

SEVENTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session



Senate
Office of the Secretary

'17 MAY -9 P7:17

RECEIVED BY: NSV

SENATE

COMMITTEE REPORT NO. 61

Submitted jointly by the Committees on Environment and Natural Resources;
Finance; and Tourism on MAY 09 2017.

Re: Senate Bill No. 1444

Recommending its approval in substitution of Senate Bill Nos. 32, 148, 748 and
1214.

Sponsor: Senator Cynthia A. Villar

MR. PRESIDENT:

The Committees on Environment and Natural Resources; Finance; and
Tourism to which were referred:

Senate Bill No. 32, introduced by Senator Loren Legarda, entitled:

AN ACT
DECLARING PROTECTED AREAS AND PROVIDING FOR THEIR
MANAGEMENT, AMENDING FOR THIS PURPOSE REPUBLIC ACT
NO. 7586, OTHERWISE KNOWN AS THE NATIONAL
INTEGRATED PROTECTED AREAS SYSTEM (NIPAS) ACT OF
1992, AND FOR OTHER PURPOSES

Senate Bill No. 148, introduced by Senator Cynthia A. Villar, entitled:

AN ACT
ESTABLISHING THE LAS PIÑAS - PARAÑAQUE CRITICAL
HABITAT AND ECOTOURISM AREA AS A WETLAND, ENSURING

**THE PROTECTION THEREOF, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES**

Senate Bill No. 748, introduced by Senator Francis Escudero, entitled:

AN ACT

**DECLARING THE TAAL VOLCANO ISLAND NATIONAL PARK,
PROVINCE OF BATANGAS, ISLAND OF LUZON, AND ITS
WATERSHED AREAS, A PROTECTED AREA UNDER THE
CATEGORY OF PROTECTED LANDSCAPE AND PROVIDING
FOR ITS MANAGEMENT AND FOR OTHER PURPOSES AS
MANDATED FOR BY THE NIPAS ACT OF 1992**

and Senate Bill No. 1214, introduced by Senator Maria Lourdes Nancy S. Binay,
entitled:

AN ACT

**DECLARING THE NORTHWEST PANAY PENINSULA LOCATED
IN THE MUNICIPALITIES OF NABAS, MALAY AND BURUANGA,
PROVINCE OF AKLAN, AND IN THE MUNICIPALITIES OF
LIBERTAD AND PANDAN, PROVINCE OF ANTIQUE AS A
PROTECTED AREA UNDER THE CATEGORY OF NATURAL
PARK, PROVIDING FOR ITS MANAGEMENT AND FOR OTHER
PURPOSES**

have considered the same and have the honor to report them back to the Senate
with the recommendation that the attached bill, Senate Bill No. 1444 prepared by
the Committees, entitled:

AN ACT

**DECLARING PROTECTED AREAS AND PROVIDING FOR THEIR
MANAGEMENT, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO.
7586, OTHERWISE KNOWN AS THE NATIONAL INTEGRATED
PROTECTED AREAS SYSTEM (NIPAS) ACT OF 1992, AND FOR OTHER
PURPOSES**

be approved in substitution of Senate Bill Nos. 32, 148, 748 and 1214 with Senators
Legarda, Villar, Escudero and Binay as authors thereof.

Respectfully submitted:

Chairpersons:



SEN. CYNTHIA A. VILLAR

Chairperson, Committee on Environment and Natural Resources

Vice Chairperson, Committee on Finance

Member, Committee on Tourism

SEN. LOREN B. LEGARDA

Chairperson, Committee on Finance

Vice Chairperson, Committee on Environment and Natural Resources



SEN. MARIA LOURDES NANCY S. BINAY

Chairperson, Committee on Tourism

Member, Committee on Environment and Natural Resources

Member, Committee on Finance

Vice Chairpersons:



SEN. JOSEPH VICTOR G. EJERCITO

Vice Chairperson, Committee Environment and Natural Resources


Vice Chairperson, Committee on Tourism

Member, Committee on Finance

SEN. SONNY ANGARA

Vice Chairperson, Committee on Finance

Member, Committee on Environment and Natural Resources



SEN. PAOLO BENIGNO AQUINO IV

Vice Chairperson, Committee on Finance

Member, Committee on Environment and Natural Resources

Member, Committee on Tourism



SEN. PANFILO M. LACSON

Vice Chairperson, Committee on Finance

Members:




SEN. FRANCIS PANGILINAN

*Committees on Environment
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Finance*

SEN. GREGORIO B. HONASAN II

*Committees on Environment and Natural
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SEN. GRACE POE
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SEN. JUAN MIGUEL F. ZUBIRI
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Resources; and Finance


SEN. WIN GATCHALIAN
Committee on Finance


SEN. JOEL VILLANUEVA
Committees on Environment and Natural
Resources; and Finance


SEN. ANTONIO F. TRILLANES IV
Committees on Environment
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and Tourism

SEN. RICHARD J. GORDON
Committees on Environment and Natural
Resources; Finance; and Tourism

SEN. FRANCIS G. ESCUDERO
Committees on Environment
and Natural Resources;
and Finance

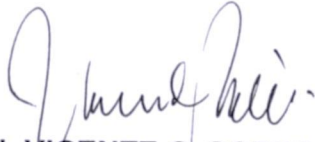
SEN. EMMANUEL D. PACQUIAO
Committees on Environment and Natural
Resources; and Tourism


SEN. RISA HONTIVEROS
Committees on Environment and Natural Resources;
and Finance

*May interpellate f/or
around.*

Ex Officio Members:

SEN. RALPH G. RECTO
President Pro-Tempore



SEN. VICENTE C. SOTTO III
Majority Leader



SEN. FRANKLIN M. DRILON
Minority Leader

SEN. AQUILINO "KOKO" L. PIMENTEL III
Senate President

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

'17 MAY -9 P7:18

RECEIVED BY: 

SENATE

S. B. No. 1444

Prepared by the Committees on Environment and Natural Resources; Finance;
and Tourism with Senators Legarda, Villar, Escudero and Binay as authors thereof

AN ACT

DECLARING PROTECTED AREAS AND PROVIDING FOR THEIR
MANAGEMENT, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 7586,
OTHERWISE KNOWN AS THE NATIONAL INTEGRATED PROTECTED AREAS
SYSTEM (NIPAS) ACT OF 1992, AND FOR OTHER PURPOSES

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

1 **SECTION 1.** Section 1 of Republic Act No. 7586 is hereby amended to read as follows:

2 "SECTION 1. Title. – This Act shall be known and referred to as the
3 "**EXPANDED** National Integrated Protected Areas System Act of [1992]
4 2017"."

6 **SEC. 2.** Section 2 of Republic Act No. 7586 is hereby amended to read as follows:

7 "SEC. 2. Declaration of Policy. – Cognizant of the profound impact of [man's]
8 **HUMAN** activities on all components of the natural environment particularly
9 the effect of increasing population, resource exploitation and industrial
10 advancement, and recognizing the critical importance of protecting and
11 maintaining the natural, biological, and physical diversities of the

1 environment notably on areas with biologically unique features to sustain
2 human life and development, as well as plant and animal life, it is hereby
3 declared the policy of the State to secure for the Filipino people of present
4 and for future generations, the perpetual scheme of all native plants and
5 animals through the establishment of a comprehensive system of integrated
6 protected areas within the classification of national park as provided for in
7 the Constitution.

8 It is hereby recognized that these areas, although distinct in features, possess
9 common ecological values that may be incorporated into a holistic plan
10 representative of our natural heritage; that effective administration of these
11 areas is possible only through cooperation among the national government,
12 local governments and concerned private organizations; and that the use and
13 enjoyment of these protected areas must be consistent with the principles of
14 biological diversity and sustainable development.

15 To this end, there is hereby established a National Integrated Protected
16 Areas System (NIPAS), which shall encompass outstandingly remarkable
17 areas and biologically important public lands that are habitats of rare and
18 **THREATENED** species of plants and animals, biogeographic zones and
19 related ecosystems, whether terrestrial, wetland or marine, all of which shall
20 be designated as "protected areas." **THE SYSTEM SHALL RECOGNIZE**
21 **CONSERVATION AREAS AND THE MANAGEMENT REGIMES OF LOCAL**
22 **GOVERNMENT UNITS (LGUs), COMMUNITIES AND INDIGENOUS PEOPLES**
23 **(IPs).**

24 **THE STATE SHALL ENSURE THE FULL IMPLEMENTATION OF THIS ACT**
25 **BY ESTABLISHING THE INSTITUTIONAL MECHANISM FOR THE**

1 **MOBILIZATION OF RESOURCES AND PROVIDING FOR ADEQUATE**
2 **SCIENTIFIC AND TECHNICAL SUPPORT FOR THE CONSERVATION OF**
3 **BIODIVERSITY AND THE INTEGRITY OF THE ECOSYSTEM.**

4
5 **SEC. 3.** Section 4 of Republic Act No. 7586 is hereby amended to read as follows:

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

8 **[1.] A.** “National Integrated Protected Areas System (NIPAS)” [is] **REFERS**
9 **TO** the classification and administration of all designated protected areas to
10 maintain essential ecological processes and life-support systems, to preserve
11 genetic diversity, to ensure sustainable use of resources found therein, and to
12 maintain their natural conditions to the greatest extent possible;

13 **[2.] B.** “Protected Area” refers to identified portions of land and/**OR** water
14 set aside by reason of their unique physical and biological significance,
15 managed to enhance biological diversity and protected against destructive
16 human exploitation;

17 **[3.] C.** “Buffer Zones” refer to identified areas outside the boundaries of and
18 immediately adjacent to designated protected areas pursuant to Section 8
19 that need special development control in order to avoid or minimize harm to
20 the protected area;

21
22 **[4.] D.** “Indigenous Cultural Community (**ICC**)/**INDIGENOUS PEOPLE (IP)**”
23 refers to a group of people sharing common bonds of language, customs,

1 traditions and other distinctive cultural traits, and who have, since time
2 immemorial, occupied, possessed and utilized a territory;

3 [5.] E. "National Park" refers to [a forest reservation essentially of natural
4 wilderness character which has been withdrawn from settlement, occupancy
5 and any form of exploitation except in conformity with approved
6 management plan and set aside as such exclusively to conserve the area or
7 preserve the scenery, the natural and historic objects, wild animals and plant
8 therein and to provide enjoyment of these features in such areas.] **THE**
9 **LANDS OF THE PUBLIC DOMAIN CLASSIFIED AS SUCH IN THE 1987**
10 **PHILIPPINE CONSTITUTION WHICH INCLUDE ALL AREAS AS**
11 **CATEGORIZED UNDER SEC. 4 OF THIS ACT, PRIMARILY DESIGNATED**
12 **FOR THE CONSERVATION OF NATIVE PLANTS AND ANIMALS, THEIR**
13 **ASSOCIATED HABITATS AND CULTURAL DIVERSITY;**

14 [6.] F. "Natural Monument" [is] **REFERS TO** a relatively small area focused
15 on the protection of small features to protect or preserve nationally
16 significant natural features on account of their special interest or unique
17 characteristics;

18 [7.] G. "Natural Biotic Area" [is] **REFERS TO** an area set aside to allow the
19 way of life of societies living in harmony with the environment to adapt to
20 modern technology at their pace;

21 [8.] H. "Natural Park" [is] **REFERS TO** a relatively large area not materially
22 altered by human activity, where extractive resource uses are not allowed

and **IS** maintained to protect outstanding natural and scenic areas of national or international significance for scientific, educational, and recreational use;

[9.] I. "Protected Landscapes **AND/OR** Seascapes" [are] **REFER TO** areas of national significance which are characterized by the harmonious interaction of **HU**man and land while providing opportunities for public enjoyment through [the] recreation, [and] tourism [within the normal lifestyle] and **OTHER** economic activit[y]**IES** [of these areas];

[10.] J. "Resource Reserve" [is] **REFERS TO** an extensive and relatively isolated and uninhabited area, [normally with] difficult **TO** access **AND** designated [as such] to protect natural resources [of the area for] **THEREIN** for future [use] **UTILIZATION** and **TO** prevent or contain development activities that could affect the resource pending the establishment of objectives which are based upon appropriate knowledge and planning;

[11.] K. "Strict Nature Reserve" [is] **REFERS TO** an area possessing some outstanding ecosystem, features, and [/or] species of flora and fauna of national scientific importance maintained to protect nature and maintain processes in an undisturbed state in order to [have] **PRESERVE** ecologically representative examples of the natural environment available for scientific study, environmental monitoring, education, and for the maintenance of genetic resources in a dynamic and evolutionary state;

[12.] L. "Tenured Migrant Communities" [are] **REFER TO** communities within protected areas which have [actually and continuously occupied such

1 areas for] **BEEN EXISTING OR ESTABLISHED** five (5) years before the
2 designation of the same as protected areas in accordance with this Act and
3 **WHICH** are [solely] substantially dependent there[on] for subsistence;
4 [and]

5 [13.] **M. "Wildlife Sanctuary" [comprises] REFERS TO** an area which assures
6 the natural conditions necessary to protect nationally significant species,
7 groups of species, biotic communities or physical features of the
8 environment where these may require specific human manipulations for
9 their perpetuation[.];

10 **N. "BIOPROSPECTING" REFERS TO THE RESEARCH, COLLECTION, AND**
11 **UTILIZATION OF BIOLOGICAL AND GENETIC RESOURCES FOR PURPOSES**
12 **OF APPLYING THE KNOWLEDGE DERIVED THEREFROM SOLELY FOR**
13 **COMMERCIAL PURPOSES;**

14 **O. "BY-PRODUCTS OR DERIVATIVES" REFER TO ANY PART TAKEN OR**
15 **SUBSTANCE EXTRACTED FROM WILDLIFE, IN RAW OR IN PROCESSED**
16 **FORM. THESE INCLUDE STUFFED ANIMALS AND HERBARIUM**
17 **SPECIMENS;**

18 **P. "COLLECTION OR COLLECTING" REFERS TO THE ACT OF GATHERING**
19 **OR HARVESTING WILDLIFE AND ITS BY-PRODUCTS OR DERIVATIVES;**

20 **Q. "CONVEYANCE" REFERS TO EVERY KIND OF VESSEL, INCLUDING**
21 **MOTORIZED OR NON-MOTORIZED VEHICLES, NON-DISPLACEMENT**

1 CRAFTS AND SEAPLANES THAT ARE USED OR MAY BE USED AS A MEANS
2 OF TRANSPORTATION ON LAND OR WATER.

3 R. "DECLARED PROTECTED AREAS" REFER TO THOSE INCLUDED IN THE
4 NIPAS THROUGH AN ACT OF CONGRESS AND CLASSIFIED AS NATIONAL
5 PARK;

6 S. "DELINEATION" REFERS TO THE ACTUAL GROUND SURVEY OF THE
7 BOUNDARIES OF PROTECTED AREAS AND THEIR BUFFER ZONES
8 INCLUDING DESIGNATED MANAGEMENT ZONES USING THE GLOBAL
9 POSITIONING SYSTEM (GPS) OR OTHER APPLICABLE SURVEY
10 INSTRUMENTS AND TECHNOLOGIES CONDUCTED FOR THE PURPOSE OF
11 DRAWING UP A MAP OF THE AREA;

12 T. "DELISTED PROTECTED AREAS" REFER TO THOSE UNDER THE
13 JURISDICTION OF OTHER GOVERNMENT INSTRUMENTALITIES AS
14 PROVIDED BY LAW. DELISTED AREAS REMAIN PART OF THE NIPAS BUT
15 ARE ADMINISTERED BY THE AUTHORIZED GOVERNMENT
16 INSTRUMENTALITIES.

