



Department Circular No. DC 2020 - 02 - 0002 *h*

**THE IMPLEMENTING RULES AND
REGULATIONS OF REPUBLIC ACT NO. 11361,
OTHERWISE KNOWN AS THE "ANTI-
OBSTRUCTION OF POWER LINES ACT"**

Pursuant to Section 17 of Republic Act No. 11361, otherwise known as the "**An Act Ensuring the Continuous and Uninterrupted Transmission and Distribution of Electricity and the Protection of the Integrity and Reliability of Power Lines, and Providing Penalties for Violations Thereof**" (hereinafter referred to as the "Act"), the Department of Energy (DOE), in consultation with the appropriate government agencies such as the Energy Regulatory Commission (ERC), National Electrification Administration (NEA), the National Power Corporation (NPC), Board of Electrical Engineering (BEE), National Transmission Corporation (TransCo), the Department of Public Works and Highways (DPWH), the National Housing Authority (NHA), the Department of Human Settlements and Urban Development (DHSUD), the Department of Environment and Natural Resources (DENR), the Philippine Coconut Authority (PCA), the National Commission on the Indigenous Peoples (NCIP), the Philippine National Police (PNP), the Armed Forces of the Philippines (AFP), concerned electric power industry stakeholders, and private stakeholders, and the Joint Congressional Energy Commission (JCEC), hereby issues, adopts and promulgates the following rules and regulations to implement the provisions of the Act.

RULE I. GENERAL PROVISIONS

The succeeding implementing rules and regulations shall include the general provisions to be followed in outlining the responsibilities of owner or operator of power lines in the prevention and removal of power line obstructions located within any public or private property, with the ultimate objective of ensuring the continuous and uninterrupted conveyance of electricity.

Section 1. Title. –These rules and regulations shall be referred to as the "Implementing Rules and Regulations (IRR) of the Act".

Section 2. Declaration of Policy. – It is hereby declared the policy of the State to:

- a) Ensure the uninterrupted conveyance of electricity from generating plants to end-users;
- b) Protect the integrity and reliability of the country's transmission, sub-transmission, and distribution systems by keeping the land beneath, the air

spaces surrounding, and the area traversed by power lines clear of dangerous obstructions;

- c) Recognize that continuous conveyance of electricity is a matter of national security and is essential to sustaining the country's economic development; and
- d) Acknowledgement of the crucial role of property owners in ensuring that power lines remain free of any dangerous and hazardous activities and improvements.

Section 3. Coverage. – This IRR shall cover all power lines and other related facilities for the conveyance of electricity throughout the country.

The IRR shall apply to all entities who own, operate and/or control the power lines and its associated facilities by virtue of law, franchise, contract, decision, order, certificate or other similar documents, regardless of the power lines and other related facilities' classifications or technicalities, and irrespective of any agreement between the Power Line Owner/Operator (PLO) and the Private Property Owner or the Responsible Entity(ies) to the public property.

Included herein are the government agencies, instrumentalities and concessionaires responsible over the public property, and the owners of private properties to whom the Power Line Corridor is traversing or is located.

The power lines and facilities covered by the Act shall include:

- a) All transmission lines, sub-transmission lines, interties and associated facilities, either overhead, underground or submarine, in the main grids of Luzon, Visayas, and Mindanao;
- b) All power lines and associated facilities either overhead, underground or submarine, being maintained in off- and small grids;
- c) All primary distribution lines, feeders, secondary lines and associated facilities either overhead, underground or submarine, both in the main grid and off-grid areas;
- d) All power lines incidental to the micro-grids and other decentralized electric power systems;
- e) All dedicated power lines and related facilities, either overhead, underground or submarine, either from plant-side or from demand-side;

The Power Line Owners and/or Operators being referred to by the Act shall pertain to:

- a) Entities with franchise granted by the Congress to construct, own, and/or operate transmission systems;
- b) Entities owning, operating and/or controlling the power lines in small grids and other off-grid areas;

- c) All Distribution Utilities with franchise granted by the Congress to construct, own, and operate distribution system, including, but not limited, to private-investor-owned utilities, electric cooperatives, LGU-owned utilities;
- d) Other electric power service providers employing power lines to serve remote islands and communities using micro-grid and other decentralized electric power systems;
- e) Generation Companies having ownership and/or responsibility for the operation and maintenance of power lines: and
- f) Other entities such as Directly-Connected Customers (DCCs) having ownership and/or responsibility for the operation and maintenance of power lines.

Section 4. Definition of Terms. – For the purpose of this IRR, the following terms are defined as follows:

- a) **"Act"** refers to Republic Act No. 11361, otherwise known as the *"Anti-Obstruction of Power Lines Act"*;
- b) **"Armed Forces of the Philippines"** or **"AFP"** refers to the military forces of the Philippines established under Commonwealth Act No. 1, otherwise known as the *"National Defense Act of 1935"*;
- c) **"Associated facilities"** refer to any or all of the equipment and other fixtures that are attached or connected with, and are integral to a power line, such as, but not limited to, poles, guys, crossarms, insulators, and conductors;
- d) **"Board of Electrical Engineering"** or **"BEE"** refers to the Board created under Republic Act No. 7920, otherwise known as the *"New Electrical Engineering Law"* under the general supervision and administrative control of the Professional Regulation Commission;
- e) **"Civil Code of the Philippines"** refers to Republic Act No. 386, as amended;
- f) **"Conveyance of electricity"** refers to the delivery of electricity from the generating plant to the premises of the end-user, through power lines;
- g) **"Dangerous structure or building"** refers to those which are structurally unsafe; or which constitute a fire hazard not provided with safe egress, or are otherwise dangerous to human health; or which in relation to existing use constitute a hazards to safety, health, or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, or abandonment; or which otherwise contribute to the pollution of the site or community to an intolerable degree. It also refers to any building/structure which has any or all defects described in Section 1.01.08(b), Republic Act No. 6541,

otherwise known as the *"National Building Code of the Philippines"*; *Provided, That* such condition/defect exists to the extent that life, health, property or safety of the public or its occupants are endangered;

