

AN ACT TO AMEND CERTAIN SECTIONS OF THE REVISED ADMINISTRATIVE CODE AND FOR OTHER PURPOSES.

REPUBLIC ACT NO. 3092, June 17, 1961

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

SECTION 1. Section eighteen hundred twenty-six of Act Numbered Twenty-seven hundred eleven, otherwise known as the Administrative Code, is amended to read as follows:

"SEC. 1826. Regulation setting apart forest reserves—permanency of same.—Upon the recommendation of the Director of Forestry, with the approval of the Department Head, the President of the Philippines shall set apart forest reserves which shall include denuded forest lands from the public lands and he shall by proclamation declare the establishment of such forest reserves and the boundaries thereof, and thereafter such forest reserves shall not be entered, or otherwise disposed of, but shall remain indefinitely as such for forest uses.

The President of the Philippines may, in like manner upon the recommendation of the Director of Forestry, with the approval of the Department head, by proclamation modify the boundaries of any such forest reserve to conform with subsequent precise survey but not to exclude any portion thereof except with the concurrence of Congress.

SEC. 2. Section twenty-seven hundred and fifty-one of the Administrative Code is hereby amended to read as follows:

"SEC. 2751. Unlawful occupation or destruction of public forest.—Without the written permission of the Director of Forestry or his duly authorized representative, it shall be unlawful for any person willfully to enter upon any public forest, proclaimed timberland, communal forest, communal pasture, and forest reserve and occupy the same, or to make "caingin" therein or in any manner destroy such forest or part thereof, or to cause any damage to the timber stand and other forest products and forest growth found therein, or to assist, aid or abet any other person so to do. It shall also be unlawful for any person negligently to permit a fire which has been set upon his own premises to be communicated, with destructive results, to any of the public forest herein-above described. Any person violating this section shall suffer—

"(a) If the offense is committed within a proclaimed timberland or a communal forest or communal pasture, a fine of three times the regular government charges upon the timber or other forest products so unlawfully destroyed, and in addition thereto, imprisonment for not less than four months and not more than six months;

"(b) If the offense is committed within a forest reserve, a fine of four times the regular government charges on the timber or other forest products so unlawfully destroyed, and in addition thereto imprisonment for not less than six months and not more than eight months;

"(c) If the offense is committed in any of the public forest, other than those mentioned under subsection (a) and (b) hereof, a fine equivalent to twice the regular government charges upon the timber or other forest products so unlawfully destroyed, and in addition thereto, imprisonment, for not less than two months and not more than four months.

"In all case falling under this section, the court shall upon conviction, order the eviction of the offender from

the land, and the forfeiture to the government of any construction or improvement made thereon. If the area is reforested or under reforestation, the court shall, in addition to the penalties herein provided, sentence the accused to pay to the government double the actual damages sustained as determined by the value of plantings and improvements destroyed and the detriment to the land and vegetation thereof.

If the forest areas the subject of this section have been given under license, permit or authorization for exploitation to a private party, said party shall be responsible for the payment of the pecuniary penalties prescribed in this Act and shall defray the expenses for the reforestation, or replanting of any area that is cut or cleared in violation of law.

"No person who has occupied any portion of these forests in good faith for more than five years prior to June 8, 1939 shall be subject to the penalty prescribed herein and should the area so occupied be found to be more fitted for agricultural than for timber purposes, the same may be disposed of in favor of the actual occupant or occupants under the provisions of Commonwealth Act Numbered One hundred and forty-one."

SEC. 3. Any provision of any law, rule or regulation inconsistent with this Act shall be considered repealed or amended.

SEC. 4. This Act shall take effect upon its approval.

Approved, June 17, 1961.

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