AMENDING CERTAIN PROVISIONS OF DENR ADMINISTRATIVE ORDER NO. 07, SERIES OF 1994 AND PRESCRIBING THE USE OF COMPUTER GENERATED CERTIFICATE OF TIMBER ORIGIN (CTO) AND CERTIFICATE ...

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Pursuant to Presidential Decree No. 705, as amended, and Executive Order No. 192 dated June 10, 1987; and in line with the sustainable resources management and development thrust of the Government and in order to monitor the movement and transport of timber and lumber products, the following guidelines are hereby issued for the information and guidance of all concerned:

SECTION 1. Adoption and Features of the Computer Generated CTO and CLO Forms. A new system of issuance and tracking of CTO and CLO is hereby adopted and shall replace the previous forms prescribed pursuant to DAO No. 07, Series of 1994 entitled “Revised Guidelines Governing the issuance of Certificate of Origin for Logs, Timber, Lumber and Non-Timber Forest Products”.

The computer generated CTO and CLO systems uses two (2) bar code numbers which are randomly generated as an add-in security measures and assigned computer based serial numbers.

SEC. 2. Installation and Training. A computer system developed for the generation and tracking of the CTO and CLO forms shall be installed at DENR Regional Offices by personnel from Information System and Technology Management Office (ISTMO) of DENR and Forest Management Bureau (FMB). A replica of the new forms are attached as Annex 1[*] .

The ISTMO and FMB staff shall orient and train the designated Regional Office staff including the designated CENRO staff and other personnel involved in the CTO and CLO generation and tracking system during the installation of the systems. A user’s manual shall be provided for each Region and CENRO offices.

SEC. 3. Issuance of CTO and CLO. In order to facilitate the issuance of the computer generated CTO and CLO forms, each Offices and/or personnel shall undertake the following:

3.1 Regional Executive Director (RED). The RED concerned shall:

a. Issue a Special Order, copy furnished the Forest Management Bureau (FMB), designating the regional office staff responsible for the operations and maintenance of the computerized CTO and CLO system including their responsibilities to ensure the security of the system from tampering, unauthorized access and fraudulent usage.

b. Provide a computer and the necessary peripherals which shall be dedicated only for the CTO and CLO generation and tracking system and which shall only accessible to those authorized to operate the system

3.2 Regional Office Staff. The duly authorized regional office staffs are instructed to:

a. Receive the requests of CENR Offices for copies of CTO and CLO and record it in an official log book designated for the purpose.

b. Produce the computer generated CTO and CLO in the exact number of sets as requested by the CENRO only upon the approval of the RED and/or Regional Technical Director for Forestry Services (RTD-F).

c. Forward to FMB the report on the reproduction and distribution of CTO and CLO forms generated by the system. The computer generated and encrypted report of generation shall be forwarded to FMB through the E-mail address: fmb opcen@yahoo.com.ph . and fax number (02)920-03-74, within twelve (12) hours upon reproduction.

d. To submit monthly summary report and update to FMB through the concerned RED of all actions related on the matter.

3.3. The CENR Office or the Office of the Regional Technical Director for Forest Service, DENR-National Capital Region (RTD-F, DENR- NCR), as the case maybe. The CENRO or the Office of the RTD-F of DENR, NCR shall:

a. Request officially from the RED Office concerned for the issuance of copies of CTO and CLO for their use.

b. Keep record (manual and e-copy) of the CTO and CLO forms received from the Regional Office. The records should include, among others, the individual computer generated serial numbers of the received forms, whenever a CTO and CLO are issued to a client and all the information filled-in the CTO and CLO.

c. Receive all applications for shipment including the required fees, for which an Official Receipt shall be issued and shall be attached to the application(s).

d. Accomplish one (1) set, consisting of six (6)copies for each set, for every application, indicating therein all the information required in the data fields of the CTO and CLO. The copies shall be distributed as follows:

a. Shipper copy (copy for the client transporting the product which shall always accompany the specific shipment from source to final destination) ;
b. One (1) copy for the PENRO;
c. One (1) copy for the RED;
d. One (1) copy for the CENRO concerned;
e. One (1) copy for FMB (provide copy furnished to National Environmental Crime Task Force (NAECTAF) office); and
f. One (1) copy for Assistant Secretary for Regional Offices.

e. Inform and forward to FMB, within 12-hours that a CTO and/or CLO were issued to a shipper covering a particular shipment, through email, fax or fastest means of communication, copy furnished the PENRO and RED concerned.

f. Transmit by fax or any fastest mean of communication, a copy of filled-up and confirmed CTO and/or CLO to the regional chapter Office of the Philippine Wood Producers Association (PWPA) if the licensee or permittee to whom the CTO and CLO was issued is a PWPA member, or to the respective industry organization to which the licensee or permittee is a member.

SEC. 4. Monitoring. In order to monitor the movement and transport of timber and lumber products using the computer generated CTO and CLO, each offices and personnel shall undertake the following:

4.1 Forest Management Bureau. The FMB shall:

a. Issue a Special Order (FMB Special Order), copy furnished REDS, PENROs and CENROs, designating personnel responsible for the operation and maintenance of the FMB’s Operations Center at 24 hours, 7 times a week including their responsibilities.

b. Receive the copy of the CTO and/or CLO issued by the CENRO of Origin or RTD-F, DENR-NCR, as the

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case maybe, to a client covering a particular shipment.

c. Issue a written confirmation through e-mail, fax or any fastest means of communication immediately to the CENRO of origin that the CTO and/or CLO forms are valid.

d. Maintain data bases of all CTO and/or CLO forms forwarded by Regional Offices and those issued by the CENR Offices.