- h) **"Department of Budget and Management"** refers to the government entity created under Executive Order No. 292, series of 1987, otherwise known as the *"Revised Administrative Code of 1987"*;
- i) **"Department of Energy"** or **"DOE"** refers to the government entity created under Republic Act No. 7638, as amended, otherwise known as the *"Department of Energy Act of 1992"*;
- j) **"Department of Environment and Natural Resources"** or **"DENR"** refers to the government entity created pursuant to Executive Order No. 192, series of 1987, otherwise known as the *"Reorganization Act of the Department of Environment and Natural Resources"*;
- k) **"Department of Interior and Local Government"** or **"DILG"** refers to the government entity created under Republic Act No. 6975, otherwise known as the *"Department of the Interior and Local Government Act of 1990"*;
- l) **"Department of Public Works and Highways"** or **"DPWH"** refers to the government entity created pursuant to Executive Order No. 124, series of 1987, otherwise known as the *"Reorganization Act of the Ministry of Public Works and Highways"*;
- m) **"Department of Human Settlements and Urban Development"** or **"DHSUD"** refers to the government entity created under Republic Act No. 11201, otherwise known as the *"Department of Human Settlements and Urban Development Act"*;
- n) **"Distribution lines"** refer to the portion of the distribution system pertaining to the lines or wires;
- o) **"Distribution system"** refers to the system of wires and associated facilities belonging to a franchised distribution utility extending between the delivery points on the transmission or sub-transmission system or generator connection and the point of connection to the premises of the end-user;
- p) **"Distribution utility"** or **"DU"** refers to any electric cooperative, private corporation, or government-owned utility which has a franchise to operate a distribution system, including those whose franchise covers economic zones;
- q) **"Easement fee"** refers to the amount, as a consideration for the easement agreement between the PLO and the private property owner, which is equivalent to the just compensation determined by the courts in accordance with applicable laws, rules, and regulations;

- r) **"Electric Cooperative" or "EC"** refers to an electric distribution utility organized and registered pursuant to Presidential Decree No. 269, as amended, otherwise known as the *"National Electrification Administration Decree"*;
- s) **"Energy Regulatory Commission" or "ERC"** refers to the independent, quasi-judicial regulatory body created under Section 38 of Republic Act No. 9136, otherwise known as the *"Electric Power Industry Reform Act of 2001"*;
- t) **"End-user"** refers to any person or entity requiring the supply and delivery of electricity for its own use;
- u) **"Hazardous activities"** refer to burning of waste and other materials, excavation, quarrying, construction, and other activities of the same nature and character and regardless of purpose intended, which are performed partially/wholly inside the power line corridor which threaten or endanger the continuous and uninterrupted conveyance of electricity;
- v) **"Hazardous improvements"** refer to structures, buildings and buildings of whatever kind, whether temporary or permanent in character, and regardless of purpose for which they are intended, which are located, partially or wholly, inside the Power Line Corridor which threaten or endanger the continuous and uninterrupted conveyance of electricity;
- w) **"Joint Congressional Energy Commission" or "JCEC"** refers to the congressional oversight body created under Section 62 of Republic Act No. 9136, otherwise known as the *"Electric Power Industry Reform Act of 2001"*, as amended by Republic Act No. 11285, otherwise known as the *"Energy Efficiency and Conservation Act"*;
- x) **"Local Government Unit" or "LGU"** refers to the political entity created, converted, divided, merged, abolished, or its boundaries substantially altered either by the act of Congress, in the case of a province, city, municipality, or any other political subdivision, or by ordinance passed by the *Sangguniang Panlalawigan* or *Sangguniang Panlungsod* concerned, in the case of a *barangay* located within its territorial jurisdiction, subject to such limitations and requirements prescribed in Republic Act No. 7160, otherwise known as the *"Local Government Code of 1991"*;
- y) **"National Building Code of the Philippines"** refers to Presidential Decree No. 1096 which is the law covering the technical requirements in constructing or renovating buildings and structures in the Philippines to secure the life, health, property and welfare of the Filipinos.
- z) **"National Commission on Indigenous People" or "NCIP"** refers to the government entity created under Republic Act No. 8371, otherwise known as *"The Indigenous Peoples' Rights Act of 1997"*;

- aa) **"National Electrification Administration"** or **"NEA"** refers to the government entity created pursuant to Presidential Decree No. 269, otherwise known as the *"National Electrification Administration Decree"*, as amended;
- bb) **"National Housing Authority"** or **"NHA"** refers to the government-owned and controlled corporation created under Presidential Decree No. 757, otherwise known as *"Creating the National Housing Authority"*;
- cc) **"National Power Corporation"** or **"NPC"** refers to the government-owned-and-controlled corporation created under Commonwealth Act No. 120 as amended by Republic Act No. 6395, otherwise known as *"An Act Creating The National Power Corporation"*;
- dd) **"National Grid Corporation of the Philippines"** or **"NGCP"** refers to the privately owned corporation which was granted a franchise under Republic Act No. 9511, to operate, manage and maintain, and in connection therewith, to engage in the business of conveying or transmitting electricity through a high-voltage back-bone system of interconnected transmission lines, substations and related facilities, systems operations, and other activities that are necessary to support the safe and reliable operation of a transmission system and to construct, install, finance, manage, improve, expand, operate, maintain, rehabilitate, repair and refurbish the present nationwide transmission system of the Philippines;
- ee) **"National Transmission Corporation"** or **"TRANSCO"** refers to the government-owned and controlled corporation created by Republic Act No. 9136, otherwise known as the *"Electric Power Industry Reform Act of 2001"* and a corporate entity wholly owned by the Power Sector Assets and Liabilities Management Corporation (PSALM);
- ff) **"Other distribution entities"** refer to entities that own, operate, or control one or more distribution systems in the main grid and off-grid other than DUs such as, but not limited to, Qualified Third Parties and those under management contracts for the conveyance of electricity;
- gg) **"Owner or Operator of Power Lines"** or **"Power Line Owner/Operator"** or **"PLO"** refers to generation companies, the transmission network owner and its concessionaire, the DUs, other distribution entities, and other entities having ownership and/or responsibility for the operation and maintenance of power lines;
- hh) **"Philippine Coconut Authority"** or **"PCA"** refers to the entity created under Presidential Decree No. 232, otherwise known as *"Creating a Philippine Coconut Authority"*;

