



HOUSE OF REPRESENTATIVES

H. No. 4988

BY REPRESENTATIVES RODRIGUEZ (R.), RODRIGUEZ (M.), ESCUDERO,
ACOSTA-ALBA, MATUGAS, UNGAB, TAN (A.) AND YAP (S.), PER
COMMITTEE REPORT NO. 425

AN ACT PROVIDING FOR THE DELINEATION OF THE SPECIFIC
FOREST LIMITS OF THE PUBLIC DOMAIN

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

1 SECTION 1. *Short Title* -- This Act shall be known as the "Final
2 Forest Limits Act".

3 SEC. 2. *Declaration of Policy*. -- It is the policy of the State to
4 conserve, protect and develop the forest resources of the country in order to
5 attain ecological balance, preserve valuable ecosystems, prevent
6 environmental degradation, and promote sustainable development for the
7 present and future generations. To achieve these ends, Section 4, Article XII
8 of the 1987 Constitution mandates Congress to determine by law the specific
9 limits of forest lands, marking clearly their boundaries on the ground.

10 SEC. 3. *Definition of Terms*. -- As used in this Act:

11 (a) *Agricultural lands* refer to alienable and disposable lands of the
12 public domain, which have been the subject of the land classification system
13 and declared as not needed for forest purposes;

1 (b) *Delimitation* refers to the establishment of land classification
2 boundaries and the monumenting thereof following ground survey;

3 (c) *Delineation* refers to the conduct of site investigation, field
4 reconnaissance and assessment, and the staking of boundaries between forest
5 lands, national parks and agricultural lands verified in the field in accordance
6 with the criteria set forth under Department of Environment and Natural
7 Resources (DENR) Administrative Order No. 2008-24;

8 (d) *Forest lands* refer to all lands of the public domain already
9 classified as forest land in existing land classification maps issued by the
10 DENR, including all permanent forest reserves proclaimed as such by the
11 President of the Republic of the Philippines or declared by law, and such areas
12 within the unclassified lands of the public domain that have been assessed and
13 delineated by the DENR in accordance with pertinent laws, rules and
14 regulations; and

15 (e) *Protected area* refers to identified portions of land and water set
16 aside by reason of their unique physical and biological significance, managed
17 to enhance biological diversity and protected against destructive human
18 exploitation.

19 SEC. 4. *What Constitutes Forest Lands* – The following shall
20 constitute forest lands:

21 (a) All lands of the public domain already classified as forest land in
22 existing land classification maps issued by the DENR;

23 (b) All permanent forest reserves proclaimed as such by the President
24 or declared by law; and

25 (c) Such areas within the unclassified lands of the public domain that
26 have been assessed and delineated by the DENR in accordance with pertinent
27 laws, rules and regulations.

1 SEC. 5. *Guidelines in Determining the Specific Limits of Forest Lands.*

2 – The following guidelines and procedures shall be followed in determining
3 the specific limits of forest lands in the country:

4 (a) The previously established land classification survey lines of each
5 province, with their respective technical descriptions (TDs) and maps, shall be
6 the basic data and information to be used as reference material in undertaking
7 the validation, assessment and delineation process;

8 (b) All completed assessment and delineation reports for a given
9 province shall be endorsed to the National Review and Evaluation Committee
10 as created herein for final approval; and

11 (c) The same process shall be followed for other provinces with
12 ongoing assessments and delineation activities until such time that all the
13 boundaries of forest lands of the whole country shall have been delimited:
14 *Provided*, That all assessments, validations and delineations shall be
15 completed not later than one (1) year after the effectivity of this Act.

16 SEC. 6. *Creation of the National Review and Evaluation Committee.*

17 – In line with the objective of establishing permanent limits of the forest
18 lands of the country, a National Review and Evaluation Committee is hereby
19 created to process, evaluate and approve all completed assessment and
20 delineation reports referred to in Section 5(b) of this Act. The Committee, in
21 its evaluation and approval of the reports, shall strictly adhere to existing
22 established laws, policies, rules, regulations and guidelines pertinent thereto.

23 The Committee shall be composed of the following:

24 (a) The Secretary of the DENR, as Chairperson;

25 (b) The Secretary/Director General of the National Economic and
26 Development Authority (NEDA), as Vice Chairperson;

27 (c) The Secretary of the Department of the Interior and Local
28 Government (DILG), as member;

1 (d) The Secretary of the Department of Agriculture (DA), as member;
2 and

3 (e) The Secretary of the Department of Agrarian Reform (DAR), as
4 member.

5 Upon approval of the assessment and delineation reports, the
6 Committee shall submit the same to Congress which shall, on the basis of the
7 same, enact the appropriate Act constituting the final boundaries of the forest
8 lands of the Philippines.

9 *SEC. 7. Demarcation and Delimitation of Final Forest Land*
10 *Boundary.* – Immediately after the final forest line has been determined and
11 designated by law, the DENR shall delimit and establish the appropriate
12 permanent boundary monuments on the ground.

