This bill seeks to declare the Siargao Group of Islands in the Municipalities of Burgos, Dapa, Del Carmen, Gen. Luna, Pilar, San Benito, San Isidro, Sta. Monica and Socorro, Surgao del Norte as a protected area.

Siargao Group of Islands provides a verdant abode for a number of the country's endangered species. Inhabiting these islands are the dinagat gymnure, the golden crown flying fox, the hawksbill turtle, the green turtle and the olive ridley turtle, five species classified under endangered. Also among its primary dwellers is the Philippine Cuckatoo, along with 25 other bird species, nine amphibians, and 21 mammals. Notably, the Philippine Cuckatoo is listed as one of the critical species in the area. This 278,914 hectare of land boasts of having the largest continuous mangrove stand in the Philippines. It is likewise known as one of the best snorkeling, diving and surfing destinations in the country.

It is deemed crucial that we act on these now to ensure that our children and the succeeding generations will inherit a living earth with all of its bountiful natural resources and vibrant wildlife.

This bill, therefore, seeks to declare the Siargao Group of Islands as protected in order to protect it from indiscriminate exploitation and to be able to maintain its ecological balance and preserve its source of water supply.

In view of the foregoing, the passage of this measure is earnestly urged.

SENATOR PIAS. CAYETANO
AN ACT
ESTABLISHING THE SIARGAO GROUP OF ISLANDS IN THE MUNICIPALITIES OF BURGOS, DAPA, DEL CARMEN, GEN. LUNA, PILAR, SAN BENITO, SAN ISIDRO, STA. MONICA AND SOCORRO, PROVINCE OF SURIGAO DEL NORTE AS A PROTECTED LANDSCAPE AND SEASCAPE PROVIDING FOR ITS MANAGEMENT AND FOR OTHER PURPOSES PURSUANT TO R.A. 7586

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 “Siargao Islands Protected Landscape and Seascape (SIPLAS) Act of 2013”.

SEC. 2. Land Classification. — All lands of the public domain comprising the Siargao Islands Protected Landscapes and Seascapes (SIPLAS) shall fall under the classification of National Park as provided for in the Philippine Constitution.

SEC. 3. Scope and Coverage. — The Siargao Islands Protected Landscapes and Seascapes (SIPLAS) shall cover the municipalities of Burgos, Dapa, Del Carmen, General Luna, Pilar, San Benito, San Isidro, Sta. Monica and Socorro located in the islands of Siargao and Bucas Grande in the Province of Surigao del Norte and all the lands and waters within the following boundaries:

Tie Point: BLM No. 1, Cad-789-D with geographic position of latitude 9°47'00.058" and longitude 126°09'23.669" situated at General Luna and Pilar, Siargao Island, Surigao del Norte, to wit:

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<tr>
<th>STATION</th>
<th>BEARING</th>
<th>DISTANCE</th>
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<tr>
<td>TP-1</td>
<td>N 54°00' 00.01&quot; E</td>
<td>16,700.00 m</td>
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<tr>
<td>1-2</td>
<td>S 04°59' 59.98&quot; E</td>
<td>30,800.00 m</td>
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<tr>
<td>2-3</td>
<td>S 41°59' 59.90&quot; W</td>
<td>19,100.00 m</td>
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<tr>
<td>3-4</td>
<td>N 69°00' 00.00&quot; W</td>
<td>20,900.00 m</td>
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<tr>
<td>4-5</td>
<td>N 82°59' 59.90&quot; W</td>
<td>14,800.00 m</td>
</tr>
<tr>
<td>5-6</td>
<td>N 37°00' 00.01&quot; W</td>
<td>16,700.00 m</td>
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</table>
The foregoing boundaries, which cover an approximate area of two hundred seventy-eight thousand nine hundred fourteen point one hundred thirty-one (278,914.131) hectares, shall only be modified through an Act of Congress after consultation with the Protected Area Management Board (PAMB), affected communities, local government units (LGUs) and concerned government agencies.

The technical descriptions provided in this Act will be subject to ground survey and verification to be conducted by the Department of Environment and Natural Resources.