17 U. "DEMARCATIION" REFERS TO THE ESTABLISHMENT OF THE
18 BOUNDARIES OF PROTECTED AREAS AND THEIR BUFFER ZONES USING
19 VISIBLE MARKERS, MONUMENTS, BUOYS IN CASE OF MARINE AREAS,
20 AND KNOWN NATURAL FEATURES AND LANDMARKS, AMONG OTHERS,
21 AS A RESULT OF THE ACTUAL GROUND DELINEATION;

1 V. "DESIGNATED PROTECTED AREAS" REFER TO THE INITIAL
2 COMPONENTS OF THE NIPAS IN ACCORDANCE WITH SECTION 5
3 HEREOF;

4 W. "DISESTABLISHED AREAS" REFER TO FORMER PROTECTED AREAS
5 WHICH ARE COMPLETELY WITHDRAWN FROM THE NIPAS IN
6 ACCORDANCE WITH SECTION 7 OF THE NIPAS ACT AND THEREBY
7 CAUSING THEIR REVISION FROM NATIONAL PARK TO TIMBERLAND OR
8 FOREST LAND;

9 X. "ECOSYSTEM GOODS AND SERVICES" REFER TO THE MULTITUDE OF
10 MATERIAL AND NON-MATERIAL PROVISIONS AND BENEFITS FROM
11 HEALTHY ECOSYSTEMS NECESSARY FOR HUMAN SUSTENANCE AND
12 SURVIVAL INCLUDING SUPPORTING PROCESSES, PROVISIONING AND
13 REGULATING OF THE ENVIRONMENT AND PRESERVING CULTURAL
14 RESOURCES;

15 Y. "ENDEMIC SPECIES" REFER TO THE SPECIES OR SUBSPECIES OF
16 FLORA AND FAUNA WHICH ARE NATURALLY OCCURRING AND FOUND
17 ONLY WITHIN SPECIFIC AREAS IN THE COUNTRY;

18 Z. "ESTABLISHED PROTECTED AREAS" REFER TO THOSE WITH
19 PRESIDENTIAL PROCLAMATION ISSUED IN ACCORDANCE WITH
20 SECTION 5 HEREOF;

1 AA. "EXOTIC SPECIES" REFER TO THE SPECIES OR SUBSPECIES OF FLORA
2 AND FAUNA WHICH HISTORICALLY, HAVE NOT BEEN NATURALLY
3 OCCURRING WITHIN THE PROTECTED AREA;

4 BB. "EXPLORATION" REFERS TO THE ACT OF SEARCHING OR
5 PROSPECTING FOR MINERAL AND ENERGY RESOURCES, BY
6 GEOLOGICAL, GEO-CHEMICAL OR GEOPHYSICAL SURVEYS, REMOTE
7 SENSING, TEST PITTING, TRENCHING, DRILLING, SHAFT SINKING,
8 TUNNELING OR ANY OTHER MEANS FOR THE PURPOSE OF
9 DETERMINING THE EXISTENCE, EXTENT, QUANTITY, AND QUALITY
10 THEREOF, AND THE FEASIBILITY OF UTILIZING THESE RESOURCES FOR
11 PROFIT;

12 CC. "GEAR" REFERS TO ANY INSTRUMENT OR DEVICE AND ITS
13 ACCESSORIES UTILIZED IN TAKING, CATCHING, GATHERING, KILLING,
14 HUNTING, DESTROYING, DISTURBING, REMOVING, OR POSSESSING
15 RESOURCES WITHIN THE PROTECTED AREA;

16 DD. "GENETICALLY MODIFIED ORGANISM (GMO)" REFERS TO ANY
17 LIVING ORGANISM THAT POSSESSES A NOVEL COMBINATION OF
18 GENETIC MATERIAL OBTAINED THROUGH THE USE OF MODERN
19 BIOTECHNOLOGY;

20 EE. "HUNTING" REFERS TO THE KILLING OR CATCHING OF WILD FAUNA
21 FOR FOOD AND RECREATIONAL PURPOSES, WITH THE USE OF

1 WEAPONS SUCH AS GUNS, BOW AND ARROW, SPEARS, TRAPS AND
2 SNARES;

3 FF. "INTEGRATED PROTECTED AREA FUND (IPAF)" REFERS TO THE
4 SPECIAL ACCOUNT ESTABLISHED FOR THE PURPOSE OF FINANCING
5 THE PROJECTS OF THE NIPAS AND INDIVIDUAL PROTECTED AREAS IN
6 ACCORDANCE WITH SECTION 16 HEREOF;

7 GG. "INVASIVE ALIEN SPECIES" REFER TO SPECIES INTRODUCED
8 DELIBERATELY OR UNINTENTIONALLY OUTSIDE THEIR NATURAL
9 HABITATS WHERE THEY HAVE THE ABILITY TO ESTABLISH
10 THEMSELVES, INVADE, OUTCOMPETE NATIVE SPECIES AND TAKE OVER
11 THE NEW ENVIRONMENT;

12 HH. "KAINGIN" REFERS TO THE SLASH AND BURN CULTIVATION OF
13 VEGETATED LAND IN A PROTECTED AREA, WHETHER OCCUPIED OR
14 NOT, SHIFTING AND PERMANENT AND HAVING LITTLE OR NO
15 PROVISION TO PREVENT SOIL EROSION;

16 II. "MULTIPLE-USE ZONE" REFERS TO THE PORTION OF THE
17 PROTECTED AREA WHERE SETTLEMENT, TRADITIONAL OR SPECIAL
18 USES THAT MAYBE ALLOWED AS PROVIDED FOR IN SECTION 25
19 HEREOF AND OTHER INCOME GENERATING OR LIVELIHOOD ACTIVITIES
20 MAY BE ALLOWED TO THE EXTENT PRESCRIBED IN THE MANAGEMENT
21 PLAN;

1 JJ. "OCCUPYING" REFERS TO A CONTINUOUS STAY OF INDIVIDUALS OR
2 GROUPS WITHIN A PROTECTED AREA, WHETHER RESIDING OR
3 ENGAGING IN THE CULTIVATION OF LAND OR FISHING FOR MORE THAN
4 24-HOURS;

5 KK. "PARK OPERATIONS SUPERINTENDENT (PASU)" REFERS TO THE
6 CHIEF OPERATING OFFICER OF THE PROTECTED AREA WITH A
7 PERMANENT PLANTILLA POSITION IN THE DEPARTMENT OF
8 ENVIRONMENT AND NATURAL RESOURCES (DENR);

9 LL. "POACHING" REFERS TO GATHERING, COLLECTING, OR POSSESSING
10 PRODUCTS OR NATURAL RESOURCES FROM THE PROTECTED AREA BY
11 ANY INDIVIDUAL PERSON, CORPORATION OR ENTITY WHETHER LOCAL
12 OR FOREIGN; IN THE CASE OF MARINE PROTECTED AREAS, THIS SHALL
13 REFER TO OPERATING ANY FOREIGN FISHING VESSELS BY ANY PERSON,
14 CORPORATION, OR ENTITY WITHOUT A PERMIT;

15 MM. "PROTECTED AREA OCCUPANTS" REFER TO PERSONS WHO ARE
16 RESIDING, UTILIZING, AND CULTIVATING AREAS WITHIN THE
17 PROTECTED AREA. THESE INCLUDE PRIVATE OWNERS, INDIGENOUS
18 PEOPLE, TENURED MIGRANTS AND INFORMAL SETTLERS;

19 NN. "PROTECTED AREA RETAINED INCOME ACCOUNT" REFERS TO THE
20 TRUST FUND MAINTAINED BY ANY PROTECTED AREA AND
21 ADMINISTERED BY THE RESPECTIVE PAMB REPRESENTING THE 75%

1 OF REVENUES GENERATED FROM THE PROTECTED AREA TO SUPPORT
2 ITS MANAGEMENT;

3 OO. "PROTECTED SPECIES" REFER TO ANY PLANT OR ANIMAL
4 DECLARED PROTECTED UNDER PHILIPPINE LAWS, RULES AND
5 REGULATIONS. THESE SHALL INCLUDE ALL SPECIES LISTED UNDER
6 THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED
7 SPECIES OF WILD FLORA AND FAUNA (CITES) AND ALL ITS ANNEXES,
8 THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES
9 (CMS), THOSE SPECIFIED UNDER THE RED-LIST CATEGORIES OF THE
10 INTERNATIONAL UNION FOR THE CONSERVATION OF NATURE AND
11 NATURAL RESOURCES (IUCN), OR ANY PLANT OR ANIMAL WHICH THE
12 DENR, PROTECTED AREA MANAGEMENT BOARD (PAMB) OR ANY
13 GOVERNMENT AGENCY MAY DEEM NECESSARY FOR CONSERVATION
14 AND PRESERVATION IN THE PROTECTED AREA;

15 PP. "QUARRYING" REFERS TO THE PROCESS OF EXTRACTING FROM
16 TRANSPORTING, REMOVING AND DISPOSING OUT OF THE PROTECTED
17 AREA SAND, GRAVEL, GUANO, LIMESTONE OR ANY MATERIAL
18 RESOURCES FOUND WITHIN THE PROTECTED AREA. THIS SHALL ALSO
19 INCLUDE ANY COMMON ROCK OR OTHER MINERAL SUBSTANCES AS
20 THE DIRECTOR OF THE MINES AND GEOSCIENCES BUREAU MAY
21 DECLARE AS QUARRY RESOURCES SUCH AS ANDESITE, BASALT,
22 CONGLOMERATE, CORAL SAND, DIATOMACEOUS EARTH, DIORITE,
23 DECORATIVE STONES, GABBRO, GRANITE, LIMESTONE, MARBLE,
24 MARL, RED BURNING CLAYS FOR POTTERIES AND BRICKS, RHYOLITE,

1 ROCK PHOSPHATE, SANDSTONE, SERPENTINE, SHALE, TUFF,
2 VOLCANIC CINDERS, AND VOLCANIC GLASS FROM THE PROTECTED
3 AREA;

4 QQ. "SPECIAL ACCOUNT IN THE GENERAL FUND (SAGF)" REFERS TO
5 THE TRUST FUND DEPOSITED TO THE NATIONAL TREASURY
6 REPRESENTING THE 25% OF THE REVENUES GENERATED FROM THE
7 OPERATION OF INDIVIDUAL PROTECTED AREA AND EARMARKED TO
8 SUPPORT THE NATIONAL INTEGRATED PROTECTED AREAS SYSTEM;

9 RR. "SPECIAL USE" REFERS TO THE DEVELOPMENT OF LAND AND/OR
10 WATER TO SUPPORT ECOTOURISM ACTIVITIES AND SIMILAR
11 ESTABLISHMENTS INCLUDING FACILITIES OR STRUCTURES OF
12 NATIONAL INTEREST SUCH AS COMMUNICATION FACILITIES,
13 TRANSMISSION LINES, RIGHTS OF WAY, EARLY WARNING AND
14 MONITORING STATIONS, AMONG OTHERS, AS PROVIDED IN SECTION 25
15 HEREOF;

16 SS. "TENURED MIGRANTS" REFER TO MEMBERS OF TENURED MIGRANT
17 COMMUNITIES AS DEFINED IN THIS ACT;

18 TT. "THREATENED SPECIES" REFER TO A GENERAL TERM TO DENOTE
19 SPECIES OR SUBSPECIES CONSIDERED AS CRITICALLY ENDANGERED,
20 VULNERABLE, OR OTHER ACCEPTED CATEGORIES OF WILDLIFE WHOSE
21 POPULATION IS AT RISK OF EXTINCTION;

UU. "WILDLIFE" REFERS TO THE WILD FORMS AND VARIETIES OF
FLORA AND FAUNA, IN ALL DEVELOPMENTAL STAGES, INCLUDING
THOSE WHICH ARE IN CAPTIVITY OR ARE BEING BRED, FED, OR
PROPAGATED."

