



Republic of the Philippines  
Department of Environment and Natural Resources  
Visayas Avenue, Diliman, 1100 Quezon City  
Tel. Nos. (632) 929-6626 to 69, (632) 929-6252  
929-6620; 929-6633 to 35; 929-7041 to 43  
Website: [www.denr.gov.ph](http://www.denr.gov.ph)

**DENR ADMINISTRATIVE ORDER**  
No. 2018 - 08

JUN 27 2018

**SUBJECT : GUIDELINES FOR THE IMPLEMENTATION OF  
REPUBLIC ACT NO. 9772: "AN ACT IMPOSING A  
LOGGING BAN IN THE PROVINCE OF SOUTHERN  
LEYTE"**

Pursuant to the Republic Act (RA) No. 9772 entitled "*An Act Imposing a Logging Ban in the Province of Southern Leyte*", Presidential Decree No.705, as amended or the Revised Forestry Code of the Philippines, and consistent with other related DENR rules and regulations, the following guidelines are hereby promulgated in view of the unrelenting logging issues and as a response to various environmental crises such as landslides and floods that resulted to the loss of lives and destruction of properties in the province of Southern Leyte:

**Section 1. Basic Policy.** It is the policy of the State to ensure the sustainable use, development, management and conservation of the country's forest and natural resources, including the protection and enhancement of the quality of the environment.

**Section 2. Scope and Coverage.** These rules shall cover the imposition of logging ban in all forestlands and Alienable and/or Disposable (A&D) lands in the Province of Southern Leyte, subject to the exemption enumerated under Section 4 hereof.

**Section 3. Definition of terms.** As used in this Order, the following terms shall be defined as:

- a. **Basic Services-** refers to the group of services that must be accessible to the general public such as water, sanitation, electricity, energy, public safety, and welfare;
- b. **Commercial Purpose-** refers to the intention of selling or disposing the logs or timber for profit;
- c. **Communal Forest-** is a tract of forest land set aside by the Secretary of the DENR upon the recommendation of the concerned Local Government Unit (LGU) for the use of the residents of a municipality or city;
- d. **Endemic Species-** is a species or subspecies that are naturally occurring and found only within specific areas in the country;
- e. **Exotic Species-** is any species or subspecies which do not naturally occur in the country;

Let's Go Green

- f. **Logging** - refers to the process, work or business of cutting down trees for commercial purposes;
- g. **Planted Tree/s** - refer to a tree/s species, exotic or endemic, which were introduced/planted in the specify area with no distinct aged class and spacing;
- h. **Private Land** – any land belonging to any private person/individual, group of person or juridical entity by virtue of statutory and/or customary laws;
- i. **Public Lands** - all lands of the public domain except those covered by the statutory and customary laws;
- j. **Public Places** – public lands to which any person or a substantial group of people has access to and include but not limited to streets, highways, alleys, sidewalks. ground of public schools, hospitals, parks and similar places established by government for public use;
- k. **Trees along electric transmission lines and Public Utilities-** trees that are inside or adjacent to the transmission line Right-of-Way, dead or defective and/or posing hazards to people, poses barrier to unavoidable infrastructures being built or improved or can cause destruction on existing infrastructure such as pavements or fence by the root system; and
- l. **Tree Plantation-** refers to a forest stand established by planting and/or seeding in the process of afforestation, restoration and/or reforestation.

**Section 4. Exemption from the Logging Ban.** The following cutting/harvesting activities are exempted from this Order, subject to the issuance of appropriate clearance/s from the Barangay, Municipal or City LGU and the Province through the Provincial Environment and Natural Resources Management Office (PENRMO).