Any modification of the coverage of this Act due to such factors as changing ecological situations, new scientific or archeological findings, or discovery of traditional boundaries not previously taken into account shall be made through an act of Congress, after consultation with the affected public and concerned government agencies.

SEC. 4. Definition of Terms. – For purposes of this Act, the following terms shall be defined as follows:

(a) "Ancestral domain" refers to all areas generally belonging to Indigenous Cultural Communities or Indigenous People (ICCs/IPs) comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by the ICCs/IPs, by themselves or thru their ancestors, communally or individually since time immemorial, continuously to the present except if interrupted by war, force majeure or displacement by force, deceit, stealth or as a consequence of government projects or any other voluntary dealings entered into by government or public individuals/corporations, and which are necessary to ensure their economic, social and cultural welfare. It shall include ancestral lands, forests, pasture, residential, agricultural, and other lands individually owned whether alienable and disposable or otherwise, hunting grounds, burial grounds, worship areas, bodies of water, mineral and other natural resources, and lands which may no longer be exclusively occupied by ICCs/IPs but from which they traditionally had access to for their subsistence and traditional activities, particularly the home ranges of ICCs/IPs who are still nomadic and/or shifting cultivators.

(b) "Biodiversity" refers to the variety and variability among all living organisms and the ecological complex in which they occur.
(c) "Bioprospecting" is the research, collection, and utilization of biological and genetic resources for purposes of applying the knowledge derived therefrom solely for commercial purposes.

(d) "Buffer Zone" is the identified area outside the boundaries of and immediately adjacent to designated SIPLAS that need special development control in order to avoid or minimize harm to the SIPLAS.

(e) "By-product or derivatives" refers to any part taken or substance extracted from wildlife, in raw or in processed form, and includes stuffed animals and herbarium specimens.

(f) "Collection or collecting" is the act of gathering or harvesting wildlife, its by-products or derivatives.

(g) "Commercial" refers to market sale in volume or value in excess of that required to maintain basic subsistence for workers and their dependents.

(h) "Conservation" refers to the preservation and sustainable utilization of wildlife, and/or maintenance, restoration, and enhancement of the habitat.

(i) "Department" refers to the Department of Environment and Natural Resources (DENR).

(j) "Endangered species" refers to a species or subspecies that is not critically endangered but whose survival in the wild is unlikely if the causal factors for their depletion continue operating.

(k) "Endemic species" means species or subspecies of flora and fauna which is naturally occurring and found only within specific areas in the country.

(l) "Exotic species" means species or subspecies of flora and fauna which do not naturally occur within the protected area at present or in historical time.

(m) "Habitat" means a place or type of environment where a species or subspecies naturally occurs or has naturally established its population.

(n) "Hunting" refers to collection of wild fauna for food and/or recreational purposes with the use of weapons such as guns, bow and arrow, spear and the like.

(o) "Indigenous Cultural Communities or Indigenous People (ICC/IPs)" refers to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos. IPs shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the Country, at the time of conquest or
colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains.

(p) "Management plan" refers to the fundamental plan, strategy and/or scheme which shall guide all activities relating to the SIPLAS in order to attain the objectives of this Act.

(q) "Mineral" refers to all naturally occurring inorganic substance in solid, gas, liquid, or any intermediate state including energy materials such as coal, petroleum, natural gas, radioactive materials, and geothermal energy.

(r) "National Integrated Protected Areas System (NIPAS)" is the classification and administration of all designated protected areas to maintain essential ecological processes and life-support systems, to preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the greatest extent possible.

(s) "National Park" refers to the land of the public domain classified as such in the 1987 Constitution which include all areas under the National Integrated Protected Areas System (NIPAS) pursuant to RA 7586 primarily designated for the conservation of native plants and animals, their associated habitats and cultural diversity.

(t) "Nongovernment organizations (NGOs)" refers to an agency, institution, foundation or a group of persons whose purpose is to assist people's organizations/associations in various ways including, but not limited to, organizing, education, training, research and/or resource accessing.