- ii) **"Philippine National Police" or "PNP"** refers to the entity established under Republic Act No. 6975, otherwise known as the *"Department of the Interior and Local Government Act of 1990"*;
- jj) **"Philippine Electrical Code" or "PEC"** refers to the set of rules which provide for the safety in electrical installation, construction, operation and maintenance, and the utilization of electricity mandated under the *"New Electrical Engineering Law"*;
- kk) **"Power lines"** refer to transmission lines, sub-transmission lines, distribution lines, and generating plant's dedicated point-to-point lines, and other connection assets including the poles and towers used to support the lines, and other related facilities constructed or erected used for the purpose of conveyance of electricity;
- ll) **"Power line obstruction"** refers to any hazardous activity or hazardous improvement and other similar circumstances that threaten or endanger the continuous and uninterrupted conveyance of electricity;
- mm) **"Relocation"** refers to the transfer of the power line and its associated facilities to a location that is proximate, adjacent and/or contiguous to its original location;
- nn) **"Responsible entity"** refers to a private corporation which is granted with a franchise, certificate or any other similar authorization, or to which the government entered into an agreement to perform a business and/or services over a public property, regardless of the scheme that the Government agreed with such private entity;
- oo) **"Sub-transmission lines"** refer to the portion of the sub-transmission system pertaining to the lines or wires;
- pp) **"Sub-transmission system"** refers to the portion of the distribution system that is delineated by the connection point to the transmission system and the primary side of all substation transformers;
- qq) **"Substantial or major relocation"** refers to the transfer of the power lines and its associated facilities to a location that is remote to its original position, and which will require a change in the system map of the PLO;
- rr) **"Tall growing plants"** refer to plants, vines and other plant species, which grow or have the potential to grow more than three (3) meters in height from the ground;
- ss) **"Transmission lines"** refer to the portion of the transmission system referring to the lines or wires;
- tt) **"Transmission system"** refers to the high voltage backbone system of interconnected transmission lines, substations and related facilities located in each of Luzon, Visayas, and Mindanao, or as may be

otherwise determined by the ERC in accordance with Section 45 of Republic Act No. 9136, otherwise known as the "*Electric Power Industry Reform Act of 2001*";

- uu) "**Upgrading**" refers to the process of improving the structural and mechanical design, conductor strength and size, and other related electrical equipment and fixture of the power lines and its associated facilities to meet the required clearance for a safe, reliable and continuous conveyance of electricity in the system; and
- vv) "**Upgrading**" refers to the process of increasing the electrical properties and/or characteristics of the power line and its associated facilities to accommodate the present and future requirements of the system or of the grid.

Section 5. Interpretation and Construction of General and Technical Terms. – All other terms not covered in the Act or in this IRR, but is relevant in the implementation of the Act, may be defined by the concerned government agencies, in coordination with the DOE, in their issuances pertinent to the Act and this IRR, in the exercise of their mandate and function. Terminologies shall be related to the technical definition and determination of the Power Line Corridors specified and approved by the Board of Electrical Engineers.

If a provision in this IRR can be interpreted in several meanings, the meaning which will be the most adequate to render the objectives of the Act effective shall be adopted.

Words, which may have different significations, shall be understood in that which is most in keeping with the nature and object of the Act. The technical usage or the relevant industry practice shall be considered in the interpretation and construction of the terms and provisions of this IRR, and shall fill the omission of the provision which are ordinarily established. Terminologies related to the technical definition and determination of the Power Line Corridors may further be defined by the BEE.

If the words appear contrary to the evident intention of the legislature, the legislative intent prevails over words.

Section 6. Rules as to existing Power Lines and its clearances and arrangements. – Agreements between the PLO with the concerned private property owner or with the Responsible Entity(ies), which were executed prior to the Effectivity of the Act and entered into to observe the clearance requirements for power lines under the PEC, shall remain valid and effective, insofar as the objectives of this Act are achieved. Similarly, those entered into by, between, or among the government, Responsible Entity(ies) and/or with another person, whether juridical or natural, or public or private, which affect existing power lines shall remain valid and effective insofar as the objectives of this Act are achieved.

However, the parties in such arrangement may opt to amend their agreements with the PLO pursuant to the Act and this IRR.

Section 7. Rules as to existing Power Lines subject to relocation, uprating and/or upgrading. – As to those existing power lines and its associated facilities that are subject of relocation, the PLO shall provisionally observe and comply with the dimensions provided under Rule II Section 2 of this IRR, until it has completed the relocation activity; *Provided*, That the PLO, the DPWH and other related government agencies, and the Responsible Entity(ies) shall continuously coordinate, cooperate and communicate as to existing power lines and its associated facilities to be relocated; *Provided also*, That the PLO shall relocate the power lines and its associated facilities in the most expeditious manner and in accordance with the procedure, requirements and standards set forth by applicable laws, rules and regulations; *Provided further*, That the relocated power lines and its associated facilities shall henceforth comply with the Act and this IRR;

Provided finally, That any substantial/major relocation of existing power lines and its associated facilities shall no longer be considered as an existing power line, but shall be treated as a new power line which shall then comply with the applicable permitting and other requirements of relevant government agencies.

Power lines and associated facilities that are to be uprated and/or upgraded by the PLO shall be considered as existing lines and shall observe the dimensions of the PLC under Section 2, Rule II of this IRR accordingly.

RULE II. POWER LINE CORRIDOR

Section 1. Power Line Corridor (PLC). – The PLC is constituted as the land beneath, the air spaces surrounding, and the area traversed by power lines, which shall be kept clear and free from any power line obstructions, dangerous structures, hazardous activities and improvements and other similar circumstances in accordance with the provisions of the Act.

Section 2. Determination of the PLC. – The PLC shall be determined by the BEE, in accordance with the PEC, and to be approved by the DOE.

In accordance with Section 5 of the Act, and upon consultation with concerned stakeholders, the DOE hereby approves and promulgates the updated clearance requirements for PLCs as determined and submitted by the BEE, attached herein as **Annex "A"**. The same shall form as an integral part of this IRR. Through BEE, all affected sections and standards of the latest publication of the PEC are hereby revised and amended.

Any future proposed revisions or amendments by the BEE of the PEC on the detailed clearance requirements for the PLCs, after its conduct of industry and public consultations, shall require prior approval of the DOE Secretary, thus, wholly or partially, updating Annex "A" of this IRR. Any DOE-approved amendments, upon proper notification to relevant stakeholders and the public, shall automatically update the relevant sections and standards of PEC.

Upon approval of the revised PLC detailed clearance requirements, the DOE shall notify all PLOs, relevant government agencies and instrumentalities, and the public of

the revisions on the PLC clearance requirements, and shall cause the publication of the updated PLC clearance requirements accordingly.

RULE III. PROHIBITED ACTS

Section 1. *Prohibited Acts.* – Pursuant to Section 6 of the Act, it shall be declared unlawful for any person, either natural or juridical and whether public or private, to commit the following acts:

- a) Plant or caused to be planted tall growing plants of whatever kind, variety or height within the PLC;
- b) Construct or erect any hazardous improvements within the PLC;
- c) Conduct or perform any hazardous activities within the PLC;
- d) Prevent or refuse duly authorized agents of the Power Line Owner/Operator entry to the property in the performance of the acts enumerated under Section 7 of the Act: *Provided*, That such entry is in accordance with the provisions of Section 8 of the Act; and
- e) Perform other analogous acts/activities which will impair the conveyance of electricity and cause damage to power lines.

