to the truth of the foregoing narration.

IN WITNESS WHEREOF, I have hereunto signed this affidavit this ____ day of _____ 1988 at _____.

Affiant

SUBSCRIBED and SWORN to before me this _____ day of _____, 1988 at _____.

Administering Official

Republic of the Philippines
MUNICIPAL TRIAL COURT OF _____
_____ JUDICIAL REGION
PROVINCE OF _____

PEOPLE OF THE PHILIPPINES CRIMINAL CASE NO. _____
versus FOR: Violation of Section 68,
JUAN DE LA CRUZ, PD 705, as amended, and
as further amended by
Executive Order No. 277.

CRIMINAL COMPLAINT

The undersigned, under oath, accuses JUAN DE LA CRUZ for violation of Section 68 of PD 705, as amended, and as further amended by Executive Order 277, committed as follows:

That on or about the ____ day of _____, 1988, in Barangay _____, Municipality of _____, Province of _____, and within the jurisdiction of this Honorable Court, the above-named accused, did then and there willfully, unlawfully and feloniously cut, gather, collect, remove and/or possess and/or caused, to be cut, gathered collected, removed and/or possessed ____ pieces of _____ with a total volume of _____ cubic meters and with a total value of _____, from the public forest described in FMB Control Map No. _____, located in _____, without having first secured and obtained from the proper authorities the necessary permit or license and/or legal supporting documents.

CONTRARY TO LAW.

SUBSCRIBED and SWORN to before me this ____ day of _____, 1988 at _____.

Administering Official

ANNEX C

INVITATION TO BID

SEALED BIDS for the purchase of _____ pieces of _____ with an equivalent volume of _____ cubic meters will be received at the Office of the _____

_____ until _____, 1988 at 9:00 A.M.

Only legitimate timber licensees, log and lumber dealers, operators of sawmills, plywood, veneer or paper mills and operators of Nacida Registered Industries, in case of forest product other than timber shall be allowed to participate in the bidding.

The envelope containing the bids should be sealed and plainly marked "BID for _____ cubic meters board feet/linear meter of confiscated log/lumber/other forest products."

The CBACFP reserves the right to reject any or all bids, or to accept such bids as may be advantageous to the government.

Additional information relative hereto will be furnished upon request. Address all communications to the CBACFP _____.

CHAIRMAN, CBACFP

TERMS AND CONDITIONS

1. The above-mentioned forest products shall be sold to the highest bidder as determined herein below and the said forest products may be inspected by the prospective bidder three (3) days before the date of sale. Assessment shall be based on the gross volume without benefit of deducting for rot cavities, or natural defects.
2. The minimum amount for the bid proposal on the confiscated forest products shall not be less than the amount as determined by the DENR including specific taxes, surcharges or penalties due thereon.
3. Before commencing the bidding, all bidders shall be required to register their names together with the Residence Certificate as well as their tax account number.
4. Bid tender shall be accepted before the actual sale and it shall be accompanied by cash deposit, cashier's or manager's check in the name of DENR equivalent to 10% of the amount of the bid for a particular lot which deposits shall be returned to the losing bidder after the award is made.
5. The opening of the bid tenders shall be done by the Committee on Bids and Awards on Confiscated Forest Products and may be witnessed by the bidders or their duly designated representatives.
6. After the opening of all bid tenders, the forest products shall be awarded by the CBACFP to the bidder who shall have offered the price equal or higher than the floor price. In case of tie, a new bidding shall be conducted immediately between or among the tied bidders until such tie is broken.
7. The ten (10%) percent bid value deposited by the awardee shall be automatically converted into partial payment and failure of the awardee to remit/pay the balance of the amount of the bid on or before 2:00 o'clock in the afternoon of the third working day from the date of the sale will render the award null and void and the 10% deposited shall be forfeited in favor of the government.

8. Unless otherwise indicated, the forest products shall be offered for sale "AS IS, WHERE IS" and the DENR shall give warranty as to their condition.
9. Where goods are put up for sale by auction in lots, each lot is the subject of separate contract of sale.
10. Nature of forest products listed in the Notice of Sale is subject to exact determination before delivery and in case of any excess discovered, the same shall be withheld and withdrawn unless the buyer is willing to increase the bid price proportionate to the number/volume/quality of excess forest products, and in case of shortage discovered, inspection by bidder of the forest products offered for sale shall not be ground to nullify the bidding proceeding. In the event the highest bidder refuses to accept the award, the ten (10%) percent cash deposit shall be forfeited in favor of the government and the bid of the second highest bidder shall be immediately recognized and accepted.
11. Storage fee shall be imposed on forest products awarded but not claimed within ten (10) days from the date of sale and goods withdrawn after twenty (20) days from the date of sale/award will be rebid and all moneys including the ten (10%) percent bid deposit will be considered forfeited.

ANNEX D

NOTICE OF SALE

Pursuant to the provision of PD 705 as amended, Letter of Instructions No. 1020 dated 14 May 1980 and Executive Order No. 277, the Committee on Bids and Awards for Confiscated Forest Products shall sell at public auction _____ cubic meters of _____ on _____ at _____ to be held at _____, _____.

Name of Officer

Designation

Office Address

The President/General Manager

Sir:

This is to inform you that the DENR is now accepting bids up to 9:00 a.m. of _____, 198____, for the purpose of selling at price auction _____ cubic meters of confiscated _____ described as follows:

SPECIES	NO. OF PIECES	VOLUME
Total	_____	_____

The above forest products were confiscated by this Office and are now stockpiled at _____ and ready for auction sale in accordance with Letter of Instruction No. 1020 and Executive Order No. 277.

If you are interested in buying said forest products, please submit your sealed bid to the Chairman, CBACFP _____.

You may address inquiries to the above-mentioned office.

Very truly yours,

Chairman, CBACFP

LANDS SECTOR

DENR Administrative Order
No. 04
February 15, 1988

**SUBJECT : Rules and Regulations Governing
The Issuance of Land Patents
within Geothermal Reservations**

Pursuant to Memorandum Order No. 83 issued by the President of the Philippines on April 30, 1987, lifting the suspension of the issuance of patents within geothermal reservations and authorizing the issuance of patents over lands within said geothermal reservations subject to the concurrence of this Office, the following rules and regulations are hereby promulgated for the effective and orderly implementation thereof:

1. The District Land Officers (Provincial Environment and Natural Resources Officer, Community Environment and Natural Resources Officer) concerned shall resume the processing of free patent applications which had been held in abeyance by reason of the suspension on May 8, 1980, and homestead applications already approved prior to the suspension. The issuance of the patents therefore shall be subject to the concurrence of the Secretary of Environment and Natural Resources.
2. All approved land patents covering areas within geothermal reservations which had not been released due to the suspension shall be transmitted to the Register of Deeds concerned for registration and issuance of the corresponding certificates of title.
3. No new applications for patent over lands within geothermal reservations shall be accepted.

This Order shall take effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No. 38
March 28, 1988**

**SUBJECT : Guidelines in the Processing of Free
Patent Applications After December 31, 1987**

In view of the expiration of Presidential Decree No. 1073, dated January 25, 1987, which extended the period of filing applications for administrative legalization (free patent) and judicial confirmation of imperfect and incomplete titles to alienable and disposable lands of the public domain under Chapter VII and Chapter VIII of Commonwealth Act No. 141, as amended, up to December 31, 1987, and in order to attain uniformity in our action in the processing of free patent applications, the following information/guidelines are hereby issued for the guidance of all concerned:

1. After December 31, 1987, all Natural Resources District Offices are hereby enjoined to desist from accepting free patent applications, there being no more legal basis to do so on account of the expiration of the period provided in PD 1073;
2. All free patent applications filed on or before December 31, 1987 shall continue to be processed and corresponding patent issued thereafter after satisfactory proof that the following conditions are present:
 - a. The application and requisite documents like joint affidavit of two disinterested persons, applicant's sworn statement, notice of filing of application for free patent, investigation report and copy of the approved survey plan of land if not covered by PLS of cadastral survey.
 - b. Applicants have satisfactorily complied with other requirement of law leading to the issuance of patent in his favor, such as the 1) submission of a certification from the Clerk of Court concerned that the land sought to be patented is not involved in a pending land registration or civil case and 2) certification from the National Land Titles and Deeds Registration Authority to the effect that no decree or title has as yet been issued

over the land subject of the application.

3. Those accepted after December 31, 1987 should be placed on hold subject to whatever Congress will later on enact. Proper advise to applicant should be issued.

Strict compliance herewith is enjoined.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No. 98
December 29, 1988**

**SUBJECT: Implementing Guidelines for the
Agrarian Reform in Public Lands - Program
D of the Comprehensive Agrarian Reform
Program (CARP)**

Pursuant to provisions of Republic Act No. 6657 and Section 15 of Executive Order No. 229 which provides for the implementation of Program D - Agrarian Reform in Public Lands of the Comprehensive Agrarian Reform Program, the following regulations and guidelines are hereby promulgated:

Section 1. Basic Policies. — Consistent with the Constitutional provisions on national patrimony and social justice, the following policies shall be the basic policies of the implementation of Program D of the CARP:

1. Promotion of equity and social justice in the disposition of public lands to include democratized control and access to natural resources;
2. Maintenance of resource sustainability while promoting efficient utilization and productivity for rural development; and
3. Promotion of environmental protection and ensuring ecological balance.

Section 2. Components and Coverage of Program D. Under the Program, the Department shall implement the following major component activities, namely:

1. Distribution of public alienable and disposable (A & D) lands suitable to agriculture which involves land transfer through application of free, homestead and/or sales patents,
2. Allocation of forest lands suitable for agroforestry through the principle of stewardship.

The coverage of Program D shall include both public A & D lands and forestlands and shall consist of both land transfer and non-transfer (stewardship) schemes of achieving agrarian reform in public lands.

Section 3. Land Transfer-Distribution of Alienable and Disposable Areas. This component of Program D involves the distribution of public alienable and disposable lands suitable to agriculture through land transfer to patent applicants.

3.1. Qualified Applicants. The following are qualified to apply for patents to public lands which are suitable to agricultural purposes and who satisfy additional existing requirements as prescribed by law (CA #141, as amended):

3.1.1. Must be the occupant-tiller of the land;

3.1.2. Does not possess/own/occupy/cultivate other landholdings, the aggregate area of which including the parcel/lot being claimed/applied for does not exceed three (3) hectares; and

3.1.3. Is not an illegal entrant/occupant (sanctioned under Section 22, EO #229 and R.A. 6657)

3.2. Maximum Land Limit. For any patent applicant (free patent, homestead or sales), the maximum land size to be released for any or all applications shall be three (3) hectares, to include both farm and home lots. In conformity with present policy of providing farm and home lots to beneficiaries, each beneficiary shall be given a home lot of at most 1,000 square meters preferably within the farm lot.

3.3 Areas Available. Only public A & D lands suitable to and primarily devoted by the applicant to agriculture shall be considered for a patent application. Areas subject to claims by persons other than the applicant has to be resolved first before the same could be released.

3.4 General Procedure. In the distribution to qualified applicants of public A & D lands the following shall be undertaken:

3.4.1 Land classification or reclassification (where necessary).

In unclassified areas of the public lands, land classification/reclassification shall be conducted by the DENR Land Classification Teams with the National Mapping and Resource Information Authority (NAMRIA) as lead agency to release and proclaim specific areas as A & D lands. Land classification/reclassification shall be pursued on the basis of existing guidelines derived from Sec. 13 of PD. 705 as implemented by DNR Order No. 3, Series of 1975 and as per Memorandum of the Secretary dated September 28, 1988.

- 3.4.2 Identification of Areas Suitable to Agriculture. In public lands released as A & D land reclassification/evaluation shall be undertaken by Land Evaluation Teams to proclaim A & D areas as suitable to agriculture and recommend as CARP areas under Program D.
- 3.4.3. Lot Surveys and Approval thereof . In A & D lands identified as CARP areas, the Community/Provincial Natural Resources Environmental Officers shall cause the conduct of lot surveys, either by administration or contract to properly map and ascertain technical and physical descriptions of the land to serve as reference for patent processing of claimants. Final lot surveys shall then be undertaken on areas which are under patent applications.
- 3.4.4 Processing of Patent Application and Issuance of Patents. Claims by the public shall be processed in accordance with provisions of the Joint DAR-DENR Administrative Order 2'88, Series of 1988.

Section 4. Allocation through the Principle of Stewardship of Forestlands Suitable to Agroforestry (Integrated Social Forestry Program - CARP). — This component of Program D which rationalizes access of settlers to forest lands should accelerate the implementation of the Integrated Social Forestry Program (ISFP), an on-going and continuing program of the Department which aims to protect the forest, to revegetate denuded forest lands and to improve the socio-economic conditions of forest occupants. ISFP involves the issuance of long-term

tenurial agreements (through Certificates of Stewardship Contracts or Community Forest Stewardship Agreements effective for 25 years renewable for another 25 years) and provision of technical, social, material and other support services to individual forest occupants and forest communities.

- 4.1. Qualified Participants. Persons/groups qualified to become beneficiaries under this component of Program D are forest occupants who satisfy requirements listed in Section 4 of DENR Administrative Order No. 97, Series of 1988.
- 4.2 Maximum Land Size. Seven (7) hectares shall also be the maximum size of land that may be availed of by deserving qualified forest occupants under the ISFP under CARP.
- 4.3 Areas Available. Forestlands actually and directly occupied by qualified forest occupants and found suitable for agroforestry subject to provisions provided in Section 5 of DENR Administrative Order No. 97, Series of 1988.
- 4.4 General Procedures. This non-land transfer component of Program D shall be implemented following the basic ISFP procedures as provided in its implementing rules and regulations particularly in Section 9 of DENR Administrative Order No. 97, Series of 1988.

SECTION 5. Resettlement Areas. — Areas in within the public lands which are occupied and are not included as CARP areas in public lands as ISF area shall be evaluated by a Committee to be created by the Secretary for appropriate reclassification or proclamation as resettlement areas. In cases where reclassification is not feasible, the occupants shall be resettled in other CARP, ISF areas or declared resettlement areas identified by the government.

SECTION 6. Integration of Survey Procedures. — To streamline processes and speedily deliver services to the public, survey procedures for CARP Program D shall henceforth be guided by the following guidelines:

- 6.1. Area Identification. The land areas which in principle may be identified for inclusion in CARP shall initially be done by the

National Mapping and Resource Information Agency (NAMRIA) in existing maps, and verified in the field by the Community Implementation Committee. For this purpose, a list and preliminary/control map/s shall be prepared and forwarded by NAMRIA to the Community Implementation Committee (CICC) or the Provincial Implementation Coordination Committee (PICC), for verification, whichever is applicable. A copy of the list shall be furnished the DENR-CARP National Implementation Coordination Committee, (NICC), the Regional Implementation Coordination Committee (RICC), and the Provincial Implementation Coordination Committee. Once ascertained by the Regional Offices, the NAMRIA shall give priority in classifying unclassified forest lands which have large potential areas for CARP, in order to deliver to the people this basic input to increase productivity. Classification/reclassification shall be pursued on the basis of the guidelines referred to in Section 3.4.1.

6.2 Alienable and Disposable Areas. A & D areas suitable for CARP shall be surveyed and delineated by regional technical personnel of the lands sector, unless the area straddles forest and A & D Lands.

6.3. ISF — CARP Areas. Areas within classified forest lands below 50% slope shall be evaluated by the regional Land Evaluation Team as to the soil suitability for agroforestry. Potential areas for ISF - CARP, shall be sub-classified /reclassified or surveyed for parcellary purposes under the direct supervision of the CENRO/PENRO.

6.4 Perimeter Survey. Perimeter surveys for ISF lots within the parcels of forest settlements may be conducted by regional land evaluation personnel, ISF technicians, as a composite team or by contract, whichever is expedient. Survey returns shall be subject to validation by the composite technical group before approval.

SECTION 7. Survey Results Verification/Validation and Approval. To further contribute to the momentum that will be generated during the implementation of CARP surveys, erroneous survey returns shall be eliminated, hence the Regional Implementation Coordinating Committees shall each constitute a cross-sectoral technical group to

verify/validate survey returns as to accuracy and completeness before the same are approved or endorsed to the Central Office for approval.

7.1. Procedure. The CICC/PICC shall endorse survey results to the RICC, copy furnish the PICC in the case of the CICC. The RICC shall expeditiously dispatch a composite survey team of Sr. Geodetic Engineers who were not directly involved in implementing the survey/s to verify the submitted survey results.

7.2. Establishing the Final Forest Line. In the cases where the final forest line needs to be established/redefined as per survey results arising from DENR - CARP activities, the Regional Executive Director shall endorse the necessary documents to the Executive Committee for approval, thru the National Mapping and Resource Information Authority (NAMRIA).

SECTION 8. Management and Administration. The components of Program D being inherent and basic activities of the Department shall be implemented by the regional offices in accordance with the DENR-CARP organizational set-up as per DENR Special Order No. 716, Series of 1988.

The functions and responsibilities of the various units in shall be in accordance with the operational guideline/framework set for the DENR-CARP organizational set-up.

8.1. Monitoring and Evaluation

8.1.1 Documentation As an integral part of the CARP Regional set-up, the Regional Implementation Coordinating Secretariat shall also compile/consolidate all pertinent documents such as those containing targets, performance trends, financial status, and all survey returns including the final decision thereto, for documentation purposes.

8.1.2 Reporting Monthly physical and financial reports shall be submitted by all DENR - CARP implementing agencies whose activities are not integrated in the DENR Central Office such as the Lands Management Bureau, and the NAMRIA and the Regional Offices.

For the Field Operations, the basic planning and implementing unit shall be the Community Environment Natural Resource Office. The designated CARP Coordinators shall be responsible for integrating DENR CARP monthly physical and financial reports. As applicable, the CICC shall submit monthly reports to the PICC within a week after the end of the particular reporting period. Reporting cut-off date shall be the last working day of any particular month. The PICC shall consolidate all reports submitted and submit a summary report to the RICC within the second week after the reporting period. The RICC shall submit an integrated physical and financial report for DENR - CARP which indicates performance of all DENR components to the National Implementation Coordinating Committee, copy furnish the Support Coordinating Committee within three weeks after the particular reporting period.

8.1.3. Validation

8.1.3.1. A national technical monitoring group which are members for the national secretariats shall be constituted, to perform periodic report validation and performance reviews on the various DENR - CARP implementing units. They shall have the authority to check review the systems and procedures used by the regional technical evaluation groups.

This group shall likewise perform routine monitoring reviews on the separate books of financial accounts and physical status of implementation which are to be established and will be dealt with later in this Order.

8.1.3.2 The regional technical monitoring groups who are part of the RICC secretariat shall monitor regional implementation thru visits to the provinces and municipalities where DENR - CARP activities are implemented, with the

responsibility to observe the trend of implementation, identify bottlenecks, note positive and negative slippages, and bring to the attention of the RICC Chairman hindrances to implementation in order that remedial measures can be instituted before the negative slippages or implementation problems compound.

8.2. Financial Matters and Actual Implementation-It is a policy to bring the DENR - CARP financial capabilities to where the activities are implemented to accelerate the execution of activities necessary to meet the established physical targets.

8.2.1. Budget Preparation. The CICC's shall prepare Work and Financial Plans for the coming year by February of the current year, to keep time with the schedule for submission of budget programs. The PICC's are to consolidate the municipal Work and Financial Plans, and the process continues up the national Support Coordinating Committee which endorses the DENR's budgetary requirements for the coming year to the Presidential Agrarian Reform Council.

8.2.2. Submissions to the Department of Budget and Management. All budget requests are to be coursed through the Support Coordinating Committee (SCC), copy furnish the DENR Budget Division. The SCC notes and endorsed to the PARC. The Department of Budget and Management will not process budget requests not endorsed by the PARC.

8.2.3. Facilitation of Funds Releases. The SCC Secretariat shall monitor and coordinate with the Department of Budget and Management to facilitate the release of DENR - CARP budgetary requests.

8.2.4 Bottom-up Budget Preparation. Once the PARC has approved a budgetary ceiling based on DENR submissions, the ceilings shall be relayed to all implementing units for the preparation of realizable workplans. In the event that the requests have been

slashed, the SCC shall proportionately reduce the requested amount in accordance with the approved ceiling to come up with ceilings for all implementing units.

8.2.5 On-Site Fund Allocation. Accordingly, the Regional allocations shall be broken down to provincial and municipal allocations as per the submitted Work and Financial Plans, and made available to the site implementing units thru the Cash Advance method, which will be subject to liquidation at the regional level. In this regard, Special Disbursing Officers for PICC's and CICC's shall have to be designated.

8.2.6 Maintenance of a Separate Financial and Physical Accomplishment Book. A separate book of accounts for CARP Funds (Fund 158) and the corresponding activities funded or accomplished shall have to be maintained at all levels where the funds are expended. Officers concerned must endeavor to constantly reconcile financial utilization with physical accomplishment.

SECTION 9. Implementing Provision. The Secretary may issue additional instructions and circulars as may be necessary for the effective implementation of this Order.

SECTION 10. Reference to Other Regulations. This Order revises, amends, repeals all existing forestry rules and regulations which are inconsistent herewith.

SECTION 11. Control. The Executive Committee, upon the recommendation of the Support Coordinating Committee based on the findings of the technical monitoring group may institute punitive/administrative sanctions to any implementing agency who do not to comply with this and other DENR - CARP guidelines issued. Professed ignorance of the guidelines do not excuse the erring parties, inasmuch as all DENR-CARP rules and regulations shall be circulated to all concerned.

SECTION 12. Effectivity. This Order shall take effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Circular No.
03
July 13, 1988**

**SUBJECT : Providing Guidelines for Disposition
of Alienable and Disposable Public Lands
Suitable for Residential Purposes in
Baguio City Relative to Presidential
Administrative Order No. 504, Dated
February 1, 1986**

Consistent with the government policy of promoting equitable distribution and ownership of alienable and disposable public lands and in order to adopt a system of disposition thereof relative to Presidential Administrative Order No. 504 dated 1 February 1986, which lifted the ban on the acceptance and processing of public land applications in Baguio City, the following guidelines for the disposition of alienable and disposable public lands in Baguio City suitable for residential purposes are hereby issued for the guidance of all concerned and for the information of public land applicants thereof.

1. A.O. 504 Committee — Pursuant to Administrative Order No. 504, the Committee composed of the Secretary of the Department of Environment and Natural Resources or his authorized representative, as Chairman, and the Director of the Lands Management Bureau and the City Mayor of Baguio, as members, shall have the following duties:
 - a. To screen and evaluate all public land applications for residential purposes in Baguio City;
 - b. To determine the suitability of the area applied for the purpose for which the same is intended, including the qualifications and capability of the applicants to underwrite the project and to put the said land into beneficial use, to preclude the acquisition of such lands by speculators;
 - c. To grant clearance to all public land applications in Baguio City excluding ancestral land claims;
 - d. To monitor compliance by applicants with all legal requirements regarding the construction of the improvements appropriate for the purpose for which the land has been applied for, including payment of the purchase price and all other legal fees.

2. Clearance — The Committee shall grant clearance to public land applications, subject to Republic Act No. 730, and to the following conditions:
 - a. No clearance shall be given over areas within existing reservations established for purposes other than residential purposes;
 - b. Public land applications covering areas with ancestral land claims shall not be evaluated until such ancestral land claims have been resolved;
 - c. A maximum area of ONE THOUSAND (1,000) square meters in all residential sections of the City shall be fixed and should conform with the land use and zoning regulations thereof;
 - d. The list of all applicants for undisputed areas shall be published, together with the areas applied for, and the nature and amount of the proposed investments;
 - e. In case of two or more applications over the same area, preference shall be given to the applicant with greater need, in relation to the more suitable and beneficial land use;
 - f. Where two or more applicants have similar circumstances, the contested area shall be disposed of through public bidding, between and among the said applicants;
 - g. No clearance shall be given to any person who has previously filed a public land application but has conveyed the said land in favor of another whether before or after the patent or title has been issued.
3. Secretariat — The Department of Environment and Natural Resources Regional Office shall comprise the secretariat which will assist the Committee in the performance of its duties.
4. Acceptance and Processing — The Department of Environment and Natural Resources Regional Office shall accept and process all public land applications for residential purposes in Baguio City, in

accordance with the following:

- a. Public land applications, except ancestral land claims, shall be accepted and processed upon prior clearance secured from the Committee;
 - b. The concerned regional and/or community environment and natural resources office of the Department of Environment and Natural Resources shall undertake the processing of the applications and shall conduct the necessary surveys.
5. Survey — To ensure that the scheme of subdivision is strictly followed, the survey of the whole area should be executed at one time and only by a government geodetic engineer or by a private surveyor duly contracted by the government.
 - a. Survey authority or survey order shall be issued only for such area/s earlier cleared by the Committee, except areas covered by ancestral land claims;
 - b. Subject to the availability of funds in the City Treasury, the execution of the survey shall be undertaken by a Lands Management Sector survey team;
 - c. If the Lands Management Sector cannot provide a survey team, the survey may be awarded to a private geodetic engineer through public bidding. The geodetic engineer contracted to execute the survey shall put up a performance bond to ensure the quality and completion of the survey, the amount of which shall not be less than twenty per cent (20%) of the cost of survey;
 - d. Where all applicants of a contiguous area, not less than TEN THOUSAND (10,000) square meters, offer to shoulder the expenses of the survey, such survey authority shall be issued subject to (b) an (c) hereof. No survey shall be conducted involving isolated parcels of land.
6. Conditions — Subdivided lots shall be awarded to the applicants subject to the following conditions:

- a. The applicant-awardee shall plant and maintain trees within the awarded area. The Forest Management Sector of Baguio City shall determine the species, number and location of the trees, which shall be no less than four (4) trees for every one hundred (100) square meters;
- b. No applicant shall be awarded more than ONE THOUSAND (1,000) square meters lot area;
- c. Transferees shall be prohibited from acquiring more than ONE THOUSAND (1,000) square meters lot area, and this condition shall be indicated in the patents/titles to be issued to the applicants awardees;
- d. In no case shall the prohibition against the acquisition of more than ONE THOUSAND (1,000) square meters be revoked within ten (10) years from the date of the original title.

Subject to the provisions of the Public Land Act, this circular takes effect immediately and supersedes all previous Department Orders and policies on land disposition and survey in Baguio City, inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDING APPROVAL:

(Sgd.) ABELARDO G. PALAD, JR.
Director
Lands Management Bureau

MINES SECTOR

**DENR Administrative Order
No.73
August 23, 1988**

**SUBJECT : Suspension of Registration of Mining
Claims and other Applications for
Mining Rights in the Province of
Catanduanes**

In view of the proliferation of gold rush activities in certain areas in the province of Catanduanes, it is imperative to delineate certain areas suitable for said activity.

Pursuant to Section 90 of Presidential Decree No. 463, as amended, and Section 7 of Executive Order No. 192, the registration of mining claims and other application for mining rights in the province of Catanduanes is hereby suspended subject to existing prior rights and immediately commence the delineation of certain area in line with the concept of the People's Mining Program under the proposed bill.

This Order shall take effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No. 85
August 10, 1988**

**SUBJECT : Suspension of Registration of Mining
Claims and Other Application for Mining
Rights in the Municipality of Umingan,
Province of Pangasinan**

In view of the recent discovery of high grade kaolin clay deposits and the proliferation of small-scale or subsistence mining activities in certain areas in the municipality of Umingan, province of Pangasinan, it is imperative to delineate specific area suitable for said activities.

Pursuant to Section 90 of Presidential Decree No. 463, as amended, and Section 7 of Executive Order No. 192, the registration of mining claims and other application for mining rights in areas within the municipality of Umingan, province of Pangasinan bounded by latitude 15° 57' to latitude 15° 59' N and longitude 120° 51' to 120° 53' E. containing an area of one thousand two hundred ninety six (1,296) hectares, more or less is hereby suspended subject to existing prior rights. The aforesaid area is reserved for small scale or subsistence mining in line with the concept of the People's Mining Program under the proposed bill.

This Order shall take effect immediately.

(SGD.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No. 93
December 29, 1988**

**SUBJECT : Suspension of Registration of Mining
Claims and other Applications for
Mining Rights in the Municipality of
Gubat Province of Sorsogon**

In view of the presence of red clay deposit suitable for small scale mining in certain areas in the municipality of Gubat, province of Sorsogon, it is imperative to delineate specific areas suitable for said activity.

Pursuant to Section 90 of Presidential Degree No. 163, as amended, and Section 7 of Executive Order No. 192, the registration of mining claims and other application for mining rights in areas within the municipality of Gubat, province of Sorsogon, particularly at Barangays Boyon, Casiguran bounded by longitude, 124° 02' 30" to 124° 05' 00" and latitude 12° 55' 00" to 12° 57' 00" and at Apparidijon bounded by longitude 124° 06' 00" to 124° 06' 30" and latitude 12° 54' 30" to 12° 56' 00" is hereby suspended subject to existing prior rights. The aforesaid area is reserved for small scale or subsistence mining in line with the concept of the People's Mining Program under the proposed bill.

This Order shall take effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No. 100
December 29, 1988**

**SUBJECT : Transfer of Mining Records on
Mining Rights to the Regional Offices**

In view of the reorganization under Executive Order No. 192 wherein the Mines and Geo-Sciences Bureau was created as a Staff Bureau whose former line functions and powers were transferred to the regional field office, it is necessary that all records on mining rights be transferred to the regional field offices.

The Mines and Geo-Sciences Bureau is hereby ordered to transfer to the respective DENR Regional Offices all records pertinent to mining rights, except those that pertains to Mineral Reservations and cases for recommendation to the Secretary of Environment and Natural Resources.

This Order shall take effect immediately.

(SGD.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Memorandum Order
No. 2
March 10, 1988

**SUBJECT : Geologic and Environmental Surveys to
Segregate Some Portions of the Biak-na
-Bato National Park.**

The Director of Mines and Geo-Science is hereby directed to establish the new boundaries of Biak-na-Bato National Park, segregating the portions for small-scale quarrying. This should be subject to the following policies:

1. The ecological integrity of the historical site, particularly the caves and the underground river, is not compromised by the quarrying operations;
2. A sufficient buffer zone should be provided;
3. A land use scheme for the Park should be formulated; and
4. A regular environmental monitoring plan for the quarrying operations should be set up.

In the performance of this task, the Director of Mines and Geo-Science Bureau is advised to coordinate with the DENR Region 3 and the Protected Areas and Wildlife Bureau.

Expenses for this activity shall be charged to the Maintenance and Operating Expenses (MOE) of the Mines and Geo-Science Bureau.

This Order shall take effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Memorandum Order
No. 6
June 23 1988

**SUBJECT : Report on the Mine Tailings Situation in
Region 1.**

In view of the increasing complaints against the operations of the mining companies situated in the Ilocos Region, the Director of Mines and Geosciences Bureau is hereby directed to submit a report on the mine tailings situation in Region 1.

For your immediate compliance.

(Sgd.) CELSO R. ROQUE
Undersecretary for Environment
and Research

DENR Memorandum Order
No. 11
Oct. 10 1988

TO : The Regional Executive Director,
DENR Region 6, Iloilo City

SUBJECT : Prohibit All Mining Activities in
Boracay Island.

In view of Batas Pambansa No. 265 and relative to our findings that the foreshore areas of Yapak beach is underlain with live corals, you are hereby instructed to immediately cancel/revoke all mining permits and prohibit all mining activities, including the extraction of pebbles, in Boracay Island and its foreshore areas.

Furthermore, you are advised to immediately inform the Philippine Coast Guard Stations in Roxas and Romblon of this action of the Department.

This Order shall take effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

ENVIRONMENT SECTOR

DENR Memorandum Order
NO. 14
Nov. 29, 1988

**SUBJECT : ECOLOGICAL PROFILES FOR
PHILIPPINES CITIES**

The Environment Management Bureau (EMB) is currently undertaking pilot studies on providing ecological profiles for growing Philippines cities. The project will evaluate their environmental quality and provide the ecological basis and guidelines for sound environment planning.

An EMB Multi-disciplinary Project Team, composed of environmental specialists, has been organized for this purpose. It will orient and provide on-the-job training to DENR regional technical staff in undertaking ecological profile studies. In this connection, the DENR Regional Offices are hereby directed to undertake the following:

1. Designate counterpart staff;
2. Coordinate with the local governments and other agencies in obtaining and evaluating the required data;
3. Provide transportation facilities and accommodations for the staff during the conduct to field surveys; and
4. Provide the necessary materials support and facilities needed in the successful implementation of the project.

This order will take effect immediately and will remain in effect for the duration of the project.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

Recommending Approval:

(Sgd.) CELSO R. ROQUE
Undersecretary for Environment and Research

PROTECTED AREAS AND WILDLIFE SECTOR

DENR Administrative Order
No. 41
June 15, 1988

**SUBJECT : Establishment of Mabini PWPA
Municipal Tree Park Located in the
Municipality of Mabini, Province of Davao.**

Pursuant to letter of Instruction No. 1312 dated April 1983, mandating the establishment, development of, and maintenance of the Local Government of Tree Parks all over the Philippines, and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land located in the Municipality of Mabini, Province of Davao, Island of Mindanao is hereby established as Tree Park to be known as Mabini PWPA Municipal Tree Park which as Tree Park is more particularly described as follows:

A parcel of land, situated in the Municipality of Mabini, Province of Davao, beginning to a point marked "1" on the map being: N 25° 57' W, 437.36 meters from BLLM No. 20, Cadastre No. 277;

thence S 67° 07' E, 4.24 meters to corner 2;
thence S 22° 19' E, 16.00 meters to corner 3;
thence S 45° 22' W, 6.70 meters to corner 4;
thence S 19° 21' E, 80.59 meters to corner 5;
thence S 67° 67' E, 6.70 meters to corner 6;
thence S 20° 54' E, 16.00 meters to corner 7;
thence S 24° 05' W, 4.24 meters to corner 8;
thence S 69° 06' W, 136.00 meters to corner 9;
thence N 44° 00' W, 4.25 meters to corner 10;
thence N 01° 00' E, 16.00 meters to corner 11;
thence N 46° 00' E, 6.70 meters to corner 12;
thence N 00° 07' E, 83.90 meters to corner 13;
thence N 44° 00' W, 6.70 meters to corner 14;
thence N 01° 00' E, 16.00 meters to corner 15;
thence N 34° 25' E, 5.01 meters to corner 16;
thence N 67° 41' E, 91.00 meters to corner 1,

the point of beginning, containing an area of approximately 1.4001 hectares. The Municipality concerned shall be responsible for the development maintenance and protection of the Tree Park with the

Regional Executive Director concerned providing necessary technical assistance. All points referred to are indicated on the map and are marked on the ground.

This order takes effect immediately and revokes all previous orders inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY:

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order
No. 42
June 15, 1988

**SUBJECT : ESTABLISHMENT OF BARANGAY
FOREST TREE PARKS LOT NOS. 1 & 2,
LOCATED AT BARANGAY
TINAGACAN, GENERAL SANTOS CITY,
PROVINCE OF SOUTH COTABATO.**

Pursuant to Letter of Instruction No. 1312 dated 23 April 1983, mandating the establishment, development of, and maintenance by, local government of forest tree parks all over the Philippines, and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land located at Barangay Tinagacan, General Santos City, Province of South Cotabato, Island of Mindanao is hereby established Forest Tree Parks to be known as Barangay Tinagacan Forest Tree Parks which are particularly described as follows :

Lot No. 1 - A parcel of land, situated in Barangay Tinagacan, General Santos City, Province of South Cotabato, beginning at a point marked "1" on the map being: N 63° 17' W, 3,685.05 meters from BLLM No. 25, Pls. - 219;

thence N 26° 31' W, 82.00 meters to corner 2;
thence N 72° 55' E, 64.00 meters to corner 3;
thence S 63° 17' E, 82.00 meters to corner 4;
thence S 72° 55' W, 64.00 meters to corner 1, and

Lot No. 2 - A parcel of land, situated in Barangay Tinagacan, General Santos City, Province of South Cotabato, beginning at a point marked "1" on the map being: N 74° 06' E, 60.00 meters from Corner-B of Lot 176, Pls. - 553;

thence N 74° 06' E, 66.00 meters to corner 2;
thence S 21° 00' E, 72.00 meters to corner 3;
thence S 74° 06' W, 66.00 meters to corner 4;
thence N 21° 00' W, 72.00 meters to corner 1,

Lot No. 1, containing an area of approximately 0.5248 hectare and Lot No. 2, containing an area of approximately 0.4752 hectare. The Barangay concerned shall be responsible for the development, maintenance and protection of these forest tree parks, with the Regional Executive Director concerned providing necessary technical assistance. All points referred to are indicated on the map and are marked on the ground.

This Order takes effect immediately and revokes all previous orders inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY :

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order
No. 43
June 15, 1988

**SUBJECT : ESTABLISHMENT OF MUNICIPAL
TREE PARK LOCATED AT THE
MUNICIPALITY OF LINGIG,
PROVINCE OF SURIGAO DEL SUR.**

Pursuant to letter of Instruction No. 1312 dated 23 April 1983, mandating the establishment, development of, and maintenance by, local government of Tree Park all over the Philippines, and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land located in the Municipality of Lingig, Province of Surigao del Sur, Island of Mindanao, is hereby established as Tree Park to be known as Municipal Tree Park which is particularly described as follows:

A parcel of land, situated in the Municipality of Lingig, Province of Surigao del Sur, beginning at a point marked "1" on the map being: N 21° 03.44' W, 54.43 meters from BLLM No. 1, Pls. 514-D;

thence S 89° 48' W, 50.00 meters to corner 2;

thence N 05° 10' W, 104.00 meters to corner 3;

thence N 89° 48' W, 50.00 meters to corner 4;

thence S 05° 10' E, 104.00 meters to corner 1,

the point of beginning, containing an area of approximately 0.520 hectare. The Municipality concerned shall be responsible for the development, maintenance and protection of their Tree Park herein established, with the Regional Executive Director concerned providing necessary technical assistance. All points referred to are indicated on the map and are marked on the ground.

This order takes effect immediately and revokes all previous orders inconsistent herewith.

(Sgd). FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY :

(Sgd.)JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order
No. 44
June 15, 1988

**SUBJECT : ESTABLISHMENT OF MUNICIPAL
FOREST PARK AT POBLACION,
JASAAN, MISAMIS ORIENTAL.**

Pursuant to Letter of Instruction No. 1312 dated 23 April 1983, mandating the establishment, development of, and maintenance by local government of forest or tree parks all over the Philippines and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land located at Jasaan, Misamis Oriental Lot No. 44 situated at Municipality of Jasaan, Province of Misamis Oriental is hereby established as a Forest Park to be known as Jasaan Municipal Forest Tree Park which is more particularly described as follows:

A parcel of land, situated at Municipality of Jasaan, Misamis Oriental beginning at a point marked "1" on the plan N 25° E, 33.00 meters from junction of National Highway and St. Lucas Street, Jasaan, Misamis Oriental;

thence N 25° E, 33.00 meters to corner 2;
thence S 35° E, 31.00 meters to corner 3;
thence Due East, 45.00 meters to corner 4;
thence N 75° E, 65.00 meters to corner 5;
thence S 30° E, 10.00 meters to corner 6;
thence S 60° W, 70.00 meters to corner 7;
thence S 75° W, 68.00 meters to corner 8;
thence N 35° W, 17.00 meters to corner 9;
thence N 27° W, 25.00 meters to corner 1,

to the point of beginning containing an area of approximately .8265 hectares. The Municipal concerned shall be responsible for the development, maintenance, protection of their forest or tree park with the Regional Executive Director concerned providing necessary technical assistance. All points referred to are indicated on the map and are

marked on the around.

This Order takes effect immediately and revoked all previous orders inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDATION BY :

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order
No. 45
June 15, 1988

**SUBJECT : ESTABLISHMENT OF BARANGAY
TREE PARK LOCATED AT BARANGAY
LAGAO, GENERAL SANTOS CITY.**

Pursuant to Letter of Instruction No. 1312 dated 23 April 1983, mandating the establishment, development of, and maintenance by local government of tree parks all over the Philippines, and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcels of land located at Barangay Lagao, General Santos City, Province of South Cotabato, Island of Mindanao is hereby established as Tree Park to be known as Barangay Lagao Tree Park which is more particularly described as followed .

Lot 1, a parcel of land, situated at Barangay Lagao, General Santos City, Province of Cotabato, beginning at a point marked "1" on the map being : N 21° 57' w, 1,137.21 meters from BLLM No. 1, Pls. 209 - D:

thence N 19° 31' E, 48.41 meters to corner 2;
thence S 82° 48' E, 66.08 meters to corner 3;
thence S 67° 16' E, 14.00 meters to corner 4;
thence S 24° 21' W, 66.69 meters to corner 5;
thence N 66° 55' W, 75.37 meters to corner 1;

the point of beginning; and

Lot 2, a parcel of Land, situated at Barangay Lagao, General Santos City, Province of South Cotabato, beginning at a point marked "1" on the map being; identical to corner 4 of Lot 207 - A, Cadastral No. 7205;

thence S 24° 21' W, 66.69 meters to corner 2;
thence N 66° 55' W, 25.50 meters to corner 3;
thence N 24° 21' E, 66.69 meters to corner 4;
thence S 67° 16' E, 22.50 meters to corner 1,

the point of beginning, containing an area of approximately 0.5957 hectare.

The Barangay concerned shall be responsible for the development, maintenance and protection of the Tree Parks with the Regional Executive Director concerned providing necessary technical assistance. All points referred to are indicated on the map and are marked on the ground.

This Order takes effect immediately and revokes all previous orders inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY :

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order
No. 46
June 15, 1988

**SUBJECT : ESTABLISHMENT OF BARANGAY LA PAZ
TREE PARK LOCATED AT BARANGAY
LAPAZ, ZAMBOANGA CITY**

Pursuant to Letter of Instruction 1312 dated 23 April 1983, mandating the establishment, development of, and maintenance by, local government of forest or tree parks all over the Philippines, and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land located inside the Timberland, Block C, Project No. 5-0, LC Map No. 2507, certified on January 29, 1962 at Barangay La Paz, Zamboanga City, Province of Zamboanga del Sur, Island of Mindanao is hereby established as Tree Park to be known as Barangay La Paz Tree Park which is particularly described as follows;

A parcel of land, situated at Barangay La Paz, Zamboanga City, beginning at a point marked "1" on the map which is identical to FZ Cor. No. 4, Project No. 5-1, LC Map 1225, Certified December 11, 1935;

- thence N 70° E, 69.00 meters to corner 2;
- thence N 65° E, 77.00 meters to corner 3;
- thence S 56° E, 178.00 meters to corner 4;
- thence S 88° E, 56.00 meters to corner 5;
- thence S 74° E, 36.00 meters to corner 6;
- thence S 27° E, 435.00 meters to corner 7;
- thence N 63° W, 115.00 meters to corner 8;
- thence N 42° W, 195.00 meters to corner 9;
- thence N 52° W, 215.00 meters to corner 10;
- thence N 55° W, 210.00 meters to corner 1;

the point of beginning, containing an area approximately 8.00 hectares. The Barangay concerned shall be responsible for the development, maintenance and protection of the Tree Park with the Regional Executive

Director concerned providing necessary technical assistance. All points referred to are indicated on the map and are marked on the ground.

This order takes effect immediately and revokes all previous orders inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY:

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order
No. 47
June 15, 1988

**SUBJECT : ESTABLISHMENT OF SAN ISIDRO
BARANGAY FOREST PARK LOCATED
AT SAN ISIDRO, DAMULOG,
BUKIDNON.**

Pursuant to letter of Instruction No. 1312 dated 23 April 1983, mandating the establishment, development of, and maintenance by local government of forest of tree parks all over the Philippines, and upon the recommendation of the Director Protected Areas and Wildlife Bureau, a certain of land located at San Isidro, Damulog, Province of Bukidnon, Island of Mindanao, is hereby established as Forest Tree Park, to be known as San Isidro Barangay Forest Park, which is more particularly described as follows:

A parcel of land, situated in Barangay San Isidro, Municipality of Damulog, Province of Bukidnon, beginning at a point marked "I" on the map being S 64° W, 2,650 meters from the junction of Damulog River and Tinapat Creek:

thence S 14° E, 100 meters to corner 2;

thence N 76° W, 100 meters to corner 3;

thence N 14° E, 100 meters to corner 4;

thence S 76° E, 100 meters to corner 1;

the point of beginning containing an area of approximately one (1.0) hectare more or less: The Barangay concerned shall be responsible for the development maintenance and protection of their forest park herein established, with the Regional Executive Director concerned providing necessary technical assistance. All points referred to are indicated the map and are marked on the ground.

The Order takes effect immediately and revokes all previous orders inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY :

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order
No. 48
June 15, 1988

**SUBJECT : ESTABLISHMENT OF MUNICIPAL
TREE PARK LOCATED AT THE
MUNICIPALITY OF PITOGO,
PROVINCE OF ZAMBOANGA DEL
SUR.**

Pursuant the Letter of Instruction No. 1312 April 1983, mandating the establishment, development of, and maintenance by local government of tree parks all over the Philippines, and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land located at the Municipality of Pitogo, Province of Zamboanga del Sur, Island of Mindanao, is hereby established as Municipal Tree Park to be known as Pitogo Municipal Tree Park, which is more particularly described as follows:

A parcel of land, situated in the Municipality of Pitogo, Province of Zamboanga del Sur, beginning at a point marked "1" on the map being: S 18° E, 268.00 meters from BLLM No. 5, Pls. 250, Municipality of Pitogo, Province of Zamboanga del Sur;

thence S 03° E, 105 meters to corner 2;

thence N 67° E, 240 meters to corner 3;

thence N 25° E, 95 meters to corner 4;

thence S 67° E, 30 meters to corner 5;

thence S 24° W, 20 meters to corner 6;

thence S 66° E, 35 meters to corner 7;

thence N 22° E, 23 meters to corner 8;

thence S 67° E, 125 meters to corner 1,

the point of beginning, containing an area of approximately 2.00 hectares. The Municipality concerned shall be responsible for the development, maintenance and protection of their Tree Park, with the Regional Executive Director providing necessary technical assistance. All points referred to are indicated on the map and are marked on the ground.