(u) "People's organization (PO)" refers to a group of organized migrant communities and or interested indigenous peoples, which may be an association, cooperative, federation, or other legal entity, established to undertake collective action to address community concerns and needs, and mutually share the benefits of the endeavor.

(v) "Protected Area (PA)" refers to the identified portions of land and/or water set aside by reason of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation.

(w) "Protected Area Management Board (PAMB)" refers a multi-sectoral policy-making body for protected areas created in accordance with RA 7586 or the NIPAS Act of 1992.

(x) "Protected Landscape/Seascape" refers to an area of national significance which are characterized by the harmonious interaction of man while providing
opportunities for public enjoyment through recreation and tourism within the normal lifestyle and economic activity of these areas.

(y) "Quarrying" means the process of extracting, removing and disposing quarry resources found on or underneath the surface of private or public land.

(z) "Strict protection zone" is a natural area with high biodiversity value which shall be closed to all human activity except for scientific studies and/or ceremonial or religious use by the indigenous cultural communities/indigenous peoples; may include habitats of threatened species, or degraded areas that have been designated for restoration and subsequent protection, even if these areas are still in various stages of regeneration.

(aa) "Sustainable use" means the use of components of biological diversity in a way and rate that does not lead to the long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations.

(bb) "Tenured Migrants" refers to forest occupants who have actually and continuously occupied a portion of the SIPLAS and is solely dependent therein-for subsistence. A protected area occupant is understood to be "solely dependent for subsistence" when everything indispensable for survival for the household, including food, clothing, shelter and health, comes only from the utilization of resources from the SIPLAS.

(cc) "Threatened species" refers to species or subspecies considered as critically endangered, endangered, vulnerable or other accepted categories of wildlife whose population is at risk of extinction.

(dd) "Vulnerable species" refers to a species or subspecies that is not critically endangered nor endangered but are under threat from adverse factors throughout their range and are likely to move to the endangered category in the near future.

(ee) "Wildlife" refers to wild forms and varieties of flora and fauna in all developmental stages including those which are in captivity or are being bred or propagated.

SEC. 5 Management of the Sibugao Islands Protected Landscapes and Seascapes (SIPLAS) - There is hereby created a PAMB which shall have sole jurisdiction, power and authority over the SIPLAS for all matters that may affect

It shall be composed of:

(a) The Regional Executive Director (RED) of DENR Region XIII, as Chairperson;
(b) The Mayors of the Municipalities of Burgos, Dapa, Del Carmen, Gen Luna, Pilar, San Benito, San Isidro, Sta. Monica, and Socorro, Province of Surigao del Norte or duly designated representatives;
(c) The Provincial Planning and Development Officer of the Province of Surigao del Norte;

(d) One representative from each Barangay covering the SIPLAS;

(e) One representative from each tribal community residing within the SIPLAS;

(f) At least two (2) representatives from local POs with stakes in the SIPLAS, chosen from among themselves;

(g) At least three (3) representatives from the local NGOs with stakes in the SIPLAS, chosen from among themselves;

(h) One representative from government agencies involved in the SIPLAS management;

Each member of the PAMB shall serve for a term of five (5) years and shall be considered to represent his or her sector and deemed to carry the vote of such sector in all matters. In the case of members who are government officials, the term of office shall be attached to the office held.

The members of the PAMB shall be appointed by the Secretary of the DENR in conformity with the provisions of the NIPAS Act. As a transitory provision, the initial members of the PAMB shall be nominated from the current members of the interim PAMB of the SIPLAS. Their nominations shall be conducted in a joint meeting of the current members of the interim PAMB duly called for the purpose; Provided, That at least one-third (1/3) of the members shall include women.

In the selection of the representatives of POs and NGOs, preference shall be accorded to those organizations that are involved in the conservation, protection and development of the SIPLAS. Representation shall be by institution and shall aim to achieve balance in representation by geographic location or areas.

