

[REPUBLIC ACT NO. 9175, November 07, 2002]

**AN ACT REGULATING THE OWNERSHIP, POSSESSION, SALE,
IMPORTATION AND USE OF CHAIN SAWS, PENALIZING
VIOLATIONS THEREOF AND FOR OTHER PURPOSES**

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Title.* — This Act shall be known as the "Chain Saw Act of 2002".

SEC. 2. *Declaration of Policy.* — It is the policy of the State, consistent with the Constitution, to conserve, develop and protect the forest resources under sustainable management. Toward 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 chain saws. The State shall therefore regulate the ownership, possession, sale, transfer, importation and/or use of chain saws to prevent them from being used in illegal logging or unauthorized clearing of forests.

SEC. 3. *Definition of Terms.* — As used in this Act, the term:

- a. "Chain saw" shall refer 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;
- b. "Chain saw dealer" shall refer to a person, natural or juridical, engaged in the manufacture, importation, distribution, purchase and/ or sale of chain saws;
- c. "Department" shall refer to the Department of Environment and Natural Resources; and
- d. "Secretary" shall refer to the Secretary of the Department of Environment and Natural Resources.

SEC. 4. *Persons Authorized to Manufacture, Sell and Import Chain Saws.* — Chain saws shall only be sold and/or imported by manufacturers, dealers and/or private owners who are duly authorized by the Department.

SEC. 5. *Persons Authorized to Possess and Use a Chain Saw.* — The Department is hereby authorized to issue permits to possess and/ or use a chain saw for the felling and/or cutting of trees, timber and other forest or agro-forest products to any applicant who:

- a. has a subsisting timber license agreement, production sharing agreement, or similar agreements, or a private land timber permit;
- b. is an orchard and fruit tree farmer;
- c. is an industrial tree fanner;

- d. is a licensed wood processor and the chain saw shall be used for the cutting of timber that has been legally sold to said applicant; or
- e. shall use the chain saw for a legal purpose.

Agencies of the government that use chain saws in some aspects of their functions must likewise secure the necessary permit from the Department before operating the same.

SEC. 6. *Registration of Chain Saws.* — Within a period of three (3) months from the effectivity hereof, all persons who own or are otherwise in possession of chain saws must register the same with the Department, through any of its Community Environment and Natural Resources Office, which shall issue the corresponding registration certificate or permit if it finds such persons to be qualified hereunder.

Every permit to possess, and/or use a chain saw for legitimate purpose shall be valid for two (3) years upon issuance: *Provided*, That permits to possess and use chainsaw issued to non-commercial orchard and fruit tree farmers shall be valid for a period of five (5) years upon issuance. For this purpose, the Department shall be allowed to collect reasonable registration fees for the effective implementation of this Act.,

SEC. 7. *Penal Provisions.* —

1. **Selling, Purchasing, Re-selling, Transferring, Distributing or Possessing a Chain Saw Without a Proper Permit.** — Any person who sells, purchases, transfers the ownership, distributes, or otherwise disposes or possesses a chain saw without first securing the necessary permit from the Department shall be punished with imprisonment of four (4) years, two (2) months and one (1) day to six (6) years or a fine of not less than Fifteen thousand pesos (P15,000.00) but not more than Thirty thousand pesos (P30,000.00) or both at the discretion of the court, and the chain saw/s confiscated in favor of the government.
2. **Unlawful Importation or Manufacturing of Chain Saw.** — Any person who imports or manufactures a chain saw without obtaining prior authorization from the Department shall be punished b imprisonment of not less that one (1) month nor more than six (6) months and a fine of not less than One thousand pesos (P1,000.00) nor more than Four thousand pesos (P4,000.00).
3. **Tampering of Engine Serial Number.** — Any person who is found to have defaced or tampered with the original registered engine serial number of any chain saw unit shall be punished by imprisonment of not less than one (1) month nor more than six (6) months and a fine of not less than One thousand pesos (P1,000.00) nor more than Four thousand pesos (P4,000.00).
4. **Actual Unlawful Use of Chain Saw.** — Any person who is found to be in possession of a chain saw and uses the same to cut trees and timber in forest land or elsewhere except as authorized by the Department shall be penalized with imprisonment of six (6) years and one (1) day to eight (8) years or a fine of not less that Thirty thousand pesos (P30,000.00) but not more than Fifty thousand pesos (P50,000.00) or both at the discretion of the court without prejudice to being prosecuted for a separate offense that may have been simultaneously committed. The chain saw unlawfully used shall be likewise confiscated in favor of the government.

If the violation under this Section is committed by or through the command or