

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

NINETEENTH CONGRESS  
First Regular Session

HOUSE BILL NO. 5279



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Introduced by HON. LINABELLE RUTH R. VILLARICA  
4<sup>TH</sup> DISTRICT, BULACAN

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EXPLANATORY NOTE

Environmental laws must be attuned to the demands of climate change as well as the socio-economic needs of the increasing number of people in our communities.

Presently, however, Presidential Decree No. 705, otherwise known as “The Revised Forestry Reform Code of the Philippines” requires that the Department of Environment and Natural Resources to revert fishponds with Fisheries License Agreement (FLAs) to forest lands the same must have been unutilized and abandoned for a period of five (5) years from the time it was released for such purposes. This period is deemed too long for such fishponds to be utilized for purposes other than that it was intended, since it may be used for mangrove propagation to address the devastating effects brought about by climate change or for promoting eco-tourism activities to jumpstart the economy of communities wanting in socio-economic development. The bill provides that fishponds that have been unutilized or abandoned for three (3) years shall be reverted to the category of forest land.

To effectively implement the provision on the reversion of fishponds as well as the Fishpond Lease Agreements (FLAs) issued by the Bureau of Fisheries and Aquatic Resources (BFAR) of the Department of Agriculture, covering fishponds, the DA should be mandated to prepare with the Department of Environment and Natural Resources (DENR), joint guidelines in determining abandoned, undeveloped or underutilized fishponds.

This bill was filed during the 16<sup>th</sup> and 17<sup>th</sup> Congresses. In both occasions the House approved it on 3<sup>rd</sup> Reading. In the 18<sup>th</sup> Congress it was re-filed and was due for Sponsorship in Plenary. However, no further action was taken on it due to time constraints. This is re-filed for the consideration of the 19<sup>th</sup> Congress.

Support for the enactment of this measure is earnestly requested.

REP. LINABELLE RUTH R. VILLARICA

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4<sup>TH</sup> DISTRICT, BULACAN

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AN ACT  
REVERTING FISH PONDS WHICH HAVE BEEN UNUTILIZED OR ABANDONED  
FOR A PERIOD OF THREE (3) YEARS TO FORESTLANDS, AMENDING FOR THE  
PURPOSE SECTION 43 OF PRESIDENTIAL DECREE NO. 705, OTHERWISE KNOWN  
AS THE REVISED FORESTRY REFORM CODE OF THE PHILIPPINES

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

SECTION 1. Section 43 of Presidential Decree No. 705, otherwise known as "The Revised Forestry Reform Code of the Philippines" is hereby amended to read as follows:

"SECTION 43. Swamplands and mangrove forests. xxx. . .  
"Mangrove and other swamps released to the Bureau of Fisheries and Aquatic Resources for fishpond purposes which are not utilized, or which have been abandoned for [five (5)] THREE (3) years from the date of such release shall revert to the category of forestland AND SHALL BE IMMEDIATELY REHABILITATED AND REFORESTED.

"THE DEPARTMENT OF AGRICULTURE AND THE  
DEPARTMENT  
OF ENVIRONMENT AND NATURAL RESOURCES SHALL SET  
JOINT GUIDELINES FOR DETERMINING ABANDONED,  
UNDEVELOPED OR UNDERSCRUTINIZED FISHPONDS  
COVERED BY FISHPOND LEASE AGREEMENTS (FLAs) WHICH  
SHALL BE REVERTED INTO FORESTLAND AND  
REHABILITATED."

SEC. 2. If any section or provision of this Act is held unconstitutional or invalid, other parts or provisions not affected thereby shall continue to be in full force and effect.

SEC. 3. All laws, decrees, executive orders and regulations or parts thereof which are contrary to or inconsistent with this Act are hereby repealed, amended or modified accordingly.

SEC. 4. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,