This Order takes effect immediately and revokes all previous orders inconsistent herewith.

(Sgd.) FULGENCIO S, FACTORAN, JR.
Secretary

RECOMMENDED BY:

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order
No. 49
June 15,1988

**SUBJECT : ESTABLISHMENT OF BARANGAY
FOREST PARK LOCATED AT
PADADA, DAVAO DEL SUR.**

Pursuant to Letter of Instructor No. 1312 dated 23 April 1983, mandating the establishment, development of, and maintenance by local government of forest or tree parks all over the Philippines, and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land located at the Municipality of Padada, Province of Davao del Sur, Island of Mindanao is hereby established as Forest Park to be known as Padada Municipal Forest Park which is more particularly described as follows:

A parcel of land situated in Poblacion Padada, Davao del Sur, beginning at a point marked "I" on the being S 78° 45' W - 1,927.74meters from BLLM No. 137. Cadastre 257, Sta. Cruz Cadastre:

thence S 86° 40' E; 79.54 meters to corner 2;
thence S 03° 20' W; 100.00 meters to corner 3;
thence S 25° 50' W; 1.53 meters to corner 4;
thence S 70° 50' W; 1.53 meters to corner 5;
thence N 86° 40' W; 176.00 meters to corner 6;
thence N 64° 10' W; 1.53 meters to corner 7;
thence N 19° 10' W; 1.53 meters to corner 8;
thence N 3° 20' E; 100.00 meters to corner 9;
thence S 86° 40' E; 100.46 meters to corner 1,

the point of beginning, containing an area of approximately 1.8358 hectares. The Municipality concerned shall be responsible for the development, maintenance and protection of the Tree Park with the Regional Executive Director concerned providing necessary technical assistance. All points referred to are indicated on the map and are

marked on the ground.

This Order takes effect immediately and revokes all previous order inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY:

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order
No. 50
June 15,1988

SUBJECT : ESTABLISHMENT OF BARANGAY TREE PARK LOCATED AT SITIO SANI, BARANGAY SANTA IRENE, MUNICIPALITY OF PROSPERIDAD, PROVINCE OF AGUSAN DEL SUR.

Pursuant to Letter of Instruction No. 1312 dated 23 April 1983, mandating the establishment, development of, and maintenance by, local government of Tree Parks all over the Philippines, and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land, located at Sitio Sani, Barangay Santa Irene, Municipality of Prosperidad, Province of Agusan del Sur, Island of Mindanao, is hereby established as Tree Park to known as Barangay Irene Tree Park which is more particularly described as follows:

A parcel of land, situated in Sitio Sani, Barangay Santa Irene, Prosperidad, Agusan del Sur, beginning at point marked "1" on the map being: N 14° w, 3,440 meters from the junction of Pongocon and Maog River to corner 1,

- thence N 68° W, 250.00 meters to corner 2;
- thence N 21° E, 200.00 meters to corner 3;
- thence S 68° E, 250.00 meters to corner 4;
- thence S 21° W, 200.00 meters to corner 1,

the point of beginning, containing an area of approximately 5.00 hectares. The Barangay concerned shall be responsible for the development, maintenance and protection of their Tree Park, with the Regional Executive Director providing necessary technical assistance. All points referred to are indicated on the map and are marked on the ground.

This Order takes effect immediately and revokes all previous orders inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY:

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

**DENR Administrative Order
No. 51
June 15, 1988**

**SUBJECT : ESTABLISHMENT OF BARANGAY
TICAO FOREST PARK LOCATED AT
BARANGAY TIGAO, MUNICIPALITY
OF CORTES, PROVINCE OF SURIGAO
DEL SUR.**

Pursuant to Letter of Instruction No. 1312 dated 23 April 1983, mandating the establishment, development of, and maintenance by, local government of forest or tree parks all over the Philippines, and upon the recommendation of the Director, Protected areas and Wildlife Bureau, a certain parcel of land located at Barangay Tigao, Municipality of Cortes, Province of Surigao del Sur, Island of Mindanao is hereby established as Forest Park to be known as Barangay Tigao Forest Park which is more particularly described as follows:

A parcel of Land, situated in Barangay Tigao, Municipality of Cortes, Province of Surigao del Sur, beginning at a point marked "1" on the map being: S 35° 00' W, 270.00 meters from F.Z. Cor. 41. Project No.27, Block 1, Alienable and Disposable, per LC-643, dated March 30, 1927.

thence S 01° E, 26.00 meters to corner 2;

thence N 79° W, 68.00 meters to corner 3;

thence N 01° E, 26.00 meters to corner 4;

thence S 79° E, 68.00 meters to corner 1,

the point of beginning, containing an area of approximately 0.1768 hectares. The barangay concerned shall be responsible for the development, maintenance and protection of the Tree Park with the Regional Executive Director concerned providing necessary technical assistance. All points referred to are indicated on the map and are marked on the ground.

This Order takes effect immediately and revokes all previous orders inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY:

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

**DENR Administrative Order
No. 52
June 15, 1988**

**SUBJECT : ESTABLISHMENT OF BARANGAY
SAN ANTONIO TREE PARK
LOCATED AT BARANGAY SAN
ANTONIO, MUNICIPALITY OF
MADRID, PROVINCE OF SURIGAO DEL
SUR.**

Pursuant to Letter of Instruction No. 1312 dated 23 April 1983, mandating the establishment, development of, and maintenance by local government of tree parks all over the Philippines, and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land located at Barangay San Antonio, Municipality of Madrid, Province of Surigao del Sur, Island of Mindanao, is hereby established as Tree Park which is particularly described as follows:

A parcel of Land, situated at Barangay San Antonio, Municipality of Madrid, Province of Surigao del Sur, beginning at a point marked "1" on the map being : S 75° 24' E, 3,939.56 meters from BLLM No. 1, Cadastral 408;

thence N 49° 20' W, 37.57 meters to corner 2;
thence N 43° 54' E, 17.03 meters to corner 3;
thence N 47° 49' E. 22.51 meters to corner 4;
thence N 47° 00' E, 6.30 meters to corner 5;
thence N 41° 16' E, 16.83 meters to corner 6;
thence N 48° 13' E, 32.04 meters to corner 7;
thence S 49° 11' E, 27.68 meters to corner 8;
thence S 32° 32' W, 32.41 meters to corner 9;
thence S 43° 56' W, 62.14 meters to corner 1,

the point of beginning, containing an area of approximately 0.3310 hectares. The Barangay concerned shall be responsible for the

development, maintenance and protection of their Tree Park with the Regional Executive Director concerned providing necessary technical assistance. All points referred to are indicated on the map and are marked on the ground.

This Order takes effect immediately and revokes all previous orders inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY:

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order
No. 53
Series of 1988

SUBJECT : ESTABLISHMENT OF BARANGAY FOREST PARK LOCATED AT BARANGAY MAHABA MUNICIPALITY OF CABADBARAN, PROVINCE OF AGUSAN DEL NORTE.

Pursuant to Letter of Instruction No. 1312 dated 23 April 1983, mandating the establishment, development of and maintenance by local government of forest or tree-parks all over the Philippines and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land within the timber land under the expired timber license of J.T. Terador situated at Sitio Sumag-a, Barangay Mahaba, Municipality of Cabadbaran, Province of Agusan del Norte, Island of Mindanao, is hereby established as a Forest Tree Park to be known as Mahaba Barangay Forest Tree Park, which is more particularly described as follows:

A parcel of land, situated at Sitio Sumag-a, Barangay Mahaba, Municipality of Cabadbaran, Province of Agusan del Norte beginning at a point marked "1" on the Plan N 43 E about 300 meters from the junction of Cabadbaran River and Ebuan Creek;

- thence N 26° E, 730 meters to corner 2;
- thence Due East 200 meters to corner 3;
- thence S 19° W, 690 meters to corner 4;
- thence Due West 300 meters to corner 5,

a point of the beginning containing an area of approximately fourteen point seventy five (14.75) hectares. The Municipality concerned shall be responsible for the development, maintenance and protection of their forest tree park with the Regional Executive Director concerned providing necessary technical assistance. All points referred to are indicated on the map and are marked on the ground.

This Order takes effect immediately and revokes all previous orders inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY :

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order

No. 54

June 15, 1988

SUBJECT : ESTABLISHMENT OF BARANGAY FOREST PARK LOCATED AT MAIBU, TANTANGAN, SOUTH COTABATO.

Pursuant to Letter of Instruction No. 1312 dated 23 April 1983, mandating the establishment, development of, and maintenance by local government of forest tree parks all over the Philippines, and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land located at Maibu, Municipality of Tantangan, Province of South Cotabato, Island of Mindanao, is hereby established a Forest Park to be known as Maibu Barangay Forest Park, which is more particularly describe as follows:

A parcel of Land, situated in Barangay Maibu, Municipality of Tantangan, Province of South Cotabato, beginning at a point marked "1" on the map being N 65° W, 1,010 meters BLLM No. 1 of Pls-221, Case 2, Barangay New Iloilo, Municipality of South Cotabato.

thence S 34° W, 100.0 meters to corner 2;

thence N 65° W, 100.00 meters to corner 3;

thence N 33° E, 100.0 meters to corner 4;

thence S 64° E, 100.0 meters to corner 1, the point of

beginning containing an area of approximately of One (1.0) hectares more or less. The Barangay concerned shall be responsible for the development, maintenance and protection of their Forest or Tree Park with the Regional Executive Director concerned providing necessary technical assistance. All points referred to are indicated on the map and are marked on the ground.

This order takes effect immediately and revokes all previous order inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY:

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order
No. 55
June 15,1988

**SUBJECT : ESTABLISHMENT OF ARAS-ASAN
BARANGAY FOREST PARK LOCATED
AT ARAS-ASAN. CAGWIT, SURIGAO
DEL SUR.**

Pursuant to Letter of Instruction No. 1312 dated 23 April 1983, mandating the establishment, development of, and maintenance by local government of forest or tree-parks all over the Philippines, and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land located at the Municipality of Cagwit, Province of Surigao del Sur, Island of Mindanao is hereby established as Forest Park/Tree Park to be known as Aras-Asan, Barangay Forest Park which is more particularly described as follows:

A parcel of land, situated in Barangay Aras-Asan, Municipality of Cagwit, Province of Surigao Del Sur, beginning at a point marked "1" on the map being N 47° E, 1,500 meters from the corner 19 Project No. 37, Block 11, Alienable and Disposable lands per LC Map No. 2137, Certified on August 30,1957;

thence N 40° W, 70 meters to corner 2;

thence S 33° W, 145 meters to corner 3;

thence S 40° E, 70 meters to corner 4;

thence N 33° E, 145 meters to corner 1,

the point of beginning containing an area of approximately One Point Zero One (1.01) hectares. The Barangay concerned shall be responsible for the development, maintenance and protection of the Forest Park herein established, with the Regional Executive Director concerned providing necessary technical assistance. All points referred to are indicated on the map and are marked on the ground.

This Order takes effect immediately and revokes all previous orders inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY :

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order
No. 56
June 15,1988

**SUBJECT : ESTABLISHMENT OF BARANGAY
TREE PARK LOCATED AT BARANGAY
LIBERTAD, BUTUAN CITY, PROVINCE
OF AGUSAN DEL NORTE.**

Pusuant to Letter of Instruction of Barangay No. 1312 dated 23 April 1983, mandating the establishment, development of, and maintenance by local government of Tree Parks all over the Philippines, and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land located at Barangay Libertad BLISS Project, Butuan City, Province of Agusan, Island of Mindanao is hereby established as Tree Park to be known as Barangay Libertad Tree Park which is more particularly described as follows:

A parcel of land, situated at Barangay Libertad, Butuan City, Province of Agusan Del Norte, beginning at a point marked "1" on the map being: N 02° W, 1,000.00 meters from the Junctions of Libertad Bridge and Masao River;

- thence S 05° E, 37.00 meters to corner 2;
- thence S 07° W, 30.00 meters to corner 3;
- thence N 60° E, 108.00 meters to corner 4;
- thence N 06° E, 60.00 meters to corner 5;
- thence N 76° W, 174.00 meters to corner 6;
- thence S 27° E, 108.00 meters to corner 1,

the point of beginning, containing on area of approximately 1.28 hectares, the Barangay concerned shall be responsible for the development, maintenance and protection of their Barangay Tree Park with the Regional Executive Director concerned providing necessary technical assistance, All points referred to are indicated on the map and are marked on the ground.

This Order takes effect immediately and revokes all previous order inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY:

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order
No. 57
June 15, 1988

**SUBJECT : Establishment of Barangay Do-ongan
Tree Park Located at Barangay Do-
ongan, Butuan City, Agusan del Norte.**

Pursuant to Letter of Instruction No. 1312 dated 23 April 1983, mandating the establishment, development of, and maintenance by local government of Tree Parks all over the Philippines, and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land located at Barangay Do-ongan Elementary School Campus perimeter area, Butuan City, Province of Agusan del Norte, Island of Mindanao, is hereby established as Tree Park to be known as Barangay Do-ongan Tree Park which is more particularly described as follows:

A parcel of Land situated at Barangay Do-ongan Elementary Ground, Do-ongan, Butuan City, Province of Agusan del Norte, beginning at a point marked "1" on the map being: S 78° E, 1,600.00 meters from the junction of Magsaysay River and Agusan River:

thence Due E, 100.00 meters to corner 2;

thence Due S, 100.00 meters to corner 3;

thence Due W, 100.00 meters to corner 4;

thence Due N, 100.00 meters to corner 1,

the point of beginning, containing an area of approximately 1.00 hectare. The Barangay concerned shall be responsible for the development, maintenance and protection of their Tree Park with the Regional Executive Director providing necessary technical assistance. All points referred to are indicated on the map and are marked on the ground.

This Order takes effect immediately and revokes all previous orders inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY:

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order
No. 58
June 15, 1988

**SUBJECT : Establishment of Barangay Forest Park
Located at Mahayahay, Sibagat, Agusan Del
Sur.**

Pursuant to Letter of Instruction No. 1312 dated 23 April 1983, mandating the establishment, development of, and maintenance by local government of Forest or Tree Parks all over the Philippines, and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land located at Mahayahay, Sibagat, Province of Agusan del Sur, Island of Mindanao is hereby established as Barangay Forest Park to be known as Mahayahay Barangay Forest Park which is more particularly described as follows:

A parcel of land, situated in Barangay Mahayahay, Municipality of Sibagat, Province of Agusan del Sur, beginning at a point marked "1" on the map being N 44° W, 155 meters; S 88° W, 165 meters; N 76° W, 254 meters then start at 1st station,

thence N 70° W, 104 meters to corner 2;
thence N 05° E, 44 meters to corner 3;
thence S 80° E, 103 meters to corner 4;
thence S 45° E, 68 meters to corner 5;
thence S 55° E, 65 meters to corner 6;
thence N 85° E, 115 meters to corner 1,

the point of beginning, containing an area of approximately One Point Two (1.2) hectares more or less. The Barangay concerned shall be responsible for the development, maintenance and protection of their Forest/Tree Park with the Regional Executive Director concerned, providing necessary technical assistance. All points referred to are indicated on the man and are marked on the ground.

This Order takes effect immediately and revokes all previous orders inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY :

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order

No. 59

June 15, 1988

**SUBJECT : ESTABLISHMENT OF MUNICIPAL
FOREST PARK LOCATED AT
BARANGAY DALIRIG, MUNICIPALITY
OF MANOLO FORTICH, PROVINCE
OF BUKIDNON.**

Pursuant to Letter Instruction No. 1312 dated 23 April 1983 mandating the establishment, development of, and maintenance by local government of forest or tree parks all over the Philippines and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land at a portion of timberland Project 6, Block-A per LC Map No. 2049 approved on Nov. 26, 1956 situated at Barangay Dalirig, Municipality of Manolo Fortich, Province of Bukidnon Island of Mindanao, is hereby established as a Forest Park to be known as Manolo Fortich Municipal Forest Park which is more particularly described as follows:

A parcel of land situated in Barangay Dalirig, Municipality of Manolo Fortich, Province of Bukidnon beginning at a point marked "1" on the Plan S 40 W, 135 meters from the Bridge Mangima River;

thence S 70° E, 295 meters to corner 2;
thence S 75° E, 77 meters to corner 3;
thence Due South 310 meters to corner 4;
thence S 70° W, 30 meters to corner 5;
thence N 35° W, 120 meters to corner 6;
thence N 58° W, 140 meters to corner 7;
thence S 60° W, 80 meters to corner 8;
thence N 60° W, 80 meters to corner 9;
thence N 85° W, 40 meters to corner 10;
thence S 70° W, 120 meters to corner 11;
thence N 35° E, 140 meters to corner 12;
thence N 10° E, 120 meters to corner 1,

to the point of beginning containing an area of approximately ten point four (10.4) hectares. The Municipality concerned shall be responsible for the development, maintenance and protection of their forest or tree park

with the Regional Executive Director concerned providing necessary technical assistance. All points referred to are indicated on the map and are marked on the ground.

This Order takes effect immediately and revokes all previous orders inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY :

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order
No. 60
June 15, 1988

**SUBJECT : Establishment of Barangay Forest
Park Located at Guihing, Hagonoy,
Davao del Sur.**

Pursuant to the Letter of Instruction No. 1312 dated 23 April 1983 mandating the establishment, development of, and maintenance by local government of forest or tree parks all over the Philippines, and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land located at Guihing, Barangay, Province of Davao del Sur, Island of Mindanao is hereby established as Forest Park to be known as Guihing Barangay Forest Park which is more particularly described as follows:

A parcel of land, situated in the Barangay of Guihing, Municipality of Hagonoy, Province of Davao del Sur, beginning at a point marked "1" on the map being N 16° 38' W, 4,497.70 meters from BLLM No. 133, Cad. 275, Sta. Cruz Cadastre;

thence S 03° 24'W; 26.18 meters to corner 2;
thence S 88° 02'W; 39.21 meters to corner 3;
thence N 69° 01'W; 1.51 meters to corner 4;
thence N 23° 07'W; 1.51 meters to corner 5;
thence N 00° 10'W; 46.00 meters to corner 6;
thence N 21° 48'E; 1.55 meters to corner 7;
thence N 66° 04'E; 155.00 meters to corner 8;
thence N 88° 02'E; 42.28 meters to corner 9;
thence S 03° 19'W; 25.00 meters to corner 1,

the point of beginning, containing an area of approximately 2,134 square meters more or less. The Barangay concerned shall be responsible for the development maintenance and protection of their Forest or Tree Park with the Regional Executive Director concerned providing necessary technical assistance. All points referred to are indicated on the map and are marked on the ground.

This Order takes effect immediately and revokes all previous orders inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY:

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order
No. 61
June 15, 1988

**SUBJECT : ESTABLISHMENT OF MUNICIPAL
FOREST PARK LOCATED AT THE
MUNICIPALITY OF TAMPAKAN,
PROVINCE OF SOUTH COTABATO.**

Pusuant to Letter of Instruction No. 1312 dated 23 April 1983, mandating the establishment, development of, and maintenance by local government of forest or tree parks all over the Philippines, and upon the recommendation of the Director, Protected Areas and Wildlife Bureau, a certain parcel of land located at the Municipal Plaza of the Municipality of Tampakan, Province of South Cotabato, Island of Mindanao is hereby established as Forest Park to be known as Tampakan Municipal Forest Park which is more particularly discribed as follows:

Lot No. 1-A parcel of land, situated in the Municipality of Tampakan, Province of South Cotabato, beginning at a point marked "1" on the map being S 79° W; 6,240 meters from BLIM No. 1 of Barangay Liberty, Municipality of Tampakan, Province of South Cotabato.

thence N 83° W; 132.50 meters to corner 2;
thence N 09° E; 109.00 meters to corner 3;
thence S 83° E; 132.00 meters to corner 4;
thence S 10° W; 110.00 meters to corner 1,

the point of beginning.

Lot No. 2-A parcel of land situated in the Municipality of Tampakan, Prvince of South Cotabato, beginning at a point marked "1" on the map being N 83° W; 60.00 meters from corner 2 of lot No. 1 of Barangay Liberty, Municipality of Tampakan, Province of South Cotabato;

thence N 83° W; 132.50 meters to corner 2;
thence N 09° E; 109.00 meters to corner 3;
thence S 83° E; 132.00 meters to corner 4;
thence S 10° W; 110.00 meters to corner 1;

the point of beginning.

Lot No. 1 and Lot No. 2, contains an area of approximately one (1) hectare each (more or less). The Municipality concerned shall be responsible for the development, maintenance and protection of the forest or tree park, with the Regional Executive Director concerned providing necessary technical assistance. All points referred to are indicated on the map and are marked on the ground.

This Order takes effect immediately and revokes all previous order inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDED BY :

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

DENR Administrative Order
No. 90
Nov. 22, 1988

**SUBJECT : Allowable Quota for Certain WildlifeSpecies
That may be Collected from the Wild under a
Wildlife Permit for Commercial Purposes**

Pursuant to the provisions of Act No. 2590 as amended, Presidential Decree No. 705 as amended, and Executive Order No. 192 dated June 10, 1987, and in consonance with the sustainable resource development policy of the Department, and to effectively protect the endangered, rare and threatened Philippine wildlife, and support the covenants of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the following allowable quota by species for collection from the wild under a wildlife permit for commercial purposes are hereby established and promulgated for the information and guidance of all concerned.

CLASS AVES (Birds)	SCIENTIFIC NAME	Quota
Order Galliformes		
Family Phasianidae		
Painted quail	<u>Coturnix chinensis</u> <u>lineata</u>	150
Family Turnicidae		
Barred button quail	<u>Turnix suscitator</u>	50
Stripped button quail	<u>Turnix sylvatica</u>	150
<u>Order Gruiformes</u>		
Family Rallidae		
Banded rail	<u>Rallus philippensis</u> <u>philippensis</u>	100
Plain swampphen	<u>Amourornis olivaceous</u> <u>olivaceous</u>	100
Order Columbiformes		
Family Columbidae		
Amethyst brown fruit dove	<u>Phapitreron</u>	

	<u>amethystina</u>	25
Dwarf turtle dove	<u>Streptopelia</u> <u>tranquebarica</u>	25
Green winged ground dove	<u>Chalcophaps indica</u> <u>Indica</u>	100
Philippine turtle Dove	<u>Streptopelia</u> <u>Bitorquata</u>	25
Pink-necked green pigeon	<u>Treron vernans</u> <u>vernans</u>	25
Slender-billed cuckoo Dove	<u>Macropygia</u> <u>Phasianella</u>	50
White-eared brown fruit dove	<u>Phapitreron leucotis</u>	100 100
Zebra dove	<u>Geopelia striata</u> <u>striata</u>	25
<u>Order Psittaciformes</u>		
Family Psittacidae		150
Philippine cockatoo	<u>Kakatoe haematuropygia</u>	
Philippine hanging Parakeet	<u>Loriculus philippensis</u>	100
<u>Order Cuculiformes</u>		100
Family Cuculidae		
Brushcuckoo	<u>Cacomantis variolosus</u>	
Plaintive cuckoo	<u>Cacomantis merulinus</u> <u>merulinus</u>	
<u>Order Coraciiformes</u>		
Family Alcedinidae		
White-collared kingfisher	<u>Halcyon chloris</u> <u>collaris</u>	100
Family Meropidae		
Blue tailed bee-eater	<u>Merops philippinus</u>	

	<u>Philippinus</u>	100
Chestnut-headed bee-eater	<u>Merops viridis</u> <u>americanus</u>	
<u>Family Oriolidae</u>		
Black-naped oriole	<u>Oriolus chinensis</u> chinensis	10
<u>Family Muscicapidae</u>		
Black-naped monarch	<u>Hypothymis azurea</u>	100
<u>Family Sturnidae</u>		
Crested myna	<u>Acridotheres</u> <u>Cristatellus</u>	50
Philippine glossy starling	<u>Aplonis panayensis</u> <u>Panayensis</u>	500
<u>Family Zosteropidae</u>		
Philippine white-eye	<u>Zosterops meyeri</u>	100
Yellow white-eye	<u>Zosterops migrorum</u>	50
<u>Family Ploceidae</u>		
Tree sparrow	<u>Passer montanus</u>	40,000
<u>Family Estrildidae</u>		
Chestnut mannikin	<u>Lonchura malacca</u>	40,000
Dusky mannikin	<u>Lonchura fuscans</u>	250
Green-faced parrot Finch	<u>Erythrura</u> <u>Viridifacies</u>	100
Java sparrow	<u>Padda oryzivora</u>	10,000
Green-tailed parrot Finch	<u>Erythrura</u> <u>hyperythra</u>	25
Nutmeg-mannikin	<u>Lonchura punctulata c.</u>	700
Red amadavat	<u>Amandaya amandaya</u>	500
White-breasted mannikin	<u>Lonchura leucogastra</u>	3,000
Class Mammalia (Mammals)		
Order Primates		
Philippine monkey	<u>Macaca fascicularis</u>	10,000
Order Rodentia		
Bushy-tailed cloud rat	<u>Crateromys schadenbergi</u>	20

Class Reptilia (Reptiles)

Gecko	<u>Gecko Gecko</u>	1,000
Land turtles	<u>Cyclemys sp</u>	50
Monitor lizard	<u>Varaus salvator</u>	500

This quota shall be remain in force from the approval of this Order until December 31, 1989. Wildlife quotas and the list of species allowable for the succeeding years shall be periodically updated based on the recommendations of the Philippine Scientific and Management Authorities for CITES through population census/surveys and according to the success of wildlife breeding programs.

Previous orders and circulars inconsistent herewith are hereby revoked.

This Order shall take effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Administrative Order
No. 96
Dec. 19, 1988

**SUBJECT : Policies on the Allocation of Quota
On Wildlife**

Pursuant to the Provisions of Republic Act. No. 2590, as amended; Presidential Decree No. 705, as amended; and Executive Order No. 192, dated 10 June 1987; and in line with the government's policy in the sustainable use and equitable distribution of the country's natural resources, particularly wildlife; and cognizant of the importance of protecting and conserving rare, endangered, threatened, and economically important Philippine flora and fauna listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); the following policies and guidelines on the allocation of wildlife quota are hereby established and promulgated for the information and guidance of all concerned.

I. General Policy

Starting in 1990, there shall be a gradual phase-out in the collection and exportation of fauna from the wild. The schedule for the reduction and total phase-out shall be:

- A. Avian Species — starting in 1990 and in every succeeding year, a 10% national quota reduction shall be imposed until its final phase-out in 1994.
- B. Herpetiles — starting in 1990 and in every succeeding year, a 10% national quota reduction shall be imposed until its final phase-out in 1994.
- C. Mammals — starting in 1990 and in every succeeding year, a 20% national quota reduction shall be imposed until its final phase-out in 1994.
- D. Invertebrates — starting in 1990 and in every succeeding year, a 15% national quota reduction shall be imposed until its final phase-out in 1994.

II. Policy on the Allocation of Quota.

The quota for 1988 shall be allocated only to qualified applicants under the category of renewal and determined on the basis of the permittee's past collection and export performance and operation and management capability. For the succeeding years, the quota shall be allocated as determined by a Committee, composed of experts from the DENR, Academe, non-governmental organizations, and a representative from the wildlife exporter group, which shall assess and evaluate the capability of the applicant for sustainable breeding of the various species in captivity.

To further implement the above policies, the following guidelines shall be adopted:

- A. All applicants for wildlife collectors and breeding farm permits shall be accompanied by:
 - 1. A detailed wildlife captive-breeding program;
 - 2. Details of the farm facilities, such as water and electrical facilities, holding cages and their capacities;
 - 3. Proof of scientific expertise and management capability;
 - 4. Statement showing financial capability to go into breeding; and
 - 5. Environmental Impact Assessment (EIA) clearance from the Environmental Management Bureau (EMB) of this Department.
- B. All wildlife collector's and export's permits issued in 1988 shall expire on 15 February 1989.
- C. The schedule for filing wildlife collector's and breeding farm permits for commercial purposes shall be from 15 December to 15 January of the following year; while the processing and evaluation of such applications shall be from 15 January to 15 February. Hence, all permits shall be made effective 16 February and to expire on 15 February of the following year.
- D. Applications for gratuitous permits to establish zoological and botanical farms and to collect limited numbers of wild flora and fauna could be filed anytime of the year by institutions and/or

individuals engaged in research and/or educational projects.

- E. All breeders, progenies, and wildlife collections for export shall bear the official code prescribed by the Protected Areas and Wildlife Bureau (PAWB) of this Department.
- F. All progenies shall be reported to the DENR two (2) weeks after birth in the case of vertebrates and one (1) day after the start of the pupal stage, or its equivalent, for invertebrates.
- G. For invertebrates, 10% of the progenies shall be retained as new breeders, or for release back into the wild. However, to maintain the quality of progenies of both vertebrates and invertebrates, new breeders from the wild shall be allowed for collection upon request and as may be determined appropriate by the DENR.
- H. The quota for new breeders shall be allocated and determined by the aforesaid Committee.
- I. Upon the termination/expiry of a permit, an inventory of the remaining stocks shall immediately be conducted by the PAWB/DENR for accreditation purposes.

This Order supersedes and amends other pertinent provisions of any previous order(s) and/or instruction(s) which are inconsistent herewith.

This Order takes effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Memorandum Order

No. 13 :

Nov. 08 1988

**TO : ALL REGIONAL EXECUTIVE
DIRECTORS AND OFFICERS
CONCERNED**

**SUBJECT : Establishment of Forest/Tree Parks in
Cities, Municipalities and Barangays
Throughout the Country Per LOI 1312.**

Pursuant to Letter of Instructions No. 1312, issued on 23 April 1983, mandating the establishment, development and maintenance of Forest/Tree Parks all over the Philippines, the following instructions/guidelines are hereby issued for your guidelines and immediate compliance.

1. You are hereby instructed to reconfer with all city and municipal mayors and barangay chairman within your jurisdiction in order to further identify, locate and/or delineate priority sites/areas on said cities, municipalities and barangays for development into Forest/Tree Parks.
2. The Forest/Tree Parks referred to herein shall be located in lands owned by the city, municipality and/or barangay concerned which are open or denuded and are near or accessible to the said instrumentalities. In the absence of available lands for development, the same may be located in school grounds, plazas, roadsides, river basements, along beaches or idle private lands, with the consent of the owner thereof. Whenever possible, also allocate from lands of the public domain, appropriate areas and sites for such purposes, whereby the cities, municipalities or barangays adjacent to this public forest lands may avail of portions of same for the establishment of their forest/tree parks; if vacant and available.
3. Every barangay and municipality or city shall establish, develop and maintain forest/tree parks of such size and number as the circumstances may warrant, but in no case will it be less than one such park for every barangay, municipality or city. In the case of urban areas, the municipal or city government shall provide

forest/tree parks in suitable and accessible areas for several barangays who shall jointly participate in establishing the project.

4. The minimum area for forest/tree park development shall not be less than two (2) hectares for the municipality or city and one (1) hectares for the barangay which shall be, as much as possible, a continuous one. If there is no compact area available, two or three parcels may compose a forest/tree parks provided all the parcels are located within the jurisdiction of the municipality, city or barangay concerned.
5. As soon as the site is selected, the survey, and demarcation of boundaries shall immediately be undertaken. A report thereof should be prepared together with a sketch of the project area, describing the site so selected. A location map of same should also be indicated in said sketch. For uniformity, the sketch map of the subject area should be drawn on scale of 1:500 on a tracing paper, size of which should approximate that of a coupon bond paper. (Please see enclosed sample copies).

In addition thereto, if the subject area falls within a public forest, a certification should be enclosed thereon stating that the subject area is not in conflict with any existing/proposed government reforestation projects, reservations, special permits/leases, timber concession areas, etc. In the case of areas within titled lands or A or D areas, a waiver from the owner of the land must be secured. (Please see sample copies).

The corresponding Administrative Order and the sketch shall be approved by the Regional Executive Directors concerned, copies of which together with the survey report on the area, should be forwarded to this Office, thru the Protected Areas and Wildlife Bureau, for information and record purposes.

6. The tree planting activities within the identified forest/tree park areas shall be undertaken by the city, municipal and barangay residents for the purpose of establishing a permanent forest cover therein in order to enhance beauty and improve the ecosystems of the said communities, provide populace with healthy and wholesome places for rest and recreation and to increase awareness of the people of the need to protect our forest. Whenever feasible, mini-zoos shall be put in said forest/tree parks to infuse to the citizens the importance of conserving the wildlife. Relative thereto, trapping, catching and/or

disturbing of birds of any kind must not be allowed within the park.

7. Likewise, no harvesting or cutting of trees shall be allowed in these forest/trees except when necessary to beautify and improve the stand, or when such cutting is done to eliminate danger to the lives and limbs of the residents therein.
8. The cities, municipalities and barangay concerned shall be responsible for the establishment, maintenance and protection of their forest/tree parks with the Regional Executive Directors and his field Officers concerned providing seedlings and technical assistance in the development, care and protection of said forest/tree parks.
9. Supervision on the establishment and development of the forest/tree parks shall be jointly exercised by the Department of Environment and Natural Resources and the Department of Local Government and Community Development. Proper consultation and cooperation by and among the said agencies must therefore be attained in all levels in order to effectively accomplish this project.
10. The Reforestation and Protected Areas and Wildlife Units of the DENR field offices shall be responsible for the coordination and monitoring of said activities under this project.
11. These instructions/guidelines shall supplement the guidelines previously issued on this matter.
12. This Order takes effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

RECOMMENDING APPROVAL:

(Sgd.) JESUS B. ALVAREZ, JR.
Director
Protected Areas and Wildlife Bureau

ADMINISTRATIVE SECTOR

**DENR Administrative Order
No. 01
Jan. 13, 1988**

**SUBJECT : Implementing Guidelines for the
Reorganization of the Department of
Environment and Natural Resources
Pursuant to Executive Order No. 192.**

Pursuant to Executive Order No.192 reorganizing the Department of Natural Resources to the Department of Environment and Natural Resources (DENR), the following Implementing Guidelines are hereby promulgated to implement its intent in pooling all government agencies concerned with environment and natural resources into one organizational unit that shall provide efficient and effective managerial, scientific and technical expertise in the development and protection of the country's environment and natural resources.

SECTION 1 - MANDATE

The Department is the primary government agency responsible for the conservation, management, development and proper use of the country's environment and natural resources as well as the licensing and regulation of all natural resources as may be provided by law in order to ensure equitable sharing of the benefits derived therefrom for the welfare of the present and future generations of the Filipinos.

SECTION 2 - OBJECTIVES

To accomplish its mandate, the DENR shall be guided by the following objectives that shall serve as bases for formulating policies and programs in delivering services.

- 2.1 Assure the availability and sustainability of the country's natural resources through judicious use and their systematic restoration or replacement, whenever possible;
- 2.2 Increase the productivity of natural resources in order to meet the demands for forest, mineral and land resources of a growing population in a manner consistent with environmental protection and enhancement.

- 2.3 Enhance the contribution of natural resources towards the achievement of national economic, political and social development, and ecological integrity;
- 2.4 Promote equitable access natural resources by the different sectors of the population;
- 2.5 Maintain a desirable level of environmental quality;
- 2.6 Conserve specific terrestrial and marine areas representative of the Philippine natural and cultural heritage for the present and future generations.

SECTION 3 - ORGANIZATIONAL PHILOSOPHY

The DENR shall carry out its mandate by adhering to the highest standards of public service. For the DENR to take the lead in managing the country's environment and natural resources, its organizational units shall adhere to the principles of cohesiveness and complementation to deliver the required services, practicing high professional ethics, moral values and dedication to service.

SECTION 4 - ORGANIZATIONAL STRUCTURE

The organizational structure of the DENR shall consist of the different offices and attached agencies as shown in Appendix I. The Chief Executive Officer of the DENR is the Secretary who has the authority and responsibility to carry out the mandates of the Department, discharge its powers, authorities and functions and accomplish its objectives. The Secretary shall be assisted by five (5) Undersecretaries, seven (7) Assistant Secretaries and other officers in the discharge of his functions.

The different organizational subdivisions and their major functional responsibilities are as follows:

4.1 OFFICE OF THE SECRETARY

4.1.1 SPECIAL CONCERNS OFFICE

The Special Concerns Office shall handle priority areas/subjects identified by the Secretary which necessitate

special and immediate attention. This office shall be composed of the following divisions:

4.1.1.1 Socio-Political and Economic Studies Division.

The Socio-Political and Economic Studies Division shall conduct special studies focusing on the social, political and economic impact/implications/ consequences of the policies, plans, programs, projects and activities of the other units of the Department; provide staff support on ad hoc studies on current issues which directly affect the Department and its clientele and perform other related functions that may be assigned by higher authority.

4.1.1.2 Special Actions and Investigation Division

The Special Actions and Investigation Division shall conduct special and immediate operations as directed by the Secretary as well as undertake special investigations and/or missions for the Secretary and/or the Director in response to complaints arising from non-compliance with or non-enforcement of laws, rules and regulations either by DENR personnel, individuals or groups of people involved in DENR activities. It shall, in coordination with appropriate DENR Legal offices, pursue the filing of appropriate criminal and/or administrative cases as called for and perform other related functions that may be assigned by higher authority.

4.1.1.3 Indigenous Community Affairs Division.

The Indigenous Community Affairs Division shall be responsible for advising the Secretary and the Director on policies, programs and thrusts of the Department relative to indigenous cultural communities. It shall provide support and assistance to specific and special tribal groups in response to requests, demands, plans and programs affecting these communities; monitor on-going projects and evaluate proposed programs in these communities; act on complaints and petitions filed by

members of these communities and shall field investigation teams to the areas concerned, in coordination with the field Operations and perform other related functions that may be assigned by higher authority.

4.1.2 **PUBLIC AFFAIRS OFFICE**

The Public Affairs Office shall serve as the public information arm of the Department and shall be responsible for disseminating information on environment and natural resources development policies, plans, programs and projects, and respond to public queries on these concerns. This office shall be composed mainly of the following divisions:

4.1.2.1 Research and Development Communication Division

The Research and Development Communication Division shall coordinate the implementation of development communication activities of the department; produce and disseminate appropriate print and audio-visual materials including farm-and-school-on-the-air radio programs; provide information assistance in the implementation of special projects, events and assignments; conduct communications research, surveys and studies designed to improve information management by the Department; prepare, develop and recommend policies and guidelines on communication, media relations, development communication and other related activities; coordinate and supervise the planning and implementation of all communication activities of the DENR, its Bureaus and Field Operations, as well as those of the attached agencies. It shall also provide archiving and library services and perform other related functions that may be assigned by higher authority.

4.1.2.1 Public Information Division.

The Public Information Division shall prepare all public statements of the Secretary, except for speeches;

coordinate or manage all public appearances of the Secretary and other key officials; set up and manage DENR's nation-wide media relations network and related activities; and disseminate and provide access to information of general interest, and perform other related functions that may be assigned by higher authority.

4.1.3 **POLLUTION ADJUDICATION BOARD.**

The Pollution Adjudication Board shall assume the powers and functions of the National Pollution Control Commission with respect to the adjudication of pollution cases under Republic Act No. 3931 and Presidential Decree No. 984.

The Board shall be composed of the Secretary as Chairman, two (2) Undersecretaries as may be designated by the Secretary, the Director of the Environmental Management Bureau and three (3) others to be designated by the DENR Secretary as members. It shall have a Secretary who shall be designated by the Board.

4.2 **OFFICE OF THE UNDERSECRETARIES**

4.2.1 **NATURAL RESOURCES MANAGEMENT OFFICE.**

The Natural Resources Management Office shall be headed by an Undersecretary who shall assist and advise the Secretary on the promulgation of all office orders, rules and regulations related to natural resources management and development; recommend policies and standards for effective and efficient natural resources management operation of the Department, consistent with national programs related to natural resources; exercise supervision and control over the functions and activities of the bureaus and offices in the Department with regard to natural resources concerns, as may be delegated by the Secretary, and perform other related functions that the Secretary may assign. This office shall exercise supervision over the following staff bureaus:

4.2.1.1 **FOREST MANAGEMENT BUREAU**

The Forest Management Bureau shall be responsible for formulating and recommending policies and/or programs for the

effective protection, development, occupancy, management and conservation of forest lands and watersheds; advising the Field Operations on the implementation of the above policies and/or programs; developing plans, programs, operating standards and administrative measures to promote effectiveness in forest management and assisting in the monitoring and evaluation of forestry and watershed development projects. It shall advise the Secretary, through the Undersecretary for Natural Resources Management on matters involving forest development and conservation.

The Forest Management Bureau shall be composed of the following division:

4.2.1.1.1 Reforestation Division

The Reforestation Division shall be responsible for formulating and recommending policies and guidelines for the identification, establishment, development, maintenance and protection of all reforestation areas including industrial forest plantations; developing the national reforestation plans and programs in and recommending policies and guidelines for the conduct of forest tree improvement programs and soil analyses. It shall develop guidelines and criteria for the evaluation of reforestation projects; recommend policies and guidelines for active public participation in reforestation and perform other related functions that may be assigned by higher authority.

4.2.1.1.2 Natural Forest Management Division.

The Natural Forest Management Division shall be responsible for formulating and recommending policies and guidelines for the management, development, utilization and protection of the natural forests; developing guidelines for the preparation, implementation and evaluation of forest management plans; formulating guidelines in the issuance of forest licenses, leases or permits except grazing, wildlife and forest occupancy leases or permits; preparing policies and guidelines for

the establishment of forest products processing plants; providing guidelines for the conduct of Timber Stand Improvement (TSI) and other silvicultural practices. It shall recommend policies and guidelines in the inventory of forest resources and maintain timber and non-timber data banks; recommend guidelines and criteria for the performance evaluation of forest users; recommend standards for the classification, measurement, grading and assessment of forest products; develop guidelines for equitable access to the utilization of forest resources; and perform other related functions that may be assigned by higher authority.

4.2.1.1.3 Social Forestry Division

The Social Forestry Division shall be responsible for formulating and recommending policies and guidelines for the establishment, development and maintenance of social forestry and other community-based upland development projects and activities; recommending guidelines for the issuance of Certificates of Stewardship Contracts (CSC), Communal Forest Leases (CFL) and other forest land tenurial arrangements and recommending guidelines for packaging and disseminating appropriate agroforestry/forestry technologies and other livelihood enterprises for upland communities. It shall design strategies to promote people's participation in the implementation of upland development programs and projects; recommend and develop guidelines and criteria for the evaluation of the Integrated Social Forestry (ISF) Program and other upland development projects and perform other related functions that may be assigned by higher authority.

4.2.1.1.4 Forestland Uses Division

The Forestland Uses Division shall be responsible for formulating and recommending policies and guidelines for the proper conservation, management and protection of range land;

recommending policies and programs for effective sub-classification of forestlands, issuance of permits, preparation of development plans for grazing, industrial forest plantation, tree farms, agro-forest farms and other special uses and for the establishment and maintenance of forest seed production areas. It shall recommend guidelines for the evaluation of performance of range, industrial forest plantation, tree farm, agro-forest farm and other special use lessees and permittees and perform other related functions that may be assigned by higher authority.

4.2.1.1.5 Forest Economics Division

The Forest Economics Division shall undertake studies on the economics of forestry and forest-based industries, including supply and demand trends on the local, national and international levels; identify investment problems and opportunities in various areas; maintain a forest resources data bank; identify critical areas for development and new technologies that could be acquired/transferred and perform other related functions that may be assigned by higher authority.

4.2.1.1.6 Planning and Project Management Services Division

The Planning and Project Management Services Division shall be responsible for developing guidelines for the preparation of short/medium/long-term development plans and projects following the principle of multiple-use and sustained yield forest management; developing and recommending standard for the evaluation of forestry development projects and performance of forest users. It shall provide assistance to Field Operations in the preparation and evaluation of operations plans and projects in forest management and perform other related functions that may assigned by higher authority.

4.2.1.1.7 Legal Division

In close coordination with the Legal Affairs and Management Services Office, the Legal Division shall provide legal counsel and assistance concerning the interpretation, application and/or promulgation of forest resources development laws, rules and regulations; appear in courts and administrative bodies in behalf of the Secretary and/or Director, and other personnel of the Department and/or Bureau in cases arising from the lawful discharge of, or cases related to, the functions of their office; assist the regional legal divisions in resolving complex legal problems involving forestry matters; recommend, in coordination with other organizational units of the Department, the formulation of, and amendments to policies, laws, rules and regulation and perform other related functions that may be assigned by higher authority.

4.2.1.1.8 Finance Division : Administrative Division

The Forest Management Bureau shall maintain a Finance Division and an Administrative Division, the staffing of which shall be limited but sufficient to service the financial and administrative support needs of the Bureau. These divisions shall operate in close coordination with the Legal Affairs and Management Services Office.

4.2.1.2 Land Management Bureau.

The Land Management Bureau shall be responsible for formulating and recommending policies and programs for efficient and effective administration, survey, management and disposition of alienable or disposable lands of the public domain and other lands outside the responsibility of other government agencies. It shall advise the Field Operations on the efficient and effective implementation of policies, programs and projects for more effective public lands management and issue standards, guidelines, regulations and orders towards the optimal development and utilization of land resources. It shall advise the Secretary, through the Undersecretary for Natural Resources Management, on matters involving land management and implementation of the Public Land Act.

The Land Management Bureau shall be composed of the following divisions:

4.2.1.2.1 Geodetic Surveys Division

The Geodetic Surveys Division shall be responsible for developing and recommending standards, techniques, methods and procedures of executing and approving land surveys; establishing and maintaining survey control network systems to ensure accuracy of land surveys. It shall study, develop and recommend technical plans and programs for survey activities and follow-up current developments on survey records and techniques; undertake continuous review and revision of the manual of land survey in the Philippines; publish technical papers and perform other functions that may be assigned by higher authority.

4.2.1.2.2 Land Utilization and Disposition Division

The Land Utilization and Disposition Division shall be responsible for formulating and recommending policies and programs for the sound management and disposition of alienable lands of the public domain, friar lands and other private lands under the administration of the Department of Environment and Natural Resources, as well as guidelines on land use and classification and in performing other functions that may be assigned by higher authority.

