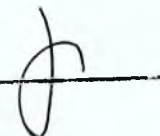


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 NOV -2 P2 :04

SENATE
S. No. 1439

RECEIVED BY: 

Introduced by Senator Jinggoy Ejercito Estrada

**AN ACT
ESTABLISHING THE PHILIPPINE NATIONAL PUBLIC PARKS SYSTEM, AND
APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

Today, 4.4 billion individuals or 56% of the world's population reside in cities. According to a World Bank report, the Philippines is one of the fastest urbanizing countries in the East Asia and Pacific region, wherein in the past five decades, the urban population in the country grew by over 50 million, and by 2050, approximately 120 million people or 65% percent of the country's total population will reside in cities¹.

If managed well, urbanization can contribute to sustainable growth through increased productivity and economic growth. Urbanization however comes with some challenges, such as environmental stability. Cities play a key role in tackling climate change because their exposure to climate and disaster risk increases as they grow. Exposure is especially high in densely populated and rapidly urbanizing river plains and coastlines in developing countries². In Asia, public green space is a luxury among its most crowded cities where the average total of green space per capita in

¹ World Bank. *Philippines Urbanization Review: Fostering Competitive, Sustainable and Inclusive Cities*. Retrieved from <https://openknowledge.worldbank.org/handle/10986/27667>


² Nigam, J., Robertson, D., Sinogba, E. J. *For Healthier Cities, It's Time We Gave Them Some (Green) Space*. Retrieved from <https://blogs.adb.org/blog/for-healthier-cities-it-s-time-we-gave-them-some-green-space>

22 major cities in Asia is only 39 square meters (sqm), lower than the average for Africa of 74 sqm and Latin America of 255 sqm.

Green spaces such as parks contribute several ecological, social, and economic benefits. These include increased property value near green spaces as studies have shown that housing and land value, which are adjacent to green spaces, may increase by 8 to 20%, help in urban tourism development by making cities more attractive and softens extremes of weather, health promotion by encouraging a more active lifestyle through jogging or cycling, increased social inclusion, reduced air pollution, reduced storm water management costs by allowing better draining and decreases the risk of flooding³. The importance of outdoor spaces and parks was highlighted during the pandemic. Families would gather in parks to allow for a socially distant respite from home isolation.

As such, this bill seeks to establish the Philippine National Public Parks System which will allow for a single agency in planning, development, operation, and promotion of public parks throughout the country. While the country seeks to further urbanize, the incorporation of green design principles should be taken into consideration. This will be in line with the World Health Organization recommendation of urban residents having access to public green spaces of at least 0.5 hectares at a linear distance of no more than 300 meters from every home.

In view of the foregoing, the passage of this bill is earnestly sought.



JINGGOY EJERCITO ESTRADA

³ Cicea C. and Pirlogea C. "Green Spaces and Public Health Urban Areas". *Theoretical and Empirical Researches in Urban Management*, Vol. 6, No. 1, February 2011, pp. 83-92. <https://www.jstor.org/stable/24873277>

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

CHAPTER 1

Introductory Sections

Section 1. *Short Title.* – This Act shall be known as the "*National Parks Act*".

Sec. 2. *Declaration of Policy.* – It is the policy of the State to protect and maintain the health and well-being of the Filipino people, through the establishment and preservation of parks and open spaces. Towards this end, the State recognizes parks and open spaces as valuable assets, and as such:

- a. Shall establish the Philippine National Public Parks System aimed to conserve the scenery, natural and historic objects, and to provide for their enjoyment in such manner and by such means as will leave them unimpaired for the enjoyment of future generations, and,
- b. Shall recognize that parks and open spaces contribute to human health and well-being, social cohesion, identity, tourism, biodiversity, air quality and carbon sequestration, water management, and cooling the environment.

Sec. 3. *Definition of Terms.* – For purposes of this Act, the following terms shall mean:

- 1 a. *Administrator* refers to the Chief Executive Officer and Head of the
2 National and Local Public Parks Authority (NALPA) Secretariat as defined in
3 Section 9 of this Act;
- 4 b. *Board* refers to the NALPA Board as defined in Section 5 of this Act;
- 5 c. *National and Local Public Parks* refer to any land laid out as a public
6 garden and/or used for the purpose of public recreation. This does not
7 refer to national shrines administered by the Philippine Veterans Affairs
8 Office;
- 9 d. *National and Local Public Parks System or the System* refers to the system
10 of parks and open spaces as defined under Chapter 4 of this Act;
- 11 e. *NIPAS* refers to the National Integrated Protected Areas System as defined
12 in Republic Act No. 7586, as amended or the NIPAS Act;
- 13 f. *Protected Areas* refer to the Protected Areas as defined under Republic Act
14 No. 7586, as amended or the National Integrated Protected Areas System
15 (NIPAS) Act; and,
- 16 g. *Secretariat* refers to the NALPA Secretariat as defined under Section 7 of
17 this Act.

18 **CHAPTER 2**

19 **Establishment of the National and Local Public Parks Authority**

20 *Sec. 4. Composition of the Authority.* – The Authority shall be composed of
21 the Board and the Secretariat.

22 *Sec. 5. Composition of the Board.* – The NALPA Board composed of the
23 following:

- 24 a. Secretary of Tourism as Chairperson;
- 25 b. Secretary of Environment and Natural Resources as Co-Chairperson (who
26 shall be officially represented by the Director of the Biodiversity
27 Management Bureau);
- 28 c. Secretary of Public Works and Highways as Member;
- 29 d. Secretary of Agriculture as Member;
- 30 e. Secretary of the Interior and Local Government as Member;
- 31 f. Chairperson of the Commission on Higher Education