Section 2. *Penalties.* – Pursuant to Section 15 of the Act, the following penalties shall be imposed upon any person, either natural or juridical, found guilty of committing the acts specified in the preceding section of this IRR:

- a) First Offense — the penalty of *arresto mayor* or a fine of Fifty Thousand Pesos (PhP 50,000.00) or both, at the discretion of the court;
- b) Second Offense — the penalty of *prision correccional* or a fine of One Hundred Thousand Pesos (PhP 100,000.00), or both, at the discretion of the court; and
- c) Third Offense — the penalty of *prision mayor* or a fine of Two Hundred Thousand Pesos (PhP 200,000.00), or both, at the discretion of the court

If the offenses are committed by or in conspiracy with an officer or employee of the PLO, such officer or employee shall suffer a penalty one (1) degree higher than the penalty provided herein.

The local building official who issued a building permit in violation of Section 14 of the Act shall be meted a penalty of one (1) degree higher than the penalty provided herein and shall forthwith suffer the penalty of dismissal.

These penalties shall be without prejudice to the civil and administrative liability of the perpetrator that may be enforced by the PLO, the private property owner and the Responsible Entity(ies) over the public property.

RULE IV. RESPONSIBILITIES, RIGHTS AND OBLIGATIONS INSIDE THE PLC

Section 1. *Responsibility of the Power Line Owner/Operator.* – The PLO shall have the primary responsibility to prevent the introduction or the intrusion of any power line obstruction within the PLC, and to remove such obstruction within the PLC to ensure the continuous and uninterrupted conveyance of electricity.

It shall be the main responsibility of the PLO to:

- (a) Determine the dimensions of the PLC in accordance with Section 2, Rule II of this IRR;
- (b) Undertake the management and maintenance of the power lines and its associated facilities, as may be necessary;
- (c) Remove any power line obstruction within the PLC that undermines the security, reliability and quality of its power lines; and,
- (d) Prevent prohibited acts within its PLC as enumerated in Section 1, Rule III of this IRR.

The PLO shall construct, erect, maintain, manage, relocate, upgrade and uprate its power lines and its associated facilities in the least-cost, most efficient and most practical manner. It shall consider all possible means and methods in the establishment of its PLC, particularly in highly-sensitive areas and other places for the public good and the general welfare including, but not limited to, protected forests, environmental or historical or cultural sanctuaries, land of ancestral domains, highly-urbanized cities and municipalities, airports, seaports, expressways, military camps and alike.

Section 2. *Rights of the Power Line Owner/Operator inside the PLC.* – Pursuant to Section 7 of the Act, the PLO shall have the right to enter the said property in order to prevent and remove any power line obstruction within the PLC, whether located on a public property, private property or on its own property.

Section 3. *Obligations of the Power Line/Operator inside the PLC.* – The PLO shall have the following obligations inside the PLC, whether located on a public property, private property or on its own property:

- a) Conduct maintenance and inspection activities within the PLC;
- b) Conduct repair or restoration activities within the PLC;
- c) Conduct trimming, pruning, cutting or clearing activities for tall growing plants within the PLC without securing prior permit or clearance from the DENR, PCA in the case of coconut trees, LGU(s) and/or other relevant government agencies, subject to the notice process and requirements to these relevant agencies as prescribed in Rule V of the IRR;

- d) Remove, dismantle, or demolish hazardous improvements in accordance with the National Building Code of the Philippines without the necessity of securing prior permit or clearance from the DPWH, the NHA or the DHSUD, and the concerned LGU(s): *Provided*, That the notice procedure and requirements, as set forth in Rule VI of the IRR, is observed;
- e) Stop, prevent or prohibit the conduct of hazardous activities;
- f) Secure the necessary permits, clearances, certifications, consents, and other equivalent documents prior to the performance of incidental activities which will require permits, clearances, certifications, consents or other similar documents from the concerned government agencies, other than those exempted by the Act from permitting requirements;
- g) Submit a notice to the relevant government agencies and the Responsible Entity(ies) before execution of line clearing and other activities incidental to management and security of the power lines and its corridors, as prescribed by this IRR;
- h) Notify the public, especially the affected individuals, before carrying out line clearing and other similar activities incidental to the management and preservation of the power lines and corridors as prescribed by and in accordance with the periods provided in this IRR;
- i) Plan and coordinate with the appropriate agencies and the concerned LGU(s), and implement the resettlement plans and programs of affected persons and similar actions, if deemed necessary in the management and integrity of the power lines and corridors;
- j) Undertake public consultation and Information, Education and Communication (IEC) campaign for activities with significant impacts to the public or community such as resettlement, tree cutting and trimming operations, among others; and
- k) Perform other analogous acts or activities, which will cause the prevention and removal of any power line obstruction within and in proximity of the PLC.

Section 4. Role of the DOE, ERC and NEA. – Within the scope of their respective mandates and functions, the DOE, ERC, and the NEA for electric cooperatives, shall supervise the PLO's performance of all the duties and responsibilities prescribed by the Act and this IRR. Nothing in the Act or in this IRR shall be construed as a limitation, amendment or expansion of the DOE, ERC or NEA's authority, together with other legal remedies available under the law, over the PLO and its officials.

The ERC shall ensure that the expenses incurred by the PLO in complying with the Act and its IRR are valid, reasonable, fair and equitable, subject to ERC's pertinent rules and regulations.

Section 5. Right of Eminent Domain by the PL Owner/Operator. – In consonance with Section 13 of the Act, the power to exercise the right to eminent domain granted

to any person with a franchise to operate, manage, or maintain the electric power lines shall be governed by the pertinent provisions of the Rules of Court, subject to the limitations and procedures prescribed by applicable laws.

Nothing in this IRR shall be construed as an amendment, alteration or limitation on the right of eminent domain granted by law, or as may be provided in the franchise, or as stipulated in the agreement with the Government, or as delegated to the PLO.

RULE V. TRIMMING, PRUNING, CUTTING, OR CLEARING OF TALL GROWING PLANTS INSIDE THE PLC

Section 1. Notice to the DENR or the PCA, the LGU(s) and other concerned Government Agencies, and the Responsible Entities. – The PLO shall notify the DENR, the PCA in case of coconut trees, the concerned LGU(s) and other relevant government agencies, and the Responsible Entity(ies), at least three (3) days prior to the conduct of the trimming, pruning, cutting or clearing activities for tall growing plants located within or is intruding in the PLC.