4.2.1.2.3 Legal Division

In close coordination with the Legal Affairs and Management Services Office, the Legal Division shall be responsible for providing legal advise and assistance concerning the interpretation, application and promulgation of public land laws, rules and regulations; appearing in courts and administrative bodies in behalf of the Secretary or the Director and other personnel of the Bureau in cases arising from the lawful discharge of, or

cases related to, the functions of their office; studying and recommending new policies or legislative proposals on public land management and performing other functions that may be assigned by higher authority.

4.2.1.2.4 Records Management Division

The Records Management Division shall take charge of the custody and management of all central records and basic data and maps of all private and public lands surveyed and assist the Field Operations in setting up sound records management systems for land records, survey data and maps and of all disposable or alienable lands and perform other related functions that may be assigned by higher authority.

4.2.1.2.5 Planning & Project Management Services Division

The Planning and Project Management Services Division shall assist in the formulation of land management plans and programs; packaging developmental projects on land use and management; monitoring and evaluation of activities relating to land surveys and management of alienable or disposable public lands and other lands of the government not placed under the control or jurisdiction or administration of any other government agency and perform other related functions that may be assigned by higher authority.

4.2.1.2.6 Finance Division : Administrative Division

The Land Management Bureau shall maintain a Finance Division and an Administrative Division, the staffing of which shall be limited but sufficient to service the financial and administrative support needs of the Bureau. These divisions shall operate in close coordination with the Legal Affairs and Management Services Office.

4.2.1.3 MINES AND GEO-SCIENCES BUREAU

The Mines and Geo-Sciences Bureau shall be responsible for formulating and recommending policies, regulations and programs pertaining to mineral resources development and geology; advising the Secretary thru the Undersecretary for Natural Resources on the granting of mining rights and contracts over areas containing metallic and non-metallic natural resources; advising the Field Operations on the effective implementation of mineral development and conservation programs as well as geological surveys. It shall develop and formulate standards and operating procedures on mineral resources development and geology.

The Mines and Geo-Sciences Bureau shall be composed of the following divisions:

4.2.1.3.1 Lands Geology Division

The Lands Geology Division shall be responsible for formulating and recommending policies, programs and projects relative to the conduct of basic geological surveys on an inter-regional and national scale; assisting the various offices in the generation of synthesized geologic, tectonic, metallogenic, large-scale geologic, geo-hazard, hydrogeologic, geochemical maps, data and reports on a regional and national scale and in providing the same to various end-users; developing and updating national geological standards and nomenclatures, techniques and procedures in the conduct of basic geological surveys, including the packaging of the technology and outputs thereof. It shall coordinate with foreign organizations in the formulation and conduct of interregional, and international geological research activities; maintain and operate a petrological, mineralogical, geochronological, and petrochemical laboratory; conduct interregional and international geological research activities and perform other related functions that may be assigned by higher authority.

4.2.1.3.2 Mines Technology Division

The Mines Technology Division shall undertake exploration of mineral deposits; conduct economic evaluation mining project; develop and package mining technologies, including the provision of mining technology services; formulate a national mine scheduling program; apply geostastical techniques in the estimation of reserves and perform other related functions that may be assigned by higher authority.

4.2.1.3.3 Metallurgical Technology Division

The Metallurgical Technology Division shall be responsible for developing metallurgical processes and methods of extracting minerals, metals and other usable materials from ore samples. It shall assist the Field Operations and the general public in their analytical and metallurgical requirements and perform other related functions that may be assigned by higher authority.

4.2.1.3.4 Marine Geological Division

The Marine Geological Division shall be responsible for conducting marine geological/geophysical surveys, marine mineral resource exploration, assessment, classification/inventory of Philippine marine environment. It shall operate and maintain the bureau's marine survey vessels.

4.2.1.3.5 Mineral Lands Administration Policy Division

The Mineral Lands Administration Policy Division shall be responsible for coordinating mineral lands survey data base system, master/control map, mineral land survey reference points and providing assistance in the formulation of policies, rules and regulations pertaining to and governing mineral land surveys. It shall conduct researches and recommend legislative measures, executive orders, rules and regulation concerning mineral rights and mineral resources administration and perform other function that may be assigned by higher authority.

4.2.1.3.6 Planning and Project Management Services Division

The Planning and Project Management Services Division shall be responsible for providing the Bureau with services related to planning and programming, monitoring and evaluation of plans and programs, including projects development; recommending and advising on policies and programs relative to marine geology and mineral deposits and identifying, classifying and evaluating the mineral deposits of the country. It shall conduct analysis of information requirements, maintain statistical collection and management information systems and assist in information dissemination programs and perform other related functions assigned by higher authority.

4.2.1.3.7 Finance Division : Administrative Division

The Mines and Geo-science Bureau shall maintain a Finance Division and an Administrative Division, the staffing of which shall be limited but sufficient to service the financial and administrative support needs of the Bureau. These divisions shall operate in close coordination with Legal Affairs and Management Services Office.

4.2.2 **ENVIRONMENT AND RESEARCH OFFICE**

The Environment and Research Office shall be headed by an Undersecretary who will assist and advice the Secretary on the promulgation of all office orders, rules and regulations related to environmental management and ecosystems research; recommend policies and standards for the effective and efficient operation of the Department in accordance with the programs related to environmental management; exercise supervision and control over all function and activities of the bureaus in the Department concerned with environmental management and research and exercise authority on substantive and administrative matters concerning the environmental and research bureaus in the

Department as may be delegated by the Secretary. It shall exercise supervision over the following bureaus:

4.2.2.1 ENVIRONMENTAL MANAGEMENT BUREAU

The Environment Management Bureau shall recommend legislation, policies and programs for environmental management and pollution control; advise the Field Operations on the efficient and effective implementation of policies, programs and projects for effective and efficient environmental management and pollution control and assist in the conduct of public hearings in pollution cases. It shall serve as the secretariat to the Pollution Adjudication Board and advise the Secretary thru the Undersecretary for Environment and Research on matters involving environment management and pollution control.

The Environmental Management Bureau shall be composed of the following division:

4.2.2.1.1 Environmental Planning Division

The Environment Planning Division shall be responsible for formulating a comprehensive national environmental enhancement program and monitor its implementation. It shall prepare the annual Philippine Environment Report and coordinate programs and projects on nature conservation and environmental protection. It shall coordinate and promote international cooperation and shall serve as the focal point for environmental activities of international character; evaluate existing environmental policies and recommend necessary amendments. It shall coordinate all environmental planning and programming activities within the Bureau and the Field Operations and perform other related functions that may be assigned by higher authority.

4.2.2.1.2 Pollution Research Division

The Pollution Research Division shall be responsible for formulating a comprehensive program on

pollution research; undertaking research studies related to air, water and land pollution as well as toxic and hazardous substances management in coordination with the other research units of the Department; recommending environmental protection and pollution control abatement measures and performing other specific studies and tasks that may be assigned by higher authority.

4.2.2.1.3 Environmental Quality Division

The Environmental Quality Division shall be responsible for formulating and recommending policies and guidelines on the enforcement of the country's effluent and emission standards and the attendant rules and regulations. It shall formulate environmental surveillance and air and water quality monitoring programs for implementation by the Field Operations; establish environmental quality indices and guidelines for environmental protection; coordinate the implementation of the necessary policies and guidelines for the conduct of environmental impact assessments; render technical assistance to the Field Operations in the review and evaluation of pollution control facilities and perform other related functions that may be assigned by higher authority.

4.2.2.1.4 Education & Information Dissemination Division

The Education and Information Dissemination Division shall be responsible for formulating and coordinating the implementation of the National Program on Environmental Education; developing strategies and arrangements for purposes of efficiently delivering environmental information to the various sectors of Philippine society; designing training modules and compiling information packages on environmental management. It shall recommend adoption of environmental concerns and information in all levels of the educational system and perform other related

functions that may be assigned by higher authority.

4.2.2.1.5 Legal Division

In close coordination with Legal Affairs and Management Services Office, the Legal Division shall be responsible for providing legal counsel and advice to the Undersecretary for Environment and Research and the Bureau Director and drafting the necessary legislation, rules, regulation and standards concerning environmental protection. It shall represent the Department and the Bureau in courts and administrative bodies on cases arising from the performance of official functions; assist in the adjudication of cases falling within the jurisdiction of the Pollution Adjudication Board and attend to appeals of cases to or from the Board. It shall prepare decisions, orders and actions or directives; conduct continuing legal studies and researches on environmental laws and jurisprudence and perform other related functions that may be assigned by higher authority.

4.2.2.1.6 Finance/Administrative Division

The Environmental Management Bureau shall maintain Finance/Administrative Division, the staffing of which shall be limited but sufficient to service the financial and administrative support needs of the Bureau. This Division shall work in close coordination with the Legal Affairs and Management Services Office.

4.2.2.2 ECOSYSTEMS RESEARCH AND DEVELOPMENT BUREAU

The Ecosystems Research and Development Bureau shall be responsible for formulating and recommending an integrated research program relating to the Philippine ecosystems; assisting the Secretary thru the Undersecretary for Environment and Research in determining a system of priorities for the allocation of resources to various technological research programs of the Department; generating technologies in close collaboration with the Field Operations and providing scientific assistance in the

research and development of technologies relevant to the sustainable uses of Philippine ecosystems and natural resources and assisting the Undersecretary for Environment and Research in the evaluation of the effectiveness of the implementation of the integrated research programs.

The Ecosystems Research and Development Bureau shall be composed of the following Division.

4.2.2.2.1 Forest Ecosystems Research Division

The Forest Ecosystems Research Division shall be responsible for formulating research and development programs dealing with the regeneration, management, protection and conservation of the dipterocarp forests, pine forests and other softwoods, and their bio-ecological aspects; generating technologies on tree breeding and improvement, forest regulation methods and other scientific techniques for managing the Philippine forest ecosystems in close collaboration with the Field Operations and performing other functions that may be assigned by higher authority

4.2.2.2.2 Grassland and Degraded Lands Ecosystems Research Division

The Grassland and Degraded Lands Ecosystems Research Division shall be responsible for formulating research and development programs dealing with grasslands and degraded forest lands, critical watersheds and open lands; establishing seed banks, grass gene bank and tree orchards in order to hasten the rehabilitation of grasslands and degraded open lands, and in developing wide-ranging but appropriate and practical techniques on the production of seeds and other planting stocks for reforestation, grassland rehabilitation and tree farming purposes. It shall assist in the establishment and management of plantations of trees and grasses to serve as scientific demonstration areas for rehabilitating and managing the grassland and degraded lands ecosystems; generating appropriate techniques on tree improvement;

developing appropriate technologies for the identification and control of the causal agents of bio-deterioration of trees and grasses, in close collaboration with the Field Operations developing applicable techniques for the prevention, suppression and control of fire, wind and other injurious natural phenomena and performing other related functions that may be assigned by higher authority.

4.2.2.2.3 Coastal Zone & Freshwater Ecosystems Research Division

The Coastal Zone and Fresh Water Ecosystems Research Division shall be responsible for formulating research and development programs on the proper utilization, protection, rehabilitation and management of mangrove forests and estuarine areas, inland and coastal wetlands, riverine, lentic and lotic freshwater resources with emphasis on the enhancement of the ecosystems that they comprise. It shall develop methods, standards and strategies for sustained production of resources from the coastal and fresh water zone ecosystems; develop and recommend comprehensive area and land-use management systems including the formulation of conservation and utilization policies for coastal freshwater zones and associated resources in close collaboration with the Field Operations and perform other related functions that may be assigned by higher authority.

4.2.2.2.4 Upland Farm Ecosystem Research Division

The Upland Farm Ecosystem Research Division shall be responsible for formulating research and development programs on the upland farms ecosystems including agroforestry and upland farming systems appropriate to varied biophysical and socio-cultural situations. It shall develop models for appropriate utilization of upland farm areas; conduct studies on demographic, ethnic, cultural, social, political and other factors concerning the upland dwellers and other forest

communities that are relevant to the development, management and protection of the upland farm ecosystems for policy and program development purposes in close collaboration with the Field Operations and perform other related functions that may be assigned by higher authority.

4.2.2.2.5 Technology Development Division

The Technology Development Division shall be responsible for compiling research results and packaging technological methods and recommendations for the effective management, development and protection of Philippine ecosystem; providing guidelines and directions to the Field Operations on technology verification and transfer and performing other related functions that may be assigned by higher authority.

4.2.2.2.6 Planning and Project Management Services Division

The Planning and Project Management Services Division shall be responsible for coordinating all research plans and programs on Philippine ecosystems. It shall provide guidelines for the evaluation and proper implementation of ecosystem researches; serve as the information bank on ecosystems research data and perform other related functions that may be assigned by higher authority.

4.2.2.2.7 Finance/Administrative Division

The Ecosystem Research and Development Bureau shall maintain a Finance/Administrative Division, the staffing of which shall be limited but sufficient to service the operating needs of the Bureau. This Division shall work in close coordination with the Office of the Undersecretary for Legal Affairs and Management Services.

4.2.2.2.8 Los Banos Experiment Station

The Ecosystems Research & Development Bureau shall manage its experimental area Mt. Makiling as an experiment station.

4.2.2.3 PROTECTED AREAS AND WILDLIFE BUREAU

The Protected Areas and Wildlife Bureau shall be responsible for formulating and recommending policies, guidelines, rules and regulations for the establishment and management of an Integrated Protected Areas System such as national parks, wildlife sanctuaries and refuges, marine and biospheric reserves; formulating as well as recommending guidelines, rules and regulations for the preservation of biological diversity, genetic resources, and the endangered Philippine flora and fauna. It shall prepare an up-to-date listing of endangered Philippine flora and fauna and recommend a program of conservation and propagation of the same and manage all programs and projects listed in Section 18 of Executive Order No. 192.

The Bureau shall be composed of the following divisions and units:

4.2.2.3.1 Convention on International Trade of Endangered Species of Wild Fauna and Flora (CITES) Management Authority Staff

The CITES Staff shall be responsible for formulating and recommending policies, plans and programs for the implementation of the provisions of the Convention on International Trade of Endangered Species of Wild Fauna and Flora (CITES), including appropriate changes in these policies as they apply to local conditions. It shall coordinate with other government agencies involved in the international trade of endangered species of wild fauna and flora; maintain liaison and communication with Management Authorities of other Parties and Secretariat of the Convention; regulate and international trade of endangered species of wild fauna and flora and perform other related functions that may be assigned by higher

authority.

4.2.2.3.2 Legal Staff

In coordination with the Legal Affairs and Management Services Office, the Legal Staff shall provide legal assistance and counsel to the Director and the various organizational units of the Bureau; assist the regional legal staff in resolving complex legal issues relative to protected areas and conservation of wildlife resources and assist in the prosecution of violations of wildlife conservation and protection laws. And in the resolution of violations of international conservation and wildlife protection laws as embodied in international conventions of which the Philippines is a signatory; It shall maintain liaison with the Department of Justice and the Office of the Solicitor General and other legal arms of the government; appear in court or administrative bodies in behalf of the Secretary or Director or Bureau personnel in cases arising from the discharge of their official duties and functions and perform other related functions that may be assigned higher authority.

4.2.2.3.3 Parks Division

The Parks Division shall be responsible for formulating and recommending policies, guidelines, plans and programs for the establishment, development and management of terrestrial parks and national marine parks including inland water parks and scenic roads based on scientific data. It shall provide assistance to the Field Operations in the implementation of policies, guidelines, plans and programs for the establishment, development and management of national terrestrial and marine parks, and perform other related functions that may be assigned by higher authority.

4.2.2.3.4 Natural and Equivalent Reserves Division

The Natural and Equivalent Reserves Division shall be responsible for formulating and recommending

policies, guidelines, plans and programs for the establishment, development and management of reserves such as wildlife sanctuaries, nature reserves, wilderness areas, municipal or barangay forest parks, game or hunting preserves, and/or other reserves and in providing assistance to the Field Operations in the implementation of policies, guidelines, plans and programs for the establishment, development and management of such reserves. It shall perform other related functions that may assigned by higher authority.

4.2.2.3.5 Wildlife Division

The Wildlife Division shall be responsible for formulating and recommending policies, guidelines, plans and programs for the management of wildlife resources; determining wildlife habitat requirements in managed forest; formulating and recommending rules and regulations for the collection, trapping or hunting and fishing in waters within forest lands including bag limit or creel limits; recommending programs for cooperative undertaking with foreign and local conservation agencies, institutions or organizations for the management of rare and endangered wildlife species, including those with economic and/or trade potentials and providing assistance to the Field Operations on the effective implementation of wildlife policies, plans and programs. It shall perform other related functions that may be assigned by higher authority.

4.2.2.3.6 Recreation and Special Uses Division

The Recreation and Special Uses Division shall be responsible for formulating the recommending guidelines, policies, plans and programs on recreation and other special uses within national recreation areas, historic marine parks and hunting reserves, as well as those that will enhance the scientific and educational value of protected areas wildlife; formulating and recommending policies, guidelines, plans on the dissemination of information and providing extension

services relevant to conservation and management of parks, wildlife and other resources as well as the transfer of technologies on captive breeding of wildlife; providing assistant to the Field Operations on the effective implementation of the above policies, plans and programs and perform other related functions as may be assigned by higher authority.

4.2.2.3.7 Planning and Project Management Services Division

The Planning and Project Management Services Division shall be responsible for formulating policies and guidelines for the development of programs and projects on integrated protected areas and wildlife, including the monitoring and evaluation of such projects. It shall also perform internal coordinative functions and other functions that may be assigned by higher authority.

4.2.2.3.8 Finance/Administrative Division

The Protected Areas and Wildlife Bureau shall maintain a Finance/Administrative Division the staffing of which shall be limited but sufficient to service the financial and administrative support needs of the Bureau. This Division shall work in close coordination with the Legal Affairs and Management Services Office.

4.2.3 PLANNING, POLICY AND PROJECT MANAGEMENT OFFICE

The Planning, Policy and Project Management Office shall be headed by an Undersecretary who shall be responsible for assisting and advising the Secretary in the promulgation of office orders, rules and regulations related to departmental planning and policy studies, planning and management of foreign-assisted and special projects and setting of policies and standards for the effective, efficient and economical operations of the Department. It shall coordinate all functions and activities of the bureaus and offices in the department with regard to planning, policy studies and foreign-assisted and special projects.

This office shall exercise supervision over the following offices:

4.2.3.1 PLANNING AND POLICY STUDIES OFFICE

The Planning and Policy Studies Office shall be headed by an Assistant Secretary who shall be responsible for integrating the short, medium and long-term plans of the Department. It shall coordinate the Department's information systems; provide planning standards and guidelines for integrating sectoral and regional plans and programs into the natural resources development and environment plan; design and install a national and regional development planning and management system; develop/evaluate and monitor programs/project of the Department; undertake policy studies for effective and efficient development, utilization and conservation of environment and natural resources as bases for medium and long-term resources policy agenda. It shall be composed of the Planning Services and the Policy Studies Service. Formulating as well as recommending guidelines, rules and regulations for the preservation of biological diversity, genetic resources, and the endangered Philippine flora and fauna. It shall prepared an up-to-date listing of endangered Philippine flora and fauna and recommend program of conservation and propagation of the same and manage all programs and projects listed in Section 18 of Executive Order No. 192.

4.2.3.1.1 PLANNING SERVICE

The Planning Service shall be responsible for developing planning and resource allocation guidelines and for integrating all short/medium/long-term development plans and programs of various sectors guided by the philosophy of the Department. It shall coordinate all planning activities in the Department; provide updated and timely statistic and information for policy studies purposes; maintain central computer-based and manual schemes for data gathering, processing, analysis and data retrieval and report generation in coordination with all other computer services in the Department. The Planning Service shall be composed of the

following Division.

4.2.3.1.1.1 Planning and Programming Division

The Planning and Programming Division shall be responsible for integrating and recommending short, medium and long range plans for the Department in the context of national development goals and in close coordination with the staff bureaus and regional offices; providing standards and guidelines including workloads in the preparation of the Department's budget; integrating annual plans and programs into specific projects that will be implemented at a given period of time in accordance with the Department's budget appropriation or proposal and in coordination with the Project Development and Evaluation Division; formulating criteria for determining priorities for proposed projects and in selecting capital projects for funding and execution. It shall formulate planning standard and guidelines for natural resources planning; maintain liaison with other department and central planning agencies of the government, and perform other related functions that may be assigned by higher authority.

4.2.3.1.1.2 Project Development and Evaluation Division

The Project Development and Evaluation Division shall be responsible for coordinating project development by staff bureaus, attached agencies and Field Operations of the Department in accordance with the approved priority areas; evaluating project proposals and performance of the various units and sectors according to technical feasibility, administrative expediency, other generally accepted criteria for development management; formulating standards and criteria for project identification, prioritization and implementation. It shall evaluate and assess periodically, performance reports and assess project implications for aggregative and strategic planning, and perform other related functions that may be assigned by higher

authority.

4.2.3.1.1.3 Environment and Natural Resources Statistical Coordination Division

The Environment and Natural Resources Statistical Coordination Division shall be responsible for studying, compiling, analyzing, integrating production, trade, price, trends and other performance statistics on natural resources as well as on the quality of the environment; developing economic projections and reviews for planning purposes and information dissemination; undertaking monitoring and analysis of economic conditions and their implications on the environment and natural resources; coordinating with NEDA and other statistics agencies on the planning of census and gathering of statistics. It shall coordinate all statistical services in the Department and perform other functions that may be assigned by higher authority.

4.2.3.1.1.4 Management and Information Systems Division

The Management and Information Systems Division shall be responsible for developing and maintaining effective management information systems for planning, project management and performance appraisal. It shall maintain a central computer-based data storage and retrieval service; develop a master plan for the computerization of various systems and processes for the Department Proper, staff bureaus and the field Operations, including training of personnel; evolve and prescribe standards for computer equipment and software acquisition and application and perform other functions that may be assigned by higher authority.

4.2.3.1.2 POLICY STUDIES SERVICE

The Policy Studies Service shall be responsible for formulating policy recommendations and strategies for environmental and natural resources management;

formulating alternative global and national scenarios as bases for long-term resource policy agenda; recommending policies based on studies for the efficient and effective development, utilization and conservation of environment and natural resources

4.2.3.1.2.1 Policy Studies Division

The Policy Studies Division shall be responsible for formulating alternative global, regional and national scenarios as bases for long-term resource policy recommendations and strategies for environmental and natural resources management; undertaking studies on specific policy areas for improved management of the environment and natural resources. It shall conduct continuing studies on the impact of national development and trade policies on natural resources conservation; and perform other functions as may be assigned by higher authority

4.2.3.1.2.2 Policy Analysis and Legislative Liaison Division

The Policy Analysis and Legislative Liaison Division shall be responsible for coordinating and maintaining linkages with other government agencies on policy matters affecting environment and natural resources; reviewing and evaluating the implementation of policies concerning the conservation, development, utilization, extraction, management and disposition of environmental and natural resources; reviewing, analyzing and evaluating existing international and national policies affecting environment and natural resources. It shall maintain competent and effective liaison with the Congress regarding legislative inquiries and enactment of environmental and natural resource proposals into laws and perform other functions that may be assigned by higher authority.

4.2.3.2 FOREIGN-ASSISTED AND SPECIAL PROJECTS OFFICE

The Foreign-Assisted and Special Project Office shall be headed by an Assistant Secretary who shall be responsible for identifying and preparing investment project and program proposals for possible foreign and local assistance in close coordination with other appropriate government agencies. This office shall prepare a development framework plan and guidelines/strategies for the Department to prioritize programs and/or projects requiring foreign and local assistance. It shall conduct and undertake feasibility studies for projects identified for external assistance; represent the Department in negotiating for foreign loans/grant assistance; provide staff support in the implementation of foreign-funded and special projects; monitor and evaluate the performance of foreign-assisted and special projects in coordination with financial donors. The Office of the Assistant Secretary for Foreign-Assisted and Special Projects shall be composed of Project Management and Coordination Service and the Project Design and Packaging

4.2.3.2.1 PROJECT MANAGEMENT AND COORDINATION SERVICE

The Project Management and Coordination Service shall be responsible for the continuous monitoring and evaluation of foreign-assisted and special projects in relation to specific terms of reference as provided for by the loan/grant agreement and in coordination with other government agencies; assessing impact of foreign-assisted and special projects; facilitating financial planning and processing of accounts of Foreign-Assisted and Special Project and coordinating the planning, scheduling, and implementation of foreign-assisted special projects. This Service shall be composed of the following Divisions:

4.2.3.2.1.1 Project Coordination Division

The Project Coordination Division shall be responsible for coordinating the planning, scheduling and implementation of foreign-assisted special projects activities with other operating units of the Department down to regional and field levels. It shall develop monitoring and control systems applicable to all on-

going FASPs; monitor and evaluate progress of FASPs with respect to operational targets, plans and schedules; conduct impact assessment/studies and documentation of lessons and experiences gained from FAPs for guidance of decision makers/top management in the formulation of follow-up projects and future projects and perform other activities that may be assigned by higher authority.

4.2.3.2.1.2 Project Accounts Management Division

The Project Accounts Management Division shall be responsible for the preparation of financial plans and attending to all finance-related matters involving foreign-assisted and special projects; forecasting, reviewing and monitoring project expenditures; coordinating with the Management Service Offices on the establishment and maintenance of project accounting systems and procedures, including disbursement, and for auditing project accounts. It shall coordinate and liaise with local international financing institutions with respect to financial aspects of on-going projects; facilitate the procurement of goods and services, including administration of FA & S project contracts entered into between the Department and contractors or consultants; package necessary documents required for competitive bidding, including the preparation of tender documents and issuance of tender invitations and perform other functions that may be assigned by higher authorities.

4.2.3.2.1.3 Special Programs Division

The Special Programs Division shall be responsible for reviewing and evaluating proposal for special projects and programs to be funded from the regular budget; coordinating the planning, scheduling and implementation of Special Programs/Projects; developing systems for monitoring and evaluation for all on-going Special Programs/Projects. It shall monitor and evaluate progress of implementation of

Special Projects related to approved work and financial plans; conduct impact assessment/studies and documentation of lessons, experiences gained from Special Projects for the guidance of decision-makers/top management in the formulation of new/follow-up projects and perform other functions that may be assigned by higher authority.

4.2.3.2.1.4 RP-Japan Reforestation Training Center

The RP-Japan Reforestation Training Center shall be responsible for managing training facilities and training environment of the Training Center at Carranglan, Nueva Ecija. It shall provide administrative support to all training activities conducted at the Center, and perform other related functions that may be assigned by higher authority.

4.2.3.2.2 PROJECT DESIGN AND PACKAGING SERVICE

The Project Design and Packaging Service shall be responsible for designing, evaluating and packaging project proposals for foreign assistance and special funding; coordinating the negotiations for securing funding and technical assistance for proposed FASPs; evaluating the technical, economic and institutional soundness of proposed projects, and facilitating the participation of the Department in cooperative arrangements with other countries and international bodies. The Project Design and Packaging Service shall be composed of the following divisions:

4.2.3.2.2.1 Project Preparation Division

The Project Preparation Division shall formulate project development and prioritization guidelines and frameworks for study/project proposals for foreign funding/grant assistance; designing and preparing packages of study/project proposals for foreign funding/grant assistance; and reviewing and evaluating regional/sectoral proposals that have potentials for funding by foreign institutions; initiating and maintaining close relations with national, regional and international

organization to promote the development; efficient management and conservation of the country's environment and natural resources; analyzing international assistance policies and determining the eligibility and acceptability of the Department's project proposals prepared for foreign support; undertaking pre-feasibility grade studies as required by NEDA and the Investment Coordinating Committee (ICC) and performing other related functions that may be assigned by higher authority.

4.2.3.2.2.2 Project Appraisal Division

The Project Appraisal Division shall be responsible for coordinating and initiating the conduct of feasibility studies to examine the technical, economic, financial and institutional aspects of proposed projects; conducting detailed appraisal of project proposals; developing procedures for the assessment and evaluation of projects as major investment decisions; coordinating the final negotiations in securing financial and technical assistance for the proposed projects with the identified financing institutions; coordinating the participation of the Department in regional/international and specialized agencies/ organizations to ensure that counterpart commitments are fulfilled or carried out and coordinating or serving as counterpart staff/and/or secretariat to foreign project appraisal missions. It shall review the progress of cooperative agreements with other countries, international and regional institutions and formulate recommendations for more effective cooperative arrangements and perform other related functions that may be assigned by higher authority.

4.2.4 LEGAL AFFAIRS AND MANAGEMENT SERVICES OFFICE

The Legal Affairs and Management Service Office shall be headed by an Undersecretary who shall assist and advise the Secretary on the promulgation of office orders, rules and regulations related to financial management, administrative

services, human resources development and legal services; recommend policies and standards for the over-all effective, efficient and economical operations of the Department; coordinate all functions and activities of bureaus and offices in the Department involving to financial management, administrative services, human resources development and legal services and perform other functions that the Secretary may assign. This office shall exercise supervision over the following:

4.2.4.1 LEGAL AFFAIRS OFFICE

The Legal Affairs Office shall be headed by an Assistant Secretary who shall advise and assist the Secretary through the Undersecretary for Legal Affairs and Management Service Office, with respect to legal matters; direct the Department's legal operations; review issuance of licenses, permits, agreements, and contracts involving natural resources and the protection of the environment, as referred and appear and act as counsel of the Department. This office shall be composed of the Claims and Litigation Service and the License and Law Enforcement Service.

4.2.4.1.1. CLAIMS AND LITIGATION SERVICE

The Claims and Litigation Service shall be responsible for reviewing and evaluating evidence; conducting formal investigation and ocular inspection, and preparing drafts of decisions/orders in appealed cases and in protest/claims/conflicts involving the exploration, development and utilization of the natural resources as well as those involving the environment, and personnel discipline.

The Claims and Litigation Service shall be composed of the following divisions.

4.2.4.1.1.1 Claims and Conflicts Division

The Claims and Conflicts Division shall be responsible for handling, reviewing and evaluating evidence; preparing drafts of decisions/orders on appealed cases

and protests, claims, and conflicts involving public lands, forestlands, forest resources, mineral lands mineral resources, and the environment; preparing interlocutory orders directing the submission of pleadings and payment of the necessary fees by the parties involved, and the transmittal of relevant records from the office concerned; It shall recommend to the Investigation and Litigation Division of the Investigation of cases with incomplete or insufficient factual evidence and perform related functions that may be assigned by higher authority.

4.2.4.1.1.2 Investigation and Litigation Division

The Investigation and Litigation Division shall represent the Secretary, Undersecretaries, Assistant Secretaries and other officials of the Department who are being sued before the courts in their official capacity; prepare pleadings and handle trials, in coordination and consultation with the Office of the Solicitor General, in these court cases; conduct formal investigation and ocular inspection of cases in connection with cases pending before the Claims and Litigation Service; cause actual ground survey of areas involved in overlapping of claims or boundary conflicts; submit reports and recommendations relative to the investigation and inspections conducted and perform other functions that may be assigned by higher authority.

4.2.4.1.1.3 Personnel Investigation Division

The Personnel Investigation Division shall be responsible for conducting investigation of administrative charges against erring personnel of the Department, its bureaus and agencies and preparing legal opinions on queries pertaining to laws on personnel administration and discipline; advise and assist the Management Services Office on the formulation of procedures intended to establish harmonious relationship among officials and employees; and perform other related function that may

be assigned by higher authority.

4.2.4.1.2 LICENSE AND LAW ENFORCEMENT SERVICE

The License and Law Enforcement Service shall be responsible for acting on and reviewing applications for the development or utilization of forest-lands and other lands in public domain, and/or forest resources and of mineral lands and/or mineral resources, as referred to it; monitoring and evaluating compliance with the laws, rules and regulations, and the terms and conditions of the licenses or permits; prepare opinions on queries involving the laws, policies, rules and regulations on natural resources and environment. The License and Law Enforcement Service shall be composed of the following divisions:

4.2.4.1.2.1 Research and Legal Opinion Division

The Research and Legal Opinion Division shall be responsible for preparing opinions on queries involving the laws, policies, rules and regulations on natural resources and environment; preparing or reviewing proposed bills for submission to Congress regarding the exploration, development and utilization of the natural resources and for environmental management. It shall prepare or review proposed proclamations and executive issuances for submission to the Office of the President regarding the use and management of the natural resources and on matters concerning the environment; prepare or review drafts of rules and regulations implementing the laws on natural resources and environmental management; compile laws, policies, rules, regulations and Supreme Court decisions on environmental management natural resources and perform other related functions that may be assigned by higher authority.

4.2.4.1.2.2 Licenses and Law Enforcement Division

The Licenses and Law Enforcement

Division shall be responsible for legal monitoring and evaluation of compliance with the laws, rules and regulations, and the terms and conditions of the licenses or permits; reviewing and evaluating reports of Field Operations on performance of lessees, licenses and permittees. In coordination with the Field Operations, it shall conduct inspection of licensed or permitted areas to determine whether the areas are utilized for the purposes so authorized, recommend legal sanctions against erring licenses or permittees and perform other functions that may be assigned by higher authority.

4.2.4.1.2.3 Processing and Documentation Division

The Processing and Documentation Division shall be responsible for reviewing applications for the public land patents, applications for the development or utilization of forestland and/or forest resources and of mineral lands and/or mineral resources, and evaluate applications of environmental concern that may be referred to it. It shall prepare and review contracts or agreements entered into by the Department, its bureaus or agencies and perform other related functions that may be assigned by higher authority.

4.2.4.2 MANAGEMENT SERVICE OFFICE

The Management Services Office shall be headed by an Assistant Secretary who shall assist the Secretary through the Undersecretary for Legal Affairs and Management Services on policy formulation, standards-setting and promulgation of rules and regulations pertaining to financial management and administrative services for the entire Department. It shall be composed of the Financial Management Services, Administrative Service and Human Resource Development Service.

4.2.4.2.1 FINANCIAL AND MANAGEMENT SERVICE

The Financial and Management Service shall provide assistance and advice on the promulgation of office policies,

orders, rules and regulations related to financial and management services of the Department; develop, maintain and improve a cost and financial accounting system for all projects of the Department; formulate basic policies and guidelines for the preparation of the department budget, including those for the detailed allocation of funds for capital outlay in close coordination with the Planning Service; direct the financial and management services of the Department and exercise over-all supervision over the financial and management functions and activities of bureaus and regional office. The Financial Management Service shall be composed of the following divisions:

4.2.4.2.1.1 Budget Division

The Budget Division shall be responsible for developing and improving budgeting methods, procedures and justifications for budget proposal based on the policies of the government; providing assistance in the presentation of the Department's budgetary estimates before administrative and legislative bodies; preparing annual work and financial plans of the Department, including its regional offices; providing technical assistance to subordinate budget units in the application and utilization of budgetary methods and coordinating all budgetary activities in the Department. It shall integrate the budget proposals of all sectors of the Department for submission to proper bodies and perform other related functions that may be assigned by higher authority.

4.2.4.2.1.2 Accounting Division

The Accounting Division shall be responsible for maintaining basic and subsidiary accounting records and books of accounts to reflect accurate and current financial information required by existing auditing rules and regulations and by management; implementing administrative and financial policies of the Department and other pertinent agencies regarding allotments, expenditures and collections. It shall exercise technical supervision over all accounting units of the Department,

including those of attached agencies. It shall prepare and submit financial reports required by management and other pertinent agencies, and perform other related functions as may be assigned by higher authority.

4.2.4.2.1.3 Management Division

The Management Division shall be responsible for formulating and recommending policies, rules and regulations, and standards concerning work processes, organizational staffing, information/reporting systems and controls and resources allocation; developing, recommending and maintaining a management audit and improvement plan and program relative to the Department organization, functions, manpower, financial and physical resources, and systems and procedures. It shall conduct comprehensive review of projects, program, and activities to help in the attainment of the agency's goals and objectives and perform other related functions as may be assigned by higher authority.

4.2.4.2.2 ADMINISTRATIVE SERVICE

The Administrative Service shall provide assistance and services on the promulgation of office orders, rules and regulations related to economic, efficient and effective administrative services in the department and establish department-wide policies and standards on matters including personnel management, general services, communications, logistics, property, safety, records management and documentation, and the like.

The Administrative Service shall be composed of the following divisions:

4.2.4.2.2.1 General Services Division

The General Services Division shall be responsible for designing, developing and implementing an effective system of maintenance of the Department's facilities including its buildings, grounds and vehicles security,

safety, communications and other services; establishing a comprehensive management program to ensure an effective and economical procurement of supplies and equipment following government prescribed standards. It shall render assistance to the Pre-qualification, Bids and Awards Committee; receive, collect and deposit cash payment; prepare payrolls and process vouchers for payment of salaries and wages of the employees at the Department Proper, including other obligations, unless otherwise delegated to other units, and perform other related functions that may be assigned by higher authority.

4.2.4.2.2 Personnel Division

The Personnel Division shall be responsible for administering a Department-wide personnel management program which shall include selection and placement, position classification and compensation, performance evaluation, employee relations and welfare services. It shall act on matters concerning attendance, leave of absence, appointments, promotions, transfers and other personnel transactions in the Department, unless otherwise delegated to other units; administer a mechanism for the adjudication of employees' complaints and grievances and perform other related functions that may be assigned by higher authority.

4.2.4.2.3 Property, Logistics and Inventory Planning Division

The Property, Logistics and Inventory Planning Division shall be responsible for preparing, implementing and monitoring a supply and property management program of the Department; recommending policies and guidelines on the utilization, maintenance, storage, and disposal of supplies, materials and equipment; coordinating the annual procurement program of the Department and conducting inventory of all properties. It shall also handle the insurance requirements of the Department, unless otherwise delegated to other units, and perform other

functions that may be assigned by higher authority.

4.2.4.2.2.4 Records Management and Documentation Division

The Records Management and Documentation Division shall be responsible for developing and maintaining a system of records management for the Department; recommending policy guidelines on the maintenance and disposition of records and documents; filing and maintaining necessary records and certifying official documents upon request. It shall represent the Department in the presentation of documents required by the courts and other bodies and perform other functions that may be assigned by higher authority.

4.2.4.2.2.5 Medical and Dental Unit

The Medical and Dental Unit shall provide emergency medical and dental services to employees in the Department Proper and staff bureaus; recommend a physical health program for employees; maintain the medical and dental equipment; monitor health status of the Department's officials and employees and perform other related functions that may be assigned by higher authority.

4.2.4.2.3 HUMAN RESOURCES DEVELOPMENT SERVICE

The Human Resources Development Services shall provide assistance and services on the promulgation of office orders, rules and regulations related to human resource development. It shall plan, program and conduct training programs of the Department; evaluate training programs and other human resource development activities of the various units of the Department; evolve a responsive employee career development program that will make employees grow in their jobs and in the organization.

The Human Resource Development Service shall be

composed of the following divisions:

4.2.4.2.3.1 Manpower Training Services Division

The Manpower Training Services Division shall be responsible for planning, programming, coordinating and/or conducting training activities to upgrade the internal capability of the Department and planning and programming a continuing scholarship program for the personnel of the Department. It shall assist the various sectors in the formulation of training programs and services directed to the development of the Department's clientele and perform other related functions that may be assigned by higher authority.

4.2.4.2.3.2 Manpower Research and Development Division

The Manpower Research and Development Division shall be responsible for designing and developing a system of assessing manpower and capability needs to serve as basis for manning and training plans; conducting personnel management audit of the various offices of the Department in coordination with their respective heads of offices for purposes of determining compliance with overall HRD plans and for purposes of determining the needs for particular technical and/or support expertise; conduct studies to determine options for personnel to meet eligibility requirements and improving compensation packages, and liaison with appropriate agencies for purposes of implementing findings from said studies. It shall conduct periodic evaluation of training and HRD interventions conducted by the Department and its units to determine impact and areas of improvement which shall be used as basis for developing new programs; coordinate with universities and colleges on developing curricula that would be relevant to the Department's needs for technical expertise and perform other related functions that may be assigned by higher authority.

4.2.4.2.3.3 Career Development Division

The Career Development Division shall be responsible for developing and recommending policies and programs on personnel development on their jobs. It shall plan and assess the manpower (both technical and support) requirements of the Department; review and evaluate the present manpower available in the entire Department for purposes of developing policy guidelines on personnel development and career patterns particularly for the technical personnel of the Department; provide assistance to the various units in helping each employee evolve a career path and develop himself in the job and in the Department; provide career counseling and perform other functions that may be assigned by higher authority.

4.2.5 FIELD OPERATIONS OFFICE

The Field Operations Office shall be headed by an Undersecretary who shall exercise supervision over the field operations in the regional, provincial and community levels and shall be responsible for the over-all implementation and monitoring of regional plans, programs and projects; setting regional performance standards; coordinating with other sectors in the Department in formulating policies on environmental and natural resources management; formulating and recommending, and when authorized, approving office orders, regulations and other issuances affecting the field operations and perform general and wide-ranging functions involving the field operations.

The Undersecretary shall exercise supervision over the following:

4.2.5.1 FIELD OPERATIONS OFFICES IN LUZON VISAYAS AND MINDANAO

The Field Operations Office in Luzon, Visayas and Mindanao shall each be headed by an Assistant Secretary who shall be responsible for coordinating and providing direction for the effective and efficient field implementation of the Department's programs for the development of natural resources and environmental in their respective geographic jurisdiction; coordinating and relating the

Department's programs with those of other agencies, including local governments and all concerned sectors in the regions. It shall recommend to the Secretary thru the Undersecretary for Field Operations, policies, rules and regulations for adoption, modification or repeal. The Assistant Secretary shall supervise the operations of the regional offices within his jurisdictions including the Field Network Survey and Land Evaluation Operations and perform other related functions that may be assigned by higher authority.

4.2.5.1.1 REGIONAL ENVIRONMENT AND NATURAL RESOURCES OFFICE

The Regional Environment and Natural Offices shall be headed by Regional Executive Director (RED) and assisted by Regional Technical Directors (RTD) in each of the Administrative Regions. The Regional Environment and Natural Resources Office shall be responsible for coordinating and directing the implementation of all policies, regulations, programs and projects on environmental and natural resources development and conservation in the region. It shall supervise all activities of the Provincial Environment and Natural Resource Offices within its jurisdiction as well as monitor all foreign-assisted and special project in the regions, represent the Department in regional administrative bodies in the preparation and formulation of regional plans and programs and perform other functions that may be assigned by higher authority.

The Regional Environmental and Natural Resources Offices shall be established in each of the thirteen (13) Administrative Regions. Additional regional offices may be established in conformity with national policies and directives.

The Regional Environmental and Natural Resources Office shall be composed of the following technical and support division and units:

4.2.5.1.1.1 Technical Divisions

4.2.5.1.1.1.1 Forest Management Sector

4.2.5.1.1.1.1.1 Forest Resources Development

Division

The Forest Resources Development Division shall provide assistance to the Regional Executive Director on the preparation of regional plans related to reforestation, watershed rehabilitation, integrated social forestry, and range lands; assist in the monitoring and evaluation of programs and projects related to forest resources development; recommend policies and guidelines for the construction and use of forest roads and communication systems and other structural facilities within forest lands; provide technical advise to the Regional Executive Director on matters related to forest resources development and perform other related functions that may be assigned by higher authority.

4.2.5.1.1.1.2 Forest Resources Conservation Division

The Forest Resources Conservation Division shall be responsible for the preparation of regional plans related to timber and non-timber resources management, forest products utilization and forest protection and law enforcement; assist in the monitoring and evaluation of all programs and projects related to forest protection and law enforcement, forest products utilization and forest resources management; provide technical advise to the Regional Executive Director on matters related to forest resources conservation and perform other related functions that may be assigned by higher authority.

4.2.5.1.1.1.2 Land Management Sector

4.2.5.1.1.1.2.1 Surveys Division

The Surveys Division shall be responsible for the monitoring and verifying of

cadastral, public land subdivisions and other extensive survey/mapping projects, original and isolated surveys; preparing topographic and special maps in the region. It shall recommend survey standards, techniques, methods and procedures; provide technical assistance in the supervision of survey parties and of contract survey projects and perform other related functions that may be assigned by higher authority.

4.2.5.1.1.1.2.2 Land Management Division

The Land Management Division shall be responsible for the monitoring and evaluation of all activities related to enforcement of policies, rules and regulations for the sound management and disposition of all alienable or disposable public lands and other lands in the regions not placed under the control of any other agency, including guidelines on land use and classification; processing all kinds of land applications; and performing other functions that may be assigned by higher authority.

4.2.5.1.1.1.3 Mines Sector

4.2.5.1.1.1.3.1 Geology Division

The Geology Division shall be responsible in the conduct of basic geological survey in the region; assisting the various offices in the generation of geological data and in developing and updating regional geological standards and techniques and procedures in the conduct of basic geological surveys and perform other related functions that may be assigned by higher authority.

4.2.5.1.1.1.3.2 Mining Services and Mineral Lands Management and Control Division

The Mining Services and Mineral Lands Management and Control Division shall be responsible for the monitoring and evaluation of all activities related to exploration of mineral deposits in the region; conducting technical and economic evaluation and mining projects; assisting in the developing and packaging of mining technologies; and in formulating regional mine scheduling programs. It shall perform other functions that may be assigned by higher authority.

4.2.5.1.1.1.3.3 Mines Division

In a region where there is no Regional Technical Director for Mines and Geo-Sciences, there shall be one Mines Division which shall handle the functions of the Geology Division and the Mining Services and Mineral Lands Management and Control Division.

4.2.5.1.1.1.3 Research Sector

4.2.5.1.1.1.3.1 Technology Transfer Division

The Technology Transfer Division shall be responsible for compiling research results and packaging technological methods and recommendations for effective management, development and protection of regional ecosystem; conducting technology verification and transfer activities at the regional level including pilot testing, field trials and replication of generated and ethnic technologies; disseminating research results and technologies to the regional clients. It shall perform other related functions that may be assigned by higher authority.

4.2.5.1.1.1.3.2 Ecosystems Research and Conservation Division

The Ecosystems Research and Conservation Division shall be responsible for conducting field

experiments and other studies on the various regional ecosystems in accordance with the approved regional research programs; generating technologies on the various methods, techniques, systems and procedures for the effective management, development and conservation of Philippine forest ecosystems at the regional level in close collaboration with the Ecosystems Research and Development Bureau and other agencies in Environmental and resources research. It shall perform other functions that may be assigned by higher authority.