4.2. CENRO of Origin or RTD-F, DENR-NCR, as the case maybe.

As the CTO and/or CLO issuing Office(r), it shall notify immediately the CENRO of destination or to the Regional Office of DENR-NCR, as the case maybe, through the fastest available means of communication that a CTO and/or CLO forms was issued to an applicant and the shipment is expected to arrive at the given time.

The information shall include: (i) Kind and serial number of the CTO and/or CLO issued to a particular client, (ii) date of issuance and the validity period of the CTO/CLO, (iii) date of loading, (iv) point of loading, (v) type and plate number of conveyance, if transported by land, or the name of the marine vessel, if transported by sea; (vi) name and address of client to whom the forms are issued, (vii) name and address of the final consignee, (viii) final point of loading (ix) route, (x) volume, and (xi) species.

4.3. Monitoring Officer. Personnel assigned at the DENR checkpoint and/ or DENR Monitoring Station are directed to: (1) record in their logbooks all information contained in the CTO and/or CLO including their computer generated serial numbers, the time that the CTO and/or CLO was presented to them, conveyance identification; and (2) examine the shipment in transit for compliance to the conditions and specifications in the CTO and/or CLO. If the shipment is in order, the monitoring officer concerned shall stamp the corresponding CTO and/or CLO with the corresponding DENR seal usually used for the purpose before releasing the shipment for transit.

4.3. CENRO of Destination or DENR-NCR, as the case maybe. As a receiving office(r), they shall now the CENRO of origin or RTD-F, DENR-NCR, as the case maybe, and FMB, within 24 hours, using the fastest available communication, after the arrival of the shipment. In the event that the shipment fails to arrive at the expected date of arrival, the CENRO of Origin or DENR-NCR, as the case maybe, and FMB shall likewise be notified within 24 hours reckoned from the expected date of arrival.

SEC. 5. Validity. The CTO and/or CLO forms shall become valid only, upon transmission of the filled-up copy of CTO and/or CLO to FMB and upon receipt of a written confirmation from the duly authorized personnel of the Forest Management Bureau’s Operation Center.

The CTO and/or CLO forms shall be issued on a per shipment and transport basis only and shall be valid for a period not exceeding fifteen (15) days (including Saturdays, Sundays or Holidays) from the date of confirmation by the FMB. In case a shipment immediate does not reach its final destination within the validity period of the CTO and/or CLO issued for that particular shipment, the CTO and/or CLO shall be deemed expired, in which case a new set of CTO and/or CLO forms shall be secured from the originating CENRO, but only for the untransported balance. In this case, the new CTO and/or CLO shall indicate that it supersede and cancel a particular CTO/CLO number previously issued by the CENRO of origin. Absolutely no extension shall be granted upon expiration of the validity of a CTO/CLO.

SECTION 6. Other provisions - All the CTO and/or CLO issued pursuant to this Order shall be the official forms of the DENR in the transport and shipment of timber and lumber products. For this purpose, any Official or employee issuing and receiving such CTO and CLO forms shall be accountable.

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In the event where problem occurs in the implementation of the computer-based CTO and/or CLO forms generation system, such as inter alia computer failure, software malfunction, malfunctioning of communication systems, the concerned regional personnel through the Regional Technical Director for Forestry Service (RTD-F) and RED concerned shall immediately inform the FMB Operation Center, using the fastest means of communication, in which case the latter (FMB) shall immediately take the action to address the problem(s), including the immediate dispatch of special assistance staff, if necessary.

SEC. 7. Special Authority. The Director of FMB is hereby authorized to issue and recommend additional and/or supplemental guidelines for the effective implementation of this Order.

SEC. 8. Accountability Provision. The principle of command responsibility and accountability of all the implementers, from the Central Office down to the CENRO level, shall at all times be a matter of policy and shall strictly be enforced for any violation committed by the tenurial instrument holders, transporters and/or DENR personnel pursuant to existing DENR and Civil Service laws, rules and regulations.

SEC. 9. Repealing Clause. Sections 2, 3 and 7 of DENR Administrative Order No. 07 Series of 1994 are hereby amended accordingly. Other provisions of DENR Administrative Order No. 07 Series of 1994 and other circulars and instructions consistent herewith shall remain valid.

SEC. 10. Transitory Provisions. At the date of effectivity of this Order, the old CTO and/or CLO form prescribed under DENR Administrative Order No. 07 Series of 1994 shall no longer be used and any old forms issued thereafter shall no longer be valid.

All CTO and/or CLO issued before this ORDER shall be considered valid up to its expiry date as specified therein or upon the delivery of the commodity covered thereby, whichever comes first.

Any remaining old blank and unused forms in all field offices, upon effectivity of this ORDER (from the CENRO up to the Regional Offices), shall be surrendered to the Forest Management Bureau within 10 days.

SEC. 11. Separability Clause. If any provision of this order is declared void and/ or unconstitutional, the remaining provisions thereof, not affected thereby, shall remain in force and effect.

SEC. 12. Effectivity. This Order shall take effect fifteen days after publication in a newspaper of general circulation and upon acknowledgment from the Office of the National Administrative Register (ONAR).

Adopted: 26 Oct. 2007

(SGD.) JOSE L. ATIENZA, JR.
Secretary

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[*] Text Available at Office of the National Administrative Register, U.P. Law Complex, Diliman, Quezon City

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