In cases of emergency, imminent danger or other analogous circumstances, the PLO shall submit the necessary Notice on a form prescribed under Section 3 below, at least one (1) day prior to the conduct of any of these activities.

Section 2. When Permit(s) from the DENR, the PCA, the LGU(s) and other concerned Government Agencies is not required. – Pursuant to Section 7 (c) of the Act, the PLO is exempted from the following permits, together with its attached fees, prior to the conduct of trimming, pruning, cutting or clearing activities within the PLC:

- i. Tree Cutting Permit;
- ii. Special Tree Cutting Permit;
- iii. Trimming/Pruning Permit;
- iv. Transport Permit;
- v. Certificate of Registration for Chainsaw, in case it is owned by the PLO; and
- vi. All other permits required from the DENR, PCA, LGU(s) and other concerned government agencies for the trimming, pruning, cutting or clearing activities and other matters incidental to these activities.

Section 3. Contents of the Notice. – The PLO shall write to the DENR, the PCA, the LGU(s) and other concerned agencies of its intent to conduct trimming, pruning, cutting or clearing activities within the PLC, within the period prescribed by Section 1 of this Rule. Such letter shall attach the Notice Form, as prescribed in **ANNEX "B"** which is made as an integral part of this IRR.

The Notice Form shall contain the following details:

- i. Name of the power line and its associated facilities;
- ii. Location or area traversed by the power line and its associated facilities;
- iii. Schedule of the Activity;

- iv. Quantity of tall growing and non-tall growing plants to be trimmed, pruned, cut or cleared, including the estimated board feet of recoverable lumber/s;
- v. Name(s) of private property owner/s affected, if any;
- vi. Name(s) of service contractor, if any,
- vii. Name(s) and Address(es) of the consignee lumberyard, who must be duly registered with the DENR or the PCA as a lumber dealer, lumberyard owner or chainsaw operator, as the case may be, or of any person contracted to or intended by the PLO to receive the timber, forest products and/or coconut lumber as a product of the activities mentioned in this notice;
- viii. Quantity, and the respective serial number, type and brand of the chainsaw, in case it is owned by the PLO.

The PLO shall prepare and attach to the Notice an inventory of the trees affected prior to the conduct of the activities. Upon the completion of the activities mentioned in this Rule, the PLO shall submit a report, with a documentation of the tall growing and non-tall growing plants trimmed, pruned, cut or cleared attached thereto, to the DENR, or the PCA, the LGU(s) and other relevant government agencies, and the Responsible Entity(ies).

As to the one (1) day Notice, the PLO shall attach a certification by its Safety Officer of the existence and circumstances of the imminent danger within the PLC which shall require the conduct of the trimming, pruning, cutting and clearing activities, in addition to the abovementioned contents and attachments of the notice.

The conduct of these activities without the required Notice mentioned in this Rule shall be deemed illegal and a violation of relevant laws, rules and regulations.

Section 4. Action by the DENR, the PCA, the LGU(s) and other concerned Government Agencies, and the Responsible Entity(ies). – Upon receipt of the Notice, the DENR, the PCA in case of coconut trees, the concerned LGU(s) and other relevant agencies, and the Responsible Entity(ies), may send representatives to monitor the conduct of the activities mentioned in this Rule but shall not, directly or indirectly, interfere, intervene nor interrupt the conduct of the trimming, pruning, cutting and clearing activities inside the PLC. The absence of the representatives of the DENR, or of the PCA, and of the concerned LGU(s) and other relevant agencies and the Responsible Entity(ies) shall not prevent the PLO in the conduct of these activities; *Provided*, That the Notice requirements and procedure mentioned in this Rule are properly complied with.

This Act, as well as other related laws, such as Republic Act No. 11032, otherwise known as the "Ease of Doing Business Act of 2018", Republic Act No. 9485, otherwise known as the "Anti-Red Tape Act of 2007", and Republic Act No. 11234, otherwise known as the "Energy Virtual One-stop Shop (EVOSS) Act", shall be observed by the DENR, the PCA, the LGU and other concerned government agencies in streamlining existing government permit and/or clearance procedures and guidelines for the Notice procedure and requirements intended by the Act for the conduct of trimming, pruning, cutting, or clearing activities for tall growing plants within the PLCs.

Section 5. Guidelines in the Gathering, Collection, Removal, and Transportation of Timber, Forest Products, and Coconut Lumber. – As provided by Section 12 of the Act, gathering, collecting, removing, and transporting of timber, forest products, and coconut lumber as a result of the acts performed under Sections 7 and 8 of the Act shall not be considered as illegal acts: *Provided*, That the Notice requirements and procedure under this Rule is appropriately observed.

The PLO shall coordinate with the DENR, the PCA, the concerned LGU(s) and other relevant government agencies, and the Responsible Entity(ies), in the gathering, collection, removal and transportation of timber, forest products and coconut lumber which resulted from the trimming, pruning, cutting or clearing activities mentioned in this Rule.

The DENR, the PCA in case of coconut trees, the concerned LGU(s) and other relevant agencies, and the Responsible Entity(ies), may send representatives to monitor the conduct of the activities mentioned in this Section. The absence of the representatives of the DENR, the PCA, the concerned LGU(s) and other relevant government agencies, and the Responsible Entity(ies) shall not prevent the PLO in the conduct of these activities.

The transport of unprocessed timber, forest products, and coconut lumber within the province, city, municipality, or barangay which has jurisdiction over the PLC, or from the PLC to a lumberyard which is within the province where the PLC is located shall not require the necessary Transport Permit from the DENR, the PCA, the concerned LGU(s) and other relevant government agencies; *Provided*, That the Notice mentioned in this Rule is duly complied with. *Provided further*, That the consignee lumberyard or any person contracted to or intended by the PLO to receive the timber, forest products and/or coconut lumber shall be located within the city or municipality where the activities under Sections 7 and 8 of the Act is conducted, or is nearest therefrom; *Otherwise*, the PLO shall comply with the regular permitting requirements and procedures by the DENR, the PCA, the concerned LGU(s) and other relevant government agencies relative to the transport of these items.

The transport of any processed timber, forest products, and coconut lumber, regardless of destination, shall require the necessary Transport Permit from the DENR, the PCA, the concerned LGU(s) and other relevant government agencies pursuant to relevant laws, rules and regulations.

This IRR precludes any and all activities that will result in, or is similar with, illegal logging and wanton encroachment of environmentally protected areas, whether with intent or through negligence. Such illegal activities shall be penalized or prosecuted in accordance with existing laws and regulations related to illegal logging.