4.2.5.1.1.1.4 Environment Sector

4.2.5.1.1.1.4.1 Environmental Quality Division

The Environmental Quality Division shall be responsible for recommending possible programs and projects for environmental management and pollution control in the region; implementing policies and regulations related to environmental management and pollution control; recommending environmental quality standards such as the quality standards for water, air, land and noise. It shall perform other functions that may be assigned by higher authority.

4.2.5.1.1.1.4.2 Ecosystems Conservation and Protected Areas Division

The Ecosystems Conservation and Protected Areas Division shall be responsible for formulating and recommending policies and programs for the development, management, protection and conservation of protected areas and wildlife resources in the region. It shall implement efficiently and effectively all laws, rules and regulations related to the conservation and management of protected areas and wildlife resources; and perform other functions that may be assigned by higher authority.

4.2.5.1.1.1.5 Administrative and Support Services

The Regional Environment and Natural Offices shall each maintain an Information Staff, Planning and Management Division, Finance Division, Administrative Division, and Legal Division to support the financial, legal, planning, and administrative operating needs of the region. These divisions shall work in close collaboration with other organizational units of the region and coordinate closely with the planning, financial, legal and administrative units of the Department Proper.

4.2.5.1.2 PROVINCIAL ENVIRONMENTAL AND NATURAL RESOURCES OFFICE

The Provincial Environment and Natural Resources Office shall be headed by a Provincial Environment Natural Resources Officer who shall be responsible for planning, coordinating, controlling preparing and/or updating plans for the protection of the environment, and development and conservation of natural resources; coordinating environmental and natural resource management activities in the provinces, enforcement of environment and natural resources laws, rules and regulations; investigating and recommending appropriate actions to resolve claims and conflicts involving natural resources; supervising activities of holders of environment and natural resources permits, leases and/or licenses; evaluating the performance of personnel to determine efficiency and effectiveness and performing other administrative and financial services to CENRO Operations. In Provinces where there are no established CENROs the PENRO shall undertake and implement projects for the protection, conservation and development of natural resources and enhancement of the environment and perform other related functions that may be assigned by higher authority.

4.2.5.1.3 COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

The Community Environment and Natural Resources Office shall be headed by a Community Environment and Natural Resource Officer who shall undertake and/or implement projects

for the development and conservation of natural resources at the community level; implement/enforce laws, rules and regulation for the protection of the environment and the conservation of natural resources; conduct measurement, assessment and grading of timber and other forest product; maintain up-to-date data on environmental and natural resources conditions; file in court criminal cases against violators of environment and natural resources laws; undertake surveys of areas covered by applications for lease and permits; collect and account for fees due to government from users of natural resources; initiate the settlement of conflicts between or among users of natural resources and perform other related function that may be assigned by higher authority.

The Community Environment and Natural Resources Offices shall be strategically located in the various communities including Metro Manila and other highly urbanized cities. There shall be established initially 174 Community Environment and Natural Resources Offices as indicated in Appendix 3, the locations of which are subject to change depending on the assessment of the needs of the communities.

4.2.6 ATTACHED CORPORATIONS AND AGENCIES

The following corporations and agencies are attached to the Department of Environment and Natural Resources.

4.2.6.1 NATURAL RESOURCES DEVELOPMENT CORPORATION (NRDC)

The NRDC is the corporate arm the Department and shall be responsible for promoting natural resources development and conservation through involvement in pioneering and potentially viable production/and marketing ventures or projects using new innovative technologies, systems, and strategies such as but not limited to stumpage sales systems, industrial forest plantations, and logging operations provided however, that activities which compete with the private sector shall be avoided except in specific cases where the expected revenues of NRDC are earmarked for financing specific development projects such as establishment

of industrial tree plantations and agro-forestry farms and assistance to small-scale miners.

4.2.6.2 NATIONAL ELECTRIFICATION ADMINISTRATION (NEA)

The National Electrification Administration shall act and operate as the principal implementing arm of the Department in policies, programs and plans that encourage the use of natural resources like watersheds areas and energy farms in the generation of power.

4.2.6.3 NATIONAL MAPPING AND RESOURCE INFORMATION AUTHORITY (NAMRIA)

The National Mapping and Resource Information Authority (NAMRIA) shall be responsible for conducting, integrating and regulating the functions of geodetic and geophysical surveys, land classification, mapping, charting and oceanography, aerial photography, remote sensing, management of resource information needed by both the public and private sectors and research development thereof in accordance with existing laws and internationally accepted norms and procedures.

SECTION 5. - STAFFING

The new position structure and staffing patterns as submitted and reviewed by the Central Reorganization Committee of this Department indicated herein as Appendix 2 are hereby prescribed and approved, pursuant to Section 25 of Executive Order No. 192. These positions shall be filled in accordance with the Civil Service Law and Rules and the rules and regulations formulated by this Department on placement and selection.

SECTION 6 TRANSFER OF PERSONNEL, RECORDS, PROPERTIES, EQUIPMENT AND APPROPRIATIONS

In conformity with the new structure, orderly transfer of necessary personnel, records, properties, equipment and appropriations shall hereby be effected immediately.

SECTION 7 - TRANSITORY PROVISION

Pending the Implementation of the new position structure and appointment to positions in the new staffing pattern, all regular employees shall continue to perform their respective duties and responsibilities and receive the corresponding salaries and benefits until they are issued new appointment unless otherwise separated from government service.

SECTION 8 - STRUCTURAL CHANGES

No changes in the reorganization herein prescribed shall be valid except upon prior approval of the President of the Philippines for the purposed of promoting efficiency and effectiveness in the delivery of public service.

SECTION 9 - REPEALING CLAUSE

All Department Orders, Circulars, or Instructions inconsistent herewith are hereby repealed or amended accordingly.

SECTION 10 - EFFECTIVITY

This order shall take effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No. 05
September 8, 1988**

SUBJECT : Delegation of Authority to the Project Managers/ Project Leaders of DENR Special Projects

In the interest of the service, and in order to achieve greater efficiency and effectiveness in the implementation of DENR Special Projects, the following administrative/financial functions are hereby delegated to the Project Managers/Project Leaders of Special Projects:

1. Approve Travel Orders and Itinerary of Travel of project personnel covering official trips for a period not exceeding fifteen (15) days, subject to an approved Travel Plans;
2. Recommend the approval of monthly/quarterly plantilla of appointments of project personnel;
3. Approve payrolls, and enter into contract of labor for the implementation of project activities;
4. Approve RIVs, Purchase/Letter Orders for emergency purchases of necessary supplies and materials, covering amounts not exceeding TWENTY FIVE THOUSAND PESOS (P25,000.00) per quarter, provided that no splitting of requisition, purchases shall be made;
5. Approved Disbursement Vouchers for payment of project expenditures covering amounts not exceeding TWENTY FIVE THOUSAND PESOS (P25,000.00), except for payment of telephone bills, office space rentals, repairs and maintenance of motor vehicles which shall be limited to TEN THOUSAND PESOS (P10,000.00) only per quarter; and
5. Countersign checks issued by the Deputized/Special Disbursing Officer in payment of project expenses.

The exercise of the above functions, shall in all cases, be subject to the monthly/quarterly/annual Work and Financial Plans, Travel Plans and

Procurement Plans approved by the Secretary, or his duly authorized representative, and to national/agency policies, laws, rules and regulations pertinent thereto.

This Order shall take effect immediately and amends, supersedes or revokes any orders or issuances not consistent herewith.

(SGD.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No. 17
March 10, 1988**

SUBJECT : Delegation of Authority to DENR Officials in Relation to the Implementation of Foreign-Assisted and/or Special Projects

1. Pursuant to the policy of decentralization of the Department, and in order to achieve greater efficiency and effectiveness in the implementation of foreign-assisted and special projects, the following administrative functions are hereby delegated to the respective Officials concerned:

SPECIFIC FUNCTIONS

PERFORMING OFFICIALS

**Recommending
Official**

**Approving
Official**

Administrative/Financial
Matters

- | | | | |
|----|---|--|--------------------------------------|
| a. | Appointment/Designation or removal of Project Managers/Project Directors, Asst. Project Managers/ Deputy Project Directors | Regional Executive Director (RED)/ Bureau Director concerned, through Asst. Secretary (ASEC) for FASPO and Undersecretary of PPPMO | Secretary |
| b. | Designation, re assignment or removal of personnel detailed in the Project below the rank of Asst. Project Manager/ Deputy Project Director | Project Manager/ Project Director | RED/Bureau Director concerned |
| c. | Appointment or removal of contractual/casual | Project Director | Project Manager/ RED/Bureau Director |

- personnel concerned/ ASEC for FASPO, as the case maybe
- d. Approval of Work and Financial Plan, Procurement Plan, Travel Plan including revisions/re-alignment thereof.
- d.1 Annual Plans Project Manager/ Project Director/ RED/Bureau Director concerned as the case maybe ASEC for FASPO
- d.2 Monthly/Quarterly Plans Project Manager/ Project Director RED/Bureau Director as the case
- e. Contract for Civil Work and Procurement of Equipment awarded thru local/international competitive bidding
- e.1 not more than P200,000.00 Project Manager/ Project Director RED/Bureau Director concerned as the case maybe
- e.2 more than P200,000.00 to P500,000.00 RED/Bureau Director concerned through ASEC for FASPO USEC for Legal Affairs & Management
- e.3. more than P500,000.00 ASEC for FASPO through USEC for Legal Affairs and Management Secretary
- f. Authority to undertake

by Administration/Force
Account Civil Works

- | | | |
|---|---|---|
| f.1 not more than
P300,000.00 | Project Manager/
Project Director | RED/Bureau
Director
concerned/ASEC
for FASPO as
case maybe |
| f.2 more than
300,000.00
to 500,000.00 | RED/Bureau
Director
concerned/ASEC for
FASPO | USEC
PPPMO |
| f.3 more than
P500,000.00 | USEC for PPPMO | Secretary |
| g. Participation/nomination
of project personnel in
local seminars, in-
service training,
workshop, conference
scholarship, etc. | Project Manager/
Project Director | RED/Bureau
Director
concerned/ ASEC
for ASEC for
FASPO, as
the case
maybe |
| h. Foreign Travels
(Project-related) | RED/Bureau
Director
concerned/ASEC for
FASPO through
Scholarship
Committee and
Usec PPPMO | Secretary |
| i. Allocation/use of
Project-based
equipment and vehicle | Project Manager/
Project Director/
RED/Bureau
Director
concerned | ASEC or FASPO/
ASEC for
Operations
concerned |
| j. Turnover of FASP's | RED/Bureau | USEC for Legal |

assets for disposition, sale or lease	Director concerned and ASEC for FASPO	Affairs & Management
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Operational/Technical Matters

- | | | |
|---|---|---|
| k. Plans, Designs/
Specifications and
Cost Estimates for Civil
Works & Equipment | Project Manager/
Project Director/
RED/Bureau
Director
concerned
through ASEC for
FASPO | USEC for
Planning, Policy &
Project
Management
Office |
| l. Change Orders/Extra
Work Orders on
Civil Works | -do- | USEC for
PPPMO/USEC
PPPMO/USEC
for Legal Affairs
& Management |
| m. Cancellation and/or
termination of on-going
contracts and prosecu
tion thereof for
damages arising from
breach of
the same | -do- | USEC for Legal
Affairs &
Management |
| n. Issuance of individual
Certificates of Steward-
ship Contracts, maps
and
other supporting
documents | | |
| n.1 for areas not more
than 5 ha | Project Manager/
Project Director | CENRO |
| n.2 for areas more
the 5 ha to 7 ha | -do- | PENRO |
| n.3 for areas more than 7
ha to 12 ha | -do- | RED |

- | | | | |
|----|--|--|-----------|
| o. | Issuance of Communal/
Community Forest
Stewardship Agreement | RED | Secretary |
| p. | Memorandum of
Understanding/
Agreements with other
agencies/
institutions/organizations
public or private, for
joint undertaking of
project activities. | | |
| | p.1 for local level | Project Manager/
Project Director | RED |
| | p.2 for national level | ASEC for FASPO
through USEC for
PPMO | Secretary |
| q. | Extension/Termination
of project
implementation | RED/Bureau
Director concerned/
ASEC for FASPO,
through USEC for
PPMO | Secretary |

2. The above-stated delegated authorities do not preclude the Secretary from giving any other orders or special assignments from time to time, including actions/communications concerning the implementation of these projects which neither violate Department policies, rules and regulations.
3. In discharging the above delegated functions, the concerned officials shall sign "By Authority of the Secretary" as the case maybe.
4. This Order shall take effect immediately and repeals, supersedes or revokes any orders or issuance not consistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No. 20
May 30, 1988**

**SUBJECT : Delineation of Regulatory Functions And
Authorities**

Pursuant to Executive Order No. 192 and in line with the decentralization policy of the Department, the powers/authority over regulatory matters are hereby delineated as follows:

A. Secretary

1. Forest Management

- Approves land classification and release of lands of the public domain as alienable and disposable.
- Approves Industrial Tree Plantation Agreements (ITPA) and other forest plantation agreements covering over 750 hectares.
- Approves and renews all timber agreements covering 25 years.
- Issues suspension and/or cancellation orders for erring holders of natural resources agreements.
- Approves lifting of suspension orders on all types of natural resources agreements.
- Approves community forest agreements.
- Approves land clearing permit for resettlement projects.
- Issues authority to export boules, premium lumber and logs from plantation.
- Approves acquisition and installation of new forest products processing plant.
- Issues permit of processing plant which are coterminous with production sharing contracts.

- Approves the five (5)-year Integrated Forest Management Plan.

2. Land Management

- Approves appraisal of public land and issues authority to conduct bidding covering sales of above 7 hectares and leases covering more than 500 hectares for agricultural purposes.
- Approves transfer of rights on public land applications or deeds of sale/mortgage of patented lands 7 hectares or above.
- Issues patents for areas 7 hectares and above.
- Decides cases on appeal involving claims/conflicts within public lands.

3. Mines and Geo-sciences Development

- Approves joint venture and R& D agreements with private entities, both local and foreign as authorized under E.O. No. 321 and 279.
- Recommends to the President mining contracts with committed foreign investments of \$50 million or over as provided in E.O. No. 279.
- Approves original and renewal of mining agreements and service contracts with 25 years duration as authorized under E.O. 211 and 279.
- Decides mining cases on appeal.

4. Environmental Management

- Issues Environmental Compliance Certificate (ECC) for environmentally-critical areas/projects.

5. Protected Areas and Wildlife

- Issues permit for exportation and importation of foreign species

of flora and fauna listed in the Convention on the International Trade of Endangered Species (CITES).

- Issues permit to transport species of wildlife flora and fauna listed in CITES, locally and abroad.

6. Ecosystems Research and Management

- Approves research and development proposals for foreign funding.
- Approves the National Integrated Research and Development Program related to environment and natural resources.
- Issues proclamations for the establishment of experimental areas.
- Enters into research, development and research management agreement with other departments of the national government and with international agencies.

B. Undersecretary ^a

1. Forest Management

- Approves Industrial Tree Plantation Agreement (ITPA) covering 500-750 hectares.
- Approves Agro-Forest Agreement (AFA) over 100 hectares.
- Approves plantation for salago, bamboo, rattan, etc. covering 500-750 hectares.
- The Undersecretary for Legal Affairs and Management Services approves and signs all Forest Land Grazing Agreement (FLGA).
- Approves original and renewal of rattan cutting permits covering over 100,000 lineal meters.
- Issues public gratuitous permit covering above 200 cu. m. within declared calamity areas for public infrastructure projects.
- Approves original and renewal authority to operate forest

products processing plant.

- Approves the disposition of confiscated forest products worth over P300,000.

2. Land Management

- Public Land Subdivision (PLS) Approves appraisal of public land and issues authority to conduct bidding covering leases of 100-500 hectares for agricultural purposes.
- Approves agricultural agreements for areas over 50 hectares.
- Approves original and renewal leases of public lands.
- Issues orders of bidding and approves contracts for cadastral and survey projects.

3. Mines and Geo-sciences Development

- Issues and renews industrial permits.

C. Assistant Secretary ^b

1. Forest Management

- Approves sub-classification of forest lands.
- Approves Industrial Tree Plantation Agreement (ITPA) covering 300-500 hectares.
- Approves Agro-Forest Agreement (AFA) covering 50-100 hectares.
- Issues public gratuitous permit covering 100-200 cu. m. within declared calamity areas for public infrastructure projects.

3. Land Management

- Signs survey contracts for public land subdivision survey and cadastral projects.
- Approves financial and work programs/plans of the Field Network Survey Party (FNSP) and the Land Evaluation Party (LEP).

4. Mines and Geo-sciences Development

- Issues mine prospecting and exploration permit for areas covering more than one (1) region.

C. Regional Executive Director (RED)

1. Forest Management

- Issues Certificate of Stewardship Contract (CSC) for areas between 7-12 hectares.
- Approves Industrial Tree Plantation Agreement (ITPA) covering below 300 hectares.
- Approves Agro-Forest Agreement (AFA) covering below 50 hectares.
- Approves original and renewal of rattan cutting permit up to 100,000 lineal meters.
- Issues public gratuitous permit covering 50-100 cu. m. within declared calamity areas for public infrastructure projects.
- Approves original resaw/mini-sawmill permit.
- Approves original and renewal of rattan processing plant permit.
- Approves original special use permit covering over five (5) hectares for public infrastructure projects.
- Approves disposition of confiscated forest products worth P50,000-P300,000.
- Approves all reforestation contract.
- Approves Annual Integrated Operations Plan of Timber License Agreement (TLA) holders.

2. Land Management

- Approves appraisal of public lands and issues authority to

conduct bidding on sales below 7 hectares, and leases above 2 hectares and below 100 hectares for agricultural purposes.

- Approves appraisal of public lands and issues authority to conduct bidding on sales and leases covering above 1,000 sq. m. for commercial, industrial and residential purposes.
- Conducts bidding for cadastral survey.
- Approves and signs contract for module survey projects.
- Approves and signs maps and plans for public land subdivision and cadastral survey projects.
- Approves agricultural agreements up to 50 hectares.
- Approves reappraisal of leased areas.
- Approves foreshore lease up to 50 hectares.
- Approves transfer of rights on public land applications or deeds of sale/mortgage of patented lands, below 7 hectares.
- Issues survey orders or authority for public land subdivision covering above 500 hectares.
- Approves patents for areas below 7 hectares.
- Issues orders of execution on final decision on land cases.
- Issues investigation orders.
- Decides claims and/or conflicts involving land cases and resolves motion for reconsideration.

2. Mines and Geo-sciences Development

- Issues mineral prospecting and exploration permit over areas within his region, including mineral reservations.
- Approves survey returns and survey plans.
- Recommends to the Secretary approval of mining lease and operating contracts under E.O. No. 211 and 279.
- Issues and renews quarry permits.
- Issues special permit to dispose ores/minerals recovered during exploration.

- Approves and issues small-scale mining permits.

3. Environmental Management

- Issues authority to construct and permit to operate pollution control equipment/devices including the collection of corresponding fees/charges.
- Issues accreditation of pollution control office of industrial firms and local government entities.
- Issues notices of pollution control violations.
- Conducts surveillance, monitoring, inspections and investigations of pollution sources and control devices, and undertakes/initiates measures relative to pollution-related complaints of the general public.
- Hears/gathers evidences or facts on pollution cases as delegated by the Pollution Adjudication Board.
- Performs the functions exercised by the former National Pollution Control Commission (NPCC) Commissioner under P.D. 1181.
- Approves plans and issues permit for mine tailings disposal, including environmental rehabilitation plans.

4. Protected Areas and Wildlife

- Issues wildlife collection permits for experimental/ commercial purposes.
- Approves the establishment of city, provincial, municipal/barangay tree parks as mandated by LOI No. 1312.

5. Ecosystems Research and Development

- Approves long-term research proposals and development plans for local funding.
- Approves regional research and development prioritization system including the allocation of resources.

- Designates areas for experimental, demonstration or pilot purposes.
- Enters into research development and research management agreements with research and allied institutions within his region.
- Approves proposals for effective schemes of technology transfer.

D. Regional Technical Director (RTD)

1. Forest Management

- Issues original and renewal of ordinary minor products (OM) permits except rattan.
- Approves renewal of resaw/mini-sawmill permit.
- Approves renewal of special use permits covering over five (5) hectares for public infrastructure projects.
- Issues renewal certificate of registration for logs, poles, piles and lumber dealers.

2. Land Management

- Approves and signs map for all types of isolated survey.
- Approves survey plan for OLT and other agrarian reform projects.
- Issues authority to inspect cadastral projects.
- Issues survey orders/authority for public land subdivision covering up to 500 hectares.
- Issues certified copies or certification on survey and land disposition records.

3. Mines and Geo-sciences Development

- Issues permit to install and operate mechanical and electrical equipment for mine and quarry operations.
- Issues special permit to ship ore samples abroad for laboratory

analysis but not in commercial volume.

- Issues Blaster's foreman license and make amendments thereof subject to PC approval.
- Issues survey orders for claims and quarry permit applications.
- Registers Declaration of Location (DOL) and other mining documents.
- Approves Annual Work Obligation (AWO) and five (5)-year work programs.

4. Environmental Management

- Issues clearance certificate to vehicles which have passed the smoke-belching test.
- Issues pollution clearance and temporary permit to operate pollution control devices including the collection of corresponding fees/charges.

5. Protected Areas and Wildlife

- Issues hunting permit and certification of exemption.
- Issues/approves authority/certification to transport species of wild animals/birds not listed in CITES.
- Approves survey and Environment Work Plans (EWP).

6. Ecosystems Research and Development

- Approves short-term research proposals for local funding.
- Evaluates and recommends approval/implementation of research and development proposals.
- Supervises, coordinates and monitors the implementation of approved research and development activities within the region.
- Approves the publication of semi-technical articles.
- Identifies and approves specific technologies to be transferred to the Provincial Environment and Natural Resources Office.

F. Provincial Environment and Natural Resources Offices

(PENRO)

1. Forest Management

- Issues certificate of land classification status for lands covering over 50 hectares.
- Issues Certificate of Stewardship Contracts (CSC) covering 5-7 hectares.
- Issues original and renewal of ordinary mangrove plantation cutting permits.
- Issues public gratuitous permit covering below 50 cu. m. within declared calamity areas for public infrastructure projects.
- Issues private gratuitous permit covering 6-10 cu. m. within declared calamity areas.
- Issues original and renewal of special use permit covering 1-5 hectares for public infrastructure projects where no timber cutting is involved.
- Approves renewal of supply contract of fuelwood for small-scale industries.
- Approves disposition of confiscated forest products worth P20,000-50,000.

2. Land Management

- Approves appraisal and issues authority to conduct bidding on sales and leases covering up to 1,000 sq. m. for commercial, industrial and residential purposes.
- Approves appraisal for leases covering less than two (2) hectares.
- Issues revocable or provisional permit for alienable and disposable lands.

3. Mines and Geo-sciences Development

- Issues sand and gravel (SAG)/ commercial gratuitous/ foreshore and special permits with one (1) year duration.
- Issues and renews guano permits.
- Issues and renews gold panning permits covering 5,000 sq. m. per

G. Community Environment and Natural Resources Offices (CENRO)

1. Forest Management

- Issues certificate of land classification status for areas below 50 hectares.
- Issues Certificate of Stewardship Contracts up to five (5) hectares.
- Issues cutting permits for fuelwood/firewood and charcoal cut/manifested in private lands and Integrated Social Forestry (ISF) areas.
- Issues private gratuitous permits covering up to 6 cu. m. within declared calamity areas.
- Issues original and renewal of special use permit one (1) hectare and below for public infrastructure projects where no timber cutting is involved.
- Approves disposition of confiscated forest products worth below P20,000.
- Approves certificate of wood identification.
- Approves, authorizes issuance of certificate of origin of forest products.
- Issues forest products discharge and transport clearance/permit.
- Approves commodity clearance for forest products.

2. Land Management

- Issues survey orders/authority to conduct isolated surveys.
- Accepts public land applications, conducts investigation, appraisal, and processes the application.
- Issues certificate of acceptability of cadastral survey returns.

3. Mines and Geo-sciences Development

- Issues gratuitous permit for 50 cu. m. and below for sand and gravel.
- Issues gold panning permits pursuant to MO No. 11.

Transitory Provision. - The staff bureau directors shall continue with their old functions as far as matters presently pending in their respective offices are concerned.

This order takes effect immediately and supersedes all orders/memoranda that are inconsistent with it.

(SGD.) FULGENCIO S. FACTORAN, JR.
Secretary

Note: Terminologies used in this Order are subject to future changes.

- a - Unless otherwise specified, this refers to the Undersecretary for Field Operations.
- b - This refers to the Assistant Secretaries for Luzon, Visayas and Mindanao operations.

**DENR Administrative Order
No. 31
April 27, 1988**

**SUBJECT : Prescribing the Guidelines
Implementing Executive Order No. 192
Dated 10 June 1987 with Respect to the
Creation of the National Mapping and
Resource Information Authority
(NAMRIA)**

Pursuant to Executive Order No. 192 dated 10 June 1987 otherwise known as the Reorganization Act of the Department of Environment and Natural Resources, and to implement Section 22 (a) thereof which provides for the creation of the National Mapping and Resources Information Authority (NAMRIA) by integrating the power and function of National Cartography Authority (NCA), Bureau of Coast and Geodetic Surveys (BCGS), Natural Resources Management Center (NRMC) and the Land Classification Teams of the then Bureau of Forest Development, This Administrative Order, Adopted and unanimously approved by the NAMRIA BOARD OF GOVERNORS, through RESOLUTION NO. 1 (Series 1988), enacted on January 29, 1988, is hereby promulgated for the information and guidance of all concerned:

SECTION 1. Mandate and Responsibility. — The NAMRIA, pursuant to Executive Order 192, Section 22 (a) thereof, shall provide the Department and the government with map making services and shall act as the central mapping agency, depository and distribution facility for natural resources data in the form of maps, charts text, statistics, etc. It shall undertake and be responsible for integrated surveys, mapping, charting and oceanography, land classification, aerial photography, remote sensing, management of resource information and research development thereof.

SECTION 2. Powers and Functions of NAMRIA. — In order to properly carry out the responsibility and undertaking as mandated to NAMRIA, such powers and functions as may be necessary, shall be exercised in a manner which will serve the purpose by which it was created, to wit:

2.1 To formulate, develop and adopt a national survey,

mapping and resource information management program that would provide data, information and studies on the waters, coastal, inland resources and physical environment of the country.

- 2.2 To establish and maintain geodetic control network that would serve as a common reference for the accuracy of all surveys in the country.
- 2.3 To conduct periodic/integrated resource and environmental surveys, including hydrographic, oceanographic, marine resource, topographic, geophysical, geodetic, ground evaluation and remote sensing surveys for the gathering of data needed to generate maps and resource information.
- 2.4 To map, inventory, assess, monitor and evaluate changes in the physical environment and natural resources base.
- 2.5 To classify, reclassify, assess and re-assess lands in the public domain (including existing forest reservations, national parks, wilderness areas, civil and/or military reservation, resettlement areas) into agricultural, industrial, commercial, residential, resettlement, mineral, timber or forest and grazing lands and into such other classes as may be provided by law; and to establish all boundaries clearly marked on the ground between alienable or disposable lands and forest lands.
- 2.6 To serve as the depository of all base map reproducibles, aerial negatives and space imageries; to prepare, update, produce all types of base and thematic maps and charts at various scales resulting from its surveys and data processing/analysis activities; and to service the mapping and reprography requirements of other government agencies.
- 2.7 To establish and maintain natural resources and environmental data banks, data bases and information systems and networks that would permit easy and quick access to data in whatever form, structure or levels of

users.

- 2.8 To conduct research and develop capability in the application of remote sensing, surveying, photogrammetric, and modern information technologies for the acquisition and handling of natural resources and geographic information, including the development of models and techniques in processing, analyzing and presenting resource and environmental information.
- 2.9 To establish, enforce, coordinate, and monitor the application of mapping, surveying and resource information management standards in government.
- 2.10 To establish, operate, and maintain facilities and support systems for the acquisition, reception, reprocessing, transformation, analysis, storage, retrieval, presentation, reproduction, distribution.
- 2.11 To provide services for the transfer, sharing, exchange, packaging and dissemination of natural resource and environmental information in all regions and provinces of the country.
- 2.12 To operate training facilities and provide support and external services through conference, workshops, seminars, short courses and consultancy services.
- 2.13 To promote international cooperation in the application of advance technologies in resource surveys and assessment, mapping and resource information management and in the exchange of resource and environmental information that would be for the benefit of the country and data local users.
- 2.14 To promulgate and enforce policies, rules and regulations on the conduct of aerial surveys by any civilian, government and private entities, classification of information produced or handled by NAMRIA, including the issuance of security clearance with respect to access to classified information by requesting users.

- 2.15 To enter into contracts, domestic or foreign, under such terms and conditions as may be allowed by existing laws.
- 2.16 To prescribe, fix and collect reasonable amounts to be charged as fees for services and rendered or selling prices for products sold.
- 2.17 To utilize income from services and products sold for the development of institutional capability and expansion of program for the survey, mapping and management of resource information.
- 2.18 To receive, take and hold by bequest, devise, gift, purchase or lease, either absolutely or in trust for any of its purposes from foreign and domestic sources, any asset, grant or property, real or personal; and notwithstanding existing provisions of laws to the contrary, to convey such assets in such manner as will best promote its objectives.
- 2.19 To exercise such powers and authority or perform such other activities, which are necessary for the effective performance of the aforementioned functions.

SECTION 3. Board of Governors. — The NAMRIA shall be provided with policy direction by five (5) member Board of Governors consisting of key officers with no less than the rank of undersecretaries, as follows:

Department of Environment & Natural Resources	— Chairman
Department of Agriculture	— Member
Department of Public Works & Highways	— Member
Department of National Defense	— Member
Department of Transportation & Communication	— Member

- 3.1 The operations and management of NAMRIA shall be vested in an Administrator who shall be assisted by three (3) Deputy Administrators.

- 3.2 The Board shall meet as often as necessary on such day (s) as it may fix. Special meetings may be convoked upon the call of the Chairman or upon written request of at least two (2) of its members. The presence of three (3) members shall constitute a quorum, and all decisions shall require the concurrence of at least three (3) members.

SECTION 4. Powers and Functions of the Board of Governors. . — The Board of Governors shall be vested with the following powers and functions:

- 4.1 To promulgate and prescribe policies, rules, regulations, standards, penalties, fines, and other security measures related to the performance of the powers and functions of the Authority.
- 4.2 To approve the organizational structure, staffing pattern and the budget of the Authority.
- 4.3 To recommend to the President the appointment of Deputy Administrators; provided, that the appointments of the officers and personnel below said rank shall be made by the Administrator in accordance with the staffing pattern approved by the Board. Provided, further, that the Board may empower the Administrator to engage on contractual basis or other arrangements for the temporary services, and fix compensation of highly qualified professionals, experts, technical advisers or consulting firms.
- 4.4 To exercise such functions and powers necessary to the attainment of the objectives of NAMRIA.

SECTION 5. Office of the Administrator. — The Administrator shall be appointed by the President of the Philippines. He must be a Filipino citizen, at least thirty five (35) years of age, of good moral character, and with recognized managerial competence in the field of surveys, mapping surveys and or resource information. Unless otherwise provided by the President, the Administrator shall receive a compensation of One Hundred Eighty Thousand (P180,000.00) Pesos a year, with the rank of Undersecretary.

- 5.1 The administrator shall be assisted by three (3) Deputies who likewise shall be appointed by the President.

SECTION 6. Functions and Responsibilities of the Administrator. — The Administrator shall be the Chief Operating Officer of NAMRIA, with functions and responsibilities, to wit:

- 6.1 Prepare and submit for consideration of the Board a comprehensive national mapping surveys and resource information program.
- 6.2 Carry out the functions of the Authority in accordance with guidelines set by the Board.
- 6.3 Prepare and submit periodic reports to the Board containing the programmed activities and financial operations of the Authority.
- 6.4 Prepare and submit annual work programs and budget estimates for approval of the Board.
- 6.5 Submit for consideration of the Board policies and measures necessary in the pursuance of the objectives of the Authority.
- 6.6 Subject to the approval of the Board, determine the staffing pattern and number of personnel of the Authority, define their duties and responsibilities, and fix their salaries and remuneration in accordance with OCPC rules.
- 6.7 Perform such other functions as may be directed from time to time by the Board.

SECTION 7. Authority to Issue Rules and Regulations. — The NAMRIA, through its Board of Governors, is hereby authorized to issue rules and regulations regarding the clearances and security requirements, integration and coordination and control of photography and mapping activities integration and coordination of resource information, technical standards and quality specifications on map production, assessment and collection of fees, penalties and other similar purposes.

SECTION 8. Authority to Purchase, Issue and Possess

Firearms. — Consistent with the security responsibilities of the NAMRIA, the agency is hereby authorized, subject to limitation and constraint as may be prescribed by the Department of National Defense, to purchase, issue and possess firearms, specifically in favor of such personnel as may be charged with security and regulatory responsibilities of the NAMRIA.

SECTION 9. Tax Exemptions. — NAMRIA avails itself of the tax exemption for the purchase of photogrammetric, cartographic, survey, data processing and remote sensing equipment materials, supplies, spare parts and other related facilities locally or imported.

SECTION 10. Transitory Provisions. — The personnel of the units that compose the consolidated agencies shall, in a hold-over capacity, continue to perform their respective duties and responsibilities and receive the corresponding salaries and benefits unless and until they are otherwise designated or separated from the service.

10.1 Personnel, whose positions are not included in the new position of the approved structure and staffing pattern, or who are not re-appointed shall be deemed separated from the service, and shall receive the Retirement Benefits to which they may be entitled under existing laws, rules and regulations. Otherwise, those who may not be entitled to the Retirement Benefits, shall be paid the equivalent of one (1) month basic salary for every year of service in the government, or a fraction thereof computed on the basis of the highest salary received, but in no case such payment shall exceed the equivalent of twelve (12) months salary.

10.2 In order to provide continuity in the judicious conduct of hydrographic, oceanographic and geodetic surveys, the Commissioned Service of the BCGS shall be transferred to the NAMRIA. They shall now be called MRIM Commission Officers, and shall only use their MRIM Naval Ranks while assigned aboard ship. The Officers Corps shall continue to be governed by the pertinent provisions of RA 2057 on recruitment and promotions but now shall be subject to the approval of the Secretary of the Department of Environment and Natural Resources. RA 5976 shall continue to govern their mode of retirement contributions and benefits.

SECTION 11. Prohibitory Clause. — No change or modification in the provisions prescribed in this Administrative Order shall be valid without prior approval by the NAMRIA Board of Governors.

SECTION 12. Effectivity. — This Administrative Order shall take effect immediately.

(SGD.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Administrative Order
No. 71
Aug. 9,1988**

**SUBJECT : Composition Of The Rewards Committee
Regarding The Grant Of Rewards To
Informers On Violations Of Forest Laws,
Rules And Regulations .**

Pursuant to Section 12 of DENR Administrative Order No. 36, dated May 6, 1988, the Rewards Committee shall be composed of the following, to wit:

Secretary - Chairman

Undersecretary for
Field Operations - Member

Assistance Secretary
for Legal Affairs - Member

Director
Special Concerns Office - Member

Director
Forest Management Bureau - Member

Chief
Finance and Management
Services - Member

The Committee shall evaluate information received and claims for reward and settle any issue that may arise from the information received and from claims for reward field, and submit appropriate recommendations.

This Order shall take effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Circular
No. 05
Dec. 29, 1988**

**SUBJECT : Prescribing Policies and Guidelines On
Records Management Development
Programs**

Upon the recommendation of the Committee on Records Management created under DENR Special Order No. 389 dated May 12, 1988, the following policies and guidelines are hereby promulgated for the guidance of all concerned in the Department, Staff Bureaus and offices under and/or attached to it.

The primary purpose of this Circular is to provide a definite source of information for the guidance of personnel responsible for the creation, preparation, processing, storage, and disposal of records. It is intended to establish an understanding of the basic principles of sound records management and recognition of the benefits to be derived from an integrated and centralized system of records management.

- A. Definition of Terms. — For purposes of this Circular, the following terms shall be defined as:
1. Records — Any paper, book photograph, discs, diskette, microfilm, motion picture film, x-ray films, sound recording, drawing, map or other document of any physical form or character whatsoever or any copy thereof, that has been made by any entity or received by it in connection with the transaction of public business and has been retained by that entity or its successor, as evidence of the objectives, organization, functions, policies, decision, procedures, operations or other activities of the government or because of the informational value contained therein.
 2. Records Creation — The recording of information on paper, printed forms, punched cards, tape or any information-transmitting media.
 3. Records Disposition — The orderly maintenance of those records necessary to protect the interest of the organization and, in the interest of economy and efficiency, the prompt disposal of records as they cease to have for administrative, financial, legal, operational, or

research purposes.

4. Records Maintenance — The operation involves more than placing records in file folders and cabinets. It is a responsible task which requires accuracy, an excellent memory, and an attitude of interest from file operators. Basic requirements include a good understanding of the information handled, the ability to determine proper file positions of related information, and facility in producing the records when they are needed.
 5. Records Management — The systematic and effective control over the creation, maintenance, retention, protection, and preservation of records.
- B. Functions and Responsibilities of the Records and Documents Division. — The Records and Documents Division shall have the following functions and responsibilities:
1. Receive, register, dispatch and monitor the flow of communications from the time of receipt to their dispatch;
 2. Process, maintain and control vital and essential records to support the functions of the Department;
 3. Service the documentary, information and reference requirements of top management, action officers, other government offices and the general public; and
 4. Ensure the proper storage, maintenance, protection and preservation of vital documents, and the prompt disposal of obsolete and valueless records.
- C. Control of Records. — For the proper maintenance of records and fast retrieval of files, the Records and Documents Division shall adopt, as far as practicable, a completely centralized files plan, using the subject numeric classification scheme and filing system. Under this plan, the central files are to be maintained in one unit and in one location.
- D. Completeness of Records. — To make paperwork more efficient, more effective and more economical, records maintained must be complete.

Records are said to be complete when official files are properly maintained and preserved in accordance with sound records management practices and which can be used not only for the Agency's operations but also for future generations which make use of them. It must be registered and stamped properly; shall contain the action or series of actions taken, each action or series of actions duly signed and/or initialed; and copy of enclosures/attachments, if any are available.

E. **Expeditious Transmittal of Communications.** — Efficient handling of incoming mail and correspondence and outgoing communications is an essential factor in effective management of records.

To avoid delay and to promote speedy transmittal of both incoming mail and outgoing communications, delivery and collection centers in the different units shall be established to serve as the focal point of mail/dispatch activities.

All incoming mail and correspondence after having been received, sorted, opened, time-stamped, registered/recorded/controlled and assigned/routed, shall be delivered to their respective delivery centers for disposition, within 30 minutes after recording.

Likewise, to prevent any delay in the dispatch of outgoing communications, the Records and Documents Division, in the absence of specific instructions, shall have the responsibility to determine the mode of dispatch of outgoing communications, either by postal service, telegraph service, personal delivery or by other means, such as JRS, LBC, Air Cargo, etc.

Priority in the handling, processing and dispatch of outgoing communications shall be given to those considered RUSH/URGENT/ASAP/Confidential and those with specific instructions.

It shall also be the responsibility of the Records and Documents Division to provide and maintain delivery schedule for outgoing communications on a daily basis.

F. **Easy and Accurate Retrieval of Files.** — Management is not only concerned with the increasing volume of records that are

accumulated and the increasing number of employees needed to handle them. It is more concerned with the retrieval of information it needs for decision-making. It is, therefore, the responsibility of the Records and Documents Division to produce the files on time when needed.

For easy and accurate retrieval of files, it is ideal that a completely centralized plan be adopted and the use of the subject numeric classification scheme and filing system.

To prevent the loss of vital and essential records, it is necessary that only authorized officials and employees be allowed to borrow records.

The use of finding aids, such as index cards, cross reference sheets and new technology devices such as microfilm and data-based computer systems can help facilities the fact retrieval of files.

G. Integrity of Records. — For purposes of preserving the integrity of records and prevent the creation of forged and spurious documents, the following measures and safeguards shall be observed:

1. The processing and releasing of outgoing communications shall be the responsibility of the Records and Documents Division;
2. Hand carrying of official communications by authorized parties shall be prohibited;
3. Issuance of certified copy and authentication of documents shall be centralized; and
4. Identification unique to the agency of outgoing communications shall be established.

This Circular shall take effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Memorandum Circular

No. 1 :

Feb. 03, 1988

SUBJECT : Transfer of Properties

Pursuant to Executive Order No. 192, reorganizing the Department of Environment and Natural Resources and Section 6 of DENR Administrative Order No. 1, Series of 1988, the Implementing Guidelines for the Reorganization, the orderly transfer of records, properties and equipment should be effected immediately.

All properties, including equipment, buildings, housing units and other structures, vehicles, aircrafts, seacrafts as well as supplies owned or booked by the Bureau of Forest Development, (except those use primarily by the Central Land Classification Teams), Bureau of Mines and Geo-Sciences, Mineral Reservations Development Board and the Gold Mining Industry Development Board, Bureau of Lands, National Environmental Protection Council, National Pollution Control Commission, the Forest Research Institute and the National Mangrove Committee which are located at their Central Offices shall be transferred to and booked by the Department of Environment and Natural Resources. Properties of the above-mentioned offices that are located in the regions shall be transferred to and booked by the respective DENR Regional Offices.

Similarly, all properties, equipment, building, transportation facilities and other structures owned by the Natural Resources Management Center, the Bureau of Coast and Geodetic Survey, the National Cartographic Authority and those equipment and facilities previously used by the Central Land Classification Teams of the BFD shall be transferred to and booked by the National Mapping and Resource Information Authority (NAMRIA).

The Assistant Secretary for Management Services, for the DENR, and the NAMRIA Administrator, for NAMRIA, are hereby instructed to provide the mechanics and systems for the turnover and direct such turnover in the most efficient and speedy manner.

Third parties who may have pending claims or transactions with any of the units of the Department should be advised accordingly by the

Assistant Secretary for Management Services, Regional Executive Directors, or the Administrator of NAMRIA of whatever changes that may affect them.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Memorandum Circular

No. 2

Feb. 4, 1988

SUBJECT : Selection and Placement

One purpose of our reorganization is to promote effective decentralization and thereby strengthen our front-line services. This is the reason why we been encouraging our technical and administrative employees to join the regional operations. In this connection, we wish to remind you that selecting regional employees for central office positions, in effect, negates a purpose of the reorganization. We therefore, advise you that in the meantime, please refrain from considering applicants from the regional operations for central office positions, until further notice.

(Sgd.) **ANTONIO S. TRIA**
Assistant Secretary
for Management Services

Bureaus - Director concerned Undersecretary
(Note: To be initialed Celso R. Roque
by the Chairman, Sub-
Committee on Placement)

Regional Offices - Regional Technical Regional
Director concerned Executive
designated Chairman Director
of Sub-Committee on
Placement

In the absence of the Regional Executive Director for the National Capital Region, Mr. Victor O. Ramos, the Undersecretary for Field Operations shall issue the appointments.

3. Staff of ASEC ASEC concerned USEC Victor O. Ramos
for Operations (if available Undersecretary for
(including LEP Field Operations
& FNSP)

In discharging the above delegated functions, the concerned officials shall sign "By Authority of the Secretary".

The date of effectivity of appointments under the reorganization is September 16, 1988.

This Order takes effect immediately and repeals, supersedes, and revokes any order or issuance not consistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Memorandum Circular
No. 3
March 18, 1988**

**SUBJECT : Delegation of Authority to Regional
Executive Director and other Officials**

Pursuant to existing laws and in order to achieve greater efficiency and effectiveness in the conduct of official business in the Regional Office Proper, it is directed that the hereunder specific personnel and financial functions be performed by the Regional Executive Directors and other officials, in addition to their regular duties, as indicated.