The representatives from the local government units (LGUs) and national agencies in the PAMB shall include among their duties the appraisal of their respective constituents, office or sector of PAMB approved or other relevant policies, rules, regulations, programs and projects and ensuring that the provisions of this Act are observed, complied with, and used as reference and framework in their respective plans, policies, programs and projects. Failure to comply with the foregoing shall subject such representative to disciplinary action as the PAMB may provide.

The members of the Board shall not receive any salary but shall be entitled to reimbursements for actual and necessary expenses incurred, either in their attendance in meetings of the Board or in connection with other official business authorized by a resolution of the Board, subject to existing rules and regulations.

SEC. 6. Powers and Functions of the PAMB. — The PAMB, which shall decide by consensus or majority vote, shall have the following powers and functions in addition to those provided under the NIPAS Act and its implementing rules and regulations:
(a) Issue rules and regulations to prohibit acts that may be prejudicial to the SIPLAS and to the declaration of policy set forth under the NIPAS;

(b) Issue rules and regulations for the resolution of conflicts through appropriate and effective means;

(c) Adopt rules and procedures in the conduct of business, including the creation of committees to which its powers may be delegated;

(d) Approve the management plan and oversee the office of the PASu;

(e) Establish criteria and set fees for the issuance of permits for activities regulated by this Act or the management plan;

(f) Recommend the deputization of appropriate individuals, including local community leaders, for the enforcement of the laws, rules and regulations governing the conduct or management of the SIPLAS;

(g) Approve fees and charges in accordance with DAO 51, Series of 2000 and raise funds for the SIPLAS;

(h) Manage the allocation of the Siargao Islands Protected Landscapes and Seascapes Fund, and other funds for the SIPLAS, and ensure their proper administration and render accounting; and

(i) Recommend appropriate policy changes to the DENR and other government authorities.

The DENR through the Regional Executive Director (RED), shall ensure that the PAMB acts within the scope of its powers and functions. In case of conflict between administrative orders issued by the DENR pursuant to the NIPAS Act and the resolutions issued by the PAMB, such conflict shall be referred by PAMB to the DENR Secretary who shall decide whether to apply the rule or withdraw its applications from the SIPLAS.

SEC. 7. Protected Area Superintendent (PASu) Office. — The Protected Area Superintendent (PASu) Office is hereby created within the DENR regional office to be headed by the PASu who shall serve as the chief operating DENR officer of the entire SIPLAS. The PASu shall report directly to the RED of the DENR-Region XIII and shall be accountable to the PAMB. The PASu and the PASu staff shall reside within the SIPLAS and establish an office and sub-offices within the SIPLAS in order to implement this Act.

The PASu shall have full responsibility for the protection of land, water, wildlife and other natural physical and biological resources within the SIPLAS. As such, the PASu shall have the following duties and responsibilities in addition to those provided under the NIPAS and its implementing rules and regulations:
(1) Establish, operate and maintain a database management system as decision support tool;

(2) Prepare the management plans as herein defined;

(3) Provide a secretariat for the PAMB and supply the PAMB with all the necessary information to make appropriate decisions for the implementation of this Act;

(4) Enforce the laws, rules and regulations relevant to the SIPLAS, institute and file legal action independently or in collaboration with other government agencies or organizations and assist in the prosecution of offenses committed in violation of this Act;

(5) Monitor all activities within the SIPLAS to ensure its conformity with the management plan;

(6) Recommend the issuance of permits based on terms, conditions and criteria established by the PAMB;

(7) Ensure the integration of the SIPLAS management policies, regulations, programs and projects at all the concerned national and Local Government Unit levels; and

(8) Perform such other functions as the PAMB may delegate.

The PASu shall be supported by sufficient number of personnel who shall be performing day to day management, protection and administration of the SIPLAS. Upon the recommendation of the PAMB, the DENR Regional Director shall deputize local community leaders and environment and natural resource officers.

SEC. 8. Siargao Islands Protected Landscapes and Seascapes (SIPLAS) Fund. — There is hereby established a trust fund to be known as the Siargao Islands Protected Landscapes and Seascapes (SIPLAS) Fund for purposes of financing projects of the SIPLAS. Seventy-five percent (75%) income generated from the operation of the SIPLAS or management of wild flora and fauna in the SIPLAS shall accrue to the fund. The remaining twenty-five percent (25%) shall go to the Integrated Protected Areas Fund (IPAF) as established in the NIPAS Act of 1992.

