



1 Republic of the Philippines
2 HOUSE OF REPRESENTATIVES
3 Quezon City
4 SEVENTEENTH CONGRESS
5 First Regular Session
6 HOUSE BILL NO. 5297

7 -----
8 INTRODUCED BY REP. VINI NOLA A. ORTEGA
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12 EXPLANATORY NOTE

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14 The 1987 Philippine Constitution provides that *"the State shall protect and*
15 *advance the right of the people to a balanced and healthful ecology in accord with the*
16 *rhythm and harmony of nature."* Moreover, *"the State shall also ensure the autonomy of*
17 *local governments."*

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19 A step towards the abovementioned policy directions is the creation of the
20 position of environment and natural resources officer as stated in the 1991 Local
21 Government Code. The environment and natural resources officer is the
22 deputized personnel of the Department of Environment and Natural Resources
23 (DENR) tasked with the supervision and management of environmental affairs
24 of a particular locality. Unfortunately, such provision is merely permissive and
25 not mandatory on the part of the Local Government Unit concerned.

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27 In order to give true meaning to the spirit and intent of the Constitutional
28 provisions, it is imperative that such position be declared mandatory in the
29 provincial, city, and municipal levels. This would then enable all local
30 government units to be properly represented by a competent environment and
31 natural resources officer not only to address pertinent issues and concerns
32 relating to the functions of said position, but also to ensure proper
33 implementation of policies, orders, and programs for the advancement of the
34 environment in their respective localities.

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Hence, the approval of this Bill is earnestly sought.



REP. VINI NOLA A. ORTEGA
Representative
ABONO Party-list

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85 AN ACT
86 MANDATING THE APPOINTMENT OF ENVIRONMENT AND NATURAL
87 RESOURCES OFFICER IN ALL LOCAL GOVERNMENT UNITS FROM THE
88 PROVINCIAL, CITY, AND MUNICIPAL LEVELS AMENDING FOR THE
89 PURPOSE PERTINENT SECTIONS OF REPUBLIC ACT 7610, OR
90 OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991,
91 AND FOR OTHER PURPOSES.
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95 **Section 1. Title.** – This Act shall be known as the “Mandatory Appointment of
96 Environment and Natural Resources Officer Act of 2017”.
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99 **Section 2. Declaration of Policy.** –
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101 It is the policy of the State to protect, advance, and promote the right of the
102 Filipino people to a balanced and healthful ecology in accord with the rhythm
103 and harmony of nature. Moreover, it is the policy of the State to ensure the
104 autonomy of local government units.
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106 In this regard, the State shall direct the mandatory appointment of
107 Environment and Natural Resources Officer in all local government units, from
108 the provincial, city, and municipal levels in order to discharge the duties and

109 functions necessary for the protection, advancement, and promotion of the
110 environment of all localities concerned throughout the Philippines.

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113 **Section 3. Amendments of Sections 454, 463, and 484 of the Local**
114 **Government Code of 1991.** – The pertinent provisions of the Local Government
115 Code are hereby amended and shall now be read as follows:

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117 Section 444. The Chief Executive: Powers, Duties, Functions and
118 Compensation. –

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120 (b) For efficient, effective and economical governance the
121 purpose of which is the general welfare of the municipality and its
122 inhabitants pursuant to section 16 of this Code, the municipal mayor
123 shall:

124 (1) Exercise general supervision and control over all
125 programs, projects, services, and activities of the municipal
126 government, and in this connection, shall:

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128 (xxi) **APPOINT A MUNICIPAL ENVIRONMENT**
129 **AND NATURAL RESOURCES OFFICER.**

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133 Section 454. Officials of the City Government. –

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135 (b) In addition thereto, the city mayor **SHALL APPOINT A**
136 **CITY ENVIRONMENT AND NATURAL RESOURCES OFFICER,**
137 **AND** may appoint a city architect, a city information officer, a city
138 agriculturist, a city population officer, and a city cooperatives officer.

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142 Section 463. Officials of the Provincial Government. –

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144 (b) In addition thereto, the governor **SHALL APPOINT A**
145 **PROVINCIAL NATURAL RESOURCES AND ENVIRONMENT**
146 **OFFICER, AND** may appoint a provincial population officer, a
147 provincial cooperative officer, a provincial architect, and a provincial
148 information officer.

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152 Section. 484. Qualifications, Powers and Duties. –
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154 (a) No person shall be appointed environment and natural
155 resources officer unless he is a citizen of the Philippines, a resident of
156 the local government unit concerned, of good moral character, a
157 holder of a college degree preferably in environment, forestry,
158 agriculture or any related course from a recognized college or
159 university, and a first grade civil service eligible or its equivalent. He
160 must have acquired experience in environmental and natural
161 resources management, conservation, and utilization, of at least five
162 (5) years in the case of the provincial or city environment and
163 natural resources officer, and three (3) years in the case of the
164 municipal environment and natural resources officer.
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166 The appointment of the environment and natural resources
167 officer is **MANDATORY [optional]** for provincial, city, and
168 municipal governments.
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173 **Section 9. Separability Clause.** - If any provision or part hereof is held invalid
174 or unconstitutional, the remainder of the law or the provision thereof shall
175 remain valid and effective.
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178 **Section 10. Effectivity.** - This Act shall take effect fifteen (15) days after its
179 publication in the Official Gazette or in at least two (2) newspapers of general
180 circulation.

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183 Approved