SPECIFIC FUNCTIONS	PERFORMING OFFICIALS		
	<u>Recommending Official</u> (Signature or initial)	<u>Approving Official</u>	
PERSONNEL MATTERS			
1. Appointment and Renewal of Casual	Regional Director Sectoral Personnel Adm. Services Chief for Gen. Adm. Personnel	Technical (RTD) for Regional Director (RED)	Executive
2. Designation, detail or re-assignment of regional officials and employees			
2.1 within the region	-do-	RED	
2.2 within the area	RED	ASEC for Operations concerned	
2.3 to Regions in others areas	RED and ASEC concerned	USEC for Field Operations	
2.4 to Staff bureaus	RED, ASEC and BUREAU Director concerned	USEC concerned	
2.5 to the DENR Proper	RED, ASEC and USEC concerned	Secretary	
2.6 to other agencies	RED, ASEC and USEC concerned	Secretary	
3. Request for permission to teach and exercise a profession outside of office hours	RTD concerned for Sectoral Employees Adm.Services Chief for Gen. Adm. Personnel	RED	

- | | | | |
|---|--------------------------------------|---|--|
| 4. Request for transfer to other government offices by regional officials and employees, Division Chief and below | Administrative Chief | Service | RED |
| 5. Application for leave of absence with or without communication as well as maternity leave with or without pay of officials and employees with rank of Division Chief and below | | | |
| - 10 days absence | Division concerned | Chief | RTD concerned for Sectoral Employees Administrative Service Chief for General Administration Employees |
| - more than 10 days | RTD concerned for Sectoral Employees | Administrative Service Chief for General Administration Employees | RED or RTD concerned or in cases where there are no Appointed RTD concerned any RTD that the RED may designate |
| - more than 30 days | -do- | | RED |

Leaves of RTDs

- | | | | |
|--|--------------------|------------|-------------------------------|
| - 15 days or less | | | RED |
| - more than 15 days, not more than 30 days | RED | | ASEC for Operations concerned |
| - more than 30 days | ASEC for concerned | Operations | USEC for Field Operations |

Leaves for REDs

- 15 days or less ASEC for Operations concerned
- more than 15 days, not more than 30 days ASEC for Operations Concerned USEC for Field Operations
- more than 30 days USEC for Field Operations Secretary
- 6. Notifications of Employees who are absent without official leave Administrative Chief RED
- 7. Application for retirement, resignation or dropping from the service of officials and employees in the regional office RED USEC for Field Operations
- 8. Clearance of officials and employees, Division Chief and below Administrative Chief RED
- 9. Participation in Local seminars, in-service training, workshop
- within the Region RTD Concerned or Division Chief in the case of General Adm. Employees RED
- Outside of Region within area RED ASEC for Operations concerned
- other training outside of area RED ASEC for Operations concerned

- | | | |
|--|---|--|
| 10. Attendance in Local academic scholarship | RED, HRD Service Chief, Scholarship Committee and ASEC for Mgt. Services | USEC for Field Operations |
| 11. Foreign Travels | RED, HRD Service Chief, Scholarship Committee, ASEC for Mgt. Services and USEC for field Operations | Secretary |
| 12. Notice of Adjustment of salaries and payment pursuant to Budget Circulars and other laws, and regulations rovided these laws have been previously approved by the Department of higher authorities | Regional Personnel Officer and Adm. Services Chief

- | RED |
| 13. Request for reclassification and upgrading of position of officials and employees | RED, USEC for Field Operations Adm. Service Chief (Department Proper), ASEC for Mgt. Services | USEC for Legal Affairs and Mgt. Services |
| 14. Grant of merit increase to deserving employees | Division Chief & RTD Concerned, Committee on Incentives and Awards | RED |
| 15. Investigation of Adm. Complaints against employee in the region | | RED |

1. Suspension of Employees
 - for not more than 30 days for causes provided by law Investigating Committee RED
 - for more than 30 days not less than 60 days RED and ASEC for Operations concerned USEC for Field Operations
 - more than 60 days to limits allowed by law RED and ASEC concerned; USEC for Field Operations Secretary

Financial Matters

Payrolls and vouchers covering payment of salaries, wages, and other claims for compensation of officials and employees in the region Administrative Services Chief/RTD concerned RED or RTD concerned or in cases where there are no appointed RTD concerned any RTD that the RED may designate

1. Request for obligations of Allotment (ROA) RTD concerned for Sectoral Expenses RED
- Finance Service Chief for General Adm. Expenditures

(The Budget Officer shall prepare and initial the ROA)

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|--|--|---|
| <p>3. Granting authority and payment of meal allowance to employees required to render overtime services for a period of not exceeding three (3) months including payment of overtime pay, subject to existing laws, policies, rules and regulations as may be imposed by the Secretary and/or other higher competent authority.</p> | <p>RTD concerned; Service Chief; Finance Service Chief for their respective Groups</p> | <p>RED</p> |
| <p>4. Local travel with the Region</p> | | |
| <p>4.1 One month or less travel of personnel</p> | | |
| <p>- Travel of Personnel, Division Chief and below</p> | <p>Division Chief</p> | <p>RTD concerned for sectoral employees
RED for other employees</p> |
| <p>- Travel of Regional Technical Director</p> | | <p>RED</p> |
| <p>- Travel of RED</p> | | <p>RED</p> |
| <p>4.2 more than one month</p> | <p>RED, ASEC and USEC concerned</p> | <p>Secretary</p> |

5. Local travel outside the region
- 5.1 One month or less
- Travel of Personnel, Division Chief and below RTD concerned RED
 - Travel of Regional Technical Director RED
 - Travel of RED ASEC for Field Operations concerned USEC for Field Operations or ASEC for Field Operations if delegated.
- 5.2 More than one month RED, ASEC and USEC concerned Secretary
6. Miscellaneous Contractual Services including subscription to periodicals
- P50,000 and below Administrative Service Chief RED or RTD concerned or in cases where there are no appointed RTD concerned, any RTD the RED may designate
 - more than P50,000 to not more than P200,000 RTD concerned or in cases where there are no appointed RTD concerned, any RTD the RED may designate RED
 - more than P200,000 to not more than P500,000 RED USEC for Field Operations
 - more than P500,000 USEC for Field Operations Secretary

7. Requisition and Issue Voucher for supplies and equipment, subject to existing policies, rules and regulations and such restrictions as may be imposed by higher authority.

- P50,000 and below at one time Administrative Service Chief RED or RTD concerned or in cases where there are no appointed RTD concerned, any RTD the RED may designate
- more than P50,000 to not more than P200,000 RTD concerned or in cases where there are no appointed RTD concerned, any RTD the RED may designate RED
- more than P200,000 to P500,000 RED USEC for Field Operations
- more than P500,000 USEC for Field Operations Secretary

8. Purchase Orders and Voucher for payment of supplies and equipment
- P50,000 and below at one time Administrative Service Chief RED or RTD concerned or in cases where there are no appointed RTD concerned, any RTD the RED may designate RED
 - more than P50,000 to not more than P200,000 RTD concerned or in cases where there are no appointed RTD concerned, any RTD the RED may designate
 - more than P200,000 to P500,000 RED USEC for Field Operations
 - more than P500,000 USEC for Field Operations Secretary
9. Application for Bonding of officials and employees Finance Service Chief RED
10. Granting Authority to Hold Cash Advance Finance Service Chief RED

11. Signing and Counter-signing of checks

- P5,000 and below Cashier RED or RTD concerned or in cases where there are no appointed RTD concerned, any RTD the RED may designate
- More than P5,000 to P50,000 Finance Service Chief RED or RTD concerned or in cases where there are no appointed RTD concerned, any RTD the RED may designate
- Above P50,000 to P200,000 RTD concerned or in cases where there are no appointed RTD concerned, any RTD the RED may designate RED
- Over P200,000 to P500,000 RED USEC for Field Operations
- more than P500,000 USEC for Field Operations Secretary

12. Cash Advance for Salaries and Wages

- P100,000 and below Finance Service Chief RED
- More than P100,000 RTD concerned or in cases where there are no appointed RTD concerned, any RTD the RED may designate RED

13. Vouchers Covering Cash Advance of Special Disbursing Officers

- P50,000 and below Finance Service Chief RTD Concerned
- more than P50,000 to P200,000 RTD concerned or in cases where there are no appointed RTD concerned, any RTD the RED may designate RED
- more than P200,000 to P500,000 RED USEC for Field Operations
- more than P500,000 USEC for Field Operations Secretary

14. Vouchers for Credit to Cash Advances of Special Disbursing Officer

Finance Service Chief/RTD concerned RED

15. Vouchers and supporting documents for payments of contracts or agreements and other services

Finance Service Chief RTD Concerned

- P50,000 and below RTD concerned or in cases where there are no appointed RTD concerned, any RTD the RED may designate RED
- more than P50,000 to P200,000 RED USEC for Field Operations
- more than P200,000 to P500,000 USEC for Field Operations
- more than P500,000 Secretary

16. Vouchers, Checks and supporting documents concerning remittances to GSIS, BIR and other government offices, regardless of amounts
- Finance Service Chief
- RED

(Note: The ROA should be prepared and initialed by the Budget Officer)

17. Acceptance of donations and contributions for the Regional Offices from other government offices private associations/foundations and/or International Agencies subject to pertinent rules and regulations
- Finance Service Chief
- RED

In addition to the above-enumerated delegated authority and pending the complete and full reorganization of the DENR Regional Offices, the Regional Executive Director shall perform such other functions and duties normally exercised by the former Bureau Regional Directors.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Memorandum Circular
No. 4
March 21, 1988**

TO : The Undersecretaries, Assistant Secretaries, Bureau Directors, ASEC Directors, HEA and Services Chiefs, Regional Executive Directors

FROM : THE SECRETARY

SUBJECT : Dispatching Vehicles and Rationalization of Gasoline Consumption

A. The following shall be the guidelines in the dispatch of vehicles and provision of gasoline in the Department of Environment and Natural Resources:

OFFICE/OFFICES	Number of Vehicles Allowed for Dispatch	Gasoline Allowed
SECRETARY	one official/one back-up vehicle	as may be needed
Undersecretaries	one staff car plus another vehicle that will service his staff and be used as back up vehicle	limited to 15 liters only First vehicle as may be needed - second vehicle-20 liters a day when not used for long distance trips.
Offices of Asst. Secretaries, HEA, Special Concerns Offices and Public Affairs Offices;	One vehicle each	not more than 20 liters a day, except for long distance travel for which gasoline is provided
Offices of the Bureau Directors Offices of the		

Assistant Bureau
Directors

-

Offices of the Services Chiefs and Asst. Staff Directors (Department Proper) one vehicle each Not more than 15 liters

Offices of the Regional Executive Directors one vehicle each to be determined by RED
Offices of the Regional Technical Directors one vehicle each to be determined by RED

B. Task Forces, Special Committees, Boards and Similar Groups

Task Forces, Special Committee, Boards and Similar Groups duly authorized by law or by the Secretary to perform specific functions may be assigned one (1) vehicle each, upon the discretion of the Secretary. These special groups shall be allocated 15 liters of gasoline per day that a vehicle is needed. Additional gasoline may be provided for long distance trips.

C. Motors Pools

1. The Department Proper, the Staff Bureaus and the Regional Office Proper shall maintain pools of vehicle for general dispatch. These pooled vehicles shall be for the use of other offices not mentioned above.
2. Due to the limited number of vehicles in the entire department, the number of vehicles initially composing the motor pool shall not exceed the number of regular divisions identified in the staffing pattern. A vehicle shall be dispatched as maybe needed by the cashier and by other offices which regularly require transport such as records.
3. Pooled vehicles shall be provided gasoline only when dispatched for a specific trip. As a general rule, each pooled

vehicle shall be provided 10 liters of gasoline daily except for long distance travel.

D. Additional Guidelines

1. The use of official vehicles shall be strictly for official business.
2. All vehicles assigned for dispatch for specific and personnel shall be covered by proper memorandum receipts. Staff vehicles shall be in the name of the Staff or Division Head concerned.
3. Staff and Dispatch Vehicles shall be deposited with the DENR Motor Pool. No vehicle shall be dispatched or allowed to leave the motor pool without a duly approved trip ticket.
4. No transfer of vehicle from one official to another shall be made except upon approval by the Secretary.
5. All officials and employees having in their possession or custody vehicles more than what they are allowed for dispatch purposes under these guidelines shall immediately return the excess to the Office of the Assistant Secretary for Management Services.
6. For purposes of effective rationalization of gasoline consumption, all property officers at the Office of the Secretary and the Central Bureaus shall submit to the Office of the Assistant Secretary for Management Services a monthly summary of gasoline and oil consumption.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Memorandum Circular
No. 5
May 19, 1988**

**SUBJECT : CREATION OF DENR APPEALS BOARD
AND PRESCRIBING THE PROCEDURES
GOVERNING THE REVIEW/
EVALUATION OF APPEALS/
COMPLAINTS THROUGH TO THE
BOARD.**

Pursuant to the Memorandum of the President dated October 2, 1987, and Memorandum Circular No. 5, dated 17 March 1988 of the Civil Service Commission, a Reorganization Appeals Board is hereby create to be Composed of the following:

- CHAIRMAN** - Assistant Secretary
ROMULO SAN JUAN
- VICE CHAIRMAN** - Assistant Secretary
RENATO DE RUEDA
- MEMBERS** - Assistant Secretary for
Management Services
ATTY. ANTONIO S. TRIA
- Assistant Director for
Forest Management Bureau
ATTY. LOPE REYES
- Legal Service Chief
ATTY. ANTONIO ELUM

The DENR Personnel Division shall provide secretariat services to the Board.

All cases submitted to the Board shall be resolved subject to the following guidelines:

1. Publication or posting of appeals procedure promulgated by

the Secretary;

2. Adherence to due process;
3. Disposition within thirty (30) days from submission of the case;
4. Written notification of the action taken and the grounds thereof.

To carry out the above guidelines, the following specific procedures in the review/evaluation of appeals/complaints are hereby promulgated:

1. Within five (5) days from the completion of the new Plantilla of Personnel (NPP), the same shall be made known to all concerned by the DENR Placement Committee and the Secretary;
2. Officials and employees who are not included in the NPP or who feel aggrieved may, within five (5) days, from knowledge or notice of the NPP, appeal be deemed filed on the date of receipt stamped on the appeal/complaint, if filed personally, and in case the same is sent by mail, on the date shown by the postmark on the envelope;
3. The appeal/complaint shall be properly docketed by the DENR Secretariat in a docket book and all appeals/complaint numbered consecutively as they are received;
4. The appeal shall specifically set forth the grounds thereof, the name(s) of the personnel and/or position(s) in the NPP which are the subject of the appeal;
5. Within five (5) days from the receipt of the appeal the Board shall deliberate on the same, observing due process in all its proceedings. The Board shall render a decision within thirty (30) days from submission of the case for resolution. Written notification of the action taken and the grounds thereof shall be sent to the appellant/complaint;

6. The decision of the Appeals Board may be appealed by the aggrieved party to the Civil Service Commission within fifteen (15) days from receipt thereof;
7. These procedures shall be posted in prominent places in all DENR Bureau/Offices and given widest publicity possible;
8. Strict adherence to the herein procedures shall at all time be observed.

This Memorandum takes effect immediately and shall remain in force unless revoked in writing.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Memorandum Circular
No. 6
June 23, 1988**

**SUBJECT : Amendment of Memo Circular
No. 3 Delegation of Authority to Regional
Executive Directors and other Officers.**

Memorandum Circular No. 3, Series of 1988 dated March 18, 1988 is hereby amended as follows:

Functions/Authority	Recommending Officials (Signatories or Initial)	Approving Officials
1. Request for obligation allotment Local Travel of REDs outside their region not exceeding 7 days	Regional Budget Officer	Regional Finance Services Chief
2. Local travels of REDs outside their region for more than 7 days but less than 30 days	-	Regional Executive Director (RED)
3. Application for Retirement and dropping from the rolls of employees whose appointment were signed /approved by Regional Director/RED	Regional Administrative Service Chief	Respective Asec for Operations
4. Cash Advances for Salaries and Wages	Regional Service Chief	Regional Executive Director (RED)
	Finance	RED or any RTD that the RED may designate

This Circular takes effect immediately.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Memorandum Circular
No. 7
June 23, 1988**

**SUBJECT : Delegation of Authority Regarding
Personnel Matters**

Pursuant to existing laws and to maintain efficient and effective conduct of administrative functions in the Department Proper, it is directed that the following specific functions be performed by the Department Service Chief, Administrative Service and other officials, in addition to their regular duties, as indicated.

Specific Functions	Performing Officials Recommending Officials (Signature or Initial)	Approving Officials
1. Application for leave of absence with or without communication as well as maternity leave with or without pay of officials and employees below Division Chief.		
- 15 days or less	Division concerned	Chief, Personnel Division
- more than 15 days but less than 30 days	- do-	Service Chief Concerned
- above 30 days	- do-	Administrative Service Chief

Application for leave shall be coursed to the Personnel Division for notation purposes before it shall be forwarded to the official concerned for approval.

2. Payrolls and Chief Personnel Administrative Service
vouchers covering Division Chief
payment of salaries,
wages and other
claims for
compensation of
officials and
employees

This Order shall take effect immediately. All previous orders, memoranda and other administrative issuances inconsistent herewith are hereby modified or amended.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Memorandum Circular
No. 9
Sept. 08, 1988

SUBJECT : Creating the DENR Reorganization Appeals Board to assist the Secretary in there view evaluation of appeals brought in connection with the on-going reorganization.

Pursuant to Republic Act No. 6656 and the Rules on Government Reorganization issued by the Civil Service Commission to implement the same, a DENR Reorganization Appeals Board is hereby created to be composed of the following:

- CHAIRMAN - ROMULO D. SAN JUAN
Assistant Secretary for Legal Affairs
- VICE CHAIRMAN- RENATO DE RUEDA
Assistant Secretary for Operations-
Visayas
- MEMBERS - ANTONIO S. TRIA
Assistant Secretary for Management
Services
- LOPE D. REYES
Assistant Director,
Forest Management Bureau
- ANTONIO C. ELUM
Legal Services Chief
- ROMULO A. REDULA
President, DENR
Employees Association

The Appeals Board shall be an advisory body which shall assist the Secretary in the resolution of appeals filed by any officer or employee aggrieved by the appointments made or whose services were terminated

in connection with the DENR Reorganization.

1. Any officer or employee aggrieved by any appointment made may file an appeal to the Secretary, thru the DENR Appeals Board, within ten (10) days from the last day of posting of the appointment by the Personnel Officer /appointments shall be posted for a period of fifteen (15) days. Any officer or employee whose services were terminated may also appeal to the Secretary, thru the DENR Appeals Board, within ten (10) days from receipt of his notice of termination.
2. The DENR Personnel Division shall provide Secretariat services to the Board.
3. The following specific procedures in the review of appeals are hereby promulgated:
 - 3.1 The appeal shall be properly docketed by the Secretariat in a docket book and all appeals numbered consecutively as they are received. An appeal is deemed filed on the date of receipt stamped on the appeal if filed personally, and in case the same is sent by mail, on the date shown by the postmark on the envelope.
 - 3.2 The appeal shall specifically set forth the grounds therefor, the name (s) of the personnel and/or positions which are the subject of the appeal
 - 3.3 Upon receipt of the appeal, the Board shall deliberate on the same, observing due process in all its proceedings. The Board shall render a report stating therein its findings as well as its recommendation to the Secretary who shall render a decision thereon. Written notification of the action taken on the appeal and the grounds therefor shall be sent to the parties concerned.
 - 3.4 The decision of the Secretary may be appealed by the aggrieved party to the Civil Service Commission within ten (10) days from his receipt of the decision.
 - 3.5 These procedures shall be posted in prominent places in all DENR Bureau/Offices and be given widest publicity.

The Memorandum takes effect immediately and supersedes Memorandum Circular No. 5, series of 1988.

FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Memorandum Circular
No. 10
Sept. 16, 1988**

Subject : Delegation of Authority to Issue Appointment in Connection with the Reorganization

Pursuant to the policy of decentralization of the Department, and in order to facilitate the issuance of appointments of personnel in connection with the re-organization, the authority to issue appointments of personnel indicated hereunder is hereby delegated to the following officials:

Position	Recommending Official (Initial)	Appointing Official
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1. Chief of Division

OSEC	Assistant Secretary/ Director Concerned	Secretary
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Bureaus -	Director concerned (Note: To be initialed by the Chairman Sub-committee on Placement)	-do-
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Regional Offices	Regional Director Concerned (Note: To be initialed by the Chairman, Sub- committee on Placement)	-do-
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2. All other first and Second level positions below Chief of Division

OSEC	Assistant Secretary / Director concerned	Assistant Secretary for Management Services
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Bureaus	Director Concerned (Note: To be initialed by the Chairman, sub committee on Placement)	Undersecretary Celso R. Roque
Regional Office	Regional Technical Director concerned, designated Chairman (Sub-Committee on Placement)	Regional Executive Director

In the absence of the Regional Executive director for the National Capital Region, Mr. Victor O. Ramos, the Undersecretary for Field Operations shall issue the appointments.

3. Staff of ASEC for Operations (including LEP & (FNSP)	ASEC concerned (if available)	USEC Victor O. Ramos, Undersecretary for Field Operations
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In discharging the above delegated functions, the concerned officials shall sign "By Authority of the Secretary"

The date of effectivity of appointments under the reorganization is September 16, 1988.

This order takes effect immediately, and repeals, supersedes, and revokes any order or issuance not consistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Memorandum Circular
No. 13
Oct. 10, 1988**

**SUBJECT : Amendment of Memorandum Circular
No. 10, Series of 1988.**

In the interest of the service and in order to further facilitate the issuance of appointments in the Bureaus under this Department, Item No. 2, paragraph 2 of Memorandum Circular No. 10, series of 1988, is hereby amended by delegating to the Bureau Directors the authority to appoint personnel to positions below Division Chief level. The Assistant Directors shall be the recommending officials.

In the exercise for the authority delegated the Bureau Director concerned shall sign: "By Authority of the Secretary".

This Order takes effect immediately and amends Memorandum Circular No. 10, series of 1988.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

**DENR Memorandum Order
No. 1
March 10,1988**

**TO : ALL DENR OFFICIALS AND OTHER
CONCERNED**

**SUBJECT : ESTABLISHMENT OF A TREASURY
WARRANT FUNDING SCHEME FOR
DENR FOREIGN-ASSISTED PROJECT
PROJECTS AND DELEGATIONS OF
AUTHORITY TO BUREAU DIRECTORS,
REGIONAL EXECUTIVE DIRECTORS
AND PROJECT MANAGERS/PROJECT
DIRECTORS RELATIVE TO ITS
IMPLEMENTATION.**

1. In the interest of promoting efficiency, effectiveness and economy in the implementation of DENR Foreign-Assisted Projects (FAPs), and pursuant with the New Disbursement System of the Government, otherwise known as the Treasury Warrant Funding Scheme (TWFS), the following FAPs are hereby authorized to open separate current account (s) with the Agency's designated servicing bank, Far East Bank and Trust Company (FEBTC), for the implementation of TWFS, thru the bank's branch office nearest of the Project Office:
 - a. Forestry Development Project in Ilocos Norte (FDPIN), ADB Loan No. 677 PH;
 - b. Forest Fire Management Project (FFMP), UNDP-FAO Grant;
 - c. Magat Smallholder Agroforestry Pilot Project (MSAPP), IBRD-Loan No. 1890 PHI;
 - d. Integrated Forest Protection Pilot Project, Area A (IFPPP-A), IBRD Loan No. 1890 PH;
 - e. Integrated Forest Protection Pilot Project, Area B (IFPPP-B), IBRD Loan No. 1890 PH;

- f. RP-Japan Forestry Development Project (RP-Japan FDP) JICA Grant;
- g. RP-New Zealand Afforestation Project (RP-NZAP), NZ Grant;
- h. Lake Bato Watershed Managemnet and Rehabilitation Pilot Project (LBWMRPP), ADB Loan No. 417 PH;
- i. Palawan Intergrated Area Development Project (PIADP), ADB Loan Nos. 528/529 PH/EEC Grant;
- j. ASEAN-US Watershed Project (AUSWP), USAID Grant;
- k. RP-German Cebu Upland Development Project (CUDP), FRG/GTZ Grant;
- l. Muleta Manupali Watershed Development Project (MMWDP), ADB Loan No. 406 PH;
- m. Third Davao del Norte Irrigation Project - SCC (DIP III-SCC), ADB Loan No. 580 PH;
- n. Allah Valley Watershed Development Project (AVWDP), ADB Loan Nos. 341/727 PH;
- o. Timber Stand Improvement Project (TSI), FRG/GTZ Grant;
- p. RP- German Forest Resources Inventory Project (RP-German FRI), FRZ/GTZ Grant;
- q. RP-Japan Crocodile Farming Institute (RP-Japan CFI), JICA Grant;
- r. Bamboo Research Development Project (BRDP), UNDP/FAO Grant; and
- s. All Rainfed Resources Development Project (RRDP), USAID loan No. 492-T-068.

2. In the establishment and operation of the TWFS, the Project Offices

shall be guided by the provisions of COA-DBM-DOF Joint Circular 4-86 A and DBM Circular Letter No. 87-8. In places where there are no FEBTC branch office, arrangements shall be made for the opening of project current accounts with other authorized government servicing bank nearest the Project office.

3. To facilitate the smooth implementation of the New Disbursement System, the following delegations of authority shall be strictly followed for the FAPs herein specified:

- 3.1 Regional Executive Director, R-1 for FDPIN and FFMP; Regional Executive Director, R-2 for IFPPP-A and MASPP; Regional Executive Director, R-3 for RP-Japan FDP,IFPPP-B and RP-NZAP; Regional Executive Director, R-5 for LBWMRPP; Director Ecosystem Research and Development Bureau for BRDP; Regional Executive Director, R-7 for the RP-German CUDP; Regional Executive Director, R-10 for MMWDP; Regional Executive Director, R-11 for AVWDP and DIP III-SCC; Director, Forest Management Bureau for AUSWDP; RP-German NFRI and TSI; Regional Executive Director, concerned for RRDP.

- a. Approve Travel Orders and Itinerary of Travel of Project Managers/Director covering official trips;
- b. Approve monthly/quarterly plantilla of project personnel, except otherwise, as maybe provided in the Projects Loan/Grant Agreements;
- c. Approve monthly cash advances for non-personal services covering amounts above ONE HUNDRED THOUSAND PESOS (P 100,000.00) but not exceeding TWO HUNDRED THOUSAND PESOS (P 200,000.00);
- d. Approve RIVs and Purchase/letter orders for the furnishing of necessary supplies and materials and contracts for non-personal services, covering amounts not exceeding TWO HUNDRED THOUSAND PESOS (P 200,000.00) provided that

no splitting of requisition, purchase/services shall be made;

- e. Approve/award contracts for personal services of civil works to be implemented by administration/force account, covering amounts not exceeding TWO HUNDRED THOUSAND PESOS (₱ 200,000.00) provided that no splitting of contracts/services shall be made.
- f. Approve Disbursement Vouchers involving amounts above ONE HUNDRED THOUSAND PESOS (₱ 100,000.00) but not exceeding TWO HUNDRED THOUSAND PESOS (₱ 200,000.00)

3.2 Project Managers/Project Directors of all FAPs under par a. 1 above:

- a. Approve Travel Orders and Itinerary of Travel of project personnel covering official trips for a period not exceeding fifteen (15) days;
- b. Approve payrolls and monthly cash advances for personal services regardless of amount and monthly cash advances for non-personal services covering amounts not exceeding ONE HUNDRED THOUSAND PESOS (₱100,000.00);
- c. Approve RIVs and Purchase/letter orders for the furnishing of necessary supplies and materials and contracts for non-personal services, covering amounts not exceeding ONE HUNDRED THOUSAND PESOS (₱100,000.00) provided that no splitting of requisition, purchases/services shall be made;
- d. Approve/award contracts for personal services of civil works to be implemented by administration/force account, covering amounts not exceeding ONE HUNDRED THOUSAND PESOS (₱ 100,000.00) provided that no splitting of contracts/services shall

be made.

- e. Approve Disbursement Vouchers for non-personal services involving amount not exceeding ONE HUNDRED THOUSAND PESOS (P 100,000.00);
 - f. Approve Disbursement Vouchers for personal services and other fixed expenditures regardless of amount;
 - g. Countersign checks issued by the Deputized/Special Disbursing Officer in payment of project expenses.
4. The exercise of the above functions, shall in all cases, be subject to the monthly/quarterly/annual Work and Financial Plans, Travel Plans and Procurement Plans approved by the Secretary, or his duly authorized representative, and to national/agency policies, laws, rules and regulations pertinent thereto. Disbursement shall not, at anyone time exceed the total cash balance of the Project's current account minus the minimum cash balance requirement of the bank, and no checks shall be drawn for payrolls and vouchers which are not previously certified by the Project Accountant as to availability of funds thereof and approved by the approving officials for payment.
 5. For effective control and processing of financial operations those FAPs which have no existing budgeting, accounting and disbursement unit/staff shall organize within their Project Office a separate fiscal/administrative section. Towards this end, the Foreign-Assisted and Special Projects Office (FASPO) shall establish and maintain effective and efficient management accounting and auditing systems and procedures applicable to all FAPs, and supportive of the usual government rules and regulations.
 6. Upon the establishment and implementation of the TWFS, no project expenses of the FAPs covered under para. 3.1 above, shall be paid in the DENR Central and Regional Offices.
 7. Periodic reports in compliance of this Order shall be submitted to the Office of the Secretary thru FASPO.

8. This Order shall take effect immediately upon the establishment of the TWFS and approval of the deputation of the above officials by the Treasurer of the Philippines or his duly authorized representative, and revokes/amends all previous Orders, memoranda or instructions inconsistent herewith.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary

DENR Memorandum Order
No. 8
Jul. 12 1988

TO : ALL DENR OFFICIALS CONCERNED

SUBJECT : Guidelines for the approval of contracts/purchase order and payment of deliveries for supplies, materials and non-personal services of Foreign Assisted and National Special Projects covered under DENR Special Order No. 585, Series of 1988

In line with the provisions of DENR Special Order No., 585 and to promote efficiency in service, the following guidelines are hereby promulgated for the guidance and compliance of all concerned:

1. The Section/Unit Chiefs prepare Requisition and Issue Vouchers (RIV) and submits same to the Supply Officer who determine the availability of the items from the stock. If available, RIV, is forwarded to the Assistant Secretary for Foreign Assisted and Special Projects (ASEC, FASPO) and or Project Manager concerned, as the case may be, for signature. After signing, same is returned to the Supply Officer for issuance of the requested supplies and materials. In cases where items are not available from stock. Supply Officer reviews specifications, certifies on the RIV the non-availability of items from stock, initials and submits same to the Administrative Officer, together with his/her recommendation whether or not to purchase the same.
2. Administrative Officer reviews, initials and if in order, forwards RIV to the ASEC, FASPO and/or Project Manager/Coordinator, as the case may be, otherwise, return the same to the Supply Officer with his/her comments.
3. Project Manager/Coordinator reviews and if in order, recommends same through the Chief, Project Accounts and Management Division (PAMD), for approval by ASEC,

FASPO.

4. Approved RIV is returned to the Chief of Project Accounts and Management Division, FASPO who shall coordinate with the Prequalification, Bids and Award Committee-Foreign Assisted and Special Projects Office (PBAC-FASPO) for the conduct/issuance of a canvass/bidding in the open market/ the issuance of a canvass form/and/or issuance of invitations to bid and prepare an abstract of quotation/bid evaluation sheet together with corresponding Purchase Order/Letter Order/Contracts containing certification of availability of funds for approval by the:
 - 4.1 Chairman - Local-PBAC-FASPO : For contract/Purchase Order/Letter Order not more than P 300,000;
 - 4.2 USEC for Planning, Policy and Management: For Contracts/Purchase Order/Letter Order more than P 300,000.00 but not more than P 500,000.00.
 - 4.3 Secretary: For contracts more than P 500,000.00.
5. A copy each of the approved purchase/letter order and RIV, canvasses and abstract of quotation should be furnished the DENR Resident Auditor as required under COA Circular No., 76-34. If after five (5) days from their receipt thereof, no advice of any defect thereon has been issued by COA, the purchased/letter order/contract shall be served to the Supplier for delivery of the items or commencement of services indicated therein.
6. The Auditor or his duly authorized representative and the Property Inspector of the PBAC-FASPO, who shall be designated by the Chairman, inspects delivery following the indicated specifications, prepares report of inspection and forwards same with all pertinent documents to the project concerned. Any deficiency noted is reported to the end-user/supplier. If necessary, test may be conducted on the delivered items.

7. The concerned project causes the preparation of disbursement voucher for payment of delivery in accordance with COA Circular No. 81-155 dated Feb. 23,1981. Processed and certified voucher shall be forwarded to the approving Official pursuant to the provisions of DENR Memorandum Order No. 1, Series of 1988 then to the Finance Service for necessary processing and payment.

All personnel concerned are hereby enjoined to strictly observe the foregoing guidelines. Actions inconsistent herewith shall be the responsibility of the Officers concerned and shall be liable to any violations committed.

This Order takes effect immediately.

(Sgd.) RICARDO M. UMALI
Undersecretary for
Planning, Policy and Project Management

RECOMMENDING APPROVAL :

(Sgd.) LIRIO T.ABUYUAN
Assistant Secretary for Foreign
Assisted and Special Projects
And Chairman, PBAC-FASPO

**DENR Memorandum Order
No. 9
July 21**

SUBJECT : Amending further the composition of MNR now DENR-Intergrated Development Project for Lungsod Silangan Townsite pursuant to Memorandum Order No. 2 Series of 1979 as amended by Memorandum Order No. 1 series of 1983.

In the interest of the service and to effectively implement the various project components of the different management offices of the Sectors under the DENR in the Lungsod Silangan Townsite, the composition of the DENR-IDP for Lungsod Silangan Special Project is hereby further amended in consonance with the current re-organizational set-up:

1. Wilfrido S. Pollisco as Project Director of the DENR-Lungsod Silangan Development Project in addition to his regular duties and responsibilities as Regional Executive Director of DENR Region IV.
 - a. As Project Director, he shall act on all administrative matters except those affecting policies, coordinate with the different sectors participating in the project and monitor/evaluate the various operational activities of the different sectors within the DENR with the view of facilitating implementation of their respective project activities.
 - b. Effective immediately, the Project Director shall organize/reorganize the Advisory Group, Project Management and Action Groups to achieve a well-coordinated implementation and monitoring/evaluation of component project activities. For this purpose, in addition to the existing personnel force, a Lungsod Silangan Action Officers Group is hereby reorganize and placed directly under the supervision, to wit:

Advisory Group

RTD for Land

RTD for Research

RTD for Forestry RTD for Environment
RTD for Mines and Geo-Science

Project Management and Action Group

Atty. Sydicious Panoy, Over-All Project Coordinator
Jose B. Ocado, Head, Administrative Service Staff
Mario P. Fetalino, Head, Technical Staff
Luis Fernando, Action Officer for Lands
Fernando Lacerona, Action Officer for Forestry
Lauro Hermosura, Action Officer fir Mines
Neria Andin, Action Officer for Research
Vicente V. Añonuevo, Action Officer
for Environment
Manuel Escasura, Planning Officer, Region IV
Lino H. Rustia, On-call Project Consultant
Miguel C. Caisip - Land Evaluation Specialist

The above-named officials and personnel and those who will be subsequently designated by the Project Director shall function in accordance with the provisions of Memorandum Order No. 2, Series of 1987 by the Ministry of Natural Resources.

2. The Project Director, in the discharge of his aforementioned duties and responsibilities, is hereby authorized:
 - a. To grant transportation and representative expenses in accordance with Letter of Instruction No. 666 dated January 31,1978 subject to availability of funds and usual accounting and auditing rules and regulations to DENR IV's officials and other personnel involved in the implementation of the Lungsod Silangan Development Projects.
 - b. To sign and countersign, pursuant to existing accounting and auditing rules and regulations, irrespective of the amount chargeable against the fund released to the Projects, all checks/Treasury Warrants issued for such vouchers approved by him.
 - c. To issue and approve travel orders for employees

- involved in the project.
- d. To hire and rehire casual employees and out-of-school youth on a daily basis and contractual employees to perform technical work as the needs of the service require, subject to the availability of funds, provided a monthly report is submitted to the undersigned.
 - e. To approve the authority of granting allowances in the form of Transportation and Representation Expenses of personnel involved in the implementation of the project in accordance with the provision of Letter of Instruction No. 666, dated January 31,1978 in granting such allowances.
 - f. To call on many officials or employees of the different Sectors under the DENR for his assistance in connection with the operations within the Lungsod Silangan Townsite.
3. The Officials and Personnel named in this Order and those officials and personnel who will be subsequently designated by the Project Director by virtue of the authority delegated to him earlier mentioned, shall be authorized to claim travelling expenses, per diems and/or incidental expenses, as may be allowed in connection with the performance of their duties and responsibilities to be charged against the fund of the Lungsod Silangan Project subject to existing accounting and auditing rules and regulations.

This Order takes effect July 1988 and shall remain to be enforced until the final completion of the project.

(Sgd.) VICTOR O. RAMOS
Undersecretary for Field Operations

RECOMMENDING APPROVAL :

(Sgd.) GREGORIO L. MAGDARAOG
Assistant Secretary for Luzon Operations

OTHER RELATED ISSUANCES

**Executive Order
No. 315
Jan. 4, 1988**

Subject : Renaming The Cabinet Committee On The Bataan Nuclear Power Plant As "The Presidential Committee On The Philippine Nuclear Power Plant" And Defining Its Structure, Powers And Functions

WHEREAS, on April 30, 1986 the Cabinet decided not to operate the Philippine Nuclear Power Plant (PNPP) and created a Committee to study the legal options available to the Philippine Government in connection with such decision;

WHEREAS, the Senate has created an Ad Hoc Bataan Power Plant Committee to study and oversee the policy considerations bearing on any action on the PNPP, in close consultation and coordination with the Cabinet Committee on the PNPP and the House Committee on Energy;

WHEREAS, Executive Order No. 55, as amended by Executive Order No. 98, transferred the ownership of the PNPP, its equipment, materials, facilities, records and uranium fuel from the National Government, subject to such obligations as may be legally enforceable against the National Government;

WHEREAS, the statute of limitations, the huge interest payments, and other pressing factors render it imperative and urgent that the Government accelerate, systematize and integrate all its actions in respect to the PNPP; and

WHEREAS, it is necessary to define the structure, powers and functions of the Cabinet Committee on the PNPP to enable it to implement more effectively and immediately its mandate to study the legal options available to the Philippine Government;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Name. — The Cabinet Committee on the Bataan Nuclear

Plant is hereby renamed "The Presidential Committee on the Philippine Nuclear Power Plant" and its structure, powers and functions are hereby defined as provided hereinbelow.

Section 2. Composition. — The Committee shall be composed of the following officials or their duly authorized representatives:

Secretary of Budget and Management	— Member
Secretary of Science and Technology	— Member
Chairman, Presidential Commission on Good Governmen	— Member
Governor, Central Bank	— Member
Solicitor General	— Member
Director, Philippine Nuclear Research Institute	— Member
President, National Power Corporation	— Member
Administrator, Export Processing Zone Authority	— Member
President, Philippine National Oil Company	— Member

Section 3. Powers And Functions. — The Committee shall have the following powers and functions:

- (a) To initiate, coordinate and implement the negotiation, arbitration and/or litigation of any and all claims, causes of action, or any other legal option that the Government has or may have against any person, natural or juridical, in connection with the Philippine Nuclear Power Plant;
- (b) To supervise and coordinate the maintenance and preservation of the Philippine Nuclear Power Plant, and the disposition or liquidation of its structures, equipment, spare parts, uranium fuel, and other related items;
- (c) To initiate and coordinate the efforts of the appropriate Government agencies and instrumentalities to restructure, whenever legally enforceable, all loans and financial actions relating to the Philippine Nuclear Power Plant, and otherwise dispose of all related claims:
- (d) To call upon any department, bureau, office, agency or instrumentality of the Government for such assistance as the

Committee may need, to request and utilize the services of their personnel, technical experts and professionals, and to utilize and share their resources and materials;

- (e) To enter into contracts for the purchase, rental, procurement or use of office space, equipment and other logistical resources, including the availment of facilities for required domestic or international communication and travel;
- (f) To hold fact-finding hearings and other investigative activities, for which purpose it may administer oaths or affirmations; and issue subpoena ad *testificandum* for any public official or private individual to testify before it, or subpoena *duces tecum* for the production of required documents or information, and to exercise such powers in aid of its investigative powers under the law;
- (g) To formulate and implement such operational rules and regulations as will ensure the efficient performance of its functions; and
- (h) In general, to exercise all the powers and perform all the functions necessary and appropriate to pursue and attain its objectives.

Section 4. Divisions. — The Committee shall have three (3) operating divisions, namely:

- (a) Legal Division, to be headed by Secretary of Justice, and composed of the Secretary of the Budget and Management, the Chairman of the Presidential Commission on Good Government, the Solicitor General and the President of the National Power Corporation, which shall have primary supervisory responsibility for the enforcement of all claims and/or legal options relative to the PNPP. cd
- (b) Asset Maintenance and Disposition Division, to be headed by the Secretary of Science and Technology, and composed of the President of the National Power Corporation, the Director of the Philippine Nuclear Research Institute, the Administrator of the Export Processing Zone Authority, and the President of the Philippine National Oil Company, which shall have primary supervisory responsibility for the preservation and maintenance of PNPP and the liquidation and disposition of its assets.

- (c) Debt Restructuring and Disposition Division, to be headed by the Secretary of Finance and composed of the Governor of the Central Bank and the President of the National Power Corporation, which shall have primary supervisory responsibility for the restructuring, whenever legally enforceable, of all loans and financial obligations relating to PNPP.

Section 5. Secretariat And Technical Committees. — The Committee shall have a Secretariat which shall collate all data, information and materials, and provide all the necessary staff support to the Committee. It shall be composed of such personnel from the public and private sectors as may be detailed to the Committee upon request of the Chairman. The Secretariat shall be headed by an Executive Director to be designated by the Chairman, upon consultation with the members of the Committee. The members of the Secretariat of the previous Cabinet Committee on the Bataan Nuclear Power Plant shall be deemed part of the Secretariat. The Secretariat shall coordinate with the Staff of the Senate Ad Hoc Bataan Nuclear Power Plant Committee and the House Committee on Energy.

Whenever necessary, the Committee may constitute technical committees/sub-committees to assist it in the discharge of its functions and to engage the services of members of the private sector for advice, consultation and appropriate assistance.

SECTION 6. Funds. — The sum of FORTY MILLION (P40,000,000.00) PESOS, is hereby set aside from the Contingent Funds of the Office of the President for the use of the Committee. In case of a deficiency, such sums as may be necessary to support the Committee's operations shall be provided by the participating agencies and by such other entities willing to contribute upon request of the Committee.

SECTION 7. Effectivity. — This Executive Order shall take effect immediately.

DONE in the City of Manila, this 4th day of January, in the year of Our Lord, nineteen hundred and eighty-eight.

**Executive Order
No. 340
Oct. 14, 1988**

SUBJECT : Lifting The Suspension Of Payment Of All Taxes, Duties, Fees, Imposts And Other Charges, Whether Direct Or Indirect, Due And Payable By Copper Mining Companies To The National And Local Governments Under Letter Of Instructions No. 1416, Dated July 17, 1984

WHEREAS, Letter of Instructions (LOI) No. 1416, ordered and directed the suspension of payment of all taxes, duties, fees, imposts and other charges, whether direct or indirect, due and payable to the National and Local Governments by distressed copper mining companies;

WHEREAS, the immediate lifting of the suspension privilege of the copper mines under LOI No. 1416 is warranted considering that the present world market for copper has taken a sharp upturn;

WHEREAS, LOI No. 1416 provides that the repayment of suspended tax obligations shall be scheduled according to the individual capacity of each copper mining company; and

WHEREAS, a flexible and staggered system of repayment has been worked out and recommended by the appropriate bodies taking into consideration the financial capabilities of said mining companies;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the lifting of the suspension of payment of all taxes, duties, fees, imposts and other charges, whether direct or indirect, due and payable by copper mining companies to the National and Local Governments under LOI No. 1416, dated July 17, 1984, and direct:

- (a) 1. Immediate payment of all obligations incurred from May 1, 1988 which are eligible for suspension under LOI No. 1416; aisa dc
3. Payment of all obligations suspended by LOI NO. 1416 and incurred

from January 1, 1988 to April 30, 1988, in equal monthly installments up to December 31, 1988;

4. Payment of all obligations suspended by LOI No. 1416 and incurred from October 31, 1987 to December 31, 1987 in equal monthly installments up to June 30, 1989;
5. Payment of all obligations incurred before October 31, 1987 and suspended by LOI No. 1416 subject to a schedule of payment to be submitted by the copper mining companies concerned within fifteen (15) days hereof and which schedule shall be approved by the Secretary of Finance upon the recommendation by the Secretary of Trade and Industry, taking into account the individual paying capacity of each mining company.

Inter-Agency Committee composed of the representatives of the Departments of Trade and Industry (Chairman), Finance, Environment and Natural Resources and the National Tax Research Center shall, in consultation with the copper mining companies, work out a system of assistance/relief measures taking into account the prevailing needs and problems thereof.

All orders, rules and regulations in conflict or inconsistent with this Executive Order are hereby modified or repealed accordingly.

This Executive Order shall take effect immediately.

Done in the City of Manila, this 14th day of October in the year of Our Lord, nineteen hundred and eighty-eight.

Republic Act
No. 6654
May 20, 1988

**SUBJECT : AN ACT REPEALING SECTION FORTY
OF PRESIDENTIAL DECREE
NUMBERED EIGHT HUNDRED SEVEN,
OTHERWISE KNOWN AS THE CIVIL
SERVICE DECREE**

Section 1. Section Forty of Presidential Decree Numbered Eight Hundred Seven, otherwise known as the Civil Service Decree, is hereby repealed.

Section 2. This Act shall take effect upon its approval.

Approval, May 20, 1988.

**Republic Act
No. 6656
June 10, 1988**

**SUBJECT : An Act To Protect The Security Of Tenure
Of Civil Service Officers And Employees In
The Implementation Of Government
Reorganization**

SECTION 1. It is hereby declared the policy of the State to protect the security of tenure of civil service officers and employees in the reorganization of the various agencies of the National Government and of local governments, state colleges and universities expressly authorized by law, including government-owned or controlled corporations with original charters, without sacrificing the need to promote morale, efficiency in the civil service pursuant to Article IX, B, Section 3 of the Constitution.

SECTION 2. No officer or employee in the career service shall be removed except for a valid cause and after due notice and hearing. A valid cause for removal exists when, pursuant to a bona fide reorganization, a position has been abolished or rendered redundant or there is a need to merge, divide, or consolidate positions in order to meet the exigencies of the service, or other lawful causes allowed by the Civil Service Law. The existence of any or some of the following circumstances may be considered as evidence of bad faith in the removals made as a result of reorganization, giving rise to a claim for reinstatement or reappointment by an aggrieved party:

- (a) Where there is a significant increase in the number of positions in the new staffing pattern of the department or agency concerned;
- (b) Where an office is abolished and other performing substantially the same functions is created;
- (c) Where incumbents are replaced by those less qualified in terms of status of appointment, performance and merit;
- (d) Where there is a reclassification of offices in the department or agency concerned and the reclassified offices perform substantially the same function as the original offices;

- (e) Where the removal violates the order of separation provided in Section 3 hereof.

SECTION 3. In the separation of personnel pursuant to reorganization, the following order of removal shall be followed:

- (a) Casual employees with less than five (5) years of government service;
- (b) Casual employees with five (5) years or more of government service;
- (c) Employees holding temporary appointments; and
- (d) Employees holding permanent appointments: Provided, That those in the same category as enumerated above, who are least qualified in terms of performance and merit shall be laid first, length of service notwithstanding.

SECTION 4. Officers and employees holding permanent appointments shall be given preference for appointment to the new positions in the approved staffing pattern comparable to their former position or in case there are not enough comparable positions, to positions next lower in rank.

No new employees shall be taken in until all permanent officers and employees have been appointed, including temporary and casual employees who possess the necessary qualification requirements, among which is the appropriate civil service eligibility, for permanent appointment to positions in the approved staffing pattern, in case there are still positions to be filled, unless such positions are policy-determining, primarily confidential or highly technical in nature.

