

[Commonwealth Act No. 447, June 08, 1939]

AN ACT TO FURTHER AMEND SECTION TWENTY-SEVEN HUNDRED AND FIFTY-ONE OF THE ADMINISTRATIVE CODE, AS AMENDED BY ACT NUMBERED THIRTY-THREE HUNDRED AND FOURTEEN

Be it enacted by the National Assembly of the Philippines:

Sec. 1. Section twenty-seven hundred and fifty-one of the Administrative Code, as amended by Act Numbered Thirty-three hundred and fourteen, is further amended to read as follows:

"Sec. 2751. *Unlawful occupation or destruction of public forest.* - Without written permission of the Director of Forestry or his duly authorized representative, it shall be unlawful for any person willfully to enter upon any public forest, proclaimed timberland, communal forest, communal pasture, and forest reserve and occupy same, or to make caingin therein or in any manner destroy such forest or part thereof, or to cause any damage to the timber stand and other forest products and forest growth found therein, or to assist, aid or abet any other person so to do. It shall also be unlawful for any person negligently to permit a fire which has been set upon his own premises to be communicated, with destructive results, to any of the public forests herein- above described. Any person violating this section shall suffer.

"(a) If the offense is committed within a proclaimed timberland or a communal forest or communal pasture, a fine of three times the regular government charges upon the timber or other forest products so unlawfully destroyed, and in addition thereto, imprisonment for not less than two months nor more than four months;

(b) hereof a fine equivalent to twice the regular government charges upon the timber or other forest products so unlawfully destroyed, and in addition thereto, imprisonment for not less than one month nor more than two months.

"In all cases falling under this section, the court shall, upon conviction, order the: eviction of the offender from the land, and the forfeiture to the Government of any construction or improvement made thereon. If the area is reforested or under reforestation the Government may, in addition to the penalties herein provided, recover in a separate civil action, double the actual damages sustained as determined by the value of plantings and improvements destroyed and the detriment to the land and vegetation thereof.

"No person who has occupied any portion of these forests in good faith for more than five years prior to the approval of this Act shall be subject to the penalty prescribed here in Should the area so occupied be found to be more fitted for agricultural than for timber purposes, the same may be disposed of in favor of the actual occupant or occupants under the provisions of Commonwealth Act Numbered one hundred and forty-one. "