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JUN 30 2003

DENR ADMINISTRATIVE ORDER
NO. 2003-24
Series of 2003

SUBJECT : IMPLEMENTING RULES AND REGULATIONS OF THE CHAINSAW ACT OF 2002 (RA NO. 9175) ENTITLED "AN ACT REGULATING THE OWNERSHIP, POSSESSION, SALE, IMPORTATION AND USE OF CHAINSAWS, PENALIZING VIOLATIONS THEREOF AND FOR OTHER PURPOSES."

Pursuant to Section 9 of R.A. No. 9175, otherwise known as the "Chainsaw Act of 2002", the rules and regulations governing the implementation of the Act is hereby promulgated for the compliance and guidance of all concerned.

CHAPTER I

BASIC POLICY, OBJECTIVES AND DEFINITIONS

Section 1, Basic Policy. It is the policy of the State, consistent with the Constitution, to conserve, develop and protect the forest resources through sustainable forest management (SFM). Towards this end the State shall pursue an aggressive forest protection program geared towards eliminating illegal logging and other forms of forest destruction which are being facilitated with the use of chainsaws.

Sec. 2. Objectives. This Order is promulgated to achieve the following objectives:

- 2.1 To regulate the purchase, ownership, possession, sale, transfer, importation and/or use of chainsaws to prevent them from being used in illegal logging or unauthorized clearing of forests;
- 2.2 To establish and maintain national and local databases on existing number of chainsaws, authorized dealers, authorized users, importation and sales thereof, among others; and
- 2.3 To facilitate the monitoring of the operations of chainsaw importers, users, and others.

Sec. 3. Definition of terms. As used in, and for the purpose of these guidelines, the following terms and phrases shall be understood to mean:

- 3.1 Chainsaw - refers to any portable power saw or similar cutting implement rendered operative by an electric or internal combustion engine or similar means, that may be used for, but is not limited to, the felling of trees or the cutting of timber.
- 3.2 Chainsaw dealer - shall refer to a person, natural or juridical, engaged in the manufacture, importation, distribution, purchase and/or sale of chainsaws, as authorized by the DENR.
- 3.3 Chainsaw user - any person, natural or juridical, who uses and/or operates a chainsaw for the purpose of felling, bucking, trimming and/or breakdown into suitable sizes of timber, coconut, anahaw, and other palms and similar woody materials, as authorized by the DENR.
- 3.4 Chainsaw owner/possessor - any person, natural or juridical, who owns/possesses a chainsaw, as authorized by the DENR.
- 3.5 Department - refers to the Department of Environment and Natural Resources (DENR).
- 3.6 Forestland - refers to the land of the public domain which have not been declared as alienable and disposable land and includes the public forest, the permanent forest or forest reserve, forest reservations, timber lands, grazing lands, game refuge and bird sanctuaries.
- 3.7 Legal purpose - includes activities such as tree pruning, tree surgery, landscaping, timber stand improvement, and other allied silvicultural activities.

- 3.8 Orchard - lands planted with fruit trees and other trees of economic value, including bamboo, coconut, anahaw and other palms.
- 3.9 Secretary - refers to the Secretary of the DENR.
- 3.10 Industrial Tree Farmer - a person engaged in large scale tree farming in private lands

CHAPTER II

SCOPE

Sec. 4. Scope. These rules and regulations shall cover the purchase, manufacture, ownership, possession, sale, transfer, importation and use of chainsaws. The registration of chainsaws with the DENR prior to the effectivity of this Order shall be considered terminated. Henceforth, all chainsaw owners shall apply for registration within three months from the effectivity of this Order.

In the province of Palawan, the provisions of R.A. No. 9175 shall be implemented by the Palawan Council for Sustainable Development pursuant to R.A. No. 7611 or the Strategic Environmental Plan for Palawan. Report on issued Certificate of Registration or permit shall be furnished the FMB Secretariat thru the Provincial Environment and Natural Resources Officer (PENRO) of Palawan.

CHAPTER III

GENERAL PROVISIONS

Sec. 5. Persons authorized to purchase, transfer the ownership, import, manufacture, distribute, and/or sell, re-sell chainsaws. Only persons, duly authorized by the DENR shall be allowed to purchase, transfer the ownership, import, manufacture, distribute and/or sell, re-sell chainsaws.

Sec. 6. Persons authorized to own, possess and use chainsaws. The Department shall issue a Certificate of Registration to owners, possessors and/or users of chainsaws who fall under any of the following categories:

- 6.1 Holder of a subsisting Timber License Agreement, Production Sharing Agreement, Co-Production Sharing Agreement, or a Private Land Timber Permit/Special Private Land Timber Permit, Community-Based Forest Management Agreement (CBFMA), Integrated Forest Management

- Agreement (IFMA), Socialized Industrial Forest Management Agreement (SIFMA), or other similar tenurial instruments
- 6.2 Orchard or fruit tree farmer
 - 6.3 Industrial tree farmer
 - 6.4 Licensed wood processor and the chainsaw shall be used for the cutting of timber that has been legally sold to said applicant.
 - 6.5 Any one who shows satisfactory proof that the possession and/or use of chainsaw is for a legal purpose
 - 6.6 Agencies of the government, government-owned and controlled corporations (GOCCs) that use chainsaws in some aspects of their functions.