SEC. 4. Section 5 of Republic Act No. 7586 is hereby amended to read as follows:

"SEC. 5. Establishment and Extent of the System.- The establishment and
operationalization of the system shall involve the following:

(a) All areas or islands in the Philippines proclaimed, designated or set aside,
pursuant to a law, presidential decree, presidential proclamation or
executive order as national park, game refuge, bird and wildlife sanctuary,
wilderness area, strict nature reserve, watershed, mangrove reserve, fish
sanctuary, natural and historical landmark, protected and managed
landscape/seascape as well as identified **AND STILL TO BE IDENTIFIED**
[virgin] **OLD-GROWTH FORESTS** before the effectivity of this Act, are
hereby designated as initial components of the System. The initial
components of the System shall be governed by existing laws, rules and
regulations, not inconsistent with this Act **UNTIL DELISTED OR**
DIESTABLISHED;

A.1 ESTABLISHMENT AS PROTECTED AREAS. - ASIDE FROM THE
AREAS ALREADY DECLARED AS PROTECTED AREAS THROUGH ACTS OF
CONGRESS, THE FOLLOWING PARCELS OF LAND ARE HEREBY
ESTABLISHED AS PROTECTED AREAS WITHIN THE LAND
CLASSIFICATION OF NATIONAL PARK:

Protected Area	Area (has)
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1	Region I		
2	1	Agoo Damortis Protected	10,774.68
3		Landscape and Seascape	
4	2	Bessang Pass Natural	581.05
5		Monument/ Landmark	
6	3	Bigbiga Protected Landscape	142.87
7	4	Kalbario- Patapat Natural Park	3,903.19
8	5	Libunao Protected Landscape	47.15
9	6	Lidlidda Banayoyo Protected	1,042.29
10		Landscape	
11	7	Manleluag Spring Protected	1,938.83
12		Landscape	
13	8	Salcedo Protected Landscape	196.33
14		(formerly Santa Lucia Protected	
15		Landscape)	
16	Region II		
17	9	Casecnan Protected Landscape	86,246.77
18	10	Palau Island Marine Reserve	8,048.57
19	11	Peñablanca Protected Landscape	118,653.67
20		and Seascape	
21	12	Quirino Protected Landscape	183,415.75
22	13	Salinas Natural Monument	5,966.05
23	14	Tumauni Watershed Forest Reserve	6,509.38
24			
25			

1	Region III		
2	15	Amro River Protected Landscape	6,431.30
3	16	Bataan Natural Park	20,004.17
4	17	Dinadiawan River Protected Landscape	3,366.54
5	18	Masinloc and Oyon Bay Marine Reserve	7,558.00
6	19	Roosevelt Protected Landscape	950.43
7	20	Simbahan-Talagas Protected Landscape	2,284.30
8	21	Talaytay Protected Landscape	3,598.31
9			
10	NCR		
11	22	Las Piñas-Parañaque Critical Habitat	
12		and Ecotourism Area (LPPCHEA)	181.63
13		also known as Las Piñas-Parañaque	
14		Wetland Park	
15	23	Ninoy Aquino Parks and Wildlife Center	23.85
16			
17	Region IV-A		
18	24	Buenavista Protected Landscape	287.24
19	25	Hinulugan Taktak Protected	3.58
20		Landscape	
21	26	Maulawin Spring Protected Landscape	183.15
22	27	Mts. Palay-Palay and Mataas na Gulod	3,972.70
23		Protected Landscape	
24	28	Pamitinan Protected Landscape	609.15
25	29	Quezon Protected Landscape	1,042.85

1	30	Taal Volcano Protected Landscape	62,292.16
2	31	Upper Marikina River Basin	26,125.64
3		Protected Landscape	
4	Region IV-B		
5	32	Apo Reef Natural Park	15,799.23
6	33	Marinduque Wildlife Sanctuary	9,758.71
7	34	Mt. Calavite Wildlife Sanctuary	18,172.69
8	35	Mt. Guiting-Guiting Natural Park	15,515.22
9	36	Mts. Iglit-Baco Natural Park	106,655.62
10			
11	Region V		
12	37	Abasig- Matogdon Natural	5,918.31
13		Biotic Area	
14	38	Bicol Natural Park	5,466.35
15	39	Bongsanglay Natural Park	518.90
16	40	Bulusan Volcano Natural Park	3,641.57
17	41	Catanduanes Watershed	48,924.09
18		Forest Reserve	
19	42	Chico Island Wildlife Sanctuary	7.84
20	43	Lagonoy Natural Biotic Area	443.63
21	44	Malabungot Protected Landscape	147.71
22		and Seascape	
23	45	Mt. Isarog Natural Park	10,090.89
24	46	Mt. Mayon Natural Park	5,327.15
25	47	Naro Island Wildlife Sanctuary	110.012

1	Region VI		
2	48	Northern Negros Natural Park	70,826.16
3	49	Northwest Panay Peninsula	12,009.29
4		Natural Park	
5	50	Sibalom Natural Park	6,778.44
6			
7	Region VII		
8	51	Alburquerque- Loay- Loboc	1,165.51
9		Protected Landscape and Seascape	
10	52	Apo Island Protected Landscape	691.40
11		and Seascape	
12	53	Balinsasayao Twin Lakes Natural Park	8,016.05
13	54	Camotes Island Mangrove Swamp	1,436.98
14		Forest Reserve	
15	55	Chocolate Hills Natural Monument	13,994.95
16	56	Olango Island Wildlife Sanctuary	1,382.29
17	57	Panglao Island Protected Seascape	2,445.08
18	58	Rajah Sikatuna Protected Landscape	10,964.64
19	59	Talibon Group of Island Protected	6,446.31
20		Landscape and Seascape	
21	60	Tañon Strait Protected Seascape	534,589.05
22			
23	Region VIII		
24	61	Biri Larosa Protected Landscape	32,284.14
25		and Seascape	

1	62	Calbayog Pan-As Hayiban	5,067.93
2		Protected Landscape	
3	63	Cuatro Islas Protected Landscape	11,407.46
4		and Seascape	
5	64	Guiuan Marine Resource Protected	66,725.26
6		Landscape and Seascape	
7	65	Lake Danao Natural Park	2,244.16
8	66	Mahagnao Volcano Natural Park	340.82
9	67	Samar Island Natural Park	335,105.57
10			
11	Region IX		
12	68	Aliguay Island Protected	1,188.39
13		Landscape and Seascape	
14	69	Basilan Natural Biotic Area	4,545.986
15	70	Buug Natural Biotic Area	1,261.46
16	71	Dumanquillas Bay Protected	26,112.21
17		Landscape and Seascape	
18	72	Jose Rizal Memorial Protected	474.82
19		Landscape	
20	73	Mt. Timolan Protected Landscape	2,244.538
21	74	Murcielagos Protected Landscape	100.40
22		and Seascape	
23	75	Pasonanca Natural Park	12,102.08
24	76	Selinog Island Protected Landscape	959.41
25		and Seascape	

1	77	Siocon Resource Reserve	855.59
2	78	Turtle Islands Wildlife Sanctuary	242,958.287
3			
4	Region X		
5	79	Baliangao Protected Landscape	315.50
6		and Seascape	
7	80	Initao- Libertad Protected Landscape	921.02
8		and Seascape	
9	81	Mt. Balatukan Range Natural Park	8,437.86
10	82	Mt. Inayawan Range Natural Park	4,236.18
11	83	Mt. Kalatungan Range Natural Park	22,225.11
12	84	Mt. Timpoong and Hibok-Hibok	2,203.39
13		Natural Monument	
14			
15	Region XI		
16	85	Aliwagwag Protected Landscape	10,261.06
17	86	Mabini Protected Landscape and	7,292.62
18		Seascape	
19	87	Mati Protected Landscape	884.46
20	88	Pujada Bay Protected Landscape	20,873.43
21		and Seascape	
22			
23	Region XII		
24	89	Mt. Matutum Protected Landscape	13,947.00
25	90	Sarangani Bay Protected Landscape	210,887.69

1 and Seascape

2
3 **Region XIII**

4	91	Agusan Marsh Wildlife Sanctuary	40,940.96
5	92	Siargao Islands Protected Landscape	283,974.77

6 and Seascape

7 [(b) Within one (1) year from the effectivity of this Act, the DENR shall
8 submit to the Senate and the House of Representatives a map and legal
9 description or natural boundaries of each protected area initially comprising
10 the System. Such maps and legal descriptions shall, by virtue of this Act,
11 constitute the official documentary representation of the entire System,
12 subject to such changes as Congress deems necessary;]

13 **THE BOUNDARIES AND TECHNICAL DESCRIPTIONS OF EACH**
14 **PROTECTED AREA AS DESCRIBED IN THE ATTACHED ANNEX ARE**
15 **HEREBY ADOPTED. THE DENR, WITH THE ASSISTANCE OF OTHER**
16 **GOVERNMENT AGENCIES, IF NECESSARY, SHALL DELINEATE AND**
17 **DEMARCATÉ ON THE GROUND THE BOUNDARIES OF EACH PROTECTED**
18 **AREA WHICH SHALL NOT BE MODIFIED EXCEPT BY AN ACT OF**
19 **CONGRESS.**

20
21 **A.2. THE REMAINING INITIAL COMPONENTS. - WITHIN THREE (3)**
22 **YEARS FROM THE EFFECTIVITY OF THIS ACT, THE DENR SHALL**
23 **UNDERTAKE THE FOLLOWING ACTIVITIES IN PREPARATION FOR THE**
24 **ESTABLISHMENT OF THE REMAINING INITIAL COMPONENTS AS**
25 **PROTECTED AREAS THROUGH AN ACT OF CONGRESS: I) PROVIDE MAPS**

1 AND TECHNICAL DESCRIPTIONS OF THE AREAS; II) CONDUCT
2 SUITABILITY ASSESSMENT OF THE AREAS; AND III) ACTIVELY CONDUCT
3 PUBLIC HEARINGS.

4 ANY INITIAL COMPONENT THAT DOES NOT SATISFY THE
5 ABOVEMENTIONED REQUIREMENTS SHALL BE CONSIDERED DELISTED
6 WITHOUT PREJUDICE TO RELISTING BASED ON THE EMERGENCE OF
7 NEW SCIENTIFIC INFORMATION.

8
9 A.3. ADDITIONAL AREAS TO BE INCLUDED INTO THE SYSTEM. – UPON
10 THE RECOMMENDATION OF THE DENR, ADDITIONAL AREAS WITH
11 UNIQUE PHYSICAL FEATURES, ANTHROPOLOGICAL SIGNIFICANCE AND
12 HIGH BIOLOGICAL DIVERSITY MAY BE PROPOSED FOR INCLUSION AS
13 PART OF THE SYSTEM. SUCH AREAS SHALL UNDERGO THE SAME
14 PROCEDURE AS THE REMAINING INITIAL COMPONENTS FOR
15 LEGISLATIVE ENACTMENT.

16 [(c)] (B) All DENR records pertaining to the protected areas, including maps
17 and [legal] TECHNICAL descriptions or natural boundaries, copies of rules
18 and regulations governing them, copies of [public] notices [of], and reports
19 submitted to Congress [regarding] ON pending addition[s], elimination[s], or
20 modification[s] shall be made available to the public. These [legal]
21 documents [pertaining to protected areas] shall also be **MADE** available to
22 the public in the respective DENR Regional Offices, Provincial Environment
23 and Natural Resources Offices (PENROs) and Community Environment and
24 Natural Resources Offices (CENROs) and Protected Area Management Offices
25 (PAMOs) where NIPAS are located;

1 **[(d) (C)]** Within three (3) years from the effectivity of this Act, the DENR shall
2 study and review each area tentatively composing the System as to its suitability
3 or non-suitability for preservation as protected area and inclusion in the System
4 according to the categories established in Section 3 hereof and report its findings
5 to the President as soon as each study is completed. The study **[must include in]**
6 **FOR each area SHALL INCLUDE THE FOLLOWING:**

- 7 1. A **[forest] PROTECTED AREA** occupants survey;
- 8 2. An ethnographic study;
- 9 3. A protected area resource profile;
- 10 4. Land **AND WATER** use plans done in coordination with the respective
11 Regional Development Councils; and
- 12 5. Such other background studies as will be sufficient **AND RELEVANT**
13 bases for selection.

14
15 **(D) IN THE CONDUCT OF PUBLIC CONSULTATION, [T] the DENR shall:**

- 16 (i) Notify the public of the proposed action through publication in a
17 newspaper of general circulation, and such other means **[as the System**
18 **deems necessary in the area or areas in the vicinity of the affected land]**
19 **INCLUDING NOTICES TO THE STAKEHOLDERS THAT WILL LIKELY BE**
20 **AFFECTED WITHIN THE RESPECTIVE LOCALITIES,** thirty (30) days prior
21 to the **[public hearing] CONSULTATION;**
- 22 (ii) Conduct **ACTIVE** public **[hearings] CONSULTATION AND**
23 **PARTICIPATION OF STAKEHOLDERS** at **[the] locations nearest to the [area**
24 **affected]PROPOSED PROTECTED AREAS;**

1 (iii) [At least thirty (30) days prior to the date of hearing] Advise all Local
2 Government Units (LGUs) in the [affected areas] **NEAREST PROPOSED**
3 **AREAS**, national agencies concerned, people's organizations [and], non-
4 government organizations, **AND PRIVATE SECTORS** and invite [such] **THE**
5 **RESPECTIVE** officials **OR REPRESENTATIVES** to [submit their views on the
6 proposed action at the hearing] **ATTEND AND PROVIDE POSITION PAPERS**
7 [not later than]at least thirty (30) days [following] **PRIOR TO** the date of [
8 the] hearing; and

9 (iv) [Give due consideration to the]**COME UP WITH** recommendations
10 **BASED ON THE VIEWS AND COMMENTS GATHERED FROM** [at]the public
11 [hearing]consultation; [and provide sufficient explanation for his
12 recommendations contrary to the general sentiments expressed in the public
13 hearing;]

14 (e) Upon receipt of the recommendations of the DENR, the President shall
15 issue a [presidential] proclamation [designating] **ESTABLISHING** the
16 [recommended] **PROPOSED** areas and providing for measures for their
17 protection until [such] **THE** time when Congress shall have enacted **A** law
18 finally declaring [such] **THE** recommended areas as part of the [integrated
19 protected area] System[s]; and

20 (f) Thereafter, the President shall [send] **RECOMMEND** to the Senate and
21 **THE** House of Representatives, [his recommendations with respect to] the
22 designation[s] [as]**OF** protected areas or reclassification of each area, [on
23 which] **THE** review **OF WHICH** has been completed, together with maps and
24 legal description of boundaries. [The President, in his recommendation, may

1 propose the alteration of existing boundaries of any or all proclaimed
2 protected areas, addition of any contiguous area of public land of
3 predominant physical and biological value. Nothing contained herein shall
4 limit the President to propose, as part of his recommendation to Congress,
5 additional areas which have not been designated proclaimed or set aside by
6 law, presidential decree, proclamation or executive order as protected
7 area/s.]