Income shall be derived from visitors/tourists fee, fees from permitted sale and export of flora and fauna and other resources from the SIPLAS, proceeds from the registration and lease of multiple-use areas, including tourism concessions, fees, proceeds, and contributions from industries and facilities directly benefiting from the SIPLAS, and such other fees and income derived from the operation of the SIPLAS.

The PAMB may impose and charge reasonable fees, such as but not limited to water users fee for water extracted by commercial water extractors/distributors sourced and generated from the protected area. Such fee structure may change as the PAMB may see fit.

The SIPLAS Fund maybe augmented by grants, donations, endowment from various sources, domestic or foreign for purposes related to their functions: Provided,
That disbursements therefrom shall be made solely for the system, and duly approved
projects endorsed by the PAMB in accordance with existing accounting and budgeting
rules and regulations: Provided, further, That the Fund shall not be used to cover
personal services expenditures.

The LGUs shall continue to impose and collect all other fees not enumerated
herein which they have traditionally collected, such as business permits, property tax
and rentals of local government units' facilities. Furthermore, LGUs may charge add-ons
to fees imposed by the PAMB provided that such add-ons shall be determined based on
the contribution of the LGUs in the maintenance and protection of the SIPLAS.

SEC 9. Tenured Migrants and Other SIPLAS Occupants.—Tenured migrants shall
be eligible to become stewards of portions of lands within allowable zones. The PAMB
shall identify, verify and review all tenurial instruments, land claims, and issuances of
permits for resource use within the SIPLAS and recommend the issuance of the
appropriate tenurial instrument consistent with the zoning provided in the management
plan and its successor plans.

Should areas occupied by tenured migrants be designated as zones in which no
occupation or other activities are allowed pursuant to the attainment of sustainable
development, provision for the transfer of said tenured migrants to multiple-use zones or
buffer zones shall be accomplished through just and humane means.

In the event of termination of a tenurial instrument for cause or by voluntary
surrender of rights, the PASu shall take immediate steps to rehabilitate the area in order
to return it to its natural state prior to the cultivation or other act by the tenured migrant.

Other SIPLAS occupants who do not qualify as tenured migrants shall be resettled
outside the SIPLAS as determined by the PAMB. The PAMB shall determine, plan and
implement a definite schedule for resettling them outside of the SIPLAS following the
procedures set forth by existing law.

SEC. 10. Indigenous People’s Rights.—Ancestral domain and other customary
rights and interests of indigenous communities within the SIPLAS shall be accorded due
recognition. The preservation of ancestral domain and customary rights shall be
considered as one of the management objectives. The maintenance, management and
development of ancestral domains which are found to be necessary for protected areas
will be pursuant to Section 58 of Republic Act No. 8371, otherwise known as the “The
Indigenous Peoples Rights Act of 1997 (IPRA)”.

The identification, delineation and recognition of ancestral domain claims within the
SIPLAS shall be conducted by the National Commission on Indigenous Peoples (NCIP)
pursuant to its provisions, the IPRA, and its implementing rules and regulations, in
coordination with the PAMB.
SEC. 11. Existing Facilities Within the SIPLAS. — Within sixty (60) days from the effectivity of this Act, major existing facilities such as roads, buildings, water systems, transmission lines, communication facilities, heavy equipment, and irrigation facilities existing within the boundaries of the SIPLAS shall submit project description to the PAMB through the PASu.

The PAMB, with the assistance of the DENR, shall determine whether the existence of such facility and its future plan and operations will be detrimental to the SIPLAS or whether conditions for its operation shall be imposed. If any such conditions are violated, the owner of the facility shall be liable to pay a fine of Five thousand pesos (P5,000.00) for every violation. Upon reaching a total fine of Five hundred thousand pesos (P500,000.00), the PAMB through the PASu and deputizing other government entities, shall cause the cessation and demolition of the facility at the cost of its owner.