Sec. 7. Registration of Chainsaws. Upon effectivity hereof, all persons, partnerships, or corporations who own or are otherwise in possession of chainsaws must register the same with the Department through any of its Community Environment and Natural Resources Officers (CENRO) who shall issue the corresponding Certificate of Registration if he finds such persons, partnerships or corporations to be qualified hereunder.

The Certificate of Registration number, the date of registration and expiry date shall be indicated in a serialized sticker to be attached to the chainsaw.

A Certificate of Registration of a chainsaw used for legitimate purpose shall be valid for two (2) years upon issuance, renewable for the same period; provided that Certificate of Registration issued to non-commercial orchard and fruit tree farmers, and similar entities whose line of business or work are not related to wood and/or timber production, processing and trade shall be valid for a period of five (5) years upon issuance, renewable for the same period.

Certificate of Registration shall also serve as the permit to own, possess and/or use the registered chainsaw.

Sec. 8. Requirements for Certificate of Registration. The applicants for registration of chainsaws shall submit to the Community Environment and Natural Resources Officer (CENRO) concerned all the following requirements:

8.1 Original/new application

8.1.1 Holder of a subsisting Timber License Agreement, Production Sharing Agreement, Co-Production Sharing Agreement, or a Private Land Timber Permit/Special Private Land Timber Permit, CBFMA, IFMA, SIFMA, or other similar tenurial instruments

- Duly accomplished application form
- Copy of the tenurial instrument

- Detailed specification of chainsaws to be registered (brand, model, engine capacity, serial number), purpose of use, areas/location where it is to be used, name of owner, date of purchase, and name of dealer.
- Proof of ownership of chainsaw (sales invoice, deed of sale, etc.)
- Registration fee

8.1.2 Orchard or fruit tree farmer or industrial tree farmer

- Duly accomplished application form
- Detailed specification of chainsaws to be registered (brand, model, engine capacity, serial number), purpose of use, areas/location where it is to be used, name of owner, date of purchase, and name of dealer.
- Proof of ownership of chainsaw (sales invoice, deed of sale, etc.)
- Copy of certificate of tree plantation ownership
- Certification from Barangay Captain concerned that applicant is an orchard or tree farmer.
- Registration fee

8.1.3 Licensed Wood Processors

- Duly accomplished application form
- Copy of approved Wood Processing Plant Permit
- Detailed specification of chainsaws to be registered (model, brand, engine capacity, serial number), purpose of use, areas/location where it is to be used, name of owner, date of purchase, and name of dealer.
- Proof of ownership of chainsaw (sales invoice, deed of sale, etc.)
- Registration fee

8.1.4 Agencies of the government, government-owned and controlled corporations.

- Duly accomplished application form
- Certification from Head of Office or his/her authorized representative that chainsaws are owned/possessed by the office and used for legal purpose (specify)
- Detailed specification of chainsaws owned/possessed (brand, model, engine capacity, serial number), purpose of use, areas/location where it is to be used, name of owner, date of purchase, and name of dealer.
- Registration fee

8.1.5 Other persons/entities who can show satisfactory proof that the possession and/or use of chainsaws is for legal purpose.

- Duly accomplished application form
- Copy of the Business Permit from the Local Government Unit or Affidavit that chainsaw is needed in applicant's work/profession and will be used for legal purpose
- Detailed Specification of chainsaws to be registered (brand, model, engine capacity, serial number), purpose of use, areas/location where it is to be used, name of owner, date of purchase, and name of dealer.
- Registration fee

8.2 Application for Renewal

8.2.1 Duly accomplished application form

8.2.2 Photo copy of the latest Certificate of Registration of chainsaw

8.2.3 Registration fee

Sec. 9. Requirements for permit/authority to purchase, import, manufacture and/or transfer ownership, sell/dispose, lease, rent, lend chainsaws.

Applicants for permit/authority shall submit the following requirements:

9.1 Permit to Purchase or Import

9.1.1 Duly accomplished application form together with the following details:

- Number of chainsaws to be purchased/imported with specifications
- Purpose for purchasing/importing
- Name and address of seller/supplier
- Expected time of arrival at port of entry and/or release from the Bureau of Customs, if imported
- Import Entry Declaration from the Bangko Sentral ng Pilipinas

9.1.2 Business name registration of applicant from DTI, SEC registration or CDA registration

9.1.3 If applicant is an individual, Affidavit that he will use the chainsaw for a legal purpose only (e.g., tree pruning, tree surgery, landscaping, timber stand improvement, and other allied silvicultural activities).

9.1.4 Copy of purchase orders, if imported

9.1.5 Permit fee