- 4.1 Harvesting of planted species within tree plantations, whether established in public or private lands. Provided that tree plantations in public lands must be established under any of the tenure instruments issued by the Department (e.g. IFMA, SIFMA, CBFMA, etc.); and provided further that tree plantations in private lands must be registered with the Department and the owner is issued with the corresponding Certificate of Tree Plantation Ownership;
- 4.2 Tree cutting activities relative to the projects approved by the government such as public infrastructure projects, energy developments, establishment of facilities for public utilities, and similar undertakings. Private infrastructure projects with the appropriate building and legal permits shall be included in projects approved by the government, as long as the cut trees are not subject to any commercial transaction;
- 4.3 Tree cutting activities for basic services, which include the establishment of transmission and distribution lines for electricity, construction of irrigation systems or other water utility facilities, and prevention of imminent danger to life, property or both of injured, damaged, unhealthy or deceased trees; and

**Section 5. Disposition of Trees Cut.** For public places, all trees or part thereof, regardless of species shall be turned over to the Community Environment and Natural Resources Office (CENRO) concerned for proper disposition based on existing DENR guidelines. However, trees cut in private lands belong to the private land owner, while tree cuttings associated with cultural practices pursuant to the Indigenous Peoples' Rights Act (IPRA) Law belong to the registered indigenous cultural community in the area.

**Section 6. Replacement for Trees Cut or Removed.** Trees cut or removed in public places and those covered by an approved Government public works project in public lands shall be replaced by the person/s or entity/ies who requested for its removal. The replacement trees for cut/removed planted tree species shall preferably be an endemic or indigenous species while for naturally growing trees shall be strictly replaced by endemic or indigenous species and shall be given to the concerned CENRO, subject to the following:

- 6.1 No replacement shall be applied to planted trees within private lands and forest lands exclusively established for tree plantation/timber production purposes;
- 6.2 For planted trees within forest lands not covered by item 6.1 hereof, tree replacement shall be 1:50 ratio while naturally growing trees on the same areas, including those affected by development projects shall have 1:100 ratio in support of the National Greening Program (NGP) and climate change initiatives of the government;
- 6.3 For planted trees in private lands not covered by item 6.1 hereof, tree replacement is not required; and
- 6.4 In order to facilitate the implementation of the tree replacement, identification of common planting sites shall be encouraged for more impact, especially in urban areas. The concerned CENR Office shall designate and delineate on the ground a tree planting site for all received replacement trees with a corresponding technical description and maps using GPS for ease of monitoring and evaluation purposes.

**Section 7. Monitoring and Reporting.** The CENRO shall, through channel, submit a quarterly report to the Office of the Secretary; copy furnished the Director of the Forest Management Bureau, of all activities and issuances with regards to the implementation of this Order.

**Section 8. Penal Provisions.** All trees or part thereof are covered by these regulations. Gathering, cutting/harvesting and transport of trees under section 4 without the prescribed documents shall be considered illegal, and therefore, subject to confiscation in favour of the government and shall be disposed in accordance with section 5 of this Order, without prejudice to the filing of the appropriate criminal charges against the owner/possessor.

Violation of any of the provisions of this Order shall be sufficient ground for the cancellation of the Agreement between the tenure holder, permit holder/contractor and the investor.

Any LGU and DENR Officials who fails to act upon the issuance of appropriate clearance/s and/or provide assistance pursuant to section 4, 5, and 6 without justifiable reasons and/or found issuing defective documents required in this Order shall be subject to administrative disciplinary actions in accordance with Civil Service laws, rules and regulations.

**Section 9. Separability Clause** - If any provision of this Order is declared void and illegal, the remaining provisions hereof, not affected, shall remain in full force and effect.

**Section 10. Effectivity** - This Order shall take effect fifteen days after its publication in two (2) newspapers of general circulation and upon submission of three (3) certified copies thereof to the Office of the National Administrative Registrar of the UP Law Center.



**ROY A. CIMATU**  
Secretary



**PUBLICATION: The Manila Times**  
**August 24, 2018**

**ACKNOWLEDGEMENT: ONAR, U.P. Law Center**  
**August 24, 2018**