8
9 **SEC. 5.** Section 9 of Republic Act No. 7586 is hereby amended to read as follows:

10 "SEC. 9. Management Plan. – **WITHIN ONE YEAR FROM THE**
11 **ESTABLISHMENT OF THE PROTECTED AREA, [T]** there shall be a [general]
12 management [planning] **PLAN [strategy] PROMULGATED FOR EACH**
13 **PROTECTED AREA THAT SHALL [to]** serve as [guide in formulating
14 individual plans for each] **THE BASIC LONG-TERM FRAMEWORK PLAN IN**
15 **THE MANAGEMENT OF THE** protected area [.]**AND GUIDE IN THE**
16 **PREPARATION OF ITS ANNUAL OPERATIONS PLAN AND BUDGET.**

17 The management [planning strategy] **PLAN** shall, at the minimum, promote
18 the adoption and implementation of innovative management techniques,
19 including, [if] **WHEN NECESSARY, [the concept of]** zoning, buffer zone
20 management [for multiple use and protection], habitat conservation and
21 rehabilitation, [diversity] **BIODIVERSITY MANAGEMENT**, community
22 organizing **AND DEVELOPMENT**, socioeconomic and scientific researches,
23 site-specific policy development, [pest management and fire control]
24 **CLIMATE CHANGE ADAPTATION AND MITIGATION, DISASTER RISK**
25 **REDUCTION AND MANAGEMENT, WASTE SEWERAGE AND SEPTAGE**

1 MANAGEMENT, AND GENDER AND DEVELOPMENT, AMONG OTHERS.
2 THE PLAN SHALL BE HARMONIZED WITH THE ANCESTRAL DOMAIN
3 SUSTAINABLE DEVELOPMENT AND PROTECTION PLAN (ADSDPP),
4 COMPREHENSIVE LAND USE PLAN (CLUP) AND OTHER LOCAL PLANS.”
5

6 [The management planning strategy shall also provide guidelines for the
7 protection of indigenous cultural communities, other tenured migrant
8 communities and sites for close coordination between and among local
9 agencies of the Government as well as the private sector.
10

11 Each component area of the System shall be planned and administered to
12 further protect and enhance the permanent preservation of its natural
13 conditions. A management manual shall be formulated and developed which
14 must contain the following: an individual management plan prepared by
15 three (3) experts, basic background information, field inventory of the
16 resources within the area, an assessment of assets and limitations, regional
17 interrelationships, particular objectives for managing the area, appropriate
18 division of the area into management zones, a review of the boundaries of the
19 area, and a design of the management programs.]
20

21 **SEC. 6.** Section 10 of Republic Act No. 7586 is hereby amended to read as follows:

22 “SEC.10. Administration and Management of the System. – The National
23 Integrated Protected Areas System is hereby placed under the control and
24 administration of the Department of Environment and Natural Resources.

1 [For this purpose, there is hereby created a division in the regional offices of
2 the Department to be called the Protected Areas and Wildlife Division in
3 regions where protected areas have been established, which shall be under
4 the supervision of a Regional Technical Director, and shall include
5 subordinate officers, clerks, and employees as may be proposed by the
6 Secretary, duly approved by the Department of Budget and Management, and
7 appropriated by the Congress. The Service thus established shall manage
8 protected areas and promote the permanent preservation, to the greatest
9 extent possible of their natural conditions.]

10
11 To carry out the mandate of this Act, the Secretary of the DENR is
12 empowered to perform [any and all of] the following acts:

13 [a. To conduct studies on various characteristic features and conditions of the
14 different protected areas, using commonalities in their characteristics, classify
15 and define them into categories and prescribe permissible or prohibited human
16 activities in each category in the System;]

17 [b. To adopt and enforce a land use scheme and zoning plan in adjoining areas
18 for the preservation and control of activities that may threaten the ecological
19 balance in the protected areas;]

20 [c. To cause the preparation of and exercise the power to review all plans and
21 proposals for the management of protected areas;]

22 [d.] A. To [promulgate] **ISSUE A SYSTEM-WIDE SET OF** rules and
23 regulations [necessary]to [carry out] **IMPLEMENT** the provisions of this act;

1 **B. TO SET STANDARDS, PROCEDURES AND PROTOCOLS FOR THE**
2 **ESTABLISHMENT AND MANAGEMENT OF PROTECTED AREAS AND**
3 **THE SYSTEM, SUCH AS BUT NOT LIMITED TO CONDUCT OF STUDY,**
4 **ZONING, REVIEW OF PLANS AND PROJECT PROPOSALS,**
5 **SPECIFICATIONS AND TYPES OF BUILDINGS AND OTHER**
6 **STRUCTURES, UNIFORM MARKERS AND SYMBOLS;**

7
8 [e.] **F. To deputize field officers and OTHER TECHNICAL AND SUPPORT**
9 **PERSONNEL; [and delegate any of his powers under this Act and other laws**
10 **to expedite its implementation and enforcement;]**

11 [f.] **C. To [fix and prescribe reasonable NIPAS fees to be collected from**
12 **government agencies or any person, firm or corporation deriving benefits**
13 **from the protected areas] DETERMINE A SYSTEM-WIDE SET OF FEES AND**
14 **CHARGES TO ENSURE SUSTAINABLE FINANCING OF PROTECTED AREAS**
15 **AND THE SYSTEM;**

16 [g.] **D. To [exact] IMPOSE administrative [fees and] fines AND PENALTIES**
17 **[as authorized in Section 21 for violation of guidelines, rules and regulations**
18 **of this Act as would endanger the viability of protected areas;]**

19 **E. TO REPORT ON THE STATUS OF THE INTEGRATED PROTECTED AREA**
20 **FUND (IPAF), ITS COLLECTION AND DISBURSEMENTS;**

21 **G. TO DESIGNATE THE APPROPRIATE CHAIR OF EACH PROTECTED**
22 **AREA MANAGEMENT BOARD.**

23 [h.] **G. To enter into contracts and/or agreements with private entities or**
24 **public agencies as may be necessary to carry out the objectives of the system.**

1 [l.] H. To accept in the name of the Philippine government and in behalf of
2 NIPAS funds, gifts or bequests of money for immediate disbursement or
3 other property in the interest of the NIPAS, its activities or its services.

4 [j.] I. To call on any agency or instrumentality of the government as well as
5 academic institutions, non-government organizations and the private
6 sectors, as may be necessary, to accomplish the objectives and activities of
7 the system.

8 [k.] J. To submit an annual report to the President of the Philippines and to
9 Congress on the status of protected areas in the country;

10 [n] K. To **OVERSEE AND SET GUIDELINES IN [control]** the construction,
11 operation and maintenance of roads, trails, waterworks, sewerage, fire
12 protection, and sanitation systems and other public utilities within the
13 protected area.

14 [l. To establish a uniform marker of the System, including an appropriate and
15 distinctive symbol for each category in the System, in consultation with
16 appropriate government agencies and public and private organizations;]

17 [m. To determine the specification of the class, type and style of buildings and
18 other structures to be constructed in protected areas and the materials to be
19 used;]

20 [o.] L. **WITHIN THE LIMITS ALLOWED BY EXISTING LAWS, RULES AND**
21 **REGULATIONS, TO REGULATE [control] THE** occupancy of suitable
22 portions of the protected area and **TO** resettle outside of said area occupants
23 therein, with the exemption of indigenous communities area; and

1 [p.] M. To perform such other functions as may be directed by the President
2 of the Philippines, and to do such acts as may be necessary or incidental to
3 the accomplishment of the purposes and objectives of the system.

4
5 **SEC. 7.** Section 11 of Republic Act No. 7586 is hereby wholly amended to read as
6 follows:

7 **"SEC. 11. PROTECTED AREA MANAGEMENT BOARD.- A PROTECTED**
8 **AREA MANAGEMENT BOARD SHALL BE CREATED FOR EACH OF THE**
9 **PROTECTED AREAS DESIGNATED AS INITIAL COMPONENTS,**
10 **ESTABLISHED BY PRESIDENTIAL PROCLAMATION, AND DECLARED BY**
11 **REPUBLIC ACT. THE BOARD SHALL BE COMPOSED OF THE**
12 **FOLLOWING:**

13 **A) DENR REGIONAL DIRECTOR UNDER WHOSE JURISDICTION THE**
14 **PROTECTED AREA IS LOCATED, AS CHAIRPERSON;**

15 **B) GOVERNOR/S OF THE PROVINCE/S WHERE THE PROTECTED**
16 **AREA IS LOCATED OR HIS/HER/THEIR DULY DESIGNATED**
17 **REPRESENTATIVE/S;**

18 **C) DISTRICT REPRESENTATIVE/S OF THE CONGRESSIONAL**
19 **DISTRICT/S WHERE THE PROTECTED AREA IS LOCATED OR**
20 **HIS/HER/THEIR DULY DESIGNATED REPRESENTATIVE/S;**

21 **D) MAYOR/S OF THE CITY/CITIES OR**
22 **MUNICIPALITY/MUNICIPALITIES WHERE THE PROTECTED AREA IS**
23 **LOCATED OR HIS/HER/THEIR DULY DESIGNATED REPRESENTATIVE/S;**

24 **E) CHAIRPERSON/S OF THE BARANGAY/S WHERE THE PROTECTED**
25 **AREA IS LOCATED;**

1 F) REGIONAL DIRECTORS OF THE FOLLOWING GOVERNMENT
2 AGENCIES, NAMELY: THE DEPARTMENT OF AGRICULTURE (DA); THE
3 NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY (NEDA); THE
4 DEPARTMENT OF DEPARTMENT OF SCIENCE AND TECHNOLOGY
5 (DOST), THE PHILIPPINE NATIONAL POLICE; AND THE DEPARTMENT
6 OF NATIONAL DEFENSE (DND).

7 G) ONE (1) REPRESENTATIVE FROM EITHER A NON-
8 GOVERNMENTAL ORGANIZATION (NGO) OR PEOPLE'S ORGANIZATION
9 (PO), DULY ACCREDITED BY THE DENR. THE NGO OR PO RERESENTED
10 SHOULD HAVE BEEN EXISTING FOR AT LEAST FIVE (5) YEARS AND
11 WITH TRACK RECORD RELATED TO THE PROTECTION AND
12 MANAGEMENT OF THE PROTECTED AREA;

13 H) ONE (1) REPRESENTATIVE FROM THE IP/ICC, IF APPLICABLE;

14 I) ONE (1) REPRESENTATIVE FROM AN ACADEMIC INSTITUTION,
15 PREFERABLY FROM A UNIVERSITY OR COLLEGE FOUND IN THE
16 PROVINCE WHERE THE PROTECTED AREA IS LOCATED, WITH PROVEN
17 TRACK RECORD RELATED TO THE PROTECTION AND MANAGEMENT OF
18 THE PROTECTED AREA; AND

19 J) ONE (1) REPRESENTATIVE FROM THE PRIVATE SECTOR,
20 PREFERABLY A RESIDENT OF THE PROVINCE WHERE THE PROTECTED
21 AREA IS LOCATED, WHO HAS DISTINGUISHED HIMSELF OR HERSELF IN A
22 PROFESSION OR FIELD OF INTEREST RELEVANT TO THE PROTECTION
23 AND MANAGEMENT OF PROTECTED AREAS .

24 FOR THOSE WHO ARE EX-OFFICIO MEMBERS OR MEMBERS OF
25 THE PAMB BY VIRTUE OF THEIR ELECTIVE OR APPOINTIVE

1 GOVERNMENT POSITIONS FOUND UNDER THE IMMEDIATELY
2 PRECEDING SUBPARAGRAPHS (A), (B), (C), (D), (E) AND (F), THEIR
3 MEMBERSHIP IN THE PAMB SHALL BE CO-TERMINUS WITH THEIR
4 RESPECTIVE TERMS OF OFFICE IN THEIR RESPECTIVE ELECTIVE OR
5 APPOINTIVE GOVERNMENT POSITIONS. ON THE OTHER HAND, THE
6 MEMBERS OF THE PAMB ENUMARATED UNDER SUBPARAGRAPHS (G),
7 (H), (I) AND (J) SHALL BE APPOINTED BY THE DENR SECRETARY, AFTER
8 THE CONDUCT OF A TRANSPARENT AND FAIR SELECTION PROCESS,
9 AND SHALL EACH HAVE A TERM OF THREE (3) YEARS AND COULD BE
10 RE-APPOINTED FOR ANOTHER THREE (3)-YEAR TERM ONLY.

11 THE MEMBERS OF THE PAMB SHALL SERVE WITHOUT
12 COMPENSATION, EXCEPT FOR THE ACTUAL AND NECESSARY
13 TRAVELING AND SUBSISTENCE EXPENSES INCURRED IN THE
14 PERFORMANCE OF THEIR DUTIES, EITHER IN THEIR ATTENDANCE IN
15 MEETINGS OF THE PAMB OR IN CONNECTION WITH OTHER OFFICIAL
16 BUSINESS AUTHORIZED THROUGH A RESOLUTION OF THE PAMB,
17 SUBJECT TO EXISTING RULES AND REGULATIONS. EACH MEMBER
18 SHALL HAVE THE FULL CAPACITY AND ACCOUNTABILITY FOR
19 DECISIONS BINDING TO THE MEMBER'S SECTOR.

20 THE PAMB MEMBERS DULY APPOINTED PRIOR TO THE
21 EFFECTIVITY OF THIS ACT SHALL CONTINUE THEIR TERM UNTIL THE
22 EXPIRATION OF THEIR APPOINTMENT. THEREAFTER, MEMBERS OF
23 THE MANAGEMENT BOARD SHALL BE APPOINTED IN ACCORDANCE
24 WITH THE PROVISIONS OF THIS ACT: *PROVIDED*, THAT THE REGIONAL
25 DIRECTOR OF DENR SHALL ENSURE THAT THE RELEVANT MEMBERS OF

1 THE PAMB ARE DULY APPOINTED BY THE DENR SECRETARY:
2 *PROVIDED, FURTHER THAT, IF FEASIBLE, AT LEAST TWENTY (20%) OF*
3 *THE PAMB MEMBERS SHALL BE WOMEN, PURSUANT TO REPUBLIC ACT*
4 *NO. 9710 OR THE MAGNA CARTA OF WOMEN.*

5 A MEMBER MAY BE REMOVED FOR ANY OF THE FOLLOWING
6 GROUNDS:

7 A) MORE THAN THREE (3) CONSECUTIVE UNEXCUSED ABSENCES
8 FROM REGULAR MEETINGS OF THE MANAGEMENT BOARD;

9 B) COMMISSION OF ACTS PREJUDICIAL TO THE MANAGEMENT OF
10 PROTECTED AREAS AS EMBODIED IN SECTION 20 HEREOF AND/OR
11 OTHER EXISTING RULES AND REGULATIONS GOVERNING PROTECTED
12 AREAS;

13 C) DISASSOCIATION FROM THE OFFICE OR ORGANIZATION BEING
14 REPRESENTED;

15 D) TERMINATION OF RELATIONSHIP WITH THE OFFICE OR
16 ORGANIZATION BEING REPRESENTED; OR

17 E) CONVICTION BY FINAL JUDGMENT OF ANY CRIMINAL ACT.
18

19 THE REPRESENTATIVES FROM THE LOCAL GOVERNMENT UNITS
20 (LGUS) AND NATIONAL AGENCIES IN THE PAMB SHALL INFORM THEIR
21 RESPECTIVE CONSTITUENTS, OFFICES OR SECTORS, OF PAMB
22 APPROVED OR OTHER RELEVANT POLICIES, RULES, REGULATIONS,
23 PROGRAMS AND PROJECTS AND TO ENSURE THAT THE PROVISIONS OF
24 THIS ACT, THE NIPAS ACT AND ITS IMPLEMENTING RULES AND
25 REGULATIONS ARE OBSERVED, COMPLIED WITH, AND USED AS

1 REFERENCE AND FRAMEWORK IN THEIR RESPECTIVE PLANS, POLICIES,
2 PROGRAMS AND PROJECTS. FAILURE TO COMPLY WITH THE
3 FOREGOING SHALL SUBJECT SUCH REPRESENTATIVE TO DISCIPLINARY
4 ACTION AS THE PAMB MAY PROVIDE.”