Section 6. Disposal or Hand-over of Timber, Forest Products and/or Coconut Lumber and other related waste. – Timber, forest products, and coconut lumber which resulted from the performance of the acts under Sections 7 and 8 of the Act shall be disposed of, or handed-over by the PLO to the relevant government agency, in accordance with the applicable ordinances, rules and regulations of the DENR, PCA, the concerned LGU(s) and other related government agencies.

RULE VI. REMOVAL, DISMANTLE OR DEMOLITION OF HAZARDOUS IMPROVEMENTS WITHIN THE PLC

Section 1. Notice to the DPWH, DHSUD, LGU and other relevant Government Agencies, and the Responsible Entity(ies). – The PLO shall notify the DPWH or the DHSUD and the concerned LGU(s) and other relevant government agencies, and the Responsible Entity(ies) at least fifteen (15) days prior to the removal, dismantling or demolition of hazardous improvements within or is intruding in the PLC.

In cases of emergency, imminent danger or other analogous circumstances, the PLO shall submit the necessary Notice as provided under Section 3 below, at least three (3) days prior to the conduct of these activities.

Section 2. When Permits or Clearances from the DPWH, DHSUD, the LGU and other relevant Government Agencies are not required. – Pursuant to Section 7 (d) of the Act, the PLO is exempted from the following permits, together with its attached fees, prior to the conduct of removal, dismantle or demolition of hazardous improvements within the PLC:

- i. Building Permit and other Ancillary Permits under the National Building Code of the Philippines;
- ii. Demolition Permit under the National Building Code of the Philippines; and
- iii. All other permits required from the DPWH, DHSUD, LGU and other relevant government agencies for the removal, dismantle or demolition of hazardous improvements and other matters incidental to these activities.

Section 3. Contents of the Notice. – The PLO shall write to the DPWH or the DHSUD, and the concerned LGU(s) and other relevant government agencies, and the Responsible Entity(ies) of its intent to conduct the removal, dismantling or demolition of hazardous improvements within the PLC, in accordance with the periods prescribed by Section 1 of this Rule. Such letter shall attach the Notice Form, as prescribed in **ANNEX "C"** which is made as an integral part of this IRR.

The Notice Form shall contain the following details:

- i. Name of the power line and its associated facilities;
- ii. Location or area traversed by the power line and its associated facilities;
- iii. Schedule of the Activity;
- iv. Pictures or documentation of the existing hazardous improvements;
- v. Estimated quantity/volume of potential waste or debris;
- vi. Name(s) of private property owner/s affected, if any;
- vii. Name(s) of service contractor, if any;
- viii. Estimated number of workers and equipment to be used; and
- ix. Estimated number of days to complete the removal, dismantling or demolition activity within the PLC.

The PLO shall prepare and attach to the Notice a master list of structures or improvements affected prior to the conduct of these activities. Upon completion of the activities mentioned in this Section, including the removal of the debris within the proximity of the PLC, the PLO shall submit a report, with an attached documentation of the removed, dismantled or demolished structures or improvements, to the DPWH,

or the DHSUD, and the concerned LGU(s) and other relevant agencies, and the Responsible Entity(ies).

The PLO must observe the standards and procedures laid down by the National Building Code of the Philippines in the conduct of any removal, dismantling or demolition activity.

The conduct of these activities without the required Notice mentioned in this Rule shall be deemed illegal and a violation of relevant laws, rules and regulations.

Section 4. Action by the DPWH, DHSUD, LGU and other relevant Government Agencies, and Responsible Entity(ies). – Upon receipt of the said Notice, the DPWH or the DHSUD, and the concerned LGU(s) and other relevant agencies, and the Responsible Entity(ies), may send representatives to monitor the conduct of the activities mentioned in this Rule but shall not, directly or indirectly, interfere, intervene nor interrupt the conduct of the said activities inside the PLC. The absence of the representatives of the DPWH or of the DHSUD, and of the concerned LGU(s) and other relevant agencies, and the Responsible Entity(ies) shall not prevent the Power Line Owner/Operator in the conduct of these activities: *Provided*, That the Notice requirements and procedure mentioned in this Rule are properly conformed with.

This Act, as well as other related laws such as Republic Act No. 11032, otherwise known as the "*Ease of Doing Business Act of 2018*", Republic Act No. 9485, otherwise known as the "*Anti-Red Tape Act of 2007*", and Republic Act No. 11234, otherwise known as the "*Energy Virtual One-stop Shop (EVOSS) Act*", shall be observed by the DPWH, the DHSUD, the concerned LGU(s) and other relevant government agencies in streamlining existing government permit and/or clearance procedures and guidelines on the Notice procedure and requirements intended by the Act for the conduct of removal, dismantling, and demolition of hazardous improvements within the PLCs.

Section 5. Disposal of Waste and Debris. – Waste and debris which resulted from the removal, dismantling and demolition activities under this Rule shall be disposed of in accordance with the relevant ordinances, rules and regulations of the DPWH, the DENR, the concerned LGU(s) and other related government agencies.

RULE VII. PLC LOCATED ON A PRIVATE PROPERTY

Section 1. Constitution of the PLC on a Private Property. – Under Section 5 of the Act, the PLC may be constituted wholly or partially within a private property not owned by the PLO through the following means:

- a) As a legal easement under Arts. 634 to 687, Chapter 2, Title VII, Book II of the New Civil Code (NCC) of the Philippines.

In case of legal easement, the owner of the private property shall be compensated with the proper easement fee pursuant to the pertinent provisions of the NCC and other relevant laws, rules and regulations; or

- b) Through acquisition, lease, or execution of other gratuitous or onerous arrangement by the PLO with the Private Property Owner as to the portion of the private property affected or traversed by the PLC. In which case, the PLC shall not be considered as a legal easement and will be governed by their respective arrangement.

In case the PLO shall acquire, regardless of the mode of acquisition, wholly or partially the private property for its PLC, it shall then be considered a PLC located on the property of the PLO who is entitled to the rights under Section 2, Rule IV of the IRR, and is required to observe the duties and responsibilities enshrined in Sections 1 and 3 of Rule IV of the IRR.

The second mode shall likewise apply when the PLO acquires the private property through expropriation, even if still pending; *Provided*, That the court which hears the expropriation case has issued a Writ of Possession in favor of the PLO.

Section 2. Primary Duty of the Private Property Owner. – When the PLC is located wholly or partially within a private property, the Private Property Owner shall have the primary duty to prevent the introduction or intrusion of any power line obstruction within and in proximity to the PLC.