13 *SEC. 8. Permanency of the Specific Forest Limits* – The permanent
14 forest lands so established by law shall be conserved and shall not be
15 increased nor diminished except by law. The DENR, in coordination with all
16 concerned agencies and branches of the government, shall ensure that the
17 forest cover and other resources therein shall be protected and enhanced.

18 *SEC. 9. Recognition of the Rights of Upland Dwellers.* – Consistent
19 with the provisions of Republic Act No. 7160 or the “Local Government Code
20 of 1991” and Republic Act No. 8371 or the “The Indigenous Peoples Rights
21 Act of 1997”, the rights of indigenous cultural communities and other upland
22 dwellers shall be recognized and respected in the ground delineation of the
23 permanent forest limits.

24 *SEC. 10. Monitoring, Evaluation and Reporting System.* – To attain
25 the objectives of this Act, a field monitoring, evaluation and reporting system
26 shall be adopted by the Secretary of the DENR to regularly keep track of the
27 state of the country’s forest lands after their delineation. Towards this end, at
28 the opening of each session of Congress, the President shall submit a report to

1 Congress on the status of the forest lands based on the verified evaluation of
2 the Secretary of the DENR.

3 SEC. 11. *Creation of an Adjudication Board to Resolve Controversies*
4 *on Land Conflicts/Adverse Claims.* – A Land Conflict Adjudication Board is
5 hereby created to resolve controversies arising from boundary conflicts and
6 adverse claims as a result of the delimitation of forest lands to be conducted
7 pursuant to this Act. The Board shall be composed of the following:

- 8 (a) The Secretary of the Department of Justice (DOJ), as Chairperson;
9 (b) The Administrator of the Land Registration Authority (LRA), as
10 member;
11 (c) A representative from the Integrated Bar of the Philippines (IBP),
12 as member;
13 (d) A representative from the academe coming from a College of
14 Forestry, as member; and
15 (e) A representative from the private sector, as member.

16 SEC. 12. *Powers and Functions of the Board* – The Board shall
17 exercise the following powers and functions:

- 18 (a) Adjudicate cases on land conflicts and adverse claims brought
19 before it for resolution;
20 (b) Summon witnesses, administer oaths, take testimonies and require
21 the submission of reports;
22 (c) Compel production of books and document answers to
23 interrogations; and
24 (d) Issue *subpoena duces tecum*, writs of possession, writs of execution
25 and other writs to enforce its orders and decisions.

26 SEC. 13. *Accessibility of Record to the Public* – All records and
27 information pertaining to the specific forest limits delineated pursuant to this

1 Act shall be made available to all local government units (LGUs), other
2 government agencies and to the general public.

3 SEC. 14. *Congressional Oversight Committee on the Delineation of the*
4 *Permanent Forest Limits.* – There is hereby created a Congressional
5 Oversight Committee to oversee the implementation of this Act composed of
6 seven (7) Members from the Senate Committee on Environment and Natural
7 Resources and seven (7) Members from the House of Representatives
8 Committee on Natural Resources.

9 The Congressional Oversight Committee shall exist for a period of five
10 (5) years. Thereafter, its oversight functions shall be exercised by the
11 Committee on Environment and Natural Resources of the Senate and the
12 Committee on Natural Resources of the House of Representatives, acting
13 separately. The Secretariat of the Congressional Oversight Committee shall
14 come from the Secretariat personnel of the Committees of the Senate and the
15 House of Representatives.

16 SEC. 15. *Appropriations.* – The Secretary of the DENR shall include
17 in the Department's program the implementation of this Act, the initial
18 funding of which shall be charged against the current year's appropriations of
19 the Department. Thereafter, such amount as may be necessary for the
20 continued implementation of this Act shall be included in the annual General
21 Appropriations Act.

22 Funds for the implementation of the provisions of this Act shall be
23 supplemented by any available official development assistance (ODA) and by
24 joint projects between agencies of the Philippines and an assisting country.

25 For the delineation of the forest limits within their respective territorial
26 jurisdictions, LGUs may also allocate counterpart funds from their respective
27 internal revenue allotments (IRA) and from other LGU income.

1 SEC. 16. *Implementing Rules and Regulations.* – Within three (3)
2 months from the effectivity of this Act, the Secretary of the DENR shall issue
3 the corresponding implementing rules and regulations for the implementation
4 of this Act.

5 SEC. 17. *Separability Clause* – If any portion of this Act is declared
6 unconstitutional, the same shall not affect the validity and effectivity of the
7 other provisions not affected.

8 SEC. 18. *Repealing Clause* – All laws, decrees, letters of instruction,
9 executive orders, rules and regulations and other issuances or parts thereof
10 inconsistent with this Act are hereby repealed or modified accordingly.

11 SEC. 19. *Effectivity* – This Act shall take effect fifteen (15) days after
12 its publication in the *Official Gazette* or in any newspaper of general
13 circulation.

Approved,

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