Existing facilities allowed to remain within the SIPLAS may be charged a reasonable royalty by the DENR. All income from such royalty shall accrue to the SIPLAS Fund.

SEC. 12. Utilization of Resources. — Any exploitation of or utilization of nonrenewable resources within the SIPLAS shall not be allowed. Energy projects within the SIPLAS shall be allowed only through an act of Congress except energy from wind, sun, and water sources and not more than one (1) megawatt capacity for mini-hydro power. Provided, That these renewable energy projects are established outside the strict protection zone, adopted reduced impact technologies and undergo the Environmental Impact Assessment (EIA) system as provided by law; Provided, further, that the PAMB has endorsed the project.

SEC. 13. Special Prosecutor and Retained Counsel. — Within thirty (30) days from the effectivity of this Act, the Department of Justice (DOJ) shall appoint a special prosecutor to whom all cases of violation of laws, rules and regulations in the SIPLAS shall be assigned. Such Special Prosecutor shall coordinate with the PAMB and the PASu in the performance of his/her duties and assist in the training of wardens and rangers in arrest and criminal procedures. The PAMB may retain the services of a counsel to prosecute and/or assist in the prosecution of cases under the direct control and supervision of the regular or special prosecutor and to defend the members of the PAMB, the PASu and the staff, or any person assisting in the protection, conservation and sustainable development of the SIPLAS, against any legal action related to their powers, functions and responsibilities as provided in this Act or as delegated or tasked by the PAMB.
SEC. 14. Prohibited Acts and Penalties. – The following shall be the prohibitions and penalties applicable to the SIPLAS, in addition to the prohibited acts as provided in the NIPAS Act and its pertinent rules and regulations:

(A) The penalties in Articles 309 and 310 of the Revised Penal Code, depending on the value of the resources involved in connection with the prohibited act, shall be imposed upon any person who:

1. Takes, destroys, collects, disturbs or possesses any wild terrestrial or aquatic plants or animals, flora or fauna, sand, rocks or by-products derived therefrom, within particularly identified regulated or prohibited areas zones in the SIPLAS including private lands without the necessary permit, authorization or exemption; Provided, That hunting of animals shall be absolutely prohibited except for scientific research and for traditional hunting by the IPs/ICCs;

2. Cuts, gathers, removes or collects timber or any forest products, within particularly identified regulated or prohibited areas or zones in the SIPLAS including private lands without the necessary permit, authorization or exemption;

3. Possesses or transports, within or outside the SIPLAS any timber, forest products, wild terrestrial or aquatic plants, animals, flora or fauna, or by-product derived therefrom which is ascertained to have been taken from the SIPLAS;

4. Undertakes mineral exploration or extraction within the SIPLAS;

5. Engages in quarrying of sand, gravel, guano, limestone or any material within the SIPLAS;

6. Hunts, collects, removes or destroys any endangered or protected species, except when collection or removal is for scientific research and exempted from the prohibition by the PAMB;

7. Conducts bioprospecting within the SIPLAS without prior PAMB approval in accordance with existing guidelines; or

8. Establishes or introduces any exotic species within the SIPLAS, which are detrimental to endemic species or without prior PAMB approval.

(B) A fine of not less than Five thousand pesos (P5,000.00) nor more than Five hundred thousand pesos (P500,000.00) and/or imprisonment from one (1) year but not more than six (6) years shall be imposed upon any person who:

1. Violates any rules and regulations in the management plan or by the PAMB or agreements reached before the PAMB in the exercise of adjudicative functions;

2. Erects any structure on land or on water for any purposes outside the management plan: Provided, That large-scale private infrastructure and other projects such as medium to high density residential subdivisions, medium to large commercial and industrial establishments, golf-courses, heavily mechanized commercial and non-
traditional farming, and other activities that cause increased in-migration and resource
degradation are absolutely prohibited;

3) Possesses a chainsaw, hacksaw and other mechanized equipment within the
SIPLAS without a permit;

4) Throws, dumps or causes to be dumped into the SIPLAS any non-
biodegradable material or waste whether liquid, solid or gas;