5
6 **SEC. 8.** Insert two (2) new sections after Section 11 of Republic Act No. 7586 to read as
7 follows:

8 *“SEC. 11.1. POWERS AND FUNCTIONS OF THE PAMB.* – THE PAMB SHALL,
9 BY A MAJORITY VOTE, DECIDE ON THE ALLOCATIONS OF BUDGET,
10 APPROVE PROPOSALS FOR FUNDING, DECIDE ON MATTERS RELATING
11 TO PLANNING, NECESSARY PERIPHERAL PROTECTION AND GENERAL
12 ADMINISTRATION OF THE PROTECTED AREA IN ACCORDANCE WITH
13 THE MANAGEMENT PLAN. SPECIFICALLY, THE PAMB SHALL HAVE THE
14 FOLLOWING POWERS AND FUNCTIONS:

- 15 A) OVERSEE THE MANAGEMENT OF THE PROTECTED AREA;
- 16 B) APPROVE POLICIES, PLANS AND PROGRAMS, PROPOSALS,
17 AGREEMENTS AND OTHER RELATED DOCUMENTS FOR THE
18 MANAGEMENT OF THE PROTECTED AREAS;
- 19 C) APPROVE THE MANAGEMENT PLAN OF THE PROTECTED AREA AND
20 ENSURE ITS HARMONIZATION AND INTEGRATION WITH THE
21 ANCESTRAL DOMAIN SUSTAINABLE DEVELOPMENT AND PROTECTION
22 PLAN, LAND USE PLAN AND OTHER DEVELOPMENT PLAN, PUBLIC OR
23 PRIVATE, AND ITS IMPLEMENTATION;
- 24 D) ADOPT MANUAL OF OPERATIONS TO INCLUDE RULES OF
25 PROCEDURES IN THE CONDUCT OF BUSINESS, AND CREATION OF

1 COMMITTEES AND THEIR IR RESPECTIVE TERMS OF
2 REFERENCE ;

3 E) RECOMMEND THE DEPUTATION OF APPROPRIATE AGENCIES AND
4 INDIVIDUALS FOR THE ENFORCEMENT OF THE LAWS, RULES AND
5 REGULATIONS GOVERNING THE CONDUCT OR MANAGEMENT OF THE
6 PROTECTED AREA;

7 F) ALLOCATE FINANCIAL RESOURCES FOR THE IMPLEMENTATION OF
8 THE MANAGEMENT PLAN AND MANAGE THE PROTECTED AREA
9 RETENTION INCOME ACCOUNT, AND OTHER FUNDS IN ACCORDANCE
10 WITH THE ACCOUNTING AND BUDGETING RULES AND REGULATIONS;

11 G) IMPLEMENT THE ESTABLISHED CRITERIA AND SET FEES AND
12 CHARGES IN ACCORDANCE WITH EXISTING GUIDELINES AND RAISE
13 FUNDS FOR THE PROTECTED AREA;

14 H) ISSUE RULES AND REGULATIONS FOR THE RESOLUTION OF
15 CONFLICTS THROUGH APPROPRIATE AND EFFECTIVE MEANS;

16 I) RECOMMEND APPROPRIATE POLICY CHANGES TO THE DENR AND
17 OTHER GOVERNMENT AUTHORITIES;

18 J) MONITOR AND ASSESS THE PERFORMANCE OF THE PASU AND OTHER
19 PROTECTED AREA PERSONNEL AND COMPLIANCE OF PARTNERS TO
20 THE TERMS AND CONDITIONS OF ANY UNDERTAKING, CONTRACT OR
21 AGREEMENT;

22 K) RECOMMEND FROM AMONG A SHORT LIST OF QUALIFIED
23 CANDIDATES, THE DESIGNATION OR APPOINTMENT OF THE PASU; AND

24 L) ASSESS THE EFFECTIVENESS OF THE MANAGEMENT OF THE
25 PROTECTED AREA:

1 *PROVIDED, THAT THE MEMBERS OF THE MANAGEMENT BOARD FROM*
2 *THE LOCAL GOVERNMENT UNITS (LGUS) AND NATIONAL AGENCIES IN*
3 *THE PAMB SHALL INFORM THEIR RESPECTIVE CONSTITUENTS, OFFICES*
4 *OR SECTORS, OF PAMB-APPROVED OR OTHER RELEVANT POLICIES,*
5 *RULES, REGULATIONS, PROGRAMS AND PROJECTS AND SHALL ENSURE*
6 *THAT THE PROVISIONS OF THIS ACT, AND ITS IMPLEMENTING RULES*
7 *AND REGULATIONS, ARE COMPLIED WITH, AND USED AS REFERENCE*
8 *AND FRAMEWORK IN THEIR RESPECTIVE PLANS, POLICIES, PROGRAMS*
9 *AND PROJECTS. FAILURE TO COMPLY WITH THE FOREGOING SHALL*
10 *SUBJECT SUCH REPRESENTATIVE TO DISCIPLINARY ACTION AS THE*
11 *PAMB MAY PROVIDE: PROVIDED, FURTHER, THAT THE DENR SHALL*
12 *ENSURE THAT THE PAMB ACTS WITHIN THE SCOPE OF ITS POWERS*
13 *AND FUNCTIONS. IN CASE OF CONFLICT BETWEEN THE RESOLUTIONS*
14 *ISSUED BY THE PAMB AND THE EXISTING ADMINISTRATIVE ORDERS OF*
15 *NATIONAL APPLICATION, THE LATTER SHALL PREVAIL."*

16
17 *"SEC. 11.2. THE PROTECTED AREA MANAGEMENT OFFICE (PAMO).-*
18 *THERE IS HEREBY CREATED A PROTECTED AREA MANAGEMENT OFFICE*
19 *(PAMO) TO BE HEADED BY A (PASU) WITH PLANTILLA POSITION WHO*
20 *SHALL PERFORM THE DAY TO DAY MANAGEMENT, PROTECTION, AND*
21 *ADMINISTRATION OF THE PROTECTED AREA. SUFFICIENT NUMBER OF*
22 *SUPPORT STAFF SHALL BE APPOINTED BY THE DENR TO ASSIST THE*
23 *PASU IN THE MANAGEMENT OF THE PROTECTED AREA.*
24

1 THE PASU SHALL BE PRIMARILY ACCOUNTABLE TO THE PAMB AND
2 THE DENR FOR THE MANAGEMENT AND OPERATIONS OF THE
3 PROTECTED AREA. AS SUCH, THE PASU SHALL HAVE THE FOLLOWING
4 DUTIES AND RESPONSIBILITIES:

5 A) PREPARE THE MANAGEMENT PLAN, IN CONSULTATION WITH
6 THE STAKEHOLDERS, INCLUDING THE ANNUAL WORK AND FINANCIAL
7 PLAN AND ENSURE ITS IMPLEMENTATION;

8 B) ENSURE THE INTEGRATION OF THE PROTECTED AREA
9 MANAGEMENT PLANS, PROGRAMS, PROJECTS AND POLICIES WITH
10 RELEVANT NATIONAL AND LOCAL GOVERNMENT UNITS' PLANS AND
11 PROGRAMS;

12 C) PROVIDE SECRETARIAT SERVICES TO THE PAMB AND ITS
13 COMMITTEES AND ENSURE THE AVAILABILITY OF RELEVANT AND
14 TIMELY INFORMATION FOR DECISION MAKING;

15 D) FORMULATE AND RECOMMEND TO THE PAMB PROPOSED
16 POLICIES, RULES, REGULATIONS AND PROGRAMS;

17 E) ESTABLISH, OPERATE AND MAINTAIN A DATABASE
18 MANAGEMENT SYSTEM AS DECISION SUPPORT TOOL;

19 F) ENFORCE THE LAWS, RULES AND REGULATIONS RELEVANT TO
20 THE PROTECTED AREA, COMMENCE AND INSTITUTE ADMINISTRATIVE
21 AND LEGAL ACTIONS IN COLLABORATION WITH OTHER GOVERNMENT
22 AGENCIES OR ORGANIZATIONS AND ASSIST IN THE PROSECUTION OF
23 OFFENSES COMMITTED IN VIOLATION OF THIS ACT;

24 G) MONITOR, EVALUATE, AND REPORT THE IMPLEMENTATION OF
25 MANAGEMENT ACTIVITIES OF THE PROTECTED AREA;

1 H) REQUEST FOR AND RECEIVE ANY TECHNICAL ASSISTANCE,
2 SUPPORT OR ADVICE FROM ANY AGENCY OR INSTRUMENTALITY OF
3 THE GOVERNMENT AS WELL AS ACADEMIC INSTITUTIONS, NON-
4 GOVERNMENTAL ORGANIZATIONS (NGOS) AND THE PRIVATE SECTOR,
5 AS MAY BE NECESSARY FOR THE EFFECTIVE MANAGEMENT,
6 PROTECTION AND ADMINISTRATION OF THE PROTECTED AREA;

7 I) ISSUE PERMITS AND CLEARANCES FOR ACTIVITIES THAT
8 IMPLEMENT THE MANAGEMENT PLAN AND OTHER PERMITTED
9 ACTIVITIES IN ACCORDANCE WITH TERMS, CONDITIONS AND CRITERIA
10 ESTABLISHED BY PAMB: PROVIDED, THAT ALL PERMITS FOR
11 EXTRACTION ACTIVITIES, INCLUDING COLLECTION FOR RESEARCH
12 PURPOSES, SHALL ALSO CONTINUE TO BE ISSUED BY RELEVANT
13 AUTHORITIES, SUBJECT TO PRIOR CLEARANCE FROM THE PAMB,
14 THROUGH THE PASU, IN ACCORDANCE WITH THE SPECIFIC ACTS TO BE
15 COVERED;

16 J) COLLECT AND/OR RECEIVE PERTINENT FEES, CHARGES,
17 DONATIONS AND OTHER INCOME FOR THE PROTECTED AREA.
18 PROVIDED, THAT SUCH FEES, CHARGES, DONATIONS AND OTHER
19 INCOME COLLECTED/RECEIVED SHALL BE REPORTED REGULARLY TO
20 THE PAMB AND DENR IN ACCORDANCE WITH THE EXISTING
21 GUIDELINES;

22 K) PREPARE AND RECOMMEND TO THE PAMB APPROVAL OF THE
23 ANNUAL WORK AND FINANCIAL PLANS OF THE PROTECTED AREA
24 BASED ON THE MANAGEMENT PLAN; AND

1 L) PERFORM SUCH OTHER FUNCTIONS AS THE PAMB AND THE
2 DENR MAY DELEGATE.

3 THE PAMO MAY BE AUGMENTED BY THE DEPUTIZED ENVIRONMENT
4 AND NATURAL RESOURCES OFFICERS UPON THE RECOMMENDATION
5 OF THE PAMB AND APPROVAL BY THE DENR.”
6

7 **SEC. 9.** Section 13 of Republic Act No. 7586 is hereby amended to read as follows:
8

9 “SEC. 13. Ancestral Lands and Rights [Over Them].- Ancestral lands and
10 customary rights and interestS [arising] shall be accorded due recognition.
11 The DENR shall prescribe rules and regulations to govern the activities to be
12 conducted within ancestral lands within the protected areas: Provided, That
13 the DENR shall [have no power to] **NOT, AT ANY TIME**, evict indigenous
14 communities from their present occupancy, [n]or resettle them to another
15 area without their consent: Provided, however, That all rules and regulations,
16 whether **OR NOT** adversely affecting said communities [or not], shall be
17 subjected to notice and hearing to be participated in by members of
18 concerned indigenous community.

19 **INDIGENOUS COMMUNITIES CONSERVED AREAS (ICCAS) THAT**
20 **OVERLAP WITH PROTECTED AREAS SHALL BE RECOGNIZED AND**
21 **RESPECTED. IN AREAS WITH PARTIAL OVERLAP, A MECHANISM FOR**
22 **COORDINATION AND COMPLEMENTATION BETWEEN THE INDIGENOUS**
23 **TRADITIONAL LEADERSHIP AND GOVERNANCE STRUCTURES AND THE**
24 **NATIONAL COMMISSION OF THE INDIGENOUS PEOPLES (NCIP),**
25 **DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR),**

1 THE PROTECTED AREA MANAGEMENT BOARD (PAMB), AND THE PARK
2 OPERATIONS SUPERINTENDENT (PASU) SHALL BE CREATED. THE NCIP,
3 DENR, AND PAMB SHALL PROVIDE FULL AND EFFECTIVE FINANCIAL
4 AND TECHNICAL ASSISTANCE, CAPACITY BUILDING AND/OR
5 ENHANCEMENT TO REQUESTING ICCS/IPS IN THE IDENTIFICATION,
6 DOCUMENTATION, SURVEY AND MAPPING, RECOGNITION OF ICCAS,
7 BIODIVERSITY ASSESSMENT, PREPARATION OF COMMUNITY
8 CONSERVATION PLANS (CCP), INTERFACING OF THE CCP IN THE
9 ADSDPP, THE INTERFACING OF THE ADSDPP INTO THE PROTECTED
10 AREA MANAGEMENT PLAN, AND THE COMPREHENSIVE LAND USE
11 PLAN/S OF THE CONCERNED LGU/S. THEY SHALL ALSO PROVIDE
12 FINANCIAL AND TECHNICAL SUPPORT FOR THE RECOGNITION OF ICCAS
13 THROUGH THEIR LISTING OR REGISTRATION WITH THE NATIONAL
14 ICCA REGISTRY AND SIMILAR GLOBAL PLATFORMS OR NETWORKS,
15 AMONG OTHERS, UPON THE FORMAL REQUEST OF THE CONCERNED
16 ICCS/IPS. FURTHERMORE, THEY SHALL TAKE INTO ACCOUNT ICCA
17 ISSUES AND CONCERNS IN ALL MANAGEMENT PLANNING AND
18 DECISION-MAKING PROCESSES.