The PLO shall only have the responsibility to remove the power line obstruction found in the PLC located within a private property, subject to the succeeding sections on the procedure and conditions of entry.

Section 3. Information and Coordination with the Power Line Owner/Operator. – The Private Property Owner shall have the responsibility to inform and notify the PLO of the existence of the power line obstruction within thirty (30) days from its discovery.

The Private Property Owner is obliged to provide the PLO with the necessary access to the PLC inside the private property, in order to conduct the activities enumerated under Section 7 of the Act.

The Private Property Owner shall not, directly or indirectly, interfere, intervene or interrupt the conduct of the activities under Section 7 of the Act within the PLC.

Section 4. Duty of the Power Line Owner/Operator. – Within three (3) days from the receipt of the information or notice from the Private Property Owner mentioned in the preceding section, the PLO shall immediately respond on this information or notice and shall coordinate with the Private Property Owner on the entry inside the private property.

In the performance of the removal of power line obstruction on the PLCs and other related facilities located in a private property, the Private Property Owner shall be entitled to necessary assistance such as, but not limited to, education and information, and technical and manpower support from the PLO.

The PLO shall not impose any charges or fees against the Private Property Owner on the expenses incurred in the removal of the power line obstruction of the PLC within the private property. Similarly, the Private Property Owner shall not be entitled to any compensation for damages arising from the conduct of the activities under Section 7 and 8 of the Act which are performed inside the PLC, except in the case of Section 6 of this Rule.

Section 5. *Failure of the Private Property Owner to Perform its Duty or to Give Access to the PLO, or Unable or Desists to Receive Notice from the PLO.* – In the event that the Private Property Owner fails to perform any of its duties and responsibilities under the Section 2, Rule VII of the IRR, the PLO shall have the right to access the PLC in order to undertake the activities enumerated under Section 7 of the Act, subject to due notice and coordination required by Section 3 and 4, Rule VII of this IRR.

In cases when the Private Property Owner is unable or desists to receive the notice from the PLO, or refuses to provide the latter with the necessary access to the PLC inside the private property, the PLO shall record such fact within one (1) day from its happening. Within three (3) days from the date of recording of the inability or desistance to receive the notice, or from the refusal to grant entry, the PLO shall notify anew the Private Property Owner, or shall post the notice to a conspicuous place of the Private Property of the intended date of entry and the nature of the activity to be conducted which shall in no case be less than five (5) days from the second notice or posting. The PLO may avail other medium of posting, publication or broadcast in addition to its compliance with the second notice pertained by this paragraph.

When the Private Property Owner is still unable or desists from receiving the second notice or continues to deny the PLO entry to the property, the PLO shall be allowed to enter the property, after ten (10) days from the second notice or posting, in order to conduct the activities enumerated under Section 7 of the Act.

This section shall be without prejudice to any other legal remedies that the PLO may avail against the erring or negligent Private Property Owner.

Section 6. *When Notice and Coordination with the Private Property Owner is not required.* – The PLO need not notify and coordinate with the Private Property Owner when the Private Property Owner failed to perform its duty, as provided in this Rule, and the interference by the PLO is necessary to avert an imminent danger and the threatened damage, compared to the damage that will be caused to the Private Property Owner from such interference, is much greater, pursuant to Article 432 of the New Civil Code.

In such case, the Private Property Owner may demand indemnity from the PLO for the damage caused to the former, as provided under Article 432 of the New Civil Code.

For the purposes of this section, imminent danger shall pertain to any fortuitous events and circumstances that shall threaten or endanger the conveyance of electricity along the power lines and its affected facilities, without regard to the causation of the said danger.

RULE VIII. ASSISTANCE FROM THE LGU, PNP AND AFP

Section 1. Assistance from the LGU. – In the performance of the activities under Sections 7 and 8 of the Act, the PLO may seek the assistance of the relevant LGU officials.

The LGU officials may render the following, among others:

- a) Inform and educate their respective constituents about the policies stated herein and the implementation of this Act and its IRRs;
- b) Issue ordinances to prevent obstructions and hazardous activities within the Power Line Corridors in their respective localities; and
- c) Provide all other means to assist the PLO to properly and safely perform their duties and mandates under this Act and its IRR, as the LGU may deem necessary.

Section 2. Issuance of Permits by the LGU. – Pursuant to Section 14 of the Act, the building owner who will be undertaking construction or maintenance activities surrounding, adjacent with or proximate to the PLC shall give due notice to and coordinate with the concerned PLO, at least fifteen (15) days prior to the application for the issuance of a building permit, of the intended construction or maintenance activity.

Within five (5) days from the receipt of the notice from the building owner, the PLO shall communicate with the building owner whether such construction or maintenance activity shall enter or affect the PLC. In case the construction or maintenance activity shall affect the PLC, the building owner shall amend its plan of activities and shall submit to the PLO the revised plans and activities within five (5) days from the receipt of the notice from the PLO. When it is satisfied with the revised plans and activities of the building owner, the PLO shall issue a certification to the building owner that the construction or maintenance activity will not affect the PLC, within three (3) days from the submission of the revised plan of activities.

The building owner shall attach the certification by the PLO to its application for a building permit before the building official of the concerned LGU. The building official shall require this certification in the evaluation of the application prior to the issuance of the necessary building permit, in addition to other relevant requirements and pursuant to applicable procedures, rules and regulations.

For the purposes of this section, a building owner shall pertain to either a public or private entity who shall undertake a construction or maintenance activity of whatever nature and kind, and regardless of the personality of the entity's service contractor.

Section 3. Assistance from the PNP and AFP. – In the performance of the activities under Sections 7 and 8 of the Act, the Power Line Owner/Operator may seek the assistance of the relevant AFP and PNP units which has territorial jurisdiction over the

area of concern. The AFP and/or PNP shall render such assistance, as it may deem necessary.

Either the AFP or the PNP is proscribed to act in contradiction to the law enforcement entity who shall assist the Power Line Owner/Operator in the conduct of the activities under Sections 7 and 8 of the Act.

RULE IX. INFORMATION, EDUCATION AND COMMUNICATION

Section 1. *Information, Education and Communication (IEC) Conducted by the DOE or NEA.* – The DOE, in coordination with the NEA, NPC, TRANSCO, NGCP, and the ERC, shall conduct the major IEC campaigns to inform all PLOs and other electric industry participants, and the public focused on the policies and implementation of the Act and its IRR at the national and regional levels. Funding for the same shall be requested as a special budget from the Department of Budget and Management.

