

PRESIDENTIAL DECREE NO. 1775

January 14, 1981

AMENDING SECTION EIGHTY OF PRESIDENTIAL DECREE NUMBERED SEVEN HUNDRED FIVE,
AS AMENDED, OTHERWISE KNOWN AS THE "REVISED FORESTRY CODE OF THE PHILIPPINES."

WHEREAS, it is of common knowledge that only few criminal cases are being filed against violators of the forestry laws, rules and regulations because of the apparent lack of manpower in the prosecuting arm of the Bureau of Forestry Development which predicament could not be feasibly augmented due to the present economic situation of the country;

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WHEREAS, Section 80 of the "Revised Forestry Code of the Philippines", or any other law, rule and regulation does not authorize members of the Philippine Constabulary/Integrated National Police to file complaints against forest law violators except when they are lawfully deputized by the Minister of Agriculture and Natural Resources pursuant to the said Code;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree that:

SECTION 1. Section 80 of Presidential Decree No. 705 is amended to read as follows:

"Sec. 80. Arrest: institution of criminal actions. -

A forest officers or employee of the Bureau or any personnel of the Philippines Constabulary/ Integrated National Police shall arrest even without warrant any person who has committed or committing in his presence any of the offenses defined in this Chapter. He shall also seize and confiscate, in favor of the Government, the tools and equipment used in committing the offense, and the forest products cut, gathered or taken by the offender in the process committing the offense. The arresting forest officer or employee shall thereafter deliver within six (6) hours from the time of arrest and seizure, the offender and the confiscated forest product, tools and equipment and file the proper complaint with, the appropriate official designated by law to conduct preliminary investigation and file information in Court.

If the arrest and seizure are made in the forest, far from the authorities designated by the law to conduct preliminary investigations, the delivery to, and filing of the complaint with, the latter shall be done within a reasonable time sufficient to the place of delivery. The seized products, materials and equipment shall be immediately disposed of in accordance with forestry administrative orders promulgated by the Department Head.

The Department Head may deputized any agency, Bering or barrio official, or any qualified person to protect the forest and exercise the power or authority provided for in the preceding paragraph.

Reports and complaints regarding the commission of any of the offenses defined in this Chapter, not committed in the presence of any forest officer or employee, or any personnel of the Philippine Constabulary/Integrated National Police or any of the deputized officers of officials, shall immediately be investigated by the forest officer assigned in the area or any personnel of the Philippine Constabulary/Integrated National Police where the offense was allegedly committed, who shall thereupon receive the evidence supporting the report or complaint. If there is a prima facie evidence to support the complaint or report the investigating forest officer and/ or members of the Philippine Constabulary/Integrated National Police shall file the necessary complaint with the appropriate official authorized by law to conduct a preliminary investigation of criminal case and file an information in Court."

SECTION. 2. This Decree shall take effect immediately.

Done in the City of Manila, this 14th day of January, in the year of Our Lord, nineteen hundred and eighty-one.

FERDINAND E. MARCOS
President of Republic of the Philippines

By the President:

JOAQUIN T. VENUS, JR.
Deputy Presidential Executive Assistant