19 IN AREAS WITH FULL AREA OVERLAP, A PROCESS SHALL BE
20 ESTABLISHED FOR ICCS/IPS TO DECIDE WHAT IS THE BEST
21 GOVERNANCE MECHANISM OVER THE AREA. A MECHANISM FOR
22 COORDINATION AND COMPLEMENTATION BETWEEN THE INDIGENOUS
23 TRADITIONAL LEADERSHIP AND GOVERNANCE STRUCTURE, THE NCIP
24 AND THE DENR SHALL BE CREATED.”
25

1 **SEC. 10.** Section 14 of Republic Act No. 7586 is hereby amended to read as follows:

2 “SEC. 14. [Survey for] Energy Resources. – [Consistent with the policies in
3 Section 2, hereof,] Protected areas, except strict nature reserves and natural
4 parks, may be subjected to exploration only for the purpose of gathering
5 information on energy resources and only if such activity is carried out with the
6 least damage to surrounding areas. Surveys **FOR ENERGY RESOURCES shall** be
7 conducted only in accordance with a program approved by the DENR, and the
8 result of such surveys shall be made available to the public and submitted to the
9 President **WHO SHALL MAKE THE APPROPRIATE** [for] recommendations to
10 Congress. [Any exploitation and utilization of energy resources found within
11 NIPAS areas shall be allowed only through a law passed by Congress.]

12
13 **ENERGY PROJECTS LOCATED WITHIN THE DECLARED PROTECTED**
14 **AREAS, EXCEPT STRICT NATURE RESERVES AND NATURAL PARKS,**
15 **SHALL ONLY BE ALLOWED THROUGH AN ACT OF CONGRESS. THE**
16 **PAMB, WITH THE CONCURRENCE OF THE DENR SECRETARY, MAY**
17 **ALLOW RENEWABLE ENERGY PROJECTS IN THE MULTIPLE USE ZONES**
18 **OF OTHER CATEGORIES OF PROTECTED AREAS. PROVIDED, THEY**
19 **SHALL ADOPT REDUCED IMPACT TECHNOLOGIES, UNDERGO EIA AS**
20 **PROVIDED BY LAW, AND SHALL NOT BE DETRIMENTAL TO ECOSYSTEM**
21 **FUNCTIONS AND BIODIVERSITY: PROVIDED, FURTHER, THAT A**
22 **SUFFICIENT BOND SHALL BE REMITTED BY THE PROPONENT TO THE**
23 **IPAF TO BE RELEASED TO THE DEPOSITOR UPON THE**
24 **DECOMMISSIONING OF ALL EQUIPMENT, STRUCTURES AND**
25 **IMPROVEMENTS AND THE REHABILITATION OF THE SITE ACCORDING**

1 **TO THE ZONES AND OBJECTIVES UNDER THE MANAGEMENT PLANS AS**
2 **ATTESTED TO BY THE PAMB.”**

3
4 **SEC. 11.** Section 15 of Republic Act No. 7586 is hereby amended to read as follows:

5 “SEC. 15. Areas Under the Management of Other Departments and
6 Government Instrumentalities. – Should there be protected areas, or
7 portions thereof, under the jurisdiction of government instrumentalities
8 other than the DENR, such jurisdiction shall, prior to the passage of this Act,
9 remain in the said department or government instrumentality; Provided,
10 That the [department or government instrumentality exercising
11 administrative jurisdiction over said protected area or a portion thereof shall
12 coordinate with the DENR in the preparation of its management plans, upon
13 the effectivity of this Act.] **DENR SHALL RETAIN ITS OVERSIGHT**
14 **FUNCTION OVER SUCH PROTECTED AREAS, AND THE CONCERNED**
15 **AGENCY SHALL PROVIDE ANNUAL REPORTS ON THE MANAGEMENT OF**
16 **SAID AREAS FOCUSING ON THE CONSERVATION OF THE BIODIVERSITY**
17 **THEREIN.”**

18
19 **SEC. 12.** Section 16 of Republic Act No. 7586, as amended by Republic Act No. 10629, is
20 hereby amended to read as follows:

21 “SEC. 16. Integrated Protected Area Fund (IPAF). – There is hereby
22 established a trust fund to be known as the Integrated Protected Area
23 **[(IPAS)] Fund (IPAF)** for purposes of financing **THE** projects [of] **AND**
24 **SUSTAINING THE OPERATION OF THE PROTECTED AREAS AND** the
25 System. [The IPAS may solicit and receive donations, endowments and grants

1 in the form of contributions, and such endowments shall be exempted from
2 income and gift taxes and all other taxes, charges or fees imposed by the
3 government or any political division or any instrumentality thereof.]

4 [All] Income[s] generated from the operation [of the System or] AND
5 management of [wild flora and fauna] **THE PROTECTED AREAS** shall accrue
6 to the [Fund] IPAF [and may be utilized directly by the DENR for the above
7 purpose]. These incomes shall be derived from:

8
9 a. [Taxes from the permitted sale and export of flora and fauna and
10 other resources from protected areas;] **FEES AND CHARGES FROM**
11 **THE USE OF RESOURCES AND FACILITIES OF PROTECTED AREAS;**

12 [b. Proceeds from lease of multiple use areas;]

13 [c.] **B.** Contributions from industries and facilities directly benefiting
14 from the protected area; and

15 [d.] **C.** Such other fees and income derived from the operation of the
16 protected area.

17
18 **THE PAMB SHALL RETAIN SEVENTY-FIVE PERCENT (75%) OF ALL**
19 **REVENUES RAISED THROUGH THE ABOVE MEANS, TO BE DEPOSITED IN**
20 **THE PROTECTED AREA RETAINED INCOME ACCOUNT (PA-RIA) IN ANY**
21 **AUTHORIZED GOVERNMENT DEPOSITORY BANK WITHIN THE**
22 **LOCALITY: PROVIDED, THAT** disbursements [from the Fund] **OUT OF**
23 **SUCH DEPOSITS** shall be [made] **USED** solely for the protection,
24 maintenance, administration, and management of the [System,] **PROTECTED**

1 **AREA and IMPLEMENTATION OF** duly approved projects [endorsed by] **OF**
2 the PAMB[s, in the amounts authorized by the DENR].

3 **GRANTS, DONATIONS, ENDOWMENT FROM VARIOUS SOURCES,**
4 **DOMESTIC OR FOREIGN, OR LOCAL GOVERNMENT UNITS, AND**
5 **VOLUNTARY OR LEGISLATED PAYMENTS FOR ECOSYSTEM GOODS AND**
6 **SERVICES, INCLUDING FINES, PENALTIES AND COMPENSATION FOR**
7 **DAMAGES AND BONDS FROM PROTECTED AREA OFFENSES SHALL**
8 **ACCRUE TO THE PA-RIA AND SHALL BE MANAGED BY THE PAMB.**

9 **THE REMAINING TWENTY FIVE PERCENT (25%) OF THE REVENUES**
10 **SHALL BE DEPOSITED AS A SPECIAL ACCOUNT IN THE GENERAL FUND**
11 **(SAGF) IN THE NATIONAL TREASURY FOR PURPOSES OF FINANCING**
12 **THE PROJECTS OF THE SYSTEM.**

13 **THE USE OF THE IPAF SHALL BE IN ACCORDANCE WITH EXISTING**
14 **ACCOUNTING, BUDGETING AND AUDITING RULES AND REGULATIONS:**
15 ***PROVIDED, FURTHER,* THAT THE IPAF SHALL NOT BE USED TO COVER**
16 **PERSONAL SERVICES EXPENDITURES.**

17 **THE LGUS SHALL CONTINUE TO IMPOSE AND COLLECT OTHER FEES**
18 **NOT ENUMERATED HEREIN WHICH THEY HAVE TRADITIONALLY**
19 **COLLECTED, SUCH AS BUSINESS PERMITS AND RENTALS OF LGU**
20 **FACILITIES: *PROVIDED,* THAT THE LGUS SHALL NOT IMPOSE PROPERTY**
21 **TAX AND ISSUE A NEW TAX DECLARATION FOR AREAS COVERED BY**
22 **THE PROTECTED AREA. FURTHERMORE, LGUS MAY CHARGE ADD-ONS**
23 **TO FEES IMPOSED BY THE PAMB: *PROVIDED, THAT* SUCH ADD-ONS**
24 **SHALL BE BASED ON THE CONTRIBUTION OF THE LGUS IN THE**
25 **MAINTENANCE AND PROTECTION OF THE PROTECTED AREA. THE**

1 DENR SHALL SUBMIT TO THE DEPARTMENT OF BUDGET AND
2 MANAGEMENT (DBM), DEPARTMENT OF FINANCE (DOF) AND OTHER
3 OVERSIGHT GOVERNMENT AGENCIES, QUARTERLY FINANCIAL AND
4 PHYSICAL ACCOMPLISHMENT REPORTS ON THE UTILIZATION OF THE
5 IPAF AND OTHER DOCUMENTS AS MAY BE REQUIRED BY THE DBM,
6 COPY FURNISHED THE HOUSE COMMITTEE ON APPROPRIATIONS AND
7 THE SENATE COMMITTEE ON FINANCE.”

8
9 **SEC 13.** A new section entitled Section 16-A is hereby included in the same Act to read
10 as follows:

11 “SEC. 16-A. TAX EXEMPTION.- ALL GRANTS, BEQUESTS, ENDOWMENTS,
12 DONATIONS, AND CONTRIBUTIONS MADE TO THE PROTECTED AREA
13 FUND TO BE USED ACTUALLY, DIRECTLY, AND EXCLUSIVELY BY THE
14 PROTECTED AREA SHALL BE EXEMPT FROM DONOR’S TAX AND SHALL
15 BE CONSIDERED AS ALLOWABLE DEDUCTION FROM THE GROSS
16 INCOME OF THE DONOR FOR PURPOSES OF COMPUTING THE TAXABLE
17 INCOME OF THE DONOR IN ACCORDANCE WITH THE PROVISIONS OF
18 THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED.”

19
20 **SEC. 14.** Section 19 of Republic Act No. 7586 is hereby amended to read as follows:

21 “SEC. 19. Special Prosecutor[s] AND RETAINED COUNSEL. – WITHIN
22 THIRTY (30) DAYS FROM THE EFFECTIVITY OF THIS ACT, The
23 Department of Justice (DOJ) shall [designate] APPOINT special prosecutors
24 to prosecute violations of laws, rules and regulations in THE protected
25 area[s]. THE SPECIAL PROSECUTOR SHALL COORDINATE WITH THE

1 PAMB AND THE PASU IN THE PERFORMANCE OF DUTIES AND ASSIST IN
2 THE TRAINING OF WARDENS AND RANGERS IN ARREST AND CRIMINAL
3 PROCEDURES. THE PAMB MAY RETAIN THE SERVICES OF COUNSEL TO
4 PROSECUTE AND ASSIST IN THE PROSECUTION OF CASES UNDER THE
5 DIRECT CONTROL AND SUPERVISION OF THE REGULAR OR SPECIAL
6 PROSECUTOR. SAID COUNSEL SHALL ALSO REPRESENT AND DEFEND
7 THE MEMBERS OF THE PAMB, THE PASU AND THE STAFF, OR ANY DENR
8 DEPUTIZED INDIVIDUALS AND VOLUNTEERS, AGAINST ANY LEGAL
9 ACTION ARISING FROM THE PERFORMANCE OF THEIR POWERS,
10 FUNCTIONS AND RESPONSIBILITIES, AS PROVIDED IN THIS ACT.”
11
12

13 **SEC. 15.** Sections 20 of Republic Act No. 7586 is hereby amended to read as follows:

14 “SEC. 20. Prohibited Acts. –Except as may be allowed by the nature of their
15 categories and pursuant to rules and regulations governing the same, the
16 following acts are prohibited within protected areas:

17 (A) POACHING, KILLING, DESTROYING, DISTURBING OF ANY WILDLIFE,
18 INCLUDING IN PRIVATE LANDS WITHIN THE PROTECTED AREA;

19 (B) HUNTING, TAKING, COLLECTING, OR POSSESSING OF ANY
20 WILDLIFE, OR BY-PRODUCTS DERIVED THEREFROM, INCLUDING IN
21 PRIVATE LANDS WITHIN THE PROTECTED AREA, WITHOUT THE
22 NECESSARY PERMIT, AUTHORIZATION OR EXEMPTION: *PROVIDED,*
23 *THAT* THE PASU AS AUTHORIZED BY THE PAMB SHALL ISSUE A
24 PERMIT, AUTHORIZATION OR EXEMPTION ONLY FOR CULLING,
25 SCIENTIFIC RESEARCH, THE EXCEPTIONS PROVIDED UNDER SECTION

1 27(A) OF REPUBLIC ACT NO. 9147, OR HARVESTS OF NON-PROTECTED
2 SPECIES IN MULTIPLE USE ZONES BY TENURED MIGRANTS AND IPS;

3
4 (C) CUTTING, GATHERING, REMOVING OR COLLECTING TIMBER WITHIN
5 THE PROTECTED AREA, INCLUDING PRIVATE LANDS THEREIN,
6 WITHOUT THE NECESSARY PERMIT, AUTHORIZATION, CERTIFICATION
7 OF PLANTED TREES OR EXEMPTION, SUCH AS FOR CULLING EXOTIC
8 SPECIES; EXCEPT, HOWEVER, WHEN SUCH ACTS ARE DONE IN
9 ACCORDANCE WITH THE DULY RECOGNIZED PRACTICES OF THE IPS/
10 ICCS FOR SUBSISTENCE PURPOSES;

11
12 (D) POSSESSING OR TRANSPORTING OUTSIDE THE PROTECTED AREA
13 ANY TIMBER, FOREST PRODUCTS, WILDLIFE, OR BY-PRODUCTS
14 DERIVED THEREFROM, WHICH HAVE BEEN ASCERTAINED TO HAVE
15 BEEN TAKEN FROM THE PROTECTED AREA, OTHER THAN EXOTIC
16 SPECIES UNDER AN APPROPRIATE PERMIT FOR ITS CULLING;