Section 2. *IEC Conducted by the Power Line Owner/Operator.* – The PLO shall have the duty and responsibility to inform, educate and communicate to individuals and communities in the areas it serves the danger of existing power line obstructions, the urgency of removing them, the manner of preventing them, and other important information.

The PLO shall likewise conduct the necessary IEC campaign on areas where new power lines shall be constructed, erected or substantially relocated.

RULE X. RESETTLEMENT

Section 1. *Resettlement.* – Pursuant to Section 11 of the Act, persons residing in hazardous improvements shall be relocated in accordance with Republic Act No. 7279, otherwise known as the "*Urban Development and Housing Act of 1992*".

This is without prejudice to the options of the PLO to acquire the private property, from where the hazardous improvement is erected, in accordance with Section 5, Rule IV and Section 1, Rule VII of this IRR.

Section 2. *Initiative by the Power Line Owner/Operator.* – The PLO shall initiate the notification and coordination primarily with the concerned LGU of its plan and the necessity to resettle the affected persons residing or is located in hazardous improvements of its PLC, at least two (2) years from the date of the intended resettlement, in accordance with Republic Act No. 7279 and its applicable rules and regulations. The PLO may conduct the resettlement activity with the concerned LGU in line with the latter's resettlement program and/or projects. In case the LGU may not cater to the requested resettlement, the PLO, with the assistance and/or representation by the concerned LGU, may directly enter into an agreement with the NHA, in accordance with Republic Act No. 7279 and its IRR, the DHSUD circulars and issuances, and other related laws and regulations.

Section 3. Coordination with the Concerned LGU, DHSUD and the NHA. – Until the completion of the resettlement plan or activity, the PLO shall continue the communication, cooperation and coordination with the DHSUD, the NHA, and the concerned LGU, in accordance with the relevant ordinances, rules and regulations of the DHSUD, the NHA and the concerned LGU.

Section 4. Funding. – The PLO shall bear the expenses in resettling persons residing or located in hazardous improvements within the PLC, in accordance with Republic Act No. 7279 and its IRR.

Section 5. Governing Rules for Resettlement of Persons Residing or is Located in a Hazardous Improvement Within the PLC. – The PLO shall observe and comply with all the pertinent ordinances, standards, requirements, rules and regulations of the DHSUD, the NHA, the concerned LGU and other related government agencies in the resettlement of persons residing or is located in a hazardous improvement within the PLC.

This Act, as well as other related laws, such as Republic Act No. 11032, otherwise known as the "Ease of Doing Business Act of 2018", Republic Act No. 9485, otherwise known as the "Anti-Red Tape Act of 2007", and Republic Act No. 11234, otherwise known as the "Energy Virtual One-stop Shop (EVOSS) Act", shall be observed by the NHA, DHSUD, concerned LGU and other concerned government agencies in streamlining existing government permits, clearances and approval procedures and guidelines for the resettlement of persons residing in hazardous improvements within the PLCs.

RULE XI. REPORTORIAL REQUIREMENTS

Section 1. Congressional Oversight. – In order to facilitate the supervision of the Joint Congressional Energy Commission (JCEC) over the implementation of the Act, the DOE shall submit an annual report to the JCEC on the status of the implementation of this Act.

Section 2. Report to the DOE, ERC and NEA. – The PLO shall submit an annual report on the activities it has undertaken in implementing this Act, including its plan of activities for the succeeding year, and its issues and concerns in the performance of its duties and responsibilities under the Act and this IRR to the DOE, ERC, and the NEA in case of ECs.

Section 3. Reporting to Other Agencies. – The PLO shall likewise submit a report to the following government agencies and instrumentalities:

- a) To the DENR, PCA and other related agencies, as to the trimming, pruning, cutting, and clearing activities and other related matters within three (3) days after it has completed these activities;
- b) To the DPWH, DHSUD, NHA or the NCIP and other related agencies, as to the removal, dismantling, and/or demolition of hazardous improvements, as well as the resettlement of persons residing in

hazardous improvements within the PLC, within fifteen (15) days after it has completed these activities; and

- c) To the LGU(s), as to all PLC activities undertaken in the locality, including coordination with local Private Property Owners and constituents within ten (10) days after the end of each quarter, in accordance with the regulation to be issued by the DILG for the all LGUs' compliance in relation with the implementation of the Act.

RULE XII. MISCELLANEOUS PROVISIONS

Section 1. *Transitory provision.* – Pursuant to Section 19 of the Act, the DENR, PCA, DPWH, NHA, DHSUD, DILG, NCIP, LGU(s) and all other relevant agencies are highly encouraged to harmonize their respective orders, circulars, regulations, ordinances and other relevant issuances in accordance with the Act and this IRR, within one (1) year from the effectivity of this IRR.

Within one (1) year from the effectivity of this IRR, all relevant government agencies shall submit to the JCEC, copy furnished the DOE, a report on the initiatives completed, including, but not limited to, the repeal, amendment and revision of their respective orders, circulars, guidelines, ordinances, rules, regulations and other related issuances.

The following agencies responsible for the following affected laws are particularly encouraged to harmonize and amend all of their issuances relative to the Act:

- (a) The DENR as to the repealed provisions of Presidential Decree No. 705, as amended, otherwise known as the "*Revised Forestry Code of the Philippines*";
- (b) The PCA as to the repealed provisions of Republic Act No. 8048, as amended, otherwise known as the "*Coconut Preservation Act of 1995*"; and
- (c) The DHSUD and/or the NHA as to the repealed provisions of Republic Act No. 7279, otherwise known "*Urban Development and Housing Act of 1992*";
- (d) The DILG as to the affected orders, circulars, memoranda, regulations and other relevant issuances which the LGU(s) observe and comply in relation to the activities mentioned in the Act and this IRR; and
- (e) The LGU(s) as to the affected ordinances and other relevant issuances related to the activities mentioned in the Act and this IRR.

Section 2. *Repealing Clause.* – Ordinances, rules, regulations, and all other issuances, inconsistent with the Act and this IRR, are hereby amended, modified or repealed accordingly.

Section 3. *Separability Clause.* – Should any provision in this IRR be subsequently declared unconstitutional, the same shall not affect the validity or the legality of the other provisions.

Section 4. *Effectivity.* – This IRR shall take effect fifteen (15) days from its publication in at least two (2) newspapers of general circulation and shall remain in effect until otherwise revoked. Certified true copies of this Circular shall be filed with the University of the Philippines Law Center-Office of the National Administrative Register.

Issued in Energy Center, Bonifacio Global City, Taguig City on _____.


ALFONSO B. CUSI
Secretary



FEB 06 2020