DENR Administrative Order 96-26

September 10, 1996

Subject: Revised Guidelines Governing the Harvest and Transport of Planted Trees and Non-Timber Products within Social Forestry Areas.

Pursuant to Executive Order No. 192 dated June 10, 1987 and Sections 20 and 39 of PD 705, as amended, and in order to facilitate and regulate the harvest and transport of planted trees and non-timber products in duly established social forestry areas, the following guidelines and procedures are hereby promulgated for the guidance and compliance of all concerned:

Sec. 1 Qualified Applicants. Integrated Social Forestry Program (ISFP) participants whose stewardship areas contain mature and harvestable planted trees and other non-timber products are qualified to apply for a permit to cut, gather, transport, dispose and/or utilize said forest products.

Sec. 2 Application Requirements. The applicant shall apply to the Community Environment and Natural Resources Office (CENRO) a permit to harvest planted trees and non-timber products by accomplishing the prescribed application form (Annex A). The Social Forestry Desk Officer (SFDO) shall receive and process the application and indorse/recommend the same to the Community Environment and Natural Resources Officer (CENR Officer) for approval.

Sec. 3 Procedures in the Processing of Applications for Harvesting Permit. The following procedures shall be observed when processing applications:

3.1 Inventory. Upon submission of the application the SFDO shall conduct free of charge, an inventory at 100% intensity over the area applied for within ten (10) days except under reasonable circumstances taking into consideration trees or stock to be left for production, soil erosion control, and stream bank protection. Provided, that if it is 2 devolved social forestry area, the inventory shall be jointly conducted by the SFDO and the Community Development Officer/Assistant (CDO/CDA) of the concerned Local Government Units (LGUs).

3.2 The inventory team shall mark consecutively and distinctly all the inventoried planted trees or non-timber products and the inventory report duly certified (Annex B) shall be submitted to CENRO concerned within five (5) days after date of completion of the field inventory report.

Preparation of Permit to Harvest. The SFDO shall prepare the permit to harvest following the prescribed format (Annex C).

3.3 Issuance of Permit to Harvest. The CERN Officer concerned shall issue the Permit to Harvest. The maximum period of the harvesting permit issued under this Order shall not exceed six (6) months which can be renewed depending on the availability of planted trees and non-timber products to he harvested.

3.4 Furnishing Copies of Permits Issued. In the exercise of this delegated authority, the concerned CENR Officer shall immediately furnish the Provincial Environment and Natural Resources Office (PENRO), the Regional Environment and Natural Resources Office (RENRO), the Forest Management Bureau (FMB), and the Office of the Undersecretary for Field Operations, copies of all the permits issued in consonance herewith, for information, record and reference. Failure to comply with this requirement shall render a permit invalid and the CENR Officer shall be administratively liable as provided for under existing Civil Service rules and regulations.

Sec. 4 Conditions under the Harvesting Permit.

4.1 Only mature planted forest trees and non-timber products duly inventoried shall be allowed to be harvested.

4.2 The transport, disposition and utilization of planted forest trees and non-timber products harvested from social forestry areas shall be in consonance with existing forest and internal revenue laws, rules and regulations.

All shipment of harvested planted trees and non-timber products covered by a permit shall be accompanied by a Certificate of Origin (Annex D) issued by the concerned CENR Officer. Issuance of the permit shall be subject to the recommendation-of the SFDO who has jurisdiction over the area, and presentation of the appropriate Auxiliary Invoice.

Trees cut under this permit maybe exported by the permittee subject to proper application, documentation and issuance of export authority, in accordance with the exportation procedures and regulations.

4.3 The permittee shall submit a monthly and a terminal report after the lapse of the permit grantee by the CENR Officer.

Sec. 5 Suspension and Cancellation of Permits.

Permits issued under this Order shall be suspended or cancelled for violations of the terms and conditions of the permit as well as applicable forest laws, rules and regulations.

Sec. 6 Penalties. Harvesting and transporting of forest products from social forestry areas without a permit shall be illegal and anyone committing such acts shall be punished in accordance with Section 68 of PD 705, as amended (Sec.7 of Republic Act No. 7161) and any other appropriate laws.

Sec. 7 Repealing Clause. All Orders, issuances and instructions inconsistent herewith are hereby repealed, revoked or amended accordingly.

Sec. 8 Effectivity. This Order takes effect immediately.

VICTOR 0. RAMOS
Secretary