SECTION 5. Officers and employees holding permanent appointments shall be given preference for appointment in other agencies if they meet the qualification requirements of the positions therein.

SECTION 6. In order that the best qualified and most deserving persons shall be appointed in any reorganization, there shall be created a Placement Committee in each appointments shall be given preference for appointment in the judicious selection and placement of personnel. The

Committee shall consist of two (2) members appointed by the head of the department or agency, a representative of the appointing authority, and two (2) members duly elected by the employees holding positions in the first and second levels of the career service: Provided, That if there is a registered employee association with a majority of the employees as members, that employee association shall also have a representative in the Committee: Provided, further That immediately upon approval of the staffing pattern of the department or agency concerned, such staffing pattern shall be made known to all officers and employees of the agency who shall be invited to apply for any of the positions authorized therein. Said application shall be considered by the Committee in the placement and selection of personnel.

SECTION 7. A list of the personnel appointed to the authorized positions in the approved staffing pattern shall be made known to all the officers and employees of the department or agency. Any of such officers and employees aggrieved by the appointments made may file an appeal with the appointing authority who shall make a decision within thirty (30) days from the filing thereof.

SECTION 8. An officer or employee who is still not satisfied with the decision of the appointing authority may further appeal within ten (10) days from the receipt thereof to the Civil Services Commission which shall render a decision thereon within thirty (30) days and whose decision shall be final and executory.

SECTION 9. All officers and employees who are found by the Civil Service Commission to have been separated in violation of the provisions of this Act, shall be ordered reinstated or reappointed as the case may be without loss of seniority and shall be entitled to full pay for the period of separation. Unless also separated for cause, all officers and employees, who have been separated pursuant to reorganization shall, if entitled thereto, be paid the appropriate separation pay and retirement and other benefits under existing laws within ninety (90) days from the date of the effectivity of their separation or from the date of the receipt of the resolution of their appeals as the case may be: Provided, That application for clearance has been filed and no action thereon has been made by the corresponding department or agency. Those who are not entitled to said benefits shall be paid a separation gratuity in the amount equivalent to one (1) month salary for every year of service. Such separation pay and retirement benefits shall have priority of payment out of the savings of the

department or agency concerned.

SECTION 10. All heads of department, commissions, bureaus, agencies or offices who after the effectivity of this Act willfully violate any provision thereof, including failure to abide by the rules promulgated by the Civil Service Commission or to implement a Civil Service Commission reinstatement order, shall upon conviction be punished by a fine not exceeding ten thousand pesos (P10,000.00) or by imprisonment of not less than three(3) nor more than five (5) years or both such fine and imprisonment in the discretion of the Court, and suffer permanent disqualification to hold public office.

SECTION 11. The executive branch of the government shall implement reorganization schemes within a specified period of time authorized by law.

In the case of the 1987 reorganization of the executive branch, all departments and agencies which are authorized by executive orders promulgated by the President to reorganize shall have ninety (90) days from the approval of this Act within which to implement their respective reorganization plans in accordance with the provisions of this Act.

SECTION 12. The Civil Service Commission shall promulgate the necessary rules and regulations to implement the provisions of this Act.

SECTION 13. All laws, rules and regulations or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly. The rights and benefits under this Act shall be retroactive as of June 30, 1987.

SECTION 14. If any part, section or provisions of this Act shall be held invalid or unconstitutional, no other part, section or provision thereof shall be affected thereby.

SECTION 15. This Act shall take effect fifteen (15) days from the date of its publication in at least two (2) newspapers of general circulation.

Approved: June 10, 1988.

Republic Act
No. 6657
June 10, 1988

**SUBJECT : AN ACT INSTITUTING A
COMPREHENSIVE AGRARIAN
REFORM PROGRAM TO PROMOTE
SOCIAL JUSTICE AND INDUSTRIAL
IZATION, PROVIDING THE
MECHANISM FOR ITS
IMPLEMENTATION, AND FOR
OTHER PURPOSES**

CHAPTER I
PRELIMINARY CHAPTER

Section 1. Title. — This Act shall be known as the Comprehensive Agrarian Reform Law of 1988.

Section 2. Declaration of Principles and Policies. — It is the policy of the State to pursue a Comprehensive Agrarian Reform Program (CARP). The welfare of the landless farmers and farmworkers will receive the highest consideration to promote social justice and to move the nation toward sound rural development and industrialization, and the establishment of owner cultivatorship of economic-size farms as the basis of Philippine agriculture.

To this end, a more equitable distribution and ownership of land, with due regard to the rights of landowners to just compensation and to the ecological needs of the nation, shall be undertaken to provide farmers and farmworkers with the opportunity to enhance their dignity and improve the quality of their lives through greater productivity of agricultural lands.

The agrarian reform program is founded on the right of farmers and regular farmworkers, to receive a just share of the fruits thereof. To this end, the State shall encourage and undertake the just distribution of all agricultural lands, subject to the priorities and retention limits set forth in this Act, taking into account ecological, developmental, and equity considerations, and subject to the payment of just compensation. The State shall respect the right of small landowners, and shall provide

incentives for voluntary land-sharing.

The State shall recognize the right of farmers, farmworkers and landowners, as well as cooperatives and other independent farmers' organizations, to participate in the planning, organization, and management of the program, and shall provide support to agriculture through appropriate technology and research, and adequate financial production, marketing and other support services.

The State shall apply the principles of agrarian reform, or stewardship, whenever applicable, in accordance with law, in the disposition or utilization of other natural resources, including lands of the public domain, under lease or concession, suitable to agriculture, subject to prior rights, homestead rights of small settlers and the rights of indigenous communities to their ancestral lands.

The State may resettle landless farmers and farmworkers in its own agricultural estates, which shall be distributed to them in the manner provided by law.

By means of appropriate incentives, the State shall encourage the formation and maintenance of economic size family to be constituted by individual beneficiaries and small landowners.

The State shall protect the rights of subsistence fishermen, especially of local communities, to the preferential use of communal marine and fishing resources, both inland and offshore. It shall provide support to such fishermen through appropriate technology and research, adequate financial, production and marketing assistance and other services. The State shall also protect, develop and conserve such resources. The protection shall extend to offshore fishing grounds of subsistence fishermen against foreign intrusion. Fishworkers shall receive a just share from their labor in the utilization of marine and fishing resources.

The State shall be guided by the principles that land has a social function and land ownership has a social responsibility. Owners of agricultural land have the obligation to cultivate directly or through labor administration the lands they own and thereby make the land productive.

The State shall provide incentives to landowners to invest the proceeds of the agrarian reform program to promote industrialization,

employment and privatization of public sector enterprises. Financial instruments used as payment for lands shall contain features that shall enhance negotiability and acceptability in the marketplace.

The State may lease undeveloped lands of the public domain to qualified entities for the development of capital intensive farms, and traditional and pioneering crops especially those for exports subject to the prior rights of the beneficiaries under this Act.

Section 3. Definitions. — For the purpose of this Act, unless the context indicates otherwise:

- (a) **Agrarian Reform** means redistribution of land, regardless of crops or fruits produced, to farmers and regular farmworkers who are landless, irrespective of tenurial arrangement, to include the totality of factors and support services designed to lift the economic status of the beneficiaries and all other arrangements alternative to the physical redistribution of lands, such as production or profit-sharing, labor administration, and the distribution of shares of stock, which will allow beneficiaries to receive a just share of the fruits of the lands they work.
- (b) **Agriculture, Agricultural Enterprise or Agricultural Activity** means the cultivation of the soil, planting of crops, growing of fruit trees, raising of livestock, poultry or fish, including the harvesting of such farm products, and other farm activities and practices performed by a farmer in conjunction with such farming operations done by person whether natural or juridical.
- (c) **Agricultural Land** refers to land devoted to agricultural activity as defined in this Act and not classified as mineral, forest, residential, commercial or industrial land.
- (d) **Agrarian Dispute** refers to any controversy relating to tenurial arrangements, whether leasehold, tenancy, stewardship or otherwise, over lands devoted to agriculture, including disputes concerning farmworkers' associations or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of such tenurial arrangements.

It includes any controversy relating to compensation of lands acquired

under this Act and other terms and conditions of transfer of ownership from landowners to farmworkers, tenants and other agrarian reform beneficiaries, whether the disputants stand in the proximate relation of farm operator and beneficiary, landowner and tenant, or lessor and lessee.

- (e) **Idle or Abandoned Land** refers to any agricultural land not cultivated, tilled or developed to produce any crop nor devoted to any specific economic purpose continuously for a period of three (3) years immediately prior to the receipt of notice of acquisition by the government as provided under the Act, but does not include land that has become permanently or regularly devoted to non-agricultural purposes. It does not include land which has become unproductive by reason of force majeure or any other fortuitous event, provided that prior to such event, such land was previously used for agricultural or other economic purpose.
- (f) **Farmer** refers to a natural person whose primary livelihood is cultivation of land or the production of agricultural crops, either by himself, or primarily with the assistance of his immediate farm household, whether the land is owned by him, or by another person under a leasehold or share tenancy agreement or arrangement with the owner thereof.
- (g) **Farmworker** is a natural person who renders service for value as an employee or laborer in an agricultural enterprise or farm regardless of whether his compensation is paid on a daily, weekly, monthly or "pakyaw" basis. The term includes an individual whose work has ceased in consequence of, or in connection with, a pending agrarian dispute and who has not obtained a substantially equivalent and regular farm employment.
- (h) **Regular Farmworker** is a natural person who is employed on a permanent basis by an agricultural enterprise or farm.
- (i) **Seasonal Farmworker** is a natural person who is employed on a recurrent, periodic or intermittent basis by an agricultural enterprise or farm, whether as a permanent or a non-permanent laborer, such as "dumaan", "sacada", and the like.

- (j) **Other Farmworker** is a farmworker who does not fall under paragraphs (g), (h) and (i).
- (k) **Cooperatives** shall refer to organizations composed primarily of small agricultural producers, farmers, farmworkers, or other agrarian reform beneficiaries who voluntarily organize themselves for the purpose of pooling land, human, technological, financial or other economic resources, and operated on the principle of one member, one vote. A juridical person may be a member of a cooperative, with the same rights and duties as a natural person.

CHAPTER II COVERAGE

Section 4. Scope. — The Comprehensive Agrarian Reform Law of 1988 shall cover, regardless of tenurial arrangement and commodity produced, all public and private agricultural lands, as provided in Proclamation No. 131 and Executive Order No. 229, including other lands of the public domain suitable for agriculture.

More specifically the following lands are covered by the Comprehensive Agrarian Reform Program:

- (a) All alienable and disposable lands of the public domain devoted to or suitable for agriculture. No reclassification of forest or mineral lands to agricultural lands shall be undertaken after the approval of this Act until congress, taking into account ecological, developmental and equity considerations, shall have determined by law, the specific limits of the public domain.
- (b) All lands of the public domain in excess of the specific limits as determined by Congress in the preceding paragraph;
- (c) All other lands owned by the Government devoted to or suitable for agriculture; and
- (d) All private lands devoted to or suitable for agriculture regardless of the agricultural products raised or that can be raised thereon.

Section 5. Schedule Of Implementation. — The distribution of all lands covered by this Act shall be implemented immediately and completed within ten (10) years from the effectivity thereof.

Section 6. Retention Limits. — Except as otherwise provided in this Act, no person may own or retain, directly or indirectly, any public or private agricultural land, the size of which shall vary according to factors governing a viable family-size farm, such as commodity produced, terrain, infrastructure, and soil fertility as determined by the Presidential Agrarian Reform Council (PARC) created hereunder, but in no case shall retention by the landowner exceed five (5) hectares. Three (3) hectares may be awarded to each child of the landowner, subject to the following qualifications: (1) that he is at least fifteen (15) years of age; and (2) that he is actually tilling the land or directly managing the farm: Provided, That landowners whose lands have been covered by Presidential Decree No. 27 shall be allowed to keep the area originally retained by them thereunder: Provided, further, That original homestead grantees or their direct compulsory heirs who still own the original homestead at the time of the approval of this Act shall retain the same areas as long as they continue to cultivate said homestead.

The right to choose the area to be retained, which shall be compact or contiguous, shall pertain to the landowner: Provided, however, That in case the area selected for retention by the landowner is tenanted, the tenant shall have the option to choose whether to remain therein or be a beneficiary in the same or another agricultural land with similar or comparable features. In case the tenant chooses to remain in the retained area, he shall be considered a leaseholder and shall lose his right to be a beneficiary under this Act. In case the tenant chooses to be a beneficiary in another agricultural land, he loses his right as a leaseholder to the land retained by the landowner. The tenant must exercise this option within a period of one (1) year from the time the landowner manifests his choice of the area for retention.

In all cases, the security of tenure of the farmers or farmworkers on the land prior to the approval of this Act shall be respected.

Upon the effectivity of this Act, any sale, disposition, lease, management contract or transfer of possession of private lands executed by the original landowner in violation of the Act shall be null and void: Provided, however, That those executed prior to this Act shall be valid only when registered with the Register of Deeds within a period of three (3) months after the effectivity of this Act. Thereafter, all Registers Reform (DAR) within thirty (30) days of any transaction involving

agricultural lands in excess of five (5) hectares.

Section 7. Priorities. — The Department of Agrarian Reform (DAR) in coordination with the Presidential Agrarian Reform Council (PARC) shall plan and program the acquisition and distribution of all agricultural lands through a period of ten (10) years from the effectivity of this Act. Lands shall be acquired and distributed as follows:

Phase One: Rice and corn lands under Presidential Decree No. 27; all idle or abandoned lands; all private lands voluntarily offered by the owners for agrarian reform; all lands foreclosed by the government financial institutions; all lands acquired by the Presidential Commission on Good Government (PCGG); and all other lands owned by the government devoted to or suitable for agriculture, which shall be acquired and distributed immediately upon the effectivity of this Act, with the implementation to be completed within a period of not more than four (4) years;

Phase Two: All alienable and disposable public agricultural lands; all arable public agricultural lands under agro-forest, pasture and agricultural leases already cultivated and planted to crops in accordance with Section 6, Article XII of the Constitution; all public agricultural lands which are to be opened for new development and resettlement; and all private agricultural lands in excess of fifty (50) hectares, insofar as the excess hectarage is concerned, to implement principally the rights of farmers and regular farmworkers, who are the landless, to own directly or collectively the lands they till, which shall be distributed immediately upon the effectivity of the Act, with the implementation to be completed within a period of not more than four (4) years.

Phase Three: All other private agricultural lands commencing with large landholdings and proceeding to medium and small landholdings under the following schedule:

- (a) Landholdings above twenty-four (24) hectares up to fifty (50) hectares, to begin on the fourth (4th) year from the effectivity of this Act and to be completed within three (3) years; and
- (b) Landholdings from the retention limit up to twenty-four (24) hectares, to begin on the sixth (6th) year from the effectivity of this Act and to be completed within four (4) years; to implement principally the right

of farmers and regular farmworkers who are landless, to own directly or collectively the lands they till.

The schedule of acquisition and redistribution of all agricultural lands covered by this program shall be made in accordance with the above order of priority, which shall be provided in the implementing rules to be prepared by the Presidential Agrarian Reform Council (PARC), taking into consideration the following: the need to distribute land to the tillers at the earliest practicable time; the need to enhance agricultural productivity; and the availability of funds and resources to implement and support the program.

In any case, the PARC, upon recommendation by the Provincial Agrarian Reform Coordinating Committee (PARCCOM), may declare certain provinces or region as priority land reform areas, in which the acquisition and distribution of private agricultural lands therein may be implemented ahead of the above schedules.

In effecting the transfer within these guidelines, priority must be given to lands that are tenanted.

The PARC shall establish guidelines to implement the above-priorities and distribution scheme, including the determination of who are qualified beneficiaries: Provided, That an owner-tiller may be a beneficiary of the land he does not own but is actually cultivating to the extent of the difference between area of the land he owns and the award ceiling of three (3) hectares.

Section 8. Multinational Corporations. — All lands of the public domain leased, held or possessed by multinational corporations or associations, and other lands owned by the government or by government-owned or controlled corporation, associations, institutions, or entities, devoted to existing and operation agro-business or agro-industrial enterprises, operated by multinational corporations and associations, shall be programmed for acquisition and distribution immediately upon the effectivity of this Act, with the implementation to be completed within three (3) years.

Lands covered by the paragraph immediately preceding, under lease, management, grower or service contracts, and the like, shall be disposed of as follows:

- (a) Lease, management, grower or service contracts covering such lands covering an aggregate area in excess of 1,000 hectares, leased or held by foreign individuals in excess of 500 hectares are deemed amended to conform with the limits set forth in Section 3 of Article XII of the Constitution.
- (b) Contracts covering areas not in excess of 1,000 hectares in the case of such corporation and associations, and 500 hectares, in the case of such individuals, shall be allowed to continue under their original terms and conditions but not beyond August 29, 1992, or their valid termination, whichever comes sooner, after which, such agreements shall continue only when confirmed by the appropriate government agency. Such contracts shall likewise continue even after the lands has been transferred to beneficiaries or awardees thereof, which transfer shall be immediately commenced and implemented and completed within the period of three (3) years mentioned in the first paragraph hereof.
- (c) In no case will such leases and other agreements now being implemented extend beyond August 29, 1992, when all lands subject hereof shall have been distributed completely to qualified beneficiaries or awardees.

Such agreements can continue thereafter only under a new contract between the government or qualified beneficiaries or awardees, on the one hand, and said enterprises, on the other.

Lands leased, held or possessed by multinational corporations, owned by private individuals and private non-governmental corporations, associations, institutions and entities, citizens of the Philippines, shall be subject to immediate compulsory acquisition and distribution upon the expiration of the applicable lease, management, grower or service contract in effect as of August 29, 1987, or otherwise, upon its valid termination, whichever comes sooner, but not later than after ten (10) years following the effectivity of the Act. However during the said period of effectivity, the government shall take steps to acquire these lands for immediate distribution thereafter.

In general, lands shall be distributed directly to the individual worker-beneficiaries. In case it is not economically feasible and sound to divide

the land, then they shall form a workers' cooperative or association which will deal with the corporation or business association or any other proper party for the purpose of entering into a lease or growers agreement and for all other legitimate purposes. Until a new agreement is entered into by and between the workers' cooperative or association and the corporation or business association or any other proper party, any agreement existing at the time this Act takes effect between the former and the previous landowner shall be respected by both the workers' cooperative or association and the corporation business association or such other proper party. In no case shall the implementation or application of this Act justify or result in the reduction of status or diminution of any benefits received or enjoyed by the worker-beneficiaries, or in which they may have a vested right, at the time this Act becomes effective.

The provisions of Section 32 of the Act, with regard to production and income-sharing shall apply to farms operated by multinational corporations.

During the transition period, the new owners shall be assisted in their efforts to learn modern technology in production. Enterprises which show a willingness and commitment and good faith efforts to impart voluntarily such advanced technology will be given preferential treatment where feasible.

In no case shall a foreign corporation, association, entity or individual enjoy any right or privileges better than those enjoyed by a domestic corporation, association, entity or individual.

Section 9. Ancestral Lands. — For purposes of this Act, ancestral lands of each indigenous cultural community shall include, but not be limited to, lands in the actual, continuous and open possession and occupation of the community and its members: Provided, That the Torrens Systems shall be respected.

The right of these communities to their ancestral lands shall be protected to ensure their economic, social and cultural well-being. In line with the principles of self-determination and autonomy, the systems of land ownership, land use, and the modes of settling land disputes of all these communities must be recognized and respected.

Any provision of law to the contrary notwithstanding, the PARC may suspend the implementation of this Act with respect to ancestral lands for

the purpose of identifying and delineating such lands: Provided, That in the autonomous regions, the respective legislatures may enact their own laws on ancestral domain subject to the provisions of the Constitution and the principles enunciated in this Act and other national laws.

Section 10. Exemptions And Exclusions. — Lands actually, directly and exclusively used and found to be necessary for parks, wildlife, forest reserves, reforestation, fish sanctuaries and breeding grounds, watersheds, and mangroves, national defense, school sites and campuses including experimental farm stations operated by public or private schools for educational purposes, seeds and seedlings research and pilot production centers, church sites and convents appurtenant thereto, communal burial grounds and cemeteries, penal colonies and penal farms actually worked by the inmates, government and private research and quarantine centers and all lands with eighteen percent (18%) slope and over, except those already developed shall be exempt from the coverage of the Act.

Section 11. Commercial Farming. — Commercial farms, which are private agricultural lands devoted to commercial livestock, poultry and swine raising, and aquaculture including saltbeds, fishponds and prawn ponds, fruit farms, orchards, vegetable and cut-flower farms, and cacao, coffee compulsory acquisition and distribution after (10) years from the effectivity of the Act. In the case of new farms, the ten-year period shall begin from the first year of commercial production and operation, as determined by the DAR. During the ten-year period, the government shall initiate the steps necessary to acquire these lands, upon payment of just compensation of the land and the improvements thereon, preferably in favor of organized cooperatives or associations, which shall thereafter manage the said lands for the worker-beneficiaries.

If the DAR determines that the purposes for which this deferment is granted no longer exist, such areas shall automatically be subject to redistribution.

The provisions of Section 32 of the Act, with regard to production-and income-sharing, shall apply to commercial farms.

CHAPTER III

Improvement of Tenorial and Labor Relations

Section 12. Determination Of Lease Rentals. — In order to protect and improve the tenurial and economic status of the farmers in tenanted lands under the retention limit and lands not yet acquired under this Act, the DAR is mandated to determine and fix immediately the lease rentals thereof in accordance with Section 34 of Republic Act No. 3844, as amended: Provided, That the DAR shall immediately and periodically review and adjust the rental structure for different crops, including rice and corn, of different regions in order to improve progressively the conditions of the farmer, tenant or lessee.

Section 13. Production-Sharing Plan. — Any enterprise adopting the scheme provided for in Section 32 hereof or operating under a production venture, lease, management contract or other similar arrangement and any farm covered by Sections 8 and 11 hereof is hereby mandated to execute within ninety (90) days from the effectivity of this Act, a production-sharing plan, under guidelines prescribed by the appropriate government agency.

Nothing herein shall be construed to sanction the diminution of any benefits such as salaries, bonuses, leaves and working conditions granted to the employee-beneficiaries under existing laws, agreements, and voluntary practice by the enterprise, nor shall the enterprise and its employee-beneficiaries be prevented from entering into any agreement with terms more favorable to the latter.

CHAPTER IV Registration

Section 14. Registration Of Landowners. — Within one hundred eighty (180) days from the effectivity of this Act, all person, natural or juridical, including government entities, that own or claim to own agricultural lands, whether in their names or in the name of others, except those who have already registered pursuant to Executive Order No. 229, who shall be entitled to such incentives as may be provided for the PARC, shall file a sworn statement in the proper assessor's office in the form to be prescribed by the DAR, stating the following information:

- (a) the description and area of the property;
- (b) the average gross income from the property for at least three (3) years;

- (c) the names of all tenants and farmworkers therein;
- (d) the crops planted in the property and the area covered by each crop as of June 1, 1987;
- (e) the terms of mortgage, lease, and management contracts subsisting as of June 1, 1987, and
- (f) the latest declared market value of the land as determined by the city or provincial assessor.

Section 15. Registration Of Beneficiaries. — The DAR in coordination with the Barangay Agrarian Reform Committee (BARC) as organized in this Act, shall register all agricultural lessees, tenants and farmworkers who are qualified to be beneficiaries of the CARP. These potential beneficiaries with the assistance of the PARC and the DAR shall provide the following data:

- (a) names and members of their immediate farm household;
- (b) owners or administrators of the lands they work on and the length of tenurial relationship;
- (c) location and area of the land they work;
- (d) crops planted; and
- (e) their share in the harvest or amount of rental paid or wages received.

A copy of the registry or list of all potential CARP beneficiaries in the barangay shall be posted in the barangay hall, school or other public buildings in the barangay where it shall be open to inspection by the public at all reasonable hours.

CHAPTER V

Land Acquisition

Section 16. Procedure For Acquisition Of Private Lands. — For purposes of acquisition of private lands, the following procedures shall be followed:

- (a) After having identified the land, the landowners and the beneficiaries, the DAR shall send its notice to acquire the land to the owners thereof, by personal delivery or registered mail, and post the same in a conspicuous place in the municipal building and barangay hall of the place where the property is located. Said notice shall contain the offer of the DAR to pay a corresponding value in accordance with the valuation set forth in Sections 17, and 18, and other pertinent provisions hereof.
- (b) Within thirty (30) days from the date of receipt of written notice by personal delivery or registered mail, the landowner, his administrator or representative shall inform the DAR of his acceptance or rejection of the offer.
- (c) If the landowner accepts the offer of the DAR, the Land Bank of the Philippines (LBP) shall pay the landowner the purchase price of the land within thirty (30) days after he executes and delivers a deed of transfer in favor of the government and surrenders the Certificate of Title and other monuments of title.
- (d) In case of rejection or failure to reply, the DAR shall conduct summary administrative proceedings to determine the compensation for the land requiring the landowner, the LBP and other interested parties to submit evidence as to the just compensation for the land, within fifteen (15) days from the receipt of the notice. After the expiration of the above period, the matter is deemed submitted for decision. The DAR shall decide the case within thirty (30) days after it is submitted for decision.
- (e) Upon receipt by the landowner of the corresponding payment or, in case of rejection or no response from the landowner, upon the deposit with an accessible bank designated by the DAR of the compensation in cash or in LBP bonds in accordance with this Act, the DAR shall take immediate possession of the land and shall request the proper Register of Deeds to issue a Transfer Certificate of Title (TCT) in the name of the Republic of the Philippines. The DAR shall thereafter proceed with the redistribution of the land to the qualified beneficiaries.
- (f) Any party who disagrees with the decision may bring the matter to

the court of proper jurisdiction for final determination of just compensation.

CHAPTER VI Compensation

Section 17. Determination Of Just Compensation. — In determining just compensation, the cost of acquisition of the land, the current value of the like properties, its nature, actual use and income, the sworn valuation by the owner, the tax declarations, and the assessment made by government assessors shall be considered. The social and economic benefits contributed by the farmers and the farmworkers and by the Government to the property as well as the non-payment of taxes or loans secured from any government financing institution on the said land shall be considered as additional factors to determine its valuation.

Section 18. Valuation And Mode Of Compensation. — The LBP shall compensate the landowner in such amounts as may be agreed upon by the landowner and the DAR and the LBP, in accordance with the criteria provided for in Sections 16 and 17, and other pertinent provisions hereof, or as many be finally determined by the court, as the just compensation for the land.

The compensation shall be paid on one of the following modes, at the option of the landowner:

- (1) Cash payment, under the following terms and conditions:
 - (a) For lands above _____ - Twenty-five percent fifty (50) hectares, insofar (25%) cash, the balance to as the excess hectarage is _____ be paid in government concerned. _____ financial instruments negotiable at any time.
 - (b) For lands above _____ - Thirty percent (30%) cash, twenty-four (24) hectares _____ the balance to be paid in and up to fifty (50) hectares. _____ government financial instruments negotiable at any time.
 - (c) For lands twenty-four _____ - Thirty-five percent (35%) (24) hectares and below. _____ cash, the balance to be paid in government financial instruments negotiable at any time.

- (2) Shares of stock in government-owned or controlled corporations, LBP preferred shares, physical assets or other qualified investments in accordance with guidelines set by the PARC;
- (3) Tax credits which can be used against any tax liability;
- (4) LBP bonds, which shall have the following features:
 - (a) Market interest rates aligned with 91-day treasury bill rates. Ten percent (10%) of the face value of the bonds shall mature every year from the date of issuance until the tenth (10th) year: Provided, That should the landowner choose to forego the cash portion, whether in full or in part, he shall be paid correspondingly in LBP bonds;
 - (b) Transferability and negotiability. Such LBP bonds may be used by the landowner, his successors in interest or his assigns, up to the amount of their face value, for any of the following:
 - (i) Acquisition of land or other real properties of the government, including assets under the Asset Privatization Program and other assets foreclosed by government financial institutions in the same province or region where the lands for which the bonds were paid are situated;
 - (ii) Acquisition of shares of stock of government-owned or controlled corporations or shares of stock owned by the government in private corporations;
 - (iii) Substitution for surety or bail bonds for the provisional release of accused persons, or performance bonds;
 - (iv) Security for loans with any government financial institution, provided the proceeds of the loans shall be invested in an economic enterprise, preferably in a small-and medium-scale industry, in the same province or region as the land for which the bonds are paid;
 - (v) Payment for various taxes and fees to government; Provided, That the use of these bonds for these purposes will be limited to a certain percentage of the outstanding balance of

the financial instruments: Provided, further, That the PARC shall determine the percentage mentioned above;

- (vi) Payment for tuition fees of the immediate family of the original bondholder in government universities, colleges, trade schools, and other institutions;
- (vii) Payment for fees of the immediate family of the original bondholder in government hospitals; and
- (viii) Such other uses as the PARC may from time to time allow.

In case of extraordinary inflation, the PARC shall take appropriate measures to protect the economy.

Section 19. Incentives For Voluntary Offers For Sales. — Landowners, other than banks and other financial institutions, who voluntarily offer their lands for sale shall be entitled to an additional five percent (5%) cash payment.

Section 20. Voluntary Land Transfer. — Landowners of agricultural lands subject to acquisition under this Act may enter into a voluntary arrangement for direct transfer of their land to qualified beneficiaries subject to the following guidelines:

- (a) All notices for voluntary land transfer must be submitted to the DAR within the first year of the implementation of the CARP. Negotiations between the landowners and qualified beneficiaries covering any voluntary land transfer which remain unresolved after one (1) year shall not be recognized and such land shall instead be acquired by the government and transferred pursuant to this Act.
- (b) The terms and conditions of such transfer shall not be less favorable to the transferee than those of the government's standing offer to purchase from the landowner and to resell to the beneficiaries, if such offers have been made and are fully known to both parties.
- (c) The voluntary agreement shall include sanctions for non-compliance by either party and shall be duly recorded and its implementation monitored by the DAR.

Section 21. Payment Of Compensation By Beneficiaries Under Voluntary Land Transfer. — Direct payments in cash or in kind may be by the farmer-beneficiary to the landowner under terms to be mutually agreed upon by both parties, which shall be binding upon them, upon registration with the approval by the DAR. Said approval is received by the farmer-beneficiary within thirty (30) days from the date of registration.

In the event they cannot agree on the price of land, the procedure for compulsory acquisition as provided in Section 16 shall apply. The LBP shall extend financing to the beneficiaries for purposes of acquiring the land.

CHAPTER VII Land Distribution

Section 22. Qualified Beneficiaries. — The lands covered by the CARP shall be distributed as much as possible to landless residents of the same barangay, or in the absence thereof, landless residents of the same municipality in the following order of priority:

- (a) agricultural lessees and share tenants;
- (b) regular farmworkers;
- (c) seasonal farmworkers;
- (d) other farmworkers;
- (e) actual tillers or occupants of public lands;
- (f) collectives or cooperatives of the above beneficiaries; and
- (g) others directly working on the land.

Provided, however, That the children of landowners who are qualified under Section 6 of this Act shall be given preference in the distribution of the land of their parents: and Provided, further, That actual tenant-tillers in the landholdings shall not be ejected or removed therefrom.

Beneficiaries under Presidential Decree No. 27 who have culpably sold, disposed of, or abandoned their land are disqualified to become beneficiaries under this Program.

A basic qualification of a beneficiary shall be his willingness, attitude, and ability to cultivate and make the land as productive as possible. The DAR shall adopt a system of monitoring the record or performance of

each beneficiary, so that any beneficiary guilty of negligence or misuse of the land or any support extended to him shall forfeit his right to continue as such beneficiary. The DAR shall submit periodic reports on the performance of the beneficiaries to the PARC.

If, due to the landowner's retention rights or to the number of tenants, lessees, or workers on the land, there is not enough land to accommodate any or some of them, they may be granted ownership of other lands available for distribution under this Act, at the option of the beneficiaries.

Farmers already in place and those not accommodated in the distribution of privately-owned lands will be given preferential rights in the distribution of lands from the public domain.

Section 23. Distribution Limit. — No qualified beneficiary may own more than three (3) hectare of agricultural land.

Section 24. Award To Beneficiaries. — The rights and responsibilities of the beneficiary shall commence from the time the DAR makes an award of the land to him, which award shall be completed within one hundred eighty (180) days from the time the DAR takes actual possession of the land. Ownership of the beneficiary shall be evidenced by a Certificate of Land Ownership Award, which shall contain the restrictions and conditions provided for in this Act, and shall be recorded in the Register of Deeds concerned and annotated on the Certificate of Title.

Section 25. Award Ceiling For Beneficiaries. — Beneficiaries shall be awarded an area not exceeding three (3) hectares which may cover a contiguous tract of land or several parcels of land cumulated up to the prescribed award limits.

For purposes of this Act, a landless beneficiary is one who owns less than three (3) hectares of agricultural land.

The beneficiaries may opt for collective ownership, such as co-ownership or farmers cooperative or some other form of collective organization: Provided, That the total area that may be awarded shall not exceed the total number of co-owners or member of the cooperative or collective organization multiplied by the award limit above prescribed, except in meritorious cases as determined by the PARC. Title to the

property shall be issued in the name of the co-owners or the cooperative or collective organization as the case may be.

Section 26. Payment By Beneficiaries. — Lands awarded pursuant to this Act shall be paid for by the beneficiaries to the LBP in thirty (30) annual amortization at six percent (6%) interest per annum. The payments for the first three (3) years after the award may be at reduced amounts as established by the PARC: Provided, That the first five (5) annual payments may not be more than five percent (5%) of the value of the annual gross production as established by the DAR. Should the scheduled annual payments after the fifth year exceed ten percent (10%) of the annual gross production and the failure to produce accordingly is not due to the beneficiary's fault, the LBP may induce the interest rate or reduce the principal obligation to make the repayment affordable.

The LBP shall have a lien by way of mortgage on the land awarded to the beneficiary; and this mortgage may be foreclosed by the LBP for non-payment of an aggregate of three (3) annual amortizations. The LBP shall advise DAR of such proceedings and the latter shall subsequently award the forfeited landholdings to other qualified beneficiaries. A beneficiary whose land, as provided herein, has been foreclosed shall thereafter be permanently disqualified from becoming a beneficiary under this Act.

Section 27. Transferability Of Awarded Lands. — Lands acquired by beneficiaries under this Act may not be sold, transferred conveyed except through hereditary succession, or to the government, or the LBP, or to other qualified beneficiaries for a period of ten (10) years: Provided, however, That the children or the spouse of the transferor shall have a right to repurchase the land from the government or LBP within a period of two (2) years. Due notice of the availability of the land shall be given by the LBP to the Barangay Agrarian Reform Committee (BARC) of the barangay where the land is situated. The Provincial Agrarian Reform Coordinating Committee (PARCCOM) as herein provided, shall, in turn, be given due notice thereof of the BARC.

If the land has not yet been fully paid by the beneficiary, the rights to the land may be transferred or conveyed, with prior approval of the DAR, to any heir of the beneficiary or to any other beneficiary who, as a condition for such transfer or conveyance, shall cultivate the land himself.

Failing compliance herewith, the land shall be transferred to the LBP which shall give due notice of the availability of the land in the manner specified in the immediately preceding paragraph.

In the event of such transfer to the LBP, the latter shall compensate the beneficiary in one lump sum for the amounts the latter has already paid, together with the value of improvements he has made on the land.

Section 28. Standing Crops At The Time Of Acquisition. — The landowner shall retain his share of any standing crops unharvested at the time the DAR shall take possession of the land under Section 16 of the Act, and shall be given a reasonable time to harvest the same.

CHAPTER VIII **Corporate Farms**

Section 29. Farms Owned Or Operated By Corporations Or Other Business Associations. — In the case of farms owned or operated by corporations or other business associations, the following rules shall be observed by the PARC:

In general, lands shall be distributed directly to the individual worker-beneficiaries.

In case it is not economically feasible and sound to divide the land, then it shall be owned collectively by the worker-beneficiaries who shall form a workers' cooperative or association which will deal with the corporation or business association. Until a new agreement is entered into by and between the workers' cooperative or association and the corporation or business association, any agreement existing at the time this Act takes effect between the former and the previous landowner shall be respected by both the workers' cooperative or association and the corporation or business association.

Section 30. Homelots and Farmlots for Members of Cooperatives.

The individual members of the cooperatives or corporations mentioned in the preceding section shall be provided with homelots and small farmlots for their family use, to be taken from the land owned by the cooperative or corporation.

Section 31. Corporate Landowners. — Corporate landowners may voluntarily transfer ownership over their agricultural landholdings to the Republic of the Philippines pursuant to Section 20 hereof or to qualified beneficiaries, under such terms and conditions, consistent with this Act, as they may agree upon, subject to confirmation by the DAR.

Upon certification by the DAR, corporations owning agricultural lands may give their qualified beneficiaries the right to purchase such proportion of the capital stock of the corporation that the agricultural land, actually devoted to agricultural activities, bears in relation to the company's total assets, under such terms and conditions as may be agreed upon by them. In no case shall the compensation received by the workers at the time the shares of stocks are distributed be reduced. The same principle shall be applied to associations, with respect to their equity or participation.

Corporations or associations which voluntarily divest a proportion of their capital stock, equity or participation in favor of their workers or other qualified beneficiaries under this section shall be deemed to have complied with the provisions of the Act: Provided, That the following conditions are complied with:

- a) In order to safeguard the right of beneficiaries who own share of stocks to dividends and other financial benefits, the books of the corporation or association shall be subject to periodic audit by certified public accountants chosen by the beneficiaries;
- b) Irrespective of the value of their equity in the corporation or association, the beneficiaries shall be assured of at least one (1) representative in the board of directors, or in a management or executive committee, if one exists, of the corporation or association; and
- c) Any shares acquired by such workers and beneficiaries shall have the same rights and features as all other shares.
- d) Any transfer of share of stock by the original beneficiaries shall be void *ab initio* unless said transaction is in favor of a qualified and registered beneficiary within the same corporation.

If within two (2) years from the approval of this Act, the land or stock

transfer envisioned above is not made or realized or the plan for such stock distribution approved by the PARC within the same period, the agricultural land of the corporate owners or corporation shall be subject to the compulsory coverage of this Act.

Section 32. Production-Sharing. — Pending final land transfer, individuals or entities owning, or operating under lease or management contract, agricultural lands are hereby mandated to execute a production-sharing plan with their farmworkers or farmworkers' organization, if any, whereby three percent (3%) of the gross sales from the production of such lands are distributed within sixty (60) days of the end of the fiscal year as compensation to regular and other farmworkers in such lands over and above the compensation they currently receive: Provided, That these individuals or entities realize gross sales in excess of five million pesos per annum unless the DAR, upon proper application, determines a lower ceiling.

In the event that the individual or entity realizes a profit, an additional ten percent (10%) of the net profit after tax shall be distributed to said regular and other farmworkers within ninety (90) days of the end of the fiscal year.

To forestall any disruption in the normal operation of lands to be turned over to the farmworker-beneficiaries mentioned above, a transitory period, the length of which shall be determined by the DAR, shall be established.

During this transitory period, at least one percent (1%) of the gross sales of the entity shall be distributed to the managerial, supervisory and technical group in place at the time of the effectivity of this Act, as compensation for such transitory managerial and technical functions as it will perform, pursuant to an agreement that the farmworker-beneficiaries and the managerial, supervisory and technical group may conclude, subject to the approval of the DAR.

Section 33. Payment Of Shares Of Cooperative Or Association. — Shares of a cooperative or association acquired by farmers-beneficiaries or workers-beneficiaries shall be fully paid for in an amount corresponding to the valuation as determined in the immediately succeeding section. The landowner and the LBP shall assist the farmers-beneficiaries and workers-beneficiaries in the payment for said shares by

providing credit financing.

Section 34. Valuation Of Lands. — A valuation scheme for the land shall be formulated by the PARC, taking into account the factors enumerated in Section 17, in addition to the need to stimulate the growth of cooperatives and the objective of fostering responsible participation of the workers-beneficiaries.

In case of disagreement, the price as determined by the PARC, if accepted by the workers-beneficiaries, shall be followed, without prejudice to the landowner's right to petition the Special Agrarian Court to resolve the issue of valuation.

CHAPTER IX SUPPORT SERVICES

Section 35. Creation Of Support Services Office. — There is hereby created the Office of Support Services under the DAR to be headed by an Undersecretary.

The Office shall provide general support and coordinative services in the implementation of the program particularly in carrying out the provision of the following services to farmer-beneficiaries and affected landowners:

- 1) Irrigation facilities, especially second crop or dry season irrigation facilities;
- 2) Infrastructure development and public works projects in areas and settlements that come under agrarian reform, and for this purpose, the preparation of the physical development plan of such settlements providing suitable barangay sites, portable water and power resources, irrigation systems and other facilities for a sound agricultural development plan;
- 3) Government subsidies for the use of irrigation facilities;
- 4) Price support and guarantee for all agricultural produce;
- 5) Extending to small landowners, farmers' organizations the necessary credit, like concessional and collateral-free loans, for agro-industrialization based on social collaterals like the guarantees of

farmers' organization:

- 6) Promoting, developing and extending financial assistance to small-and medium-scale industries in agrarian reform areas;
 - 7) Assigning sufficient numbers of agricultural extension workers to farmers' organization;
 - 8) Undertake research, development and dissemination of information on agrarian reform and low-cost and ecologically sound farm inputs and technologies to minimize reliance on expensive and imported agricultural inputs;
 - 9) Development of cooperative management skills through intensive training;
 - 11) Assistance in the identification of ready market or agricultural produce and training in other various aspects of marketing; and
- a) Administration operation management and funding of support services programs and projects including pilot projects and models related to agrarian reform as developed by the DAR.

Section 36. Funding For Support Services. — In order to cover the expenses and cost of support services, at least twenty-five percent (25%) of all appropriations for agrarian reform shall be immediately set aside and made available for this purpose. In relation, the DAR shall be authorized to package proposals and receive grants, aid and other forms of financial assistance from any source.

Section 37. Support Services To The Beneficiaries. — The PARC shall ensure that support services to farmers-beneficiaries are provided, such as:

- (a) Land surveys and titling;
- (b) Liberalized terms on direct facilities and production loans;
- (c) Extension services by way of planting, cropping, production and post-harvest technology transfer, as well as marketing and management assistance and support to cooperatives and farmers' organizations;
- (d) Infrastructure such as access trails, mini-dams, public utilities, marketing and storage facilities; and
- (e) Research, production and use of organic fertilizers and other local

substances necessary in farming and cultivation.

The PARC shall formulate policies to ensure that support services to farmer-beneficiaries shall be provided at all stages of land reform.

The Bagong Kilusang Kabuhayan sa Kaunlaran (BKKK) Secretariat shall be transferred and attached to the LBP, for its supervision including all its applicable and existing funds, personnel, properties, equipment and records.

Misuse or diversion of the financial and support services herein provided shall result in sanctions against the beneficiary guilty thereof, including the forfeiture of the land transferred to him or lesser sanctions as may be provided by the PARC, without prejudice to criminal prosecution.

Section 38. Support Services To Landowners. — The PARC with the assistance of such other government agencies and instrumentalities as it may direct, shall provide landowners affected by the CARP and prior agrarian reform programs with the following services:

- (a) Investment information financial and counseling assistance;
- (b) Facilities, programs and schemes for the conversion or exchange of bonds issued for payment of the lands acquired with stocks and bonds issued by the National Government, the Central Bank and other government institutions and instrumentalities;
- (c) Marketing of LBP bonds, as well as promoting the marketability of said bonds in traditional and non-traditional financial markets and stock exchanges; and
- (d) Other services designated to utilize productively the proceeds of the sale or such lands for rural industrialization.

A landowner who invests in rural-based industries shall be entitled to the incentives granted to a registered enterprise engaged in a pioneer or preferred area of investment as provided for in the Omnibus Investment Code of 1987, or to such other incentives as the PARC, the LBP, or other government financial institutions may provide.

The LBP shall redeem a landowner's LBP bonds at face value, provided that the proceeds thereof shall be invested in a BCI-registered company or in any agro-business or agro-industrial enterprise in the region where the landowner has previously made investments, to the extent of thirty percent (30%) of the face value of said LBP bonds, subject to guidelines that shall be issued by the LBP.

Section 39. Land Consolidation. — The DAR shall carry out land consolidation projects to promote equal distribution of landholdings, to provide the needed infrastructures in agriculture, and to conserve soil fertility and prevent erosion.

CHAPTER X

Special Areas of Concern

Section 40. Special Areas Of Concern. — As an integral part of the Comprehensive Agrarian Reform Program, the following principles in these special areas of concern shall be observed:

- (1) **Subsistence Fishing.** — Small fisherfolk, including seaweed farmers, shall be assured of greater access to the utilization of water resources.
- (2) **Logging and Mining Concessions.** — Subject to the requirement of a balanced ecology and conservation of water resources, suitable areas, as determined by the department of Environment and Natural Resources (DENR), in logging, mining and pasture areas, shall be opened up for agrarian settlements whose beneficiaries shall be required to undertake reforestation and conservation production methods. Subject to existing laws, rules and regulations, settlers and members of tribal communities shall be allowed to enjoy and exploit the products of the forest other than timber within the logging concessions.
- (3) **Sparsely Occupied Public Agricultural Lands.** — Sparsely occupied agricultural lands of the public domain shall be surveyed, proclaimed and developed as farm settlements for qualified landless people based on an organized program to ensure their orderly and early development.

Agricultural land allocations shall be made for ideal family-size farms

as determined by the PARC. Pioneers and other settlers shall be treated equally in every respect.

Subject to the prior rights of qualified beneficiaries uncultivated lands of the public domain shall be made available on a lease basis to interested and qualified parties. Parties who will engaged in the development of capital intensive, traditional or pioneering crops shall be given priority.

The lease period, which shall not be more than a total of fifty (50) years, shall be proportionate to the amount of investment and production goals of the lessee. A system of evaluation and audit shall be instituted.