17
18 (E) USING ANY FISHING OR HARVESTING GEAR AND PRACTICES OR ANY
19 OF THEIR VARIATIONS THAT DESTROYS CORAL REEFS, SEAGRASS BEDS
20 OR OTHER MARINE LIFE AND THEIR ASSOCIATED HABITATS OR
21 TERRESTRIAL HABITATS AS MAY BE DETERMINED BY DA OR THE
22 DENR: *PROVIDED, THAT* MERE POSSESSION OF SUCH GEARS WITHIN
23 PROTECTED AREAS SHALL BE PRIMA FACIE EVIDENCE OF THEIR USE;

24
25 (F) DUMPING, THROWING, USING, OR CAUSING TO BE DUMPED INTO
26 OR PLACED IN THE PROTECTED AREA ANY TOXIC CHEMICAL,

1 NOXIOUS OR POISONOUS SUBSTANCE OR NON-BIODEGRADABLE
2 MATERIAL, UNTREATED SEWAGE OR ANIMAL WASTE, OR PRODUCTS
3 WHETHER IN LIQUID, SOLID OR GAS STATE, INCLUDING PESTICIDES
4 AND OTHER HAZARDOUS SUBSTANCES AS DEFINED UNDER REPUBLIC
5 ACT NO. 6969, OTHERWISE KNOWN AS THE TOXIC SUBSTANCES AND
6 HAZARDOUS AND NUCLEAR WASTES CONTROL ACT OF 1990
7 DETRIMENTAL TO THE PROTECTED AREA, OR TO THE PLANTS AND
8 ANIMALS OR INHABITANTS THEREIN;

9 (G) OPERATING ANY MOTORIZED CONVEYANCE WITHIN THE
10 PROTECTED AREA WITHOUT PERMIT FROM THE PAMB, EXCEPT WHEN
11 THE USE OF SUCH MOTORIZED CONVEYANCE IS THE ONLY PRACTICAL
12 MEANS OF TRANSPORTATION OF IPS/ICCS IN ACCESSING THEIR
13 ANCESTRAL DOMAIN/LAND;

14 (H) ALTERING, REMOVING, DESTROYING OR DEFACING BOUNDARY
15 MARKS OR SIGNS;

16 (I) ENGAGING IN KAINGIN OR, IN ANY MANNER, CAUSING FOREST FIRES
17 INSIDE THE PROTECTED AREA;

18 (J) MUTILATING, DEFACING, DESTROYING, EXCAVATING, VANDALIZING
19 OR, IN ANY MANNER, DAMAGING ANY NATURAL FORMATION,
20 RELIGIOUS, SPIRITUAL, HISTORICAL SITES, ARTIFACTS AND OTHER
21 OBJECTS OF NATURAL BEAUTY, SCENIC VALUE OR OBJECTS OF
22 INTEREST TO ICCS/IPS;

23 (K) DAMAGING AND LEAVING ROADS AND TRAILS IN A DAMAGED
24 CONDITION;

1 (L) LITTERING OR DEPOSITING REFUSE OR DEBRIS ON THE GROUND OR
2 IN BODIES OF WATER;

3
4 (M) POSSESSING OR USING BLASTING CAPS OR EXPLOSIVES ANYWHERE
5 WITHIN THE PROTECTED AREA;

6
7 (N) OCCUPYING OR DWELLING IN ANY PUBLIC LANDS WITHIN THE
8 PROTECTED AREA WITHOUT CLEARANCE FROM THE PAMB;

9
10 (O) CONSTRUCTING, ERECTING, OR MAINTAINING ANY KIND OF
11 STRUCTURE, FENCE OR ENCLOSURES, CONDUCTING ANY BUSINESS
12 ENTERPRISE WITHIN THE DECLARED PROTECTED AREA WITHOUT THE
13 PRIOR PAMB CLEARANCE AND PERMIT FROM DENR AND
14 INCONSISTENT WITH THE MANAGEMENT PLAN DULY APPROVED BY
15 THE PAMB;

16
17
18 (P) UNDERTAKING MINERAL EXPLORATION OR EXTRACTION WITHIN
19 THE PROTECTED AREA;

20
21
22 (Q) ENGAGING IN COMMERCIAL OR LARGE-SCALE QUARRYING WITHIN
23 THE PROTECTED AREA;

24
25 (R) ESTABLISHING OR INTRODUCING EXOTIC SPECIES, INCLUDING
26 GENETICALLY MODIFIED ORGANISMS (GMOS), OR INVASIVE ALIEN
27 SPECIES WITHIN THE PROTECTED AREA;

28
29 (S) CONDUCTING BIOPROSPECTING WITHIN THE PROTECTED AREA
30 WITHOUT PRIOR PAMB CLEARANCE IN ACCORDANCE WITH EXISTING
31 GUIDELINES: PROVIDED, THAT IN ADDITION TO THE PENALTY HEREIN,

1 ANY COMMERCIAL USE OF ANY SUBSTANCE DERIVED FROM NON-
2 PERMITTED BIOPROSPECTING WITHIN A PROTECTED AREA WILL NOT
3 BE ALLOWED AND ALL REVENUE EARNED FROM ILLEGAL
4 COMMERCIALIZATION THEREOF WILL BE FORFEITED AND DEPOSITED
5 IN FAVOR OF IPAF;

6 (T) PROSPECTING, HUNTING OR OTHERWISE LOCATING HIDDEN
7 TREASURES WITHIN THE PROTECTED AREA;

8 (U) PURCHASING OR SELLING, MORTGAGING OR LEASING LANDS OR
9 OTHER PORTIONS OF THE PROTECTED AREA WHICH ARE COVERED BY
10 ANY TENURIAL INSTRUMENT; AND

11 (V) CONSTRUCTING ANY PERMANENT STRUCTURES WITHIN THE
12 FORTY (40) METER EASEMENT FROM THE HIGH WATER MARK OF ANY
13 NATURAL BODY OF WATER OR ISSUING A PERMIT FOR SUCH
14 CONSTRUCTION PURSUANT TO ARTICLE 51 OF PD 1067: PROVIDED,
15 THAT CONSTRUCTION FOR COMMON USAGE WHARVES AND SHORELINE
16 PROTECTION SHALL BE PERMITTED BY THE PAMB ONLY AFTER
17 THOROUGH ECOLOGICAL REVIEW.”

18
19 **SEC. 16.** Section 21 of Republic Act No. 7586 is hereby amended to read as follows:

20 “SEC. 21. Penalties. - [Whoever violates this Act or any rules and regulations
21 issued by the Department pursuant to this Act or whoever is found guilty by
22 a competent court of justice of any of the offenses in the preceding section
23 shall be fined in the amount of not less than Five thousand pesos (P5,000)
24 nor more than Five hundred thousand pesos (P500,000), exclusive of the
25 value of the thing damaged or imprisonment for not less than one (1) year

1 but not more than six (6) years, or both, as determined by the court:
2 Provided, That, if the area requires rehabilitation or restoration as
3 determined by the court, the offender shall be required to restore or
4 compensate for the restoration to the damages: Provided, further, That court
5 shall order the eviction of the offender from the land and the forfeiture in
6 favor of the Government of all minerals, timber or any species collected or
7 removed including all equipment, devices and firearms used in connection
8 therewith, and any construction or improvement made thereon by the
9 offender. If the offender is an association or corporation, the president or
10 manager shall be directly responsible for the act of his employees and
11 laborers: Provided, finally, that the DENR may impose administrative fines
12 and penalties consistent with this Act.] **THE FOLLOWING PENALTIES**
13 **SHALL BE IMPOSED ACCORDINGLY:**

14 **(A) THE PENALTIES AND QUALIFICATIONS PRESCRIBED IN ARTICLES**
15 **309 AND 310 OF THE REVISED PENAL CODE, DEPENDING ON THE**
16 **VALUE OF THE RESOURCES INVOLVED IN CONNECTION WITH THE**
17 **PROHIBITED ACT OR A FINE OF AT LEAST TRIPLE THE VALUE OF THE**
18 **RESOURCES, OR BOTH, SHALL BE IMPOSED UPON ANY PERSON WHO**
19 **VIOLATES PARAGRAPHS (A) TO (E) OF SECTION 20 HEREOF;**

20 **(B) A FINE OF NOT LESS THAN TWO HUNDRED THOUSAND PESOS**
21 **(PHP200,000.00) BUT NOT MORE THAN ONE MILLION PESOS**
22 **(PHP1,000,000.00) OR IMPRISONMENT FROM ONE (1) YEAR BUT NOT**
23 **MORE THAN SIX (6) YEARS, OR BOTH, SHALL BE IMPOSED UPON ANY**
24 **PERSON WHO VIOLATES PARAGRAPHS (F) TO (N) OF SECTION 20**
25 **HEREOF;**

1 (C) A FINE OF NOT LESS THAN ONE MILLION PESOS
2 (PHP1,000,000.00) BUT NOT MORE THAN FIVE MILLION PESOS
3 (PHP5,000,000.00) OR IMPRISONMENT FROM SIX (6) YEARS BUT NOT
4 MORE THAN TWELVE (12) YEARS OR BOTH SHALL BE IMPOSED UPON
5 ANY PERSON WHO VIOLATES PARAGRAPHS (O) TO (V) OF SECTION 20
6 HEREOF;

7 (D) A FINE OF FIFTY THOUSAND PESOS (PHP50,000.00) DAILY SHALL
8 BE IMPOSED ON THE OWNER OF EXISTING FACILITIES CONSTRUCTED
9 AND ERECTED WITHIN A PROTECTED AREA UNDER SECTION 24 OF
10 THIS ACT, WITHOUT PRIOR CLEARANCE FROM THE PAMB. FOR EVERY
11 CONTINUING VIOLATION, UPON REACHING A TOTAL FINE OF FIVE
12 HUNDRED THOUSAND PESOS (PHP500,000.00) OR IF THE VIOLATION
13 CONTINUES TO BE COMMITTED FOR THIRTY (30) DAYS, THE PAMB,
14 THROUGH THE PASU AND OTHER DEPUTIZED GOVERNMENT ENTITIES,
15 SHALL CAUSE THE CESSATION OF OPERATION AND FORFEITURE OF
16 THE FACILITY IN FAVOR OF THE PAMO OR TO CAUSE THE DEMOLITION
17 OF THE FACILITY AT THE COST OF THE OWNER. IF THE FACILITY IS
18 GOVERNMENT-OWNED, THE AGENCY IN CHARGE SHALL SUBMIT A PLAN
19 FOR A SUBSTITUTE FACILITY THAT COMPLIES WITH THE PROTECTED
20 AREA STANDARDS AND, WITHIN ONE YEAR, CONSTRUCT THE FACILITY
21 ACCORDING TO THE APPROVED PA MANAGEMENT PLAN.

22 (E) ADMINISTRATIVE FINES NOT LESS THAN FIFTY THOUSAND
23 PESOS (PHP50,000.00) BUT NOT EXCEEDING FIVE MILLION PESOS
24 (PHP5,000,000.00) SHALL BE IMPOSED FOR THE VIOLATION OF ANY

1 RULES AND REGULATIONS OR AGREEMENTS REACHED BEFORE THE
2 PAMB IN THE EXERCISE OF ADJUDICATIVE FUNCTIONS;

3 *PROVIDED, THAT IF AN AREA REQUIRES REHABILITATION OR*
4 *RESTORATION AS DETERMINED BY THE COURT, THE OFFENDER SHALL*
5 *BE REQUIRED TO RESTORE OR PAY COMPENSATION FOR THE*
6 *RESTORATION OF DAMAGES, WHICH PAYMENT SHALL ACCRUE TO THE*
7 *IPAF.*

8 ON THE BASIS OF A COURT ORDER, THE DENR SHALL CAUSE THE
9 EVICTION OF OFFENDER FROM THE PROTECTED AREA. ALL MINERALS,
10 TIMBER OR SPECIES COLLECTED OR REMOVED, INCLUDING ALL
11 EQUIPMENT, DEVICES, CONVEYANCES, AND FIREARMS USED IN
12 CONNECTION THEREWITH, SHALL BE FORFEITED IN FAVOR OF THE
13 GOVERNMENT, AND ANY CONSTRUCTION OR IMPROVEMENT MADE
14 THEREON BY THE OFFENDER SHALL BE SUBJECT TO CONFISCATION BY
15 THE PAMO, SUBJECT TO THE APPLICATION OF DUE PROCESS.

16 THE CONVEYANCES, VESSELS, EQUIPMENT, PARAPHERNALIA,
17 IMPLEMENTS, GEARS, TOOLS, AND SIMILAR DEVICES USED IN THE
18 COMMISSION OF THE CRIME SHALL NOT BE RELEASED UNTIL AFTER
19 JUDGMENT OF ACQUITTAL HAS BEEN RENDERED, UNLESS AN
20 INJUNCTION HAS BEEN PREVIOUSLY ORDERED BY THE COURT OF
21 COMPETENT JURISDICTION. THE PROCEEDS OF THE SALE OF ALL
22 OBJECTS CONFISCATED PURSUANT HERETO SHALL ACCRUE TO THE
23 IPAF. PROCEDURES FOR THE SALE THEREOF SHALL BE PROMULGATED
24 BY THE PAMB. HOWEVER, IN NO CASE SHALL ANY CONFISCATED OR
25 RESCUED PROTECTED ANIMAL SPECIES BE SOLD OR IN ANY MANNER

1 DISPOSED OF BUT SHALL BE IMMEDIATELY TURNED OVER TO THE
2 PAMO FOR REHABILITATION AND RELEASE TO ITS NATURAL HABITAT,
3 SUBJECT TO EXISTING REGULATIONS. VALUATION OF THE DAMAGE
4 SHALL TAKE INTO ACCOUNT BIODIVERSITY AND CONSERVATION
5 CONSIDERATIONS AS WELL AS AESTHETIC AND SCENIC VALUES. THE
6 VALUATION AND ASSESSMENT BY THE DENR, IN COORDINATION WITH
7 OTHER CONCERNED GOVERNMENT AGENCIES, SHALL BE PRESUMED
8 REGULAR, UNLESS OTHERWISE PROVEN BY PREPONDERANCE OF
9 EVIDENCE.

10 IF THE OFFENDER IS AN ASSOCIATION OR CORPORATION, THE
11 PRESIDENT OR MANAGER,WHO WAS PROVEN TO HAVE PARTICIPATED
12 OR HAVE ACTUAL KNOWLEDGE THEREOF SHALL BE DIRECTLY
13 RESPONSIBLE FOR THE ACT OF THE EMPLOYEES AND LABORERS:
14 PROVIDED, FINALLY, THAT THE DENR MAY IMPOSE ADMINISTRATIVE
15 FINES AND PENALTIES CONSISTENT WITH THIS ACT.