5) Uses, dumps, places or causes to be placed into the SIPLAS toxic chemicals,
including pesticides and other hazardous substances, unless the same is expressly
allowed in the management plan;

6) Prospects, hunts or otherwise locates hidden treasures within the SIPLAS;

7) Informally occupies or dwells in any land within the SIPLAS without clearance
from the PAMB;

8) Possesses or uses blasting caps or explosives anywhere within the SIPLAS;

9) Destroys, excavates, vandalizes or, in any manner, damages any natural
formation on land, religious, spiritual, historical sites, artifacts and other objects of
natural or scenic value;

10) Alters, removes or destroys boundary marks or signs; or

11) Engages in kaingin, or, in any manner, causing forest fires inside the SIPLAS.

12) Purchases, or sells, mortgages or leases lands or other portions of the
SIPLAS which are covered by any tenurial instrument.

Valuation of the damage for this Act shall take into account biodiversity and
conservation considerations as well as aesthetic and scenic value. Valuation assessed
by the DENR or the concerned government agency shall be presumed correct unless
otherwise proven by preponderant evidence.

Any person who shall induce another or conspire to commit any of the illegal acts
prohibited in this Act or suffer their workers to commit any of the same shall be liable in
the same manner as the one actually performing the act.

All conveyances, vessels, equipments, paraphernalia, implements, gears, tools
and similar devices shall be subject to immediate and administrative confiscation,
independent of the judicial proceedings by the PASu Office upon apprehension, subject
however to due process and substantial evidence requirements. When legal action is
however filed in the regular courts, the said conveyances, vessels, equipments,
paraphernalia, implements, gears, tools and similar devices, independent of the
administrative proceedings, shall not be released until after judgment has been
rendered. Proceeds of the sale of all objects administratively or judicially confiscated
pursuant hereto shall accrue to the SIPLAS Fund. Procedure for the sale thereof shall
be promulgated by the PAMB. However, in no case shall any confiscated or rescued
protected animal species be sold or, in any manner disposed of but shall be immediately
turned over to the PASu Office for release in its natural habitat, subject to existing regulations.

The penalties specified in this Section will be in addition to the penalties contained in RA 9072 (National Caves and Cave Resources Management and Protection Act), RA 9147 (Wildlife Resources Conservation and Protection Act), and other related laws.

Conviction for any offense under this Act, of a public officer or officer of the law shall carry the accessory penalty of perpetual disqualification from public office.

SEC. 15. Reporting Responsibility. – The PASu, through the PAMB, shall submit an annual accomplishment report to the Secretary of the DENR on the activities undertaken in the SIPLAS.

SEC. 16. Appropriations. – The Secretary shall immediately include in the Department’s program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

SEC. 17. Construction and Suppletory Application of Existing Laws. The provisions of this Act shall be construed liberally in favor of achieving biodiversity conservation, protection and sustainable development. Provisions of Republic Act No. 7586, otherwise known as the National Integrated Protected Areas Management Act of 1992 and existing forestry laws, and their corresponding rules and regulations not inconsistent hereto shall have the suppletory effect in the implementation of this Act.

SEC. 18. Transitory Provision. – In order to ensure the recovery and restoration of biological diversity and to develop sustainable livelihood opportunities for tenured migrants, the DENR shall henceforth cease to issue concessions, licenses, permits, clearances, compliance documents or any other instrument that allows exploitation and utilization of resources within the SIPLAS until the management plan shall have been put into effect.

All existing land use and resource use permits within the SIPLAS shall be reviewed and shall not be renewed upon their expiration unless consistent with the management plan and approved by the PAMB.

SEC. 19. Separability Clause. – If, for any reason, any part or section of this Act is declared unconstitutional or invalid, such other parts not affected thereby shall continue to have full force and effect.

SEC. 20. Repealing Clause. – All other laws, decrees, proclamations, rules and regulations inconsistent with this Act or any provision hereof are hereby repealed or are modified accordingly.

SEC. 21. Effectivity Clause. This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a national newspaper of general circulation available in the SIPLAS.