

VESTING AUTHORITY IN BARANGAY CAPTAINS TO ENFORCE POLLUTION AND ENVIRONMENTAL CONTROL LAWS AND FOR OTHER PURPOSES

PRESIDENTIAL DECREE NO. 1160, June 08, 1977

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WHEREAS, the National Government has taken cognizance of the increasing problems and grave danger brought about by pollution, ecological imbalance and other environmental disturbance throughout the country;

WHEREAS, in order to contain such problems and obviate any further aggravation of the consequent danger to public health, safety, national interest and survival of the present and future generations, there is need for a more vigorous, coordinated and effective method of enforcing national and local laws, ordinances, rules and regulations that prohibit, control or regulate activities which create imbalance between man and his natural environment;

WHEREAS, it is expedient to involve and mobilize the Barangays in a concerted and sustained national campaign to minimize, if not totally eradicate, the causes of disharmony between man's economic needs and his environmental conditions;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree as part of the laws of the land, the following:

SECTION 1. Deputizing the Barangay Captain, the Barangay Councilman and Barangay Zone Chairman as Peace Officers.-All laws to the contrary notwithstanding, the Barangay Captain, the Barangay Councilman, and the Barangay Zone Chairman are hereby deputized as peace officers, with authority to effect arrest of violators in accordance with law, for purposes of enforcing and implementing national and local laws, ordinances and rules and regulations governing pollution control and other activities which create imbalance in the ecology or disturbance in environmental conditions.

SEC. 2. National and Local Laws Defined.-For purposes of this Decree, national and local laws, ordinances and rules and regulations governing pollution control and other activities which create imbalance in the ecology or disturbance in environmental conditions shall be understood to be those designed to prohibit, control or regulate the contamination of the soil, the water or the air with poisonous, destructive, unwholesome or undesirable materials, chemicals, gases, elements or substances so as to render the soil, water or air unsafe for use of human, animal or aquatic or plant life; or those that are provided to prohibit, control or regulate activities that cause ecological imbalance or environmental disturbance, including, but not limited to, denudation of forest or watershed that precipitates soil erosion, floods, drying up of rivers, lakes and streams or uncontrolled change or alteration of natural water course and other similar occurrences.

SEC. 3. Method of Enforcement and Implementation.-The criminal aspect, such as the arrest and prosecution of offenders, and the civil and administrative aspects, such as the summary or judicial abatement of a thing, act or condition that constitutes a nuisance, or the cancellation of the government license or permit for the existence of a thing, act or condition that gives rise to a nuisance, shall be vigorously enforced and implemented.

SEC. 4. Preferential Disposition of Cases.-The courts and proper prosecuting or administrative officials or agencies shall give preference to the expeditious disposition of cases involving a violation of the laws, ordinances, rules and regulations referred to in Section 2 of this Decree when the magnitude of the violation is such as to adversely affect an entire or major portion of a community as may be certified to by the National Pollution Control Commission or the National Environmental Protection Council as the case may be.

SEC. 5. Rules and Regulations.-The National Environmental Protection Council shall promulgate the necessary rules and regulations for the effective implementation of this Decree.

SEC. 6. Repealing Clause.-All laws, decrees, orders, instructions or rules and regulations which are inconsistent with this Decree are hereby repealed or modified accordingly.

SEC. 7. Effectivity.-This Decree takes effect upon approval.

Done in the City of Manila this 8th day of June, in the year of Our Lord, nineteen hundred and seventy-seven.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Assistant

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