16 ANY PERSON WHO SHALL INDUCE ANOTHER OR CONSPIRE TO COMMIT
17 ANY OF THE ILLEGAL ACTS PROHIBITED IN THIS ACT OR FORCE THEIR
18 WORKERS TO COMMIT ANY OF THE SAME SHALL BE LIABLE AS
19 PRINCIPAL.

20 THE PENALTIES SPECIFIED IN THIS SECTION SHALL BE IN ADDITION TO
21 THE PENALTIES CONTAINED IN REPUBLIC ACT NO. 9072 (NATIONAL
22 CAVES AND CAVE RESOURCES MANAGEMENT AND PROTECTION ACT),
23 REPUBLIC ACT NO. 9147 (WILDLIFE RESOURCES CONSERVATION AND
24 PROTECTION ACT), REPUBLIC ACT NO. 10654 (REVISED PHILIPPINE
25 FISHERIES CODE) AND OTHER RELATED LAWS.

1 THE CONVICTION FOR ANY OFFENSE UNDER THIS ACT OF A PUBLIC
2 OFFICER OR OFFICER OF THE LAW SHALL CARRY THE ACCESSORY
3 PENALTY OF PERPETUAL DISQUALIFICATION FROM PUBLIC OFFICE.”
4

5 SEC. 17. Insert eleven (11) new sections after Section 21 of Republic Act No. 7586 to
6 read as follows:
7

8 “SEC. 22. *EXISTING RIGHTS.* - ALL VESTED PROPERTY AND PRIVATE
9 RIGHTS WITHIN THE PROTECTED AREA AND ITS BUFFER ZONES
10 ALREADY EXISTING AND/OR VESTED UPON THE EFFECTIVITY OF THIS
11 ACT SHALL BE PROTECTED AND RESPECTED IN ACCORDANCE WITH
12 EXISTING LAWS: PROVIDED: THAT THE EXERCISE OF SUCH PROPERTY
13 AND PRIVATE RIGHTS SHALL BE HARMONIZED, AS FAR AS
14 PRACTICABLE, WITH THE PROVISIONS OF THIS ACT, THE INDIVIDUAL
15 PRESIDENTIAL PROCLAMATION OR THE IMPLEMENTING RULES AND
16 REGULATIONS OF EACH PROTECTED AREA.
17

18 SEC. 23. *TENURED MIGRANTS AND OTHER PROTECTED AREA*
19 *OCCUPANTS.*— TENURED MIGRANTS SHALL BE ELIGIBLE TO BECOME
20 STEWARDS OF PORTION OF LANDS WITHIN MULTIPLE-USE ZONE. THE
21 PAMB SHALL IDENTIFY, VERIFY AND REVIEW ALL TENURIAL
22 INSTRUMENTS, LAND CLAIMS, AND ISSUANCES OF PERMITS FOR
23 RESOURCE USE WITHIN THE PROTECTED AREA AND RECOMMEND THE
24 ISSUANCE OF THE APPROPRIATE TENURE INSTRUMENT CONSISTENT
25 WITH THE ZONING PROVIDED IN THE MANAGEMENT PLAN.

1 SHOULD AREAS OCCUPIED BY TENURED MIGRANTS BE DESIGNATED AS
2 ZONES IN WHICH NO OCCUPATION OR OTHER ACTIVITIES ARE
3 ALLOWED PURSUANT TO THE ATTAINMENT OF SUSTAINABLE
4 DEVELOPMENT, PROVISION FOR THE TRANSFER OF THE TENURED
5 MIGRANTS TO MULTIPLE USE ZONES OR BUFFER ZONES SHALL BE
6 ACCOMPLISHED THROUGH JUST AND HUMANE MEANS: *PROVIDED,*
7 *THAT* PROTECTED AREA OCCUPANTS WHO ARE NOT QUALIFIED AS
8 TENURED MIGRANTS SHALL BE RESETTLED OUTSIDE THE PROTECTED
9 AREA.

10 THE RIGHTS OF THE TENURED MIGRANTS MAYBE TRANSFERRED ONLY
11 TO THE SPOUSE OR ONE OF ITS DIRECT DESCENDANTS LISTED AT THE
12 TIME OF THE SURVEY.

13 IN THE EVENT OF TERMINATION OF A TENURIAL INSTRUMENT FOR
14 CAUSE OR BY VOLUNTARY SURRENDER OF RIGHTS, THE PASU SHALL
15 TAKE IMMEDIATE STEPS TO REHABILITATE THE AREA.

16 FOLLOWING THE PROTECTED AREA OCCUPANT SURVEY UNDER
17 SECTION 5C (1) HEREOF, THE DENR REGIONAL DIRECTOR SHALL
18 SUBMIT TO THE BMB, WITHIN SIX (6) MONTHS FROM THE PASSAGE OF
19 THIS ACT, THE FINAL LIST OF TENURED MIGRANTS, WHICH SHALL
20 BECOME THE OFFICIAL LIST AND SHALL BE THE BASIS FOR TENURED
21 MIGRANT RECOGNITION AND ISSUANCE OF TENURIAL INSTRUMENTS.

22
23 SEC 24. *EXISTING FACILITIES WITHIN THE PROTECTED AREA.* -WITHIN
24 SIXTY (60) DAYS FROM THE AFFECTIVITY OF THIS ACT, AN INVENTORY
25 OF ALL EXISTING FACILITIES SUCH AS ROADS, BUILDINGS AND

1 STRUCTURES, WATER SYSTEMS, TRANSMISSION LINES,
2 COMMUNICATION FACILITIES, HEAVY EQUIPMENT, AND IRRIGATION
3 FACILITIES, AMONG OTHERS, WITHIN THE PROTECTED AREA SHALL BE
4 CONDUCTED. THE INVENTORY OF FACILITIES WITH CORRESPONDING
5 DESCRIPTIONS SHALL BE SUBMITTED BY THE DENR REGIONAL
6 DIRECTOR TO THE SECRETARY THRU THE BMB. THE REGIONAL
7 DIRECTOR SHALL ALSO SUBMIT ASSESSMENT REPORT INCLUDING THE
8 RECOMMENDATIONS.

9 THE PAMB, WITH THE ASSISTANCE OF THE DENR, MAY IMPOSE
10 CONDITIONS FOR THE CONTINUOUS OPERATION OF A FACILITY FOUND
11 TO BE DETRIMENTAL TO THE PROTECTED AREA UNTIL ITS EVENTUAL
12 RELOCATION. IF THE CONDITIONS ARE VIOLATED, THE OWNER OF THE
13 FACILITY SHALL BE MADE LIABLE PURSUANT TO SEC. 21 (D) HEREOF.

14 EXISTING FACILITIES ALLOWED TO REMAIN WITHIN THE PROTECTED
15 AREA SHALL BE CHARGED A REASONABLE FEE BY THE PAMB.
16 STRUCTURES FOUND WITHIN THE FORTY (40) METER EASEMENT
17 SHALL BE DEMOLISHED UNLESS PROVEN NECESSARY TO PROTECT THE
18 SHORELINE AND MITIGATE HABITAT DESTRUCTION. THE PAMB SHALL
19 LEVY REASONABLE FEE FOR THE USE OF SUCH EASEMENT FOR THEIR
20 CONTINUED OPERATIONS. WHARVES SHALL BE KEPT ACCESSIBLE TO
21 THE PUBLIC.

22
23 SEC 25. *SPECIAL USES WITHIN PROTECTED AREAS.* - CONSISTENT WITH
24 SECTION 2 HEREOF, SPECIAL USES MAY BE ALLOWED WITHIN
25 PROTECTED AREAS EXCEPT IN STRICT PROTECTION ZONES AND

1 STRICT NATURE RESERVES. THE PAMB MAY RECOMMEND THE
2 ISSUANCE OF TENURIAL INSTRUMENT SUBJECT TO COMPLIANCE TO
3 ENVIRONMENTAL COMPLIANCE CERTIFICATE (ECC) AND PAYMENT OF
4 CORRESPONDING USER FEE CORRESPONDING TO 5% OF THE ZONAL
5 VALUE OF COMMERCIAL LAND WITHIN THE NEAREST BARANGAY OR
6 MUNICIPALITY WHERE THE PROJECT IS LOCATED MULTIPLIED BY THE
7 AREA OF DEVELOPMENT PLUS ONE PER CENT (1%) VALUE OF
8 IMPROVEMENT AS PREMIUM: PROVIDED, THAT THE ACTIVITY SHALL
9 NOT BE DETRIMENTAL TO ECOSYSTEM FUNCTIONS AND BIODIVERSITY.

10
11 SEC 26. *LOCAL GOVERNMENT UNITS.*– THE LOCAL GOVERNMENT UNITS
12 (LGUS) WITHIN A PROTECTED AREA SHALL PARTICIPATE IN ITS
13 MANAGEMENT THROUGH REPRESENTATION IN THE PAMB AS
14 PROVIDED UNDER SECTION 11 HEREOF. ALL FUNDS DIRECTLY COMING
15 FROM THE LGUS SHALL BE EXEMPTED FROM THE TWENTY- FIVE (25%)
16 REMITTANCE REQUIREMENT FOR THE IPAF UNDER SECTION 16
17 HEREOF.

18
19 SEC. 27. *REPORTING RESPONSIBILITY.* – THE PASU, THROUGH THE
20 PAMB, SHALL SUBMIT AN ANNUAL ACCOMPLISHMENT REPORT OF THE
21 PROTECTED AREA TO THE SECRETARY OF THE DENR THROUGH THE
22 BMB. A REPORT ON THE CONDITIONS AND BENEFITS OF THE
23 BIOLOGICAL RESOURCES AND ECOSYSTEM SERVICES OF THE
24 PROTECTED AREA SHALL ALSO BE SUBMITTED BY THE PASU,
25 THROUGH CHANNELS, TO THE SECRETARY OF THE DENR EVERY FIVE

1 (5) YEARS. CONSEQUENTLY, THE BMB SHALL LIKEWISE PREPARE A
2 NATIONAL STATE OF PROTECTED AREAS (NSPA) REPORT EVERY FIVE
3 (5) YEARS AND SHALL SUBMIT THE SAME TO THE PRESIDENT, THE
4 SENATE AND THE HOUSE OF REPRESENTATIVES.

5
6 SEC. 28. *APPROPRIATIONS.* – THE SECRETARY OF THE DENR SHALL
7 IMMEDIATELY INCLUDE IN THE DENR'S PROGRAM THE
8 IMPLEMENTATION OF THIS ACT, THE FUNDING OF WHICH SHALL BE
9 INCLUDED IN THE ANNUAL GENERAL APPROPRIATIONS ACT.

10
11 SEC. 29. *CONSTRUCTION AND INTERPRETATION.*– THE PROVISIONS OF
12 THIS ACT SHALL BE CONSTRUED LIBERALLY IN FAVOR OF THE
13 PROTECTION AND REHABILITATION OF THE PROTECTED AREA AND
14 THE CONSERVATION AND RESTORATION OF ITS BIOLOGICAL
15 DIVERSITY, TAKING INTO ACCOUNT THE NEEDS AND INTERESTS OF
16 QUALIFIED TENURED MIGRANTS, VESTED RIGHTS, IPS AND LOCAL
17 COMMUNITIES, AND THE BENEFITS FROM ECOSYSTEM SERVICES AND
18 FUNCTIONS OF PROTECTED AREAS, FOR PRESENT AND FUTURE
19 GENERATIONS.

20
21 SEC. 30. *SUBSEQUENT SITE-SPECIFIC LEGISLATION.*– UPON THE
22 GENERATION OF SITE-SPECIFIC REQUIREMENTS FOR NEW
23 LEGISLATION, THE PAMB, THROUGH THE DENR, SHALL ENDORSE TO
24 CONGRESS FOR ITS CONSIDERATION AND ENACTMENT SITE-SPECIFIC
25 PROPOSALS TO APPROPRIATELY RESPOND TO THE DISTINCT AND

1 PARTICULAR NEEDS AND CONSERVATION REQUIREMENTS OF THE
2 PROTECTED AREAS IN EACH LOCALITY. PROTECTED AREAS THAT MAY
3 BE LATER ESTABLISHED OR DECLARED PURSUANT TO THIS ACT SHALL
4 LIKEWISE UNDERGO THE SAME REQUIREMENTS OF SITE SPECIFIC
5 LEGISLATION.

6
7 SEC. 31. *AUTHORITY TO ISSUE IMPLEMENTING RULES AND*
8 *REGULATIONS.*-WITHIN SIX (6) MONTHS FROM THE EFFECTIVITY OF
9 THIS ACT, THE DENR SHALL PREPARE THE IMPLEMENTING RULES AND
10 REGULATIONS OF THIS ACT.

11
12 SEC. 32. *TRANSITORY PROVISIONS.* -IN ORDER TO ENHANCE THE
13 BIOLOGICAL DIVERSITY AND TO DEVELOP SUSTAINABLE LIVELIHOOD
14 OPPORTUNITIES FOR TENURED MIGRANTS, THE DENR SHALL
15 HENCEFORTH CEASE TO ISSUE CONCESSIONS, LICENSES, PERMITS,
16 CLEARANCES, COMPLIANCE DOCUMENTS, OR ANY OTHER INSTRUMENT
17 THAT ALLOWS UTILIZATION OF RESOURCES WITHIN THE DECLARED
18 PROTECTED AREA UNTIL THE MANAGEMENT PLAN SHALL HAVE BEEN
19 PUT INTO EFFECT.

20 ALL EXISTING LAND USE AND RESOURCE USE PERMITS ISSUED FOR
21 PURPOSES WHICH ARE AUTHORIZED WITHIN THE PROTECTED AREA
22 SHALL BE REVIEWED AND SHALL NOT BE RENEWED UPON THEIR
23 EXPIRATION UNLESS CONSISTENT WITH THE MANAGEMENT PLAN AND
24 APPROVED BY THE PAMB.

1 **SEC. 18.** Sections 22 and 23 of Republic Act No. 7586 are hereby renumbered as
2 Sections 33 and 34 of the Revised NIPAS Act.

3
4 **SEC. 19.** Section 24 of RA 7586 is hereby amended to read as follows:

5 "SEC. 24. This Act shall take effect fifteen (15) days after its complete
6 publication in the **OFFICIAL GAZETTE** or in a national newspaper of general
7 circulation."

Approved,