

[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, criminal administration of justice against forestry law violators should be speedily dispensed with the "Revised Forestry Code of the Philippines" further strengthened by making it more responsive to present realities;

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;

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 forestry 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 officer or employee of the Bureau or any personnel of the Philippine Constabulary/Integrated National Police shall arrest even without warrant any person who has committed or is 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 of 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 produces, 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 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 deputize any agency, barangay or barrio official; or any qualified person to protect the forest and exercise the power or authority *provided*