- (4) Idle, Abandoned, Foreclosed and Sequestered Lands. — Idle, abandoned, foreclosed and sequestered lands shall be planned for distribution as home lots and family-size farmlots to actual occupants, if land area permits, other landless families shall be accommodated in these lands.
- (5) Rural Women. — All qualified women members of the agricultural labor force must be guaranteed and assured equal right to ownership of the land, equal share of the farm's produce, and representation in advisory of uproot decision-making bodies.
- (6) Veterans and Retirees. — In accordance with Section 7 of Article XVI of the Constitution, landless war veterans and veterans of military campaigns, their surviving spouse and orphans, retirees of the Armed Forces of the Philippines (AFP) and the Integrated National Police (INP), returnees, surrenderees, and similar beneficiaries shall be given due consideration in the disposition of agricultural lands of the public domain.
- (7) Agriculture Graduates. — Graduates of agricultural schools who are landless shall be assisted by the government, through the DAR, in their desire to own and till agricultural lands.

CHAPTER XI PROGRAM IMPLEMENTATION

Section 41. The Presidential Agrarian Reform Council. — The Presidential Agrarian Reform Council (PARC) shall be composed of the

President of the Philippines as Chairman, the Secretary of Agrarian Reform as Vice-Chairman and the following as members; Secretaries of the Departments of Agriculture; Environment and Natural Resources; Budget and Management; Local Government: Public Works and Highways; Trade and Industry; Finance; Labor and Employment; Administrator, National Irrigation Administration; and three (3) representatives of affected landowners to represent Luzon, Visayas and Mindanao; six (6) representatives of agrarian reform beneficiaries, two (2) each from Luzon, Visayas and Mindanao, provided that one of them shall be from the cultural communities.

Section 42. Executive Committee. — There shall be an Executive committee (EXCOM) of the PARC composed of the Secretary of the DAR as Chairman, and such other members as the President may designate, taking into account Article XIII, Section 5 of the Constitution. Unless otherwise directed by PARC, the EXCOM may meet and decide on any and all matters in between meetings of the PARC: Provided, however, That its decisions must be reported to the PARC immediately and not later than the next meeting.

Section 43. Secretariat. — A PARC Secretariat is hereby established to provide general support and coordinative services such as inter-agency linkages; program and project appraisal and evaluation and general operations monitoring for the PARC.

The secretariat shall be headed by the Secretary of Agrarian Reform who shall be assisted by an Undersecretary and supported by a staff whose composition shall be determined by the PARC Executive Committee and whose compensation shall be chargeable against the Agrarian Reform Fund. All officers and employees of the Secretariat shall be appointed by the Secretary of Agrarian Reform.

Section 44. Provincial Agrarian Reform Coordinating Committee (Parccom). — A Provincial Agrarian Reform Coordinating Committee (PARCCOM) is hereby created in each province, composed of a chairman, who shall be appointed by the President upon the recommendation of the EXCOM, the Provincial Agrarian Reform Officer as Executive Officer, and one representative each from the Departments of Agriculture, and of Environment and Natural Resources and from the LBP, one representative each from existing farmers' organizations, agricultural cooperatives and non-governmental organizations in the

province; two representatives from landowners, at least one of whom shall be a producer representing the principal crop of the province, and two representatives from farmer and farmworker-beneficiaries, at least one of whom shall be a farmer or farmworker representing the principal crop of the province, as members: Provided, That in areas where there are cultural communities, the latter shall likewise have one representative.

The PARCCOM shall coordinate and monitor the implementation of the CARP in the province. It shall provide information on the provisions of the CARP, guidelines issued by the PARC and on the progress of the CARP in the province.

Section 45. Province-By-Province Implementation. — The PARC shall provide the guidelines for a province-by-province implementation of the CARP. The ten-year program of distribution of public and private lands in each province shall be adjusted from year to year by the province's PARCCOM in accordance with the level of operations previously established by the PARC, in every case ensuring the support services are available or have been programmed before actual distribution is effected.

Section 46. Barangay Agrarian Reform Committee (Barc). — Unless otherwise provided in this Act, the provisions of Executive Order No. 229 regarding the organization of the Barangay Agrarian Reform Committee (BARC) shall be in effect.

Section 47. Functions Of The Barc. — In addition to those provided in Executive Order No. 229, the BARC shall have the following functions:

- (a) Mediate and conciliate between parties involved in an agrarian dispute including matters related to tenurial and financial arrangements;
- (b) Assist in the identification of qualified beneficiaries and landowners within the barangay;
- (c) Attest to the accuracy of the initial parcellary mapping of the beneficiary's tillage;
- (d) Assist qualified beneficiaries in obtaining credit from lending

institutions;

- (e) Assist in the initial determination of the value of the land;
- (f) Assist the DAR representatives in the preparation of periodic reports on the CARP implementation for submission to the DAR;
- (g) Coordinate the delivery of support services to beneficiaries; and
- (h) Perform such other functions as may be assigned by the DAR.

(2) The BARC shall endeavor to mediate, conciliate and settle agrarian disputed lodged before it within thirty (30) days from its taking cognizance thereof. If after the lapse of the thirty day period, it is unable to settle the dispute, it shall issue a certification of its proceedings and shall furnish a copy thereof upon the parties within seven (7) days after the expiration of the thirty-day period.

Section 48. Legal Assistance. — The BARC or any member thereof may, whenever necessary in the exercise of any of its functions hereunder, seek the legal assistance of the DAR and the provincial, city, or municipal government.

Section 49. Rules And Regulations. — The PARC and the DAR shall have the power to issue rules and regulations, whether substantive or procedural, to carry out the objects and purposes of this Act. Said rules shall take effect ten (10) days after publication in two (2) national newspapers of general circulation.

CHAPTER XII

Administrative Adjudication

Section 50. Quasi-Judicial Powers Of The Dar. — The DAR is hereby vested with the primary jurisdiction to determine and adjudicate agrarian reform matters and shall have exclusive original jurisdiction over all matters involving the implementation of agrarian reform except those falling under the exclusive jurisdiction of the Department of Agriculture (DA) and the Department of Environment and Natural Resources (DENR).

It shall not be bound by technical rules of procedure and evidence but

shall proceed to hear and decide all cases, disputes or controversies in a most expeditious manner, employing all reasonable means to ascertain the facts of every case in accordance with justice and equity and the merits of the case. Toward this end, it shall adopt a uniform rule of procedure to achieve a just, expeditious and inexpensive determination for every action or proceeding before it.

It shall have the power to summon witnesses, administer oaths, take testimony, require submission of reports, compel the production of books and documents and answers to interrogatories and issue subpoena, and subpoena *duces tecum*, and enforce its writs through sheriffs or other duly deputized officers. It shall likewise have the power to punish direct and indirect contempts in the same manner and subject to the same penalties as provided in the Rules of Court.

Responsible farmer leaders shall be allowed to represent themselves, their fellow farmers, or their organizations in any proceedings before the DAR: Provided, however, That when there are two or more representatives for any individual or group, the representatives should choose only one among themselves to represent such party or group before any DAR proceedings.

Notwithstanding an appeal to the Court of Appeals, the decision of the DAR shall immediately be executory.

Section 51. Finality Of Determination. — Any case or controversy before it shall be decided within thirty (30) days after it is submitted for resolution. Only one (1) motion for reconsideration shall be allowed. Any order, ruling or decision shall be final after the lapse of fifteen (15) days from receipt of a copy thereof.

Section 52. Frivolous Appeals. — To discourage frivolous or dilatory appeals from the decisions or orders on the local or provincial levels, the DAR may impose reasonable penalties, including but not limited to fines or censures upon erring parties.

Section 53. Certificate Of The BARC. — The DAR shall not take cognizance of any agrarian dispute or controversy unless a certification from the BARC that the dispute has been submitted to it for mediation and conciliation without any success of settlement is presented: Provided, however, That if no certification is issued by the BARC within thirty (30)

days after a matter or issue is submitted to it for mediation or conciliation the case or dispute may be brought before the PARC.

CHAPTER XIII

Judicial Review

Section 54. Certiorari. — Any decision, order, award or ruling of the DAR on any agrarian dispute or on any matter pertaining to the application, implementation, enforcement, or interpretation of this Act and other pertinent laws on agrarian reform may be brought to the Court of Appeals by certiorari except as otherwise provided in this Act within fifteen (15) days from the receipt of a copy thereof.

The findings of fact of the DAR shall be final and conclusive if based on substantial evidence.

Section 55. No Restraining Order, Preliminary Injunction. — No court in the Philippines shall have jurisdiction to issue any restraining order or writ of preliminary injunction against the PARC or any of its duly authorized or designated agencies in any case, dispute or controversy arising from, necessary to, or in connection with the application, implementation, enforcement, or interpretation of this Act and other pertinent laws on agrarian reform.

Section 56. Special Agrarian Court. — The Supreme Court shall designate at least one (1) branch of the Regional Trial Court (RTC) within each province to act as a Special Agrarian Court.

The Supreme Court may designate more branches to constitute such additional Special Agrarian Courts as may be necessary to cope with the number of agrarian cases in each province. In the designation, the Supreme Court shall give preference to the Regional Trial Courts which have been assigned to handle agrarian cases or whose presiding judges were former judges of the defunct Court of Agrarian Relations.

The Regional Trial Court (RTC) judges assigned to said special jurisdiction in addition to the regular jurisdiction of their respective courts.

The Special Agrarian Courts shall have the powers and prerogatives inherent in or belonging to the Regional Trial Courts.

Section 57. Special Jurisdiction. — The Special Agrarian Courts shall have original and exclusive jurisdiction over all petitions for the determination of just compensation to landowners, and the prosecution of all criminal offenses under this Act. The Rules of Court, unless modified by this Act.

The Special Agrarian Courts shall decide all appropriate cases under their special jurisdiction within thirty (30) days from submission of the case for decision.

Section 58. Appointment Of Commissioners. — The Special Agrarian Courts upon their own initiative or at the instance of any of the parties, may appoint one or more commissioners to examine, investigate and ascertain facts relevant to the dispute, including the valuation of properties, and to file a written report thereof with the court.

Section 59. Orders Of The Special Agrarian Courts. — No order of the Special Agrarian Courts on any issue, question, matter or incident raised before them shall be elevated to the appellate courts until the hearing shall have been terminated and the case decided on the merits.

Section 60. Appeals. — An appeal may be taken from the decision of the Special Agrarian Courts by filing a petition for review with the Court of Appeals within fifteen (15) days receipt of notice of the decision; otherwise, the decision shall become final.

Section 61. Procedure On Review. — Review by the Court of Appeals or the Supreme Court, as the case may be, shall be governed by the Rules of Court. The Court of Appeals, may require the parties to file simultaneous memoranda within a period of fifteen (15) days from notice, after which the case is deemed submitted for decision.

Section 62. Preferential Attention In Courts. — All courts in the Philippines, both trial and appellate, shall give preferential attention to all cases arising or in connection with the implementation of the provisions of this Act.

All cases pending in court arising from or in connection with the implementation of this Act shall continue to be heard, tried and decided

into their finality, notwithstanding the expiration of the ten-year period mentioned in Section 5 hereof.

CHAPTER XIV FINANCING

Section 63. Funding Source. — The initial amount needed to implement this Act for the period of ten (10) years upon approval hereof shall be funded from the Agrarian Reform Fund created under Sections 20 and 21 of Executive Order No. 229.

Additional amounts are hereby authorized to be appropriated as and when needed to augment the Agrarian Reform Fund in order to fully implement the provisions of this Act.

Sources of funding or appropriations shall include the following:

- a) Proceeds of the sales of the Assets Privatization Trust;
- b) All receipts from assets recovered and from sales of ill-gotten wealth recovered through the Presidential Commission on Good Government;
- c) Proceeds of the disposition of the properties of the Government in foreign countries;
- (a) d) Portion of amounts accruing to the Philippines from all sources of official foreign aid grants and concessional financing from all countries, to be used for the specific purposes of financing production credits, infrastructures, and other support services required by this Act;
- d) Other government funds not otherwise appropriated.

All funds appropriated to implement the provisions of this Act shall be considered continuing appropriations during the period of its implementation.

Section 64. Financial Intermediary For The Carp. — The Land Bank of the Philippines shall be the financial intermediary for the CARP, and shall insure that the social justice objectives of the CARP shall enjoy a preference among its priorities.

CHAPTER XV General Provisions

Section 65. Conversion Of Lands. — After the lapse of five (5) years from its award, when the land ceases to be economically feasible and sound for agricultural purposes, or the locality has become urbanized and the land will have a greater economic value for residential, commercial or industrial purposes, the DAR, upon application of the beneficiary or the landowner, with due notice to the affected parties, and subject to existing laws, may authorize the reclassification or conversion of the land and its disposition: Provided, That the beneficiary shall have fully paid his obligation.

Section 66. Exemptions From Taxes And Fees Of Land Transfers. — Transactions under this Act involving a transfer of ownership, whether from natural or juridical persons, shall be exempted from taxes arising from capital gains. These transactions shall also be exempted from the payment of registration fees, and all other taxes and fees for the conveyance or transfer thereof: Provided, That all arrearages in real property taxes, without penalty or interest, shall be deductible from the compensation to which the owner may be entitled.

Section 67. Free Registration Of Patents And Titles. — All Registers of Deeds are hereby directed to register, free from payment of all fees and other charges, patents titles and documents required for the implementation of the CARP.

Section 68. Immunity Of Government Agencies From Undue Interference. — No injunction, restraining order, prohibition or mandamus shall be issued by the lower courts against the Department of Agrarian Reform (DAR), the Department of Agriculture (DA), the Department of Environment and Natural Resources (DENR), and the Department of Justice (DOJ) in their implementation of the program.

Section 69. Assistance Of Other Government Entities. — The PARC, in the exercise of its functions, is hereby authorized to call upon the assistance and support of other government agencies, bureaus and offices, including government-owned or controlled corporations.

Section 70. Disposition Of Private Agricultural Lands. — The sale or disposition of agricultural lands retained by a landowner as a consequence of Section 6 hereof shall be valid as long as the total landholdings that shall be owned by the transferee thereof inclusive of the

land to be acquired shall not exceed the landholding ceilings provided for in this Act.

Any sale or disposition of agricultural lands after the effectivity of this Act found to be contrary to the provisions hereof shall be null and void.

Transferees of agricultural lands shall furnish the appropriate Register of Deeds and BARC an affidavit attesting that this total landholdings as a result of the said acquisition do not exceed the landholding ceiling. The Register of Deeds shall not register the transfer of any agricultural land without the submission of this sworn statement together with the proof of service of a copy thereof to the BARC.

Section 71. Bank Mortgages. — Banks and other financial institutions allowed by law to hold mortgage rights or security interests in agricultural lands to secure loans and other obligations of borrowers, may acquire title to these mortgaged properties, regardless of area, subject to existing laws on compulsory transfer of foreclosed assets and acquisition as prescribed under Section 13 of this Act.

Section 72. Lease, Management, Grower Or Service Contracts, Mortgages And Other Claims. — Lands covered by this Act under lease, management, grower or service contracts, and the like shall be disposed of as follows:

- (a) Lease, management, grower or service contracts covering private lands may continue under their original terms and conditions until the expiration of the same even if such land has, in the meantime, been transferred to qualified beneficiaries.
- (b) Mortgages and other claims registered with the Register of Deeds shall be assumed by the government up to an amount equivalent to the landowner's compensation value as provided in this Act.

Section 73. Prohibited Acts And Omissions. — The following are prohibited:

- (a) The ownership or possession, for the purpose of circumventing the provisions of this Act, of agricultural lands in excess of the total retention limits or award ceilings by any person, natural or juridical, except those under collective ownership by farmer-beneficiaries.

- (b) The forcible entry or illegal detainer by persons who are not qualified beneficiaries under this Act to avail themselves of the rights and benefits of the Agrarian Reform Program.
- (c) The conversion by any landowner of his agricultural land into any non-agricultural use with intent to avoid the application of this Act to his landholdings and to dispose his tenant-farmers of the land tilled by them.
- (d) The willful prevention or obstruction by any person, association or entity of the implementation of the CARP.
- (e) The sale, transfer, conveyance or change of the nature of lands outside of urban centers and city limits either in whole or in part after the effectivity of this act. The date of the registration of the deed of conveyance in the Register of Deeds with respect to titled lands and the date of the issuance of the tax declaration to the transferee of the property with respect to unregistered lands, as the case may be, shall be conclusive for the purpose of this Act.
- (f) The sale, transfer or conveyance by a beneficiary of the right to use or any other usufructuary right over the land he acquired by virtue of being a beneficiary, in order to circumvent the provisions of this Act.

Section 74. Penalties. — Any person who knowingly or willfully violates the provisions of this Act shall be punished by imprisonment of not less than one (1) month to not more than three (3) years or a fine of not less than one thousand pesos (P1,000.00) and not more than fifteen thousand pesos (P15,000.00), or both, at the discretion of the court. If the offender is a corporation or association, the officer responsible therefor shall be criminally liable.

Section 75. Suppletory Application Of Existing Legislation. — The provisions of Republic Act No. 3844 as amended, Presidential Decree Nos. 27 and 266 as amended, Executive Order Nos. 228 and 229, both Series of 1987; and other laws not inconsistent with this Act shall have suppletory effect.

Section 76. Repealing Clause. — Section 35 of Republic Act No. 3844, Presidential Decree No. 316, the last two paragraphs of Section 12

of Presidential Decree No. 946, Presidential Decree No. 1038, and all other laws, decrees executive orders, rules and regulations, issuances or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

Section 77. Separability Clause. — If, for any reason, any section or provision of this Act is declared null and void, no other section, provision, or part thereof shall be affected and the same shall remain in full force and effect.

Section 78. Effectivity Clause. — This Act shall take effect immediately after publication in at least two (2) national newspapers of general circulation.

Approved, June 10, 1988.

**Proclamation
No. 212
Jan. 29, 1988**

**SUBJECT : Establishing As Palompon Watershed
Forest Reserve A Parcel Of Land Of The
Public Domain Situated In The
Municipalities Of Palompon And Villaba,
Province Of Leyte, Philippines**

Upon recommendation of the Secretary of Environment and Natural Resources and by virtue of the powers vested in me by law, **I, CORAZON C. AQUINO**, President of the Philippines, do hereby withdraw from entry, sale, disposition or settlement and set aside for watershed and other ecological enhancement purposes, subject to private rights, if there be any, the parcel of land of the public domain located in the Municipalities of Palompon and Villaba, Province of Leyte, Philippines, more particularly described as follows:

Beginning at point "1" on BFD W. R. 67 a point at the junction of Sabang and Agbanga River at Latitude 11° 04' and Longitude 124° 04'05;

Thence N 37° 00'E, 950 meters to corner 2, a point on the ground;
Thence N 71° 00'E, 450 meters to corner 3, a point on top of ridge;
Thence S 87° 30'E, 500 meters to corner 4, a point on top of ridge;
Thence Due East, 325 meters to corner 5, a point on top of ridge;
Thence N 44° 00'E, 200 meters to corner 6, a point on top of ridge;
Thence Due North, 200 meters to corner 7, a point on top of ridge;
Thence N 27° 00'W, 200 meters to corner 8, a point on top of ridge;
Thence Due North, 200 meters to corner 9, a point on top of ridge;
Thence N 29° 00'W, 275 meters to corner 10, a point on top of ridge;
Thence Due North, 200 meters to corner 11, a point on top of ridge;
Thence N 30° 00'W, 325 meters to corner 12, a point on top of ridge;
Thence N 46° 00'W, 200 meters to corner 13, a point on top of ridge;
Thence N 06° 00'W, 650 meters to corner 14, a point on top of ridge;
Thence N 24° 00'E, 350 meters to corner 15, a point on top of ridge;
Thence N 31° 00'E, 350 meters to corner 16, a point on top of ridge;
Thence N 21° 00'E, 425 meters to corner 17, a point on top of ridge;
Thence N 17° 00'E, 475 meters to corner 18, a point on top of ridge;
Thence N 09° 00' E, 425 meters to corner 19, a point on top of ridge;
Thence N 09° 00'W, 450 meters to corner 20, a point on top of ridge;

Thence N 26° 30'E, 375 meters to corner 21, a point on top of ridge;
Thence N 20° 00'E, 425 meters to corner 22, a point on top of ridge;
Thence N 02° 30'W, 450 meters to corner 23, a point on top of ridge;
Thence N 18° 00'E, 425 meters to corner 24, a point on top of ridge;
Thence N 03° 00'E, 300 meters to corner 25, a point on top of ridge;
Thence N 15° 30'E, 350 meters to corner 26, a point on top of ridge;
Thence N 18° 00'E, 500 meters to corner 27, a point on top of ridge;
Thence N 32° 00'E, 650 meters to corner 28, a point on top of ridge;
Thence N 32° 00'E, 350 meters to corner 29, a point on top of ridge;
Thence S 53° 30'E, 400 meters to corner 30, a point on top of ridge;
Thence S 27° 00' E, 500 meters to corner 31, a point on top of ridge;
Thence S 55° 00'E, 525 meters to corner 32, a point on top of ridge;
Thence S 10° 00'W, 625 meters to corner 33, a point on top of ridge;
Thence S 38° 00'E, 200 meters to corner 34, a point on top of ridge;
Thence S 19° 00'E, 500 meters to corner 35, a point on top of ridge;
Thence S 60° 30'E, 300 meters to corner 36, a point on top of ridge;
Thence S 09° 30'W, 300 meters to corner 37, a point on top of ridge;
Thence S 17° 00'W, 400 meters to corner 38, a point on top of ridge;
Thence S 13° 00'E, 425 meters to corner 39, a point on top of ridge;
Thence S 60° 30'W, 300 meters to corner 40, a point on top of ridge;
Thence S 31° 00'E, 225 meters to corner 41, a point on top of ridge;
Thence S 07° 30'E, 200 meters to corner 42, a point on top of ridge;
Thence S 66° 00'E, 400 meters to corner 43, a point on top of ridge;
Thence S 89° 00'E, 425 meters to corner 44, a point on top of ridge;
Thence N 53° 30'E, 400 meters to corner 45, a point on top of ridge;
Thence S 37° 30'E, 500 meters to corner 46, a point on top of ridge;
Thence S 48° 00'E, 325 meters to corner 47, a point on top of ridge;
Thence S 43° 00'E, 300 meters to corner 48, a point on top of ridge;
Thence N 35° 00'E, 175 meters to corner 49, a point on top of ridge;
Thence N 02° 00'W, 400 meters to corner 50, a point on top of ridge;
Thence S 81° 00'E, 350 meters to corner 51, a point on top of ridge;
Thence Due North, 250 meters to corner 52, a point on top of ridge;
Thence N 36° 00'E, 250 meters to corner 53, a point on top of ridge;
Thence S 78° 30'E, 350 meters to corner 54, a point on top of ridge;
Thence S 05° 00'E, 200 meters to corner 55, a point on top of ridge;
Thence S 26° 30'E, 450 meters to corner 56, a point on top of ridge;
Thence S 57° 00'E, 475 meters to corner 57, a point on top of ridge;
Thence S 14° 00'E, 600 meters to corner 58, a point on top of ridge;
Thence S 36° 00'W, 350 meters to corner 59, a point on top of ridge;
Thence Due South, 150 meters to corner 60, a point on top of ridge;
Thence S 25° 00'W, 450 meters to corner 61, a point on top of ridge;

Thence S 24° 30'E, 250 meters to corner 62, a point on top of ridge;
Thence S 64° 00'W, 200 meters to corner 63, a point on top of ridge;
Thence S 36° 00'W, 300 meters to corner 64, a point on top of ridge;
Thence S 05° 30'W, 725 meters to corner 65, a point on top of ridge;
Thence N 89° 00'W, 225 meters to corner 66, a point on top of ridge;
Thence S 60° 00'W, 150 meters to corner 67, a point on top of ridge;
Thence S 16° 30'E, 250 meters to corner 68, a point on top of ridge;
Thence S 50° 00'E, 150 meters to corner 69, a point on top of ridge;
Thence S 11° 30'E, 200 meters to corner 70, a point on top of ridge;
Thence S 36° 00'E, 325 meters to corner 71, a point on top of ridge;
Thence S 15° 00'W, 250 meters to corner 72, a point on top of ridge;
Thence S 07° 00'E, 200 meters to corner 73, a point on top of ridge;
Thence S 23° 00'W, 200 meters to corner 74, a point on top of ridge;
Thence S 11° 00'E, 300 meters to corner 75, a point on top of ridge;
Thence S 38° 00'W, 325 meters to corner 76, a point on top of ridge;
Thence S 48° 30'W, 550 meters to corner 77, a point on top of ridge;
Thence S 51° 00'W, 525 meters to corner 78, a point on top of ridge;
Thence S 30° 30'W, 225 meters to corner 79, a point on top of ridge;
Thence S 56° 30'E, 300 meters to corner 80, a point on top of ridge;
Thence S 31° 30'E, 300 meters to corner 81, a point on top of ridge;
Thence S 19° 30'W, 450 meters to corner 82, a point on top of ridge;
Thence S 28° 00'W, 350 meters to corner 83, a point on top of ridge;
Thence S 08° 00'W, 200 meters to corner 84, a point on top of ridge;
Thence S 28° 00'E, 250 meters to corner 85, a point on top of ridge;
Thence S 60° 30'W, 400 meters to corner 86, a point on top of ridge;
Thence S 33° 00'W, 450 meters to corner 87, a point on top of ridge;
Thence N 73° 00'W, 150 meters to corner 88, a point on top of ridge;
Thence N 21° 00'W, 275 meters to corner 89, a point on top of ridge;
Thence Due North, 325 meters to corner 90, a point on top of ridge;
Thence N 16° 00'W, 225 meters to corner 91, a point on top of ridge;
Thence N 24° 00'W, 325 meters to corner 92, a point on top of ridge;
Thence N 79° 00'W, 275 meters to corner 93, a point on top of ridge;
Thence S 39° 00'W, 350 meters to corner 94, a point on top of ridge;
Thence S 31° 00'W, 500 meters to corner 95, a point on top of ridge;
Thence S 55° 30'W, 375 meters to corner 96, a point on top of ridge;
Thence N 88° 00'W, 200 meters to corner 97, a point on top of ridge;
Thence N 55° 00'W, 550 meters to corner 98, a point on top of ridge;
Thence S 76° 00'W, 250 meters to corner 99, a point on top of ridge;
Thence N 51° 00'W, 150 meters to corner 100, a point on top of ridge;
Thence N 87° 00'W, 375 meters to corner 101, a point on top of ridge;
Thence S 88° 00'W, 350 meters to corner 102, a point on top of ridge;

Thence N 46° 30'W, 400 meters to corner 103, a point on top of ridge;
Thence N 80° 00'W, 300 meters to corner 104, a point on top of ridge;
Thence N 49° 00'W, 150 meters to corner 105, a point on top of ridge;
Thence N 17° 00'W, 350 meters to corner 106, a point on top of ridge;
Thence N 46° 30'W, 250 meters to corner 107, a point on top of ridge;
Thence N 80° 00'W, 350 meters to corner 108, a point on top of ridge;
Thence N 68° 00'W, 350 meters to corner 109, a point on top of ridge;
Thence N 55° 00'W, 400 meters to corner 110, a point on top of ridge;
Thence N 38° 00'W, 275 meters to corner 111, a point on top of ridge;
Thence N 64° 00'W, 275 meters to corner 112, a point on top of ridge;
Thence N 66° 00'W, 350 meters to corner 113, a point on top of ridge;
Thence N 29° 30'W, 375 meters to corner 114, a point on top of ridge;
Thence N 33° 00'W, 250 meters to corner 115, a point on top of ridge;
Thence N 14° 30'E, 300 meters to corner 116, side of the road.
Thence N 27° 00'E, 450 meters to corner 1, the point of beginning,
containing an area of TWO THOUSAND THREE HUNDRED
NINETY-TWO (2,392.0) HECTARES, more or less.

The Department of Environment and Natural Resources thru the Forest Management Bureau shall administer and manage the reservation, in coordination with other agencies of the government with the objective of maintaining its usefulness as a source of water for domestic, use agriculture and other forestry purposes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 29th day of January, in the year of Our Lord, nineteen hundred and eighty-eight.

**Proclamation
No. 223
February 29, 1988**

SUBJECT : Excluding From The Operation Of Proclamation No. 284, Dated July 19, 1938, Which Established The Malangas Coal Reservation Situated In The Municipality Of Malangas, Province Of Zamboanga Del Sur, Island Of Mindanao, A Portion Of The Land Embraced Therein And Declaring The Same Open To Disposition Under The Provisions Of The Public Land Act, As Amended

Upon recommendation of the Secretary of Environment and Natural Resources and pursuant to the authority vested in me by law, I, CORAZON C. AQUINO, President of the Philippines, do hereby exclude from the operation of Proclamation No. 284, dated July 19, 1938, which established the Malangas Coal Reservation situated in the Municipality of Malangas, Province of Zamboanga del Sur, Island of Mindanao, a portion of the land embraced therein and declare the same open to disposition under the provisions of the Public Land Act, as amended, subject to future verification and approval of survey and concurrence of the Congress, which parcel is more particularly described as follows:

A PARCEL OF LAND (Portion of Malangas Coal Reservation) situated in the Municipality of Imelda, Province of Zamboanga del Sur, Island of Mindanao. Bounded on the NE., SE., SW., and NW., along lines 1-2-3-4-5-6-7-1 by Malangas Coal Reservation. Beginning at a point marked "1" of lot (Portion of Malangas Coal Reservation) being N. 51° 26'W., 8,118.72 meters from BLLM No. 1, PLS 547, Malangas, Zamboanga del Sur to Corner 1".

thence DUE SOUTH 600.00 m. to point 2;
thence S. 42-00'W., 3,550.00 m. to point 3;
thence S. 79-30'W., 2,250.00 m. to point 4;
thence DUE NORTH 2,000.00 m. to point 5;
thence N. 47-30'E., 5,100.00 m. to point 6;
thence S. 48-30'E., 1,850.00 m. to point 7;
thence S. 39-52'W., 799.00 m. to point of

beginning, containing an area of fourteen million one hundred ten thousand one hundred twelve (14,110,112) square meters.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 29th day of February, in the year of Our Lord, nineteen hundred and eighty-eight.

**Proclamation
No. 225
March 1, 1988**

SUBJECT : Amending Proclamation No. 1636, Series Of 1979, Which Established A National Park, Wildlife Sanctuary And Game Preserve By Excluding Certain Portion Of The Land Embraced Therein Situated In The Municipalities Of Sta. Maria And Famy, Province Of Laguna, Island Of Luzon, And Reserving The Same For Disposition Under The Integrated Social Forestry Program Of The Department Of Environment And Natural Resources

Upon recommendation of the Secretary of Environment and Natural Resources and pursuant to the authority vested in me by law, **I, CORAZON C. AQUINO**, President of the Republic of the Philippines, do hereby amend Proclamation No. 1636, which established a National Park, Wildlife Sanctuary and Game Preserve in some portions of the Provinces of Bulacan, Rizal, Laguna and Quezon, by excluding therefrom certain portion of the land embraced therein, situated in the Municipalities of Sta. Maria and Famy, Province of Laguna, and reserving the same for disposition under the Integrated Social Forestry Program of the Department of Environment and Natural Resources in accordance with existing laws, rules and regulations, which parcels of land are more particularly described as follows:

A PARCEL OF LAND situated in the municipality of Sta. Maria, Province of Laguna, Island of Luzon. Bounded on the North, along lines 46-47 by Alienable or Disposable land, Block 1, Project No. 26-C of Sta. Maria, Laguna; on the Northeast, along lines 47-48 by the municipal boundary between Real, Quezon and Sta. Maria, Laguna; on the Southeast, along line 48-48-1 by the municipal boundary between Sta. Maria and Famy, both of the province of Laguna and on the Northwest, along lines 1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 9 - 10 - 11 - 12 - 13 - 14 - 15 - 16 - 17 - 18 - 19 - 20 - 21 - 22 - 23 - 24 - 25 by Alienable and Disposable land, Block II, Project No. 26-C of Sta. Maria, Laguna and along lines 26 - 27 - 28 - 29 - 30 - 31 - 32 - 33 - 34 - 35 - 36 - 37 - 38 - 39 - 40 - 41 - 42 - 43 - 44 - 45 - 46 by Alienable at point Disposable land, Block I, Project No.

26-C, Sta. Maria, Laguna. Beginning at point marked "1" in the accompanying map which has an approximate coordinate of 14 degrees, 29 minutes and 21 seconds. North Latitude and 121 degrees, 28 minutes and 01 second East longitude, identical to Forest Zone corner no. 49 of Alienable and Disposable, Block II, Project No. 26-C of Sta. Maria, Laguna, thence

N. 53 deg. W., 120.0 m. to point 2;
N. 58 deg. W., 95.0 m. to point 3;
N. 58 deg. W., 90.0 m. to point 4;
N. 58 deg. W., 95.0 m. to point 5;
N. 77 deg. W., 150.0 m. to point 6;
N. 77 deg. W., 105.0 m. to point 7;
N. 77 deg. W., 160.0 m. to point 8;
S. 67 deg. W., 85.0 m. to point 9;
S. 67 deg. W., 140.0 m. to point 10;
N. 60 deg. W., 130.0 m. to point 11;
N. 83 deg. W., 120.0 m. to point 12;
S. 59 deg. W., 95.0 m. to point 13;
S. 71 deg. W., 140.0 m. to point 14;
S. 71 deg. W., 200.0 m. to point 15;
S. 32 deg. W., 70.0 m. to point 16;
S. 70 deg. W., 220.0 m. to point 17;
N. 70 deg. W., 100.0 m. to point 18;
N. 62 deg. W., 115.0 m. to point 19;
N. 79 deg. W., 130.0 m. to point 20;
N. 56 deg. W., 100.0 m. to point 21;
N. 56 deg. W., 90.0 m. to point 22;
N. 56 deg. W., 90.0 m. to point 23;
N. 56 deg. W., 80.0 m. to point 24;
N. 65 deg. W., 788.0 m. to point 25;
N. 56 deg. W., 340.0 m. to point 26;
Following trail, NE direction 330.0 m. to point 27;
Following trail, NE direction 200.0 m. to point 28;
Following trail, NW direction 400.0 m. to point 29;
Following trail, NW direction 430.0 m. to point 30;
Following trail, SW direction 450.0 m. to point 31;
Following trail, NW direction 250.0 m. to point 32;
Following trail, NW direction 390.0 m. to point 33;
Due W., 140.0 m. to point 34;
S. 80 deg. W., 100.0 m. to point 35;

Following Pinanlayasan Creek downstream SW direction 605.0 m. to point 36;

Following Pinanlayasan Creek downstream SW direction 530.0 m. to point 37;

N. 11 deg. W., 240.0 m to point 38;

N. 27 deg. E., 180.0 m to point 39;

N. 08 deg. E., 130.0 m to point 40;

N. 21 deg. E., 180.0 m to point 41;

Following trail, NW direction 100.0 m. to point 42;

Following trail, NW direction 230.0 m. to point 43;

Following trail, NW direction 160.0 m. to point 44;

Following trail, NE direction 240.0 m. to point 45;

N. 83 deg. W., 140.0 m. to point 46;

N. 71 deg. E., 5,460.0 m. to point 47;

N. 32 deg. E., 3,640.0 m. to point 48;

N. 39 deg. E., 1,800.0 m. to point 49;

Following Bacong Creek downstream NW direction 420.m. to point of beginning.

Containing an area of ONE THOUSAND, NINE HUNDRED (1,900) HECTARES

PARCEL-II

"A PARCEL OF LAND situated in the Municipality of Famy, Province of Laguna, Island of Luzon. Bounded on the Northwest, along lines 26-27-28 by the municipal boundary between Famy and Sta. Maria, both of the Province of Laguna; on Northeast, along lines 28-29 by the municipal boundary between Real Quezon and Famy Laguna; on the South, along line 29-1 by Inawasan river; on the Southwest along lines 1-2-3-4-5-6-7-8-9-10-11-12-13-14-15 -16-17-18-19-20-21-22-23-24 by Alienable and Disposable land block, Project no. 13-B of Famy, Laguna and on the West, along lines 24-25-26 by the municipal boundary between Famy and Sta. Maria, both of the province of Laguna. Beginning at point marked "1" on the map which has an approximate coordinate of 14 degrees, 28 minutes and 14 seconds North latitude and 1221 degrees, 28 minutes and 08 seconds East longitude, thence:

N. 84 deg. W., 110.0 m. to point 2;

N. 84 deg. W., 130.0 m. to point 3;

N. 84 deg. W., 110.0 m. to point 4;

N. 72 deg. W., 140.0 m. to point 5;

N. 56 deg. W., 100.0 m. to point 6;
N. 50 deg. W., 200.0 m. to point 7;
N. 12 deg. W., 160.0 m. to point 8;
N. 9 deg. W., 70.0 m. to point 9;
N. 9 deg. W., 160.0 m. to point 10;
N. 58 deg. W., 170.0 m. to point 11;
N. 58 deg. W., 100.0 m. to point 12;
N. 58 deg. W., 120.0 m. to point 13;
N. 58 deg. W., 80.0 m. to point 14;
N. 89 deg. W., 80.0 m. to point 15;
N. 73 deg. W., 145.0 m. to point 16;
N. 68 deg. W., 80.0 m. to point 17;
N. 68 deg. W., 80.0 m. to point 18;
N. 68 deg. W., 60.0 m. to point 19;

Following Sigsigan Creek upstream, NW direction 120 m. to point 20;
Following Sigsigan Creek upstream, NW direction 190 m. to point 21;
Following Sigsigan Creek upstream, NW direction 180 m. to point 22;
N. 67 deg. W., 110.0 m. to point 23;
N. 76 deg. W., 85.0 m. to point 24;

Following Bacong River upstream, NW direction 120.0 m. to point 25;
Following Bacong River upstream, NW direction 600.0 m. to point 26;
Following municipal boundary line of Sta. Maria and Famy, Laguna
Northerly direction 460.0 m. to point 27;
N. 40 deg. E., 1,800.0 m. to point 28;
S. 37 deg. E., 3,940.0 m. to point 29;
Following Inawasan River downstream, SW direction 1,790.0 m. to point
of beginning.

Containing an area of SEVEN HUNDRED SIXTY (760.0) HECTARES.

All other land areas covered and embraced under Proclamation No. 1636, not otherwise affected by this Proclamation, shall remain in force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 1st day of March, in the year of Our Lord, nineteen hundred and eighty-eight.

Proclamation
No. 229
March 22, 1988

**SUBJECT : Declaring As Civil Reservation For
Community Offices And Botanical Garden
Sites Purposes Of The Department Of
Environment And Natural Resources
Certain Parcels Of Land Situated In The
Municipality Of Lamut, Province Of Ifugao,
Island Of Luzon**

Upon recommendation of the Secretary of Environment and Natural Resources and pursuant to the powers vested in me by law, **I, CORAZON C. AQUINO**, President of the Philippines, do hereby declare as civil reservation for Community Offices and Botanical Garden sites purposes of the Department of Environment and Natural Resources certain parcels of land of the public domain situated in Sitio Bannit, Barangay Payawan, Municipality of Lamut, Province of Ifugao, Island of Luzon, subject to private rights, if any there be, and more particularly described in BFD Map CR-377, as follows:

PARCEL - I

Beginning at a point designated as corner "1" which is N 37° 18' W., 3,800.68 meters from BLBM No. 3, Pls-61 Lamut, Ifugao;
thence, N. 37° 00" W., 29.34 meters to corner 2;
thence, N. 56° 41" W., 153.79 meters to corner 3;
thence, N. 10° 29" W., 224.80 meters to corner 4;
thence, S. 81° 49" W., 70.15 meters to corner 5;
thence, N. 10° 09" W., 133.87 meters to corner 6;
thence, N. 85° 12" E., 90.07 meters to corner 7;
thence, N. 87° 46" E., 145.39 meters to corner 8;
thence, S. 36° 29" E., 130.28 meters to corner 9;
thence, S. 37° 19" E., 171.86 meters to corner 10;
thence, S. 33° 47" W., 164.32 meters to corner 11;
thence, S. 27° 45" W., 97.14 meters to point of beginning, containing an area of 10.47868 hectares, more or less.

PARCEL - II

Beginning at a point designated as corner "1" which is N. 38° 02' W., 3,975.43 meters from BLBM No. 3, Pls-61, Lamut, Ifugao;

thence, N. 52° 21' W., 90.79 meters to corner 2;
thence, N. 13° 53' W., 160.28 meters to corner 3;
thence, N. 81° 49' E., 70.15 meters to corner 4;
thence, S. 10° 29' E., 224.80 meters to point of beginning, containing an area of 1.240414 hectares, more or less.

The administration and management of the areas covered by the reservation shall be under the Department of Environment and Natural Resources. For this purpose, a five-year development plan shall be submitted to the Office of the President by the Forest Management and Lands Management Bureau within one year from the approval hereof, furnishing the Secretary of Environment and Natural Resources a copy thereof.

The cutting, utilization and/or disposition of timber and other forest products found therein are subject to the Forest and Revenue laws, rules and regulations which now or may hereafter be in force.

The subject parcels of land which are within the Mt. Sto. Domingo Forest Reserve and the Magat River Forest Reserve established under Proclamation Nos. 73 (August 9, 1966) and 573 (June 26, 1969), respectively, are automatically excluded from the operations of the said Proclamations.

This Proclamation shall be deemed automatically revoked or cancelled in the event that the reservation no longer serves the purpose for which it was originally established and/or has been abandoned by the said Bureau, and the area covered thereby be forthwith reserved to the mass of forest lands under the administration of the Department of Environment and Natural Resources through its appropriate agency.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 22nd day of March, in the year of Our Lord, nineteen hundred and eighty-eight.

**Proclamation
No. 230
March 23, 1988**

**SUBJECT : Establishing As Doña Remedios Trinidad-
General Tinio Watershed Forest Reserve
For Purposes Of Protecting, Maintaining,
Or Improving Its Water Yield And
Providing Restraining Mechanism For
Improper Forest Exploitation And
Disruptive Land-Use, A Certain Parcel Of
Land Of The Public Domain Situated In The
Municipalities Of Doña Remedios Trinidad
And General Tinio, Provinces Of Bulacan
And Nueva Ecija, Respectively, Island Of
Luzon Philippines**

Upon the recommendation of the Secretary of Environment and Natural Resources and pursuant to the powers vested in me by law, **I, CORAZON C. AQUINO**, President of the Philippines, do hereby withdraw from entry, sale, disposition or settlement and set aside for watershed and other ecological enhancement purposes, subject to private rights, if any there be, and to the operations of previous proclamations reserving any portion thereof for specific purposes, a certain parcel of land of the public domain situated in the Municipalities of Doña Remedios Trinidad and General Tinio, Provinces of Bulacan and Nueva Ecija, respectively, as shown in the Forest Management Bureau Map W.R. No. 73, with the following description:

Beginning at point "1" on the map, a point at the junction of Sumacbao River and a creek;

Thence N 52° 00' E, 3600 meters to corner 2, a point identical to corner 17, Peñaranda Watershed Forest Reserve;

Thence S 21° 31' E, 1,425.22 meters to corner 3, a point identical to corner 16, Peñaranda Watershed Forest Reserve;

Thence S 19° 19' E, 3,009.40 meters to corner 4, a point identical to corner 15, Peñaranda Watershed Forest Reserve;

Thence N 65° 46' E, 1,644.88 meters to corner 5, a point identical to corner 14, Peñaranda Watershed Forest Reserve;

Thence N 33° 30' E, 4,077.07 meters to corner 6, a point identical to corner 13, Peñaranda Watershed Forest Reserve;

Thence N 01° 16' E, 4,551.10 meters to corner 7, a point identical to corner 12, Peñaranda Watershed Forest Reserve;

Thence due North, 1,300 meters to corner 8, a point on top of ridge;

Thence N 58° 00' E, 2,100 meters to corner 9, a point on top of ridge;

Thence S 45° 00' E, 4,550 meters to corner 10, a point on top of ridge;

Thence S 15° 00' E, 2,950 meters to corner 11, a point on top of ridge;

Thence S 11° 00' E, 3,000 meters to corner 12, a point on top of ridge;

Thence S 18° 00' W, 3,400 meters to corner 13, a point on top of ridge;

Thence S 20° 30' E, 2,550 meters to corner 14, a point on top of ridge;

Thence S 11° 00' W, 3,450 meters to corner 15, MWD concrete monument, identical to corner 53, Angat Watershed Forest Reserve, Game Refuge and Bird Sanctuary;

Thence N 21° 08' W, 2,671.22 meters to corner 16, Big hub, identical to corner 52, Angat Watershed Forest Reserve, Game Refuge and Bird Sanctuary;

Thence N 49° 86' W, 1,472.01 meters to corner 17, Big hub, identical to corner 51, Angat Watershed Forest Reserve, Game Refuge and Bird Sanctuary;

Thence N 30° 10' W, 1,730.56 meters to corner 18, Big hub, identical to corner 50, Angat Watershed Forest Reserve, Game Refuge and Bird Sanctuary;

Thence S 08° 48' W, 1,473.67 meters to corner 19, Big hub, identical to corner 49, Angat Watershed Forest Reserve, Game Refuge and Bird Sanctuary;

Thence S 09° 32' W, 1,634.30 meters to corner 20, MWD concrete monument, identical to corner 48, Angat Watershed Forest Reserve, Game Refuge and Bird Sanctuary;

Thence S 46° 57' W, 1,110.59 meters to corner 21, stake identical to corner 47, Angat Watershed Forest Reserve Game Refuge and Bird Sanctuary;

Thence N 69° 43' W, 615.54 meters to corner 22, MWD mark on stone, identical to corner 46, Angat Watershed Forest Reserve, Game Refuge and Bird Sanctuary;

Thence S 60° 25' W, 1,192.00 meters to corner 23, Nail on Big hub, identical to corner 45, Angat Watershed Forest Reserve, Game Refuge and Bird Sanctuary;

Thence S 10° 10' E, 1,382.48 meters to corner 24, end of ridge, identical to corner 44, Angat Watershed Forest Reserve, Game Refuge and Bird Sanctuary;

Thence S 29° 30' W, 3,063.29 meters to corner 25, concrete monument, identical to corner 43, Angat Watershed Forest Reserve, Game Refuge and Bird Sanctuary;

Thence N 67° 13' W, 1,192.25 meters to corner 26, MWD, concrete monument identical to corner 42, Angat Watershed Forest Reserve, Game Refuge and Bird Sanctuary;

Thence N 26° 29' W, 1,110.41 meters to corner 27, Nail on root of Adiangao Tree identical to corner 41, Angat Watershed Forest Reserve, Game Refuge and Bird Sanctuary;

Thence N 72° 00' W, 1,303.44 meters to corner 23, MWD concrete monument, identical to corner 40, Angat Watershed Forest Reserve, Game Refuge and Bird Sanctuary;

Thence S 17° 31' W, 1,854.39 meters to corner 29, MWD concrete monument, identical to corner 39, Angat Watershed Forest Reserve, Game Refuge and Bird Sanctuary;

Thence N 77° 05' W, 1,132.66 meters to corner 30, MWD concrete monument, identical to corner 38, Angat Watershed Forest Reserve, Game Refuge and Bird Sanctuary;

Thence S 57° 21' W, 1,475.37 meters to corner 32, MWD concrete monument, identical to corner 37, Angat Watershed Forest Reserve, Game Refuge and Bird Sanctuary;

Thence N 40° 08' W, 1,295.32 meters to corner 32, MWD concrete monument, identical to corner 36, Angat Watershed Forest Reserve, Game Refuge and Bird Sanctuary;

Thence N 20° 00' W, 1,400.00 meters to corner 33, a point on top of ridge;

Thence N 05° 00' W, 3,100.00 meters to corner 34, a point on top of ridge;

Thence N 04° 00' W, 5,350.00 meters to corner 35, a point on top of ridge;

Thence N 27° 00' E, 3,600.00 meters to corner 1, the point of beginning containing an area of TWENTY THOUSAND SEVEN HUNDRED SIXTY (20,760) HECTARES, more or less.

The area covered by the reservation shall be under the administrative jurisdiction, supervision and control of the Department of Environment and Natural Resources through its Forest Management Bureau in coordination with other agencies of the government with the objective of maintaining its usefulness as a source of water-for-domestic, agriculture and other forestry purposes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 23rd day of March in the year of Our Lord, nineteen hundred and eighty-eight.

**Proclamation
No. 240
April 6, 1988**

**SUBJECT : Reserving For Trade School Site Purposes
A Certain Parcel Of Land Of The Public
Domain Situated In The Municipality Of
Salvador, Province Of Lanao Del Norte,
Island Of Mindanao**

Upon recommendation of the Secretary of Environment and Natural Resources and pursuant to the authority vested in me by law, **I, CORAZON C. AQUINO**, President of the Philippines, do hereby withdraw from sale or settlement and reserve for trade school site purposes under the administration of the Director of Vocational Education, subject to private rights, if any there be, a certain parcel of land of the public domain situated in the municipality of Salvador, Province of Lanao del Norte, Island of Mindanao, which is more particularly described as follows:

**(PROPOSED SALVADOR TRADE SCHOOL
SITE RESERVATION)**

A parcel of land, Lot No. 2885-A, Pls-13, Case No. 2, situated in the Poblacion of Salvador, Lanao del Norte, bounded on the Northwest along lines 1-2 by Lot No. 2885-B, Pls-13, C-2; on the Northeast along lines 2-3-4 by road; on the Southeast along lines 4-5 by road and on the Southeast along line 5-1 by Lot No. 1044, Pls-13, Case No. 2. Containing an area of EIGHTY THOUSAND SQUARE METERS (80,000). Beginning at a point marked "1" of Lot No. 2885-A, Pls-13, Case No. 2, being:

N. 46-60 E., 399.87 m. to point 2;

S. 48-50 E., 23.60 m. to point 3;

S. 50-02 E., 176.66 m. to point 4;

S. 40-08 W., 400.07 m. to point 5;

N. 49-50 W., 200.00 m. to point 1;

point of beginning. Points referred to are indicated on the plan and are marked on the ground by B.L. Cyl. Conc. monuments.

NOTE: All data are approximate and subject to change based on future

survey.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE, in the City of Manila, this 6th day of April in the year of Our Lord, nineteen hundred and eighty-eight.

Proclamation
No. 242
April 6, 1988

**SUBJECT : Reserving For School Site Purposes
Certain Parcels Of Land Of The Public
Domain Situated In The Municipality Of
Quezon, Province Of Isabela, Island Of
Luzon**

Upon recommendation of the Secretary of Environment and Natural Resources and by virtue of the powers vested in me by law, **I, CORAZON C. AQUINO**, President of the Philippines, do hereby withdraw from sale or settlement and reserve for school site purposes, under the administration of the Secretary of Education, Culture and Sports, subject to private rights, if any there be, certain parcels of land of the public domain situated in the Municipality of Quezon, Province of Isabela, Island of Luzon, which are more particularly described as follows:

BLOCK 34, CS-379-D

A PARCEL OF LAND (Block 34, Ccs-379-D), situated in the Municipality of Quezon, Province of Isabela, Island of Luzon. Bounded on the S., along lines 1-2 by Road Lot 6; on the W., along lines 2-3-4-5-6 by Road Lot 31; on the N., along lines 6-7-8 by Road Lot 8; on the E., along lines 8-9-10-11-12 by Road Lot 30; and on the S., along line 12-1 by Road Lot 6. Beginning at a point marked "1" on plan being S. 29-01' E., 537.75 m. from BLLM No. Pls-43.

thence S. 87-02' W., 104.67 m. to point 2;
thence N. 47-58' W., 4.00 m. to point 3;
thence N. 2-58' W., 152.17 m. to point 4;
thence N. 2-58' W., 152.17 m. to point 5;
thence N. 42-02' E., 4.00 m. to point 6;
thence N. 87-02' E., 104.67 m. to point 7;
thence N. 87-02' E., 104.67 m. to point 8;
thence S. 47-58' E., 4.00 m. to point 9;
thence S. 2-58' E., 152.17 m. to point 10;
thence S. 2-58' E., 152.17 m. to point 11;
thence S. 42-02' W., 4.00 m. to point 12;
thence S. 87-02' W., 104.67 m. to point of

beginning; containing an area of SIXTY-SIX THOUSAND SIX HUNDRED THIRTY-NINE (66,639) SQUARE METERS. All points referred to are indicated on the plan and are marked on the ground by P.S. Cyl. Conc. Mons.

BLOCK 35, CCS-379-D

A PARCEL OF LAND (Block 35, Ccs-379-D), situated in the Municipality of Quezon, Province of Isabela, Island of Luzon. Bounded on the W., along lines 1-2-3-4-5 by Road Lot 30; on the N., along lines 5-6 by Road Lot 8; on the E., along lines 6-7-8-9-10-11 by Road Lot 14; and on the S., along line 11-1 by Road Lot 6. Beginning at a point marked "1" on plan being S. 39-46' E., 603.37 m. from BLLM No. 121, Pls-43.

thence N. 47-58' W., 4.00 m. to point 2;

thence N. 2-58' W., 152.17 m. to point 3;

thence N. 2-58' W., 152.17 m. to point 4;

thence N. 42-02' E., 4.00 m. to point 5;

thence N. 87-02' E., 154.60 m. to point 6;

thence S. 44-24' E., 4.03 m. to point 7;

thence S. 5-00' W., 237.41 m. to point 8;

thence S. 8-37' W., 10.48 m. to point 9;

thence S. 4-40' W., 59.49 m. to point 10;

thence S. 45-36' W., 4.00 m. to point 11;

thence S. 87-02' W., 111.38 m. to point of

beginning; containing an area of FORTY-TWO THOUSAND NINE HUNDRED NINETY-FOUR (42,994) SQUARE METERS. All points referred to are indicated on the plan and are marked on the ground by P.S. Cyl. Conc. Mons.

NOTE: Subject to the approval of survey.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 6th day of April, in the year of Our Lord, nineteen hundred and eighty-eight.

**Proclamation
No. 243
April 7, 1988**

SUBJECT : Amending Proclamation No. 1882, Dated August 14, 1979, Which Reserved For Municipal Government Park, Plaza, School, Market, Telecommunications Office Building And Hospital Building Sites Purposes, Certain Parcels Of Land Of The Public Domain Situated In Quezon, Palawan, By Excluding From Its Operation A Certain Portion Identified As Lot No. 3507-B And Declaring The Same Open For Disposition Under The Provisions Of The Public Land Act As Amended

Upon the recommendation of the Secretary of Environment and Natural Resources and by virtue of the authority vested in me by law, I, CORAZON C. AQUINO, President of the Philippines, do hereby amend Proclamation No. 1882 dated August 14, 1979, which reserved for municipal government park, plaza, school, market; telecommunications office building and hospital sites purposes, certain parcels of land of the public domain situated in Quezon, Palawan, by excluding from its operation a certain portion identified as Lot No. 3507-B and declare the same open for disposition under the provisions of the Public Land Act, as amended, subject to future approved segregation survey, which lot is more particularly described as follows:

LOT No. 3507-B

"A PARCEL OF LAND (Lot 3507-B, of the Subdivision Plan being a portion of Lot 3507, Cad-798-D, L.R.C. Record No.), situated in the Barrio of Poblacion, Municipality of Quezon, Province of Palawan, Island of Luzon. Bounded on the SE., along lines 1-2 by Municipal Road, on the NW., along lines 2-3 by 400.00 m. wide Bank Protection and Alfonso (XIII) River, and on the NE., along line 3-1 by Lot 3507-A. thence S. 75° - 26' W., 66.86 m. to point 2; thence N. 38° - 10' E., 49-40 m. to point 3; thence S. 57° - 12' E., 40-66 m. to point 1, point of beginning; containing an area of ONE THOUSAND (1,000) SQUARE METERS, more or less.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 7th day of April, in the year of Our Lord, nineteen hundred and eighty-eight.

**Proclamation
No. 246
April 13, 1988**

**SUBJECT : REVOKING PROCLAMATION NO. 106
DATED MAY 11, 1987 AND RESERVING
FOR SETTLEMENT PURPOSES THE
LAND COVERED THEREBY UNDER
THE ADMINISTRATION AND
DISPOSITION OF THE DEPARTMENT
OF AGRARIAN REFORM**

WHEREAS, a large tract of fertile agricultural public land, located in the municipalities of Hinunangan, San Juan and St. Bernard, province of Southern Leyte, consisting of THIRTEEN THOUSAND (13,000) HECTARES more or less, was found to be available and suitable for settlement purposes;

WHEREAS, said tract of public land has been previously reserved for settlement purposes, under Proclamation No. 1497, dated September 11, 1975 but was reverted to the status of forest land pursuant to Proclamation No. 106 dated May 11, 1987;

WHEREAS, Proclamation No. 106 was issued to prevent illegal logging in the area under the guise of clearing lands for settlement purposes;

WHEREAS, subsequent investigations conducted by the Department of Environment and Natural Resources confirmed that such activities have already been curtailed and that the Department of Agrarian Reform has made extensive developments in the area;

WHEREAS, the reversion of the area to the status of a forest land will not only affect the rights of individual settlers who have introduced improvements and developed portions of the said tract of land, but will also negate the developments and improvements introduced by the Department of Agrarian Reform on said tract of land;

WHEREAS, as a corrective measure, there is a need of reinstating the classification of the land as a reservation for settlement purposes.

NOW, THEREFORE, upon the recommendation of the Secretary of Environment and Natural Resources, **I, CORAZON C. AQUINO**, President of the Philippines, by virtue of the powers vested in me by law, do hereby revoke Proclamation No. 106, dated May 11, 1987, and reserve for settlement purposes the land covered thereby under the administration and disposition of the Department of Agrarian Reform more particularly described as follows:

"A parcel of land situated in the municipalities of Hinunangan, San Juan and St. Bernard, province of Southern Leyte, beginning at a point marked "1" on plan being latitude 10 degree 18'36" and longitude 125 degree 12'27"

thence S. 28 deg. 27' W., 1,851.98 m. to point 2;
thence N. 74 deg. 26' W., 4,580.06 m. to point 3;
thence N. 49 deg. 51' W., 6,766.99 m. to point 4;
thence N. 3 deg. 27' W., 4,555.24 m. to point 5;
thence N. 13 deg. 41' E., 3,731.20 m. to point 6;
thence N. 49 deg. 37' W., 6,308.55 m. to point 7;
thence N. 45 deg. 28' E., 4,863.43 m. to point 8;
thence S. 51 deg. 16' E., 7,563.33 m. to point 9;
thence S. 7 deg. 34' W., 4,153.05 m. to point 10;
thence S. 59 deg. 06' E., 957.15 m. to point 11;
thence S. 26 deg. 01' E., 11,452.70 m. to point of
beginning containing an approximate area of TWELVE THOUSAND-
SIX HUNDRED SEVENTY-THREE (12,673) HECTARES, more or
less.

In order to facilitate the development of the area subject of this proclamation, the Department of Agrarian Reform is hereby allowed to cut the available timber in the area for its use in the development of the settlement, subject to forestry laws, rules and regulations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 13th day of April in the year of Our Lord, nineteen hundred and eighty-eight.

**Proclamation
No. 254
April 28, 1988**

**SUBJECT : Reserving For School Site Purposes Of The
Camiguin College Of Fisheries And
Maritime Studies Certain Parcels Of Land
Of The Public Domain Situated In The
Municipality Of Mambajao, Province Of
Camiguin, Island Of Camiguin**

Upon recommendation of Secretary of Environment and Natural Resources and by virtue of the powers vested in me by law, **I, CORAZON C. AQUINO**, President of the Philippines, do hereby withdraw from sale or settlement and reserve for school site purposes of the Camiguin College of Fisheries and Maritime Studies, subject to private rights, if any there be, certain parcels of land of the public domain situated in the municipality of Mambajao, Province of Camiguin, Island of Camiguin, and more particularly described as follows:

Lot 2, Ccs-10-000080-D

A PARCEL OF LAND (Lot 2, Ccs-10-000080-D) situated in Poblacion, Municipality of Mambajao, Province of Camiguin, Island of Camiguin, Bounded on the W., along lines 1-2 by Lot 981; along lines 2-3 by Lot 441; along lines 3-4 by Lot 440; along lines 4-5 by Lot 439; and along lines 5-6 by Lot 430; all of Cad-473, Mambajao Cadastre; on the NW., along lines 6-7-8 by Lot 429, along lines 8-9 by Lot 974, along lines 9-10 by Lot 988 and along lines 10-11 by Lot 398, all of Cad-473, Mambajao Cadastre; on the N., along lines 11-12 by Lot 399, along lines 12-13 by Lot 400, along lines 13-14 by Lot 403, along lines 14-15 by Lot 405, and along lines 15-16 by Lot 406, all of Cad-473, Mambajao Cadastre; on the E., along lines 16-17-18 by Balintawak Creek; on the S., along lines 18-19 by Lot 1, Ccs-10-000080-D; on the SW., along lines 19-20 by Lot 451, along lines 20-21 by Lot 450 and along line 21-1 by Lot 442, all of Cad-473, Mambajao Cadastre. Beginning at a point marked "1" of Lot 2, Ccs-10-000080-A, being N. 50-34' E., 413.20 m. from B.L.L.M. No. 1, Cad-473, Mambajao Cadastre.

thence N. 21-42' E., 24.34 m. to point 2;

N. 10-23' E., 9.88 m. to point 3;

N. 12-39' E., 20.13 m. to point 4;

N. 14-09' E., 20.08 m. to point 5;
 N. 09-00' E., 15.97 m. to point 6;
 S. 87-24' E., 24.40 m. to point 7;
 N. 13-34' E., 14.79 m. to point 8;
 N. 09-19' E., 20.41 m. to point 9;
 N. 12-11' E., 7.44 m. to point 10;
 N. 11-07' E., 5.09 m. to point 11;
 N. 76-59' E., 8.88 m. to point 12;
 N. 77-09' E., 10.21 m. to point 13;
 N. 88-52' E., 21.20 m. to point 14;
 N. 73-56' E., 9.47 m. to point 15;
 S. 78-21' E., 22.23 m. to point 16;
 S. 23-26' W., 32.63 m. to point 17;
 S. 12-25' W., 180.71 m. to point 18;
 N. 77-02' W., 83.30 m. to point 19;
 N. 19-06' W., 16.30 m. to point 20;
 N. 11-28' E., 20.12 m. to point 21;
 N. 23-39' E., 18.43 m. to point 1;

point of beginning, containing an area of SIXTEEN THOUSAND FOUR HUNDRED FIFTY-FOUR (16,454) SQUARE METERS. All points referred to are indicated on the plan and are marked on the ground. Bearings true. This lot was surveyed in accordance with law and existing regulations promulgated thereunder by Olegario Valles, Geodetic Engineer on December 4, 1982, and was approved on February 23, 1983.

NOTE: This lot is equivalent to Lot 9501, a portion of Lot 404, Cad-473, Mambajao Cadastre

LOT 3 Ccs-10-000080

A PARCEL OF LAND (Lot 3, Ccs-10-000080-D), situated in Poblacion, Municipality of Mambajao, Province of Camiguin, Island of Camiguin. Bounded on the S., along lines 1-2-3 by Lot 4, Ccs-10-000080-D; on the W., along lines 3-4-5 Balintawak Creek; on the N., along line 5-6 by Lot 499; and along line 6-7 by Lot 498, both of Cad-473, Mambajao Cadastre; on the NE., along line 7-8 by Mambajao Creek; along line 8-9 by Lot 975, Cad-473, Mambajao Cadastre; and along lines 9-10-11 by Mambajao Creek; on the E., along lines 11-12-13 by Lot 497, along lines 13-14-15-16 by Lot 496, both of Cad-473, Mambajao Cadastre; along lines 16-17-18 by Lot 493, Cad-473, Mambajao Cadastre; and on the S., along line 18-19 by Lot 5, Ccs-10-000080-D; and along lines 19-20-1 by Balintawak

Street. Beginning at a point marked "1" of 'Lot 3, Ccs-10-000080-D being N. 71-23' E., 475.82 m. from BLLM No. 1 Cad-473 Mambajao Cadastre;

thence N. 12-40' E., 27.01 m. to point 2;
N. 77-58' W., 59.51 m. to point 3;
N. 12-38' E., 180.42 m. to point 4;
N. 21-45' E., 33.36 m. to point 5;
S. 80-48' E., 34.22 m. to point 6;
S. 67-08' E., 42.78 m. to point 7;
S. 05-34' E., 2.37 m. to point 8;
S. 43-41' E., 20.35 m. to point 9;
S. 53-02' W., 15.58 m. to point 10;
S. 24-37' E., 41.95 m. to point 11;
S. 16-23' W., 38.60 m. to point 12;
S. 02-42' W., 32.21 m. to point 13;
S. 81-06' W., 10.61 m. to point 14;
S. 08-17' E., 18.33 m. to point 15;
S. 04-50' W., 35.10 m. to point 16;
S. 19-41' W., 5.11 m. to point 17;
S. 12-06' W., 44.10 m. to point 18;
N. 76-45' W., 20.38 m. to point 19;
N. 78-14' W., 3.24 m. to point 20;
N. 77-58' W., 35.65 m. to point 1;

point of beginning, containing an area of TWENTY FOUR THOUSAND SEVEN HUNDRED (24,700) SQUARE METERS. All points referred to are indicated on the plan and are marked on the ground. Bearings true. This lot was surveyed in accordance with law and existing regulations promulgated thereunder by Olegario Valles, Geodetic Engineer on December 4, 1982 and was approved on February 23, 1983.

NOTE: This lot is equivalent to Lot 9502, a portion of Lot 495, Cad-473, Mambajao Cadastre.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 28th day of April, in the year of Our Lord, nineteen hundred and eighty-eight.

Proclamation
No. 277
June 27, 1988

**SUBJECT : Reserving For School Site Purposes A
Parcel Of Land Of The Public Domain
Situated In The Poblacion, Municipality Of
Tabuk, Province Of Kalinga-Apayao, Island
Of Luzon**

Upon recommendation of the Secretary of Environment and Natural Resources and by virtue of the authority vested in me by law, **I, CORAZON C. AQUINO**, President of the Philippines, do hereby withdraw from sale or settlement and reserve for school site purposes of the Tabuk National High School, subject to private rights, if any there be, and to future survey, a parcel of land of the public domain located in the Poblacion, Municipality of Tabuk, Province of Kalinga-Apayao, Island of Luzon, which is more particularly described as follows:

A PARCEL OF LAND (Lot 1416, Pls-93) situated in the Poblacion, Municipality of Tabuk, Province of Kalinga-Apayao, Island of Luzon. Bounded on the N., along lines 1-2 by Road (15.00 m. wide) and on the E., along lines 2-3 by Provincial Road (60.00 m. wide) and on the S., along lines 3-4 by Road (15.00 m. wide) and on the W., along line 4-1 by Road (10.00 m. wide). Beginning at a point marked "1" on the sketch plan N. 81-19' W., being 133.71 m. from BLLM #37, Poblacion, Tabuk, Kalinga-Apayao, Laya Public Land Subdivision, Pls-93.

thence S. 81-23' E., 135.00 m. to point 2;

S. 8-37' W., 238.73 m. to point 3;

N. 81-23' W., 135.00 m. to point 4;

N. 8-37' E., 238.73 m. to point of

beginning, containing an area of THIRTY-TWO THOUSAND TWO HUNDRED TWENTY-SEVEN (32,227) SQUARE METERS more or less.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 27th day of June, in the year of Our Lord, nineteen hundred eighty-eight.

Proclamation
No. 278
June 27, 1988

**SUBJECT : Reserving For Market Site Purposes
Certain Parcels Of Land Of The Public
Domain Situated In The Municipality Of
Tabuk, Province Of Kalinga-Apayao, Island
Of Luzon**

Upon recommendation of the Secretary of Environment and Natural Resources and pursuant to the authority vested in me by law, **I, CORAZON C. AQUINO**, President of the Philippines, do hereby withdraw from sale or settlement and reserve for market site purposes under the administrative jurisdiction of the Municipality of Tabuk, Kalinga-Apayao, subject to private rights, if any there be, certain parcels of land of the public domain situated in the Municipality of Tabuk, Province of Kalinga-Apayao, Island of Luzon, which parcels are more particularly described as follows:

Lot No. 1817, Pls-93

A PARCEL OF LAND (Lot No. 1817, Pls-93), situated in Poblacion, Municipality of Tabuk, Province of Kalinga-Apayao, Island of Luzon. Bounded on the West along lines 1-2 by Road 10.00 m. wide; and on the North along lines 2-3 by Road 15 m. wide; on the NE., E., SE., along lines 3-4-5-6-7-8-9-10 by 3.00 m. wide Legal Easement and Laya Creek; and on the South along line 10-1 by Road 15 m. wide. Beginning at a point marked "1" of Lot 1817, Pls-93, being N. 25 deg. 08' W., 504.73 m. from BLLM #20, Pls-93.

thence N. 08 deg. 37' E., 238.73 m. to point 2;

S. 81 deg. 23' E., 55.00 m. to point 3;

S. 15 deg. 29' E., 19.36 m. to point 4;

S. 41 deg. 37' E., 18.43 m. to point 5;

S. 22 deg. 41' E., 43.69 m. to point 6;

S. 23 deg. 17' W., 56.38 m. to point 7;

S. 9 deg. 34' W., 26.22 m. to point 8;

S. 34 deg. 30' E., 49.27 m. to point 9;

S. 27 deg. 01' W., 49.37 m. to point 10;

S. 81 deg. 23' W., 48.00 m. to point 1;

point of beginning, containing an area of EIGHTEEN THOUSAND THREE HUNDRED AND SIXTY-SEVEN (18,367) SQUARE

METERS. All points are marked on the ground as follows: points 1, 2, 3, and 10 by Pls Cyl. Conc. Mons. and the rest by Stakes.
Lot No. 1818, Pls-93

A PARCEL OF LAND (Lot No. 1818, Pls-93), situated in Poblacion, Municipality of Tabuk, Province of Kalinga-Apayao, Island of Luzon. Bounded on the South along lines 1-2 by Road; on the West along lines 2-3-4-5-6-7-8 by 3.00 m. wide legal easement and by Lays Creek; on the North along lines 8-9 by Road 15.00 m. wide; and on the East along line 9-1 by Road 10.00 m. wide. Beginning at a point marked "1" of Lot No. 1818, Pls-93, being N. 12 deg. 17' W., 449. 25 m. from BLLM #20, Pls-93.

thence N. 81 deg. 23' W., 40.80 m. to point 2;

N. 07 deg. 15' E., 40.69 m. to point 3;

N. 36 deg. 43' E., 46.49 m. to point 4;

N. 19 deg. 00' E., 91.77 m. to point 5;

N. 28 deg. 47' W., 41.27 m. to point 6;

N. 17 deg. 54' W., 30.06 m. to point 7;

N. 2 deg. 55' W., 7.25 m. to point 8;

S. 81 deg. 23' E., 43.30 m. to point 9;

N. 8 deg. 37' W., 238.73 m. to point 1;

point of beginning, containing an area of FIVE THOUSAND SEVEN HUNDRED AND EIGHTY-ONE (5,781) SQUARE METERS. All points are marked on the ground as follows: points 1, 2, 8 and 9 by BL Cyl. Conc. Mons. and the rest by Stakes. Bearings true. These lots were surveyed in accordance with law and existing regulations promulgated thereunder by S.G. Peres, Geodetic Engineer, on August 30, 1946.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 27th day of June, in the year of Our Lord, nineteen hundred and eighty-eight.

**Proclamation
No. 282
July 1, 1988**

**SUBJECT : Reserving For School Sites Purposes
Certain Parcels Of Land Of The Public
Domain Situated In The District Of Sta.
Ana, City Of Davao, Island Of Mindanao**

Upon recommendation of the Secretary of Environment and Natural Resources and by virtue of the powers vested in me by law, **I, CORAZON C. AQUINO**, President of the Philippines, do hereby withdraw from sale or settlement and reserve for school sites purposes of the Manuel L. Quezon, Jose P. Rizal and Sta Ana Central Elementary Schools under the administration of the Secretary of Education, Culture and Sports, subject to private rights, if any there be, certain parcels of land of the public domain situated in the District of Sta. Ana, City of Davao, Island of Mindanao, which are more particularly described as follows:

LOT 2872-A, Csd-11-008460

MANUEL L. QUEZON ELEMENTARY SCHOOL

A PARCEL OF LAND (Lot 2872-A, Csd-11-008460) situated in District of Sta. Ana, City of Davao, Island of Mindanao. Bounded on the N., along lines 1-2 by Lot 2872-B, Csd-11-008460 (J.P. Rizal Elementary School Site); on the E., along lines 2-3 by Governor Sales St., on the S., along lines 3-4 by Ponce St., and on the W., along line 4-1 by Damaso Suaso St., Beginning at a point marked "1" of Lot 2872-A, Csd-11-008460, being N. 65-21' E., 1050.30 meters from Mon. No. 19, Davao Townsite;

thence N. 86-30' E., 105.00 m. to point 2;

thence S. 3-14' E., 84.50 m. to point 3;

thence S. 86-46' W., 105.00 m. to point 4;

thence N. 3-14' W., 84.00 m. to point 1;

point of beginning, containing an area of EIGHT THOUSAND EIGHT HUNDRED FORTY-SIX (8,846) SQUARE METERS. All points referred to are indicated on the plan and are marked on the ground by old BL. Conc. Mon. Bearings true. This survey was executed in accordance with law and existing regulations promulgated by Timoteo D. Cajipe, Sr. Geodetic Engineer on July 25, 1984, and was approved on September 21,

1984.

NOTE: This lot is identical to Lot 9263, Cad. 102.

LOT 2872-B, Csd-11-008460

JOSE P. RIZAL ELEMENTARY SCHOOL

A PARCEL OF LAND (Lot 2872-B, Csd-11-008460) situated in the District of Sta. Ana, City of Davao, Island of Mindanao. Bounded on the W., along line 1-2 by Damaso Suaso St., on the N., along lines 2-3 by Juan Luna St., (15.00 m. wide); on the E., along lines 3-4 by Governor Sales St., and on the S., along line 4-1 by Lot 2872-A, Csd-11-008460, Manuel L. Quezon Elem. School. Beginning at a point marked "1" of Lot 2872-B, Csd-11-008460, being N. 65-21' E., 1050.30 meters from Mon. No. 119, Davao Townsite;

thence N. 3-14' W., 66.00 m. to point 2;
thence S. 86-46' E., 105.00 m. to point 3;
thence S. 3-14' E., 65.50 m. to point 4;
thence S. 86-30' W., 105.00 m. to point 1;

point of beginning, containing an area of SIX THOUSAND NINE HUNDRED THREE (6,903) SQUARE METERS. All points referred to are indicated on the plan and are marked on the ground by Old B.L. Cyl. Conc. Mons. Bearings true. This survey was executed in accordance with law and existing regulations promulgated thereunder by Timoteo D. Cajipe, Sr. Geodetic Engineer on July 25, 1984, and was approved on September 21, 1984.

NOTE: This lot is identical to Lot 9264, Cad-102.

LOT 2873-A, Csd-11-008460

JOSE P. RIZAL ELEMENTARY SCHOOL

A PARCEL OF LAND (Lot 2873-A, Csd-11-008460) situated in the District of Sta. Ana, City of Davao, Island of Mindanao. Bounded on the N., along lines 1-2 by Lot 2873-b, Csd-11-008460 (Sta. Ana Elementary School Site); on the E., along lines 2-3 by Governor Sales St.,; on the S., along lines 3-4 by Juan Luna St.,; and on the W., along line 4-1 by Damaso Suaso St. Beginning at a point marked "1" of Lot 2873-A, Csd-11-008460, being N. 60-55'E., 1086.31 meters from Monument No. 19,

Davao Townsite;

thence N. 86-15' E., 104.99 m. to point 2;

thence S. 3-14' E., 9.90 m. to point 3;

thence S. 86-46' E., 105.00 m. to point 4;

thence N. 3-14' W., 8.95 m. to point 1;

point of beginning, containing an area of NINE HUNDRED NINETY (990) SQUARE METERS. All points referred to are indicated on the plan and are marked on the ground by Old B.L. Cyl. Conc. Mons. Bearings true. This survey was executed in accordance with law and existing regulations promulgated thereunder by Timoteo D. Cajipe, Sr. Geodetic Engineer on July 25, 1984, and was approved on September 21, 1984.

NOTE: This lot is identical to Lot 9265, Cad.-102.

LOT 2973-B, Csd-11-008460

STA. ANA ELEMENTARY SCHOOL

A PARCEL OF LAND (Lot 2873-B, Csd-11-008460) situated in the District of Sta. Ana, City of Davao, Island of Mindanao. Bounded on the W., along lines 1-2 by Damaso Suaso St., on the N., along lines 2-3 by Pres. R. Magsaysay Ave.,; on the NE., along lines 3-4 by Lot 179-A-2-E, Psd-8005; on the E., along lines 4-5 by Governor Sales St.,; and on the S., along line 5-1 by Lot 2873-A, Csd-11-008460. Beginning at a point marked "1" of Lot 2873-B, Csd-11-008460, being N. 60-55' E, 1086.31 meters from Monument No. 19, Davao Townsite;

thence N. 3-14' W., 138.55 m. to point 2;

thence N. 86-47' E., 78.45 m. to point 3;

thence S. 39-52' E., 44.47 m. to point 4;

thence S. 3-14' E., 101.91 m. to point 5;

thence S. 86-15' W., 104.99 m. to point of

point of beginning, containing an area of FOURTEEN THOUSAND TWENTY-THREE (14,023) SQUARE METERS. All points referred to are indicated on the plan and are marked on the ground by Old B.L. Conc. Mons. Bearings true. This survey was executed in accordance with law and existing regulations promulgated thereunder by Timoteo D. Cajipe, Geodetic Engineer on July 25, 1984, and was approved on September 21, 1984.

NOTE: This lot is identical to Lot 9266, Cad. 102.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 1st day of July, in the year of Our Lord, nineteen hundred and eighty-eight.

**Proclamation
No. 283
July 11, 1988**

SUBJECT : Amending Proclamation No. 364, Dated November 5, 1956, Which Revoked Proclamation No. 89, Dated September 22, 1936, By Excluding Certain Parcels Of The Land Embraced Therein Situated In The Municipality Of Malaybalay, Province Of Bukidnon, And Declaring The Same An Additional Area Of The Public Domain As The Cinchona Forest Reserve For Reforestation And Experimental Plantation Purposes

Upon recommendation of the Secretary of Environment and Natural Resources and by virtue of the powers vested in me by law, **I, CORAZON C. AQUINO**, President of the Philippines, do hereby exclude certain parcels of land (548 hectares, more or less) from the operation of Proclamation No. 364, dated November 5, 1956, which revoked Proclamation No. 89, dated September 22, 1936, and declare these parcels of land as the Cinchona Forest Reserve for reforestation and Cinchona plantation purposes, together with a portion of the public domain, subject to private rights, if any there be, situated in the Municipality of Malaybalay, Province of Bukidnon, described in the Bureau of Forest Development map. F.R. - 69 (Amd.)-1, to wit:

Beginning at the point marked 1 which is N 21° 36', 978.50 meters more or less, from B.L.B.M. No. 1, Barrio Lorongan, Municipality of Malaybalay:

thence N. 75 deg. 51' W., 166.24 m. to corner 2;
thence following Kiihil creek generally northwest direction about 503.71 m. to corner 3;
thence S. 57 deg. W., 110 meters to corner 4;
thence following road northwest direction about 80 meters to corner 5;
thence S. 48 deg. W., 200 m. to corner 6;
thence S. 07 deg. W., 130 m. to corner 7;
thence S. 59 deg. W., 40 m. to corner 8;
thence N. 82 deg. W., 40 m. to corner 9;

thence S. 29 deg. W., 60 m. to corner 10;
thence N. 69 deg. W., 20 m. to corner 11;
thence S. 28 deg. W., 110 m. to corner 12;
thence N. 88 deg. W., 100 m. to corner 13;
thence N. 75 deg. W., 150 m. to corner 14;
thence S. 54 deg. W., 70 m. to corner 15;
thence following Pangabon creek upstream, generally northwest direction
about 480 meters to corner 16;
thence due west, 240 m. to corner 17;
thence N. 60 deg. W., 120 m. to corner 18;
thence N. 68 deg. W., 150 m. to corner 19;
thence S. 82 deg. W., 180 m. to corner 20;
thence following Mamao creek downstream, generally southwest
direction about 540 meters to corner 21;
thence S. 89 deg. W., 120 m. to corner 22;
thence S. 71 deg. W., 210 m. to corner 23;
thence N. 60 deg. W., 180 m. to corner 24;
thence N. 58 deg. W., 270 m. to corner 25;
thence S. 69 deg. W., 180 m. to corner 26;
thence N. 39 deg. W., 150 m. to corner 27;
thence N. 15 deg. W., 300 m. to corner 28;
thence N. 53 deg. W., 240 m. to corner 29;
thence S. 66 deg. W., 120 m. to corner 30;
thence S. 76 deg. W., 240 m. to corner 31;
thence S. 53 deg. W., 150 m. to corner 32;
thence S. 70 deg. W., 160 m. to corner 33;
thence S. 76 deg. W., 24 m. to corner 34;
thence N. 61 deg. W., 270 m. to corner 35;
thence N. 02 deg. W., 390 m. to corner 36;
thence due north, 400 m. to corner 37;
thence due north, 380 m. to corner 38;
thence due north, 170 m. to corner 39;
thence following Lomotan creek upstream generally north direction about
340 meters to corner 40;
thence following the same creek upstream generally northeast direction
about 480 meters to corner 41;
thence following the same creek generally of the same northeast direction
about 220 meters to corner 42;
thence N. 45 deg. E., 310 m. to corner 43;
thence N. 43 deg. E., 320 m. to corner 44;
thence N. 37 deg. E., 300 m. to corner 45;

thence N. 18 deg. E., 320 m. to corner 46;
thence N. 52 deg. E., 470 m. to corner 47;
thence N. 89 deg. E., 350 m. to corner 48;
thence N. 89 deg. E., 300 m. to corner 49;
thence N. 89 deg. E., 320 m. to corner 50;
thence N. 89 deg. E., 340 m. to corner 51;
thence N. 89 deg. E., 360 m. to corner 52;
thence N. 89 deg. E., 330 m. to corner 53;
thence N. 36 deg. 56' W., 37.68 m. to corner 54;
thence N. 27 deg. 4' E., 344.15 m. to corner 55;
thence N. 34 deg. 31' W., 366.46 m. to corner 56;
thence N. 07 deg. 33' E., 446.84 m. to corner 57;
thence N. 05 deg. 41' W., 283.50 m. to corner 58;
thence following Kulasian river downstream generally southeast direction
about 170 meters to corner 59;
thence following the same river generally southeast direction about 180
meters to corner 60;
thence following the same direction of same river about 270 meters to
corner 61;
thence following the same direction of same river about 450 meters to
corner 62;
thence following the same direction of same river about 300 meters to
corner 63;
thence following the same direction of same river about 550 meters to
corner 64;
thence following the same direction of same river generally southeast
direction about 560 meters to corner 65;
thence following the same direction of same river about 330 meters to
corner 66;
thence following same river generally southeast direction about 130
meters to corner 67;
thence following same direction of same river about 600 meters to corner
68;
thence following same direction of same river about 580 meters to corner
69;
thence following same direction of same river about 430 meters to corner
70;
thence following same river generally northwest direction about 200
meters to corner 71;
thence S. 73 deg. E., 320 m. to corner 72;
thence S. 64 deg. E., 390 m. to corner 73;

thence S. 28 deg. E., 380 m. to corner 74;
thence S. 40 deg. W., 180 m. to corner 75;
thence S. 46 deg. 26' W., 279.46 m. to corner 76;
thence S. 33 deg. 46' W., 341.88 m. to corner 77;
thence S. 43 deg. 38' W., 376.38 m. to corner 78;
thence S. 0 deg. 29' E., 263.26 m. to corner 79;
thence S. 0 deg. 17' W., 108.35 m. to corner 80;
thence S. 36 deg. 34' W., 235.20 m. to corner 81;
thence S. 48 deg. 23' W., 124.72 m. to corner 82;
thence S. 64 deg. 52' W., 183.88 m. to the point

of beginning, containing an area of ONE THOUSAND NINE HUNDRED SEVENTY SIX (1,976) SQUARE METERS.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 11th day of July, in the year of Our Lord, nineteen hundred and eighty-eight.

Proclamation
No. 306
August 11, 1988

**SUBJECT : Declaring The Tubbataha Reefs And
Surrounding Waters Of The Public Domain
In Central Sulu Sea, Province Of Palawan,
As Tubbataha Reef National Marine Park**

Upon recommendation of the Secretary of Environment and Natural Resources, and pursuant to the powers vested in me by law, **I, CORAZON C. AQUINO**, President of the Philippines, for the benefit and enjoyment of the people of the Philippines and in order to protect the area from all destructive activities, do hereby reserve for park purposes the reefs, islets and surrounding waters of the public domain situated in the Central Sulu Sea, Province of Palawan, described in the Protected Areas and Wildlife Bureau Map MP-01, and more particularly described as follows:

From Pt. 1 119°50' latitude 8°43' longitude
to Pt. 2 119°48' latitude 8°43' longitude
to Pt. 3 119°47' latitude 8°05' longitude
to Pt. 4 119°47' latitude 8°48' longitude
to Pt. 5 120°00' latitude 8°57' 20" longitude
to Pt. 6 120°02' latitude 8°57' longitude
to Pt. 7 120°04' latitude 8°56' longitude
to Pt. 8 120°04' latitude 8°54' longitude
to Pt. 1 119°50' latitude 8°43' longitude
containing an approximate area of 33,200 hectares.

The said area shall be known as "Tubbataha Reef National Marine Park" and shall remain under the administration of the Department of Environment and Natural Resources.

The primary purpose for the establishment of this national marine park is to protect and preserve the coral reef atoll with its abundant and diverse reef assemblage, including the marine turtles and water birds found roosting in the area.

Any person who shall collect, gather coral reefs, wildlife or any marine life from the said marine park or in any manner disturb or destroy the

habitat and wildlife therein shall be punished in accordance with the penalties prescribed in Section 71 of PD 1559.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE in the City of Manila, this 11th day of August, in the year of Our Lord, nineteen hundred and eighty-eight.

**Proclamation
No. 310
August 24, 1988**

**SUBJECT : Further Amending Proclamation No. 481
Dated October 24, 1968, As Amended,
Which Reserved Certain Parcels Of Land
Situated At Diliman, Quezon City For
National Government Center Site Purposes
By Excluding From Its Operation The
Parcel Of Land Titled In The Name Of The
Land Bank Of The Philippines**

Upon the recommendation of the Secretary of Environment and Natural Resources and pursuant to the authority vested in me by law, I, CORAZON C. AQUINO, President of the Philippines, do hereby amend Proclamation No. 481 dated October 24, 1968, as amended, which reserved certain parcels of land situated at Diliman, Quezon City, for National Government Center Site purposes, by excluding therefrom the parcel of land covered by Transfer Certificate of Title No. 277303 registered in the name of the Land Bank of the Philippines to enable the Land Bank to pursue effectively its plan to liquefy said property to help fund the huge financial requirements of the government's Comprehensive Agrarian Reform Program, subject to its Board Resolution No. '88-101 that one and one-half (1.5) hectares of the aforesaid property along Quezon Avenue and adjacent to the National Power Corporation would be leased to the Bantayog Ng Mga Bayani Foundation, Inc. at nominal lease rental, which parcel is more particularly described as follows:

LOT R.P. 3-B-3-A-1-A-2-B-5-J

PSD-04-000455

"A PARCEL OF LAND (Lot R.P. 3-B-3-A-1-A-2-B-5-J, of the subdivision plan Psd-04-000455, being a portion of R.P. 3-B-3-A-1-A-2-B-5, Bsd.-04-000273, (GLRO) Rec. No. 7681), situated in the District of Diliman, Quezon City, Bounded on the NE., along lines 1-2 by Lot R.P. 3-B-3-A-1-A-2-B-5-A, along lines 2-3 by Lot R.P. 3-B-3-A-1-A-B-5-D; on the SE., along lines 3-4 by Lot R.P. 3-B-3-A-1-A-2-B-5-G, all of the subdivision plan; on the SW., & NW., along lines 4-5-6-7-8-9-10-11-12-13-14-15- 16-17-18-19-20-21-22-23-24-25 by Lot R.P. 3-B-3-A-6 Psd-

10532 (Epifanio de los Santos Ave.); on the W, & NW., along lines 25-26-27-28- 29-30-31-32-33-34-35-36-37-38-39-40- 41-42 by Lot R.P. 3-B-3-A-5, Psd-10532 (Quezon Blvd., and on the NE., along line 42-1 by Lot R.P. 3-B-3-A-1-A-2-B-5-B of the subdivision plan. Beginning at a point marked "1" on plan, being N. 15 deg. 49'E., 679.46 meters from BLLM No. 7, Quezon City to corner "1";

thence S. 35° - 06'E., 345.60 m. to point 2;
thence S. 33° - 44'E., 223.49 m. to point 3;
thence S. 57° - 37'W., 227.41 m. to point 4;
thence N. 32° - 23'W., 66.85 m. to point 5;
thence N. 32° - 23'W., 331.38 m. to point 6;
thence N. 32° - 23'W., 184.01 m. to point 7;
thence N. 38° - 40'E., 2.05 m. to point 8;
thence N. 38° - 12'E., 2.05 m. to point 9;
thence N. 35° - 44'E., 2.05 m. to point 10;
thence N. 34° - 16'E., 2.05 m. to point 11;
thence N. 32° - 48'E., 2.05 m. to point 12;
thence N. 31° - 20'E., 2.05 m. to point 13;
thence N. 20° - 00'E., 2.05 m. to point 14;
thence N. 38° - 24'E., 2.05 m. to point 15;
thence N. 26° - 56'E., 2.05 m. to point 16;
thence N. 25° - 28'E., 2.05 m. to point 17;
thence N. 24° - 00'E., 2.05 m. to point 18;
thence N. 22° - 32'E., 2.05 m. to point 19;
thence N. 21° - 04'E., 2.05 m. to point 20;
thence N. 19° - 36'E., 2.05 m. to point 21;
thence N. 18° - 08'E., 2.05 m. to point 22;
thence N. 16° - 40'E., 2.05 m. to point 23;
thence N. 15° - 13'E., 2.00 m. to point 24;
thence N. 13° - 47'E., 2.00 m. to point 25;
thence N. 12° - 21'E., 2.00 m. to point 26;
thence N. 10° - 54'E., 2.05 m. to point 27;
thence N. 0° - 26'E., 2.05 m. to point 28;
thence N. 7° - 58'E., 2.05 m. to point 29;
thence N. 6° - 30'E., 2.05 m. to point 30;
thence N. 5° - 02'E., 2.05 m. to point 31;
thence N. 3° - 34'E., 2.05 m. to point 32;
thence N. 2° - 06'E., 2.05 m. to point 33;
thence N. 0° - 38'E., 2.05 m. to point 34;
thence N. 0° - 50'W., 2.05 m. to point 35;
thence N. 2° - 18'W., 2.05 m. to point 36;

thence N. 3° - 46'W., 2.05 m. to point 37;
thence N. 5° - 14'W., 2.05 m. to point 38;
thence N. 6° - 42'W., 2.05 m. to point 39;
thence N. 8° - 10'W., 2.05 m. to point 40;
thence N. 9° - 38'W., 2.05 m. to point 41;
thence N. 57° - 37'E., 153.84 m. to point 42;
thence S. 35° - 06'E., 59.70 m. to point of
beginning, containing an area of one hundred thirty four thousand seven
hundred ninety (134,790) square meters. All points referred to are
indicated on the plan and are marked on the ground. Point 5 to 41 by Old
B.L. Cyl. Conc. Mons. 15 x 60 cm.; and the rest by B.L. Cyl. Conc.
Mons. 15 x 60 cm.; bearings true; date of the original survey, December
1910 to June 1911 and that of the subdivision survey, October 1-5, 1979.

Proclamation No. 132 dated July 25, 1987 is hereby repealed.
IN WITNESS WHEREOF, I have hereunto set my hand and caused the
seal of the Republic of the Philippines to be affixed.

Done in the City Manila, this 24th day of August, in the year of Our Lord,
nineteen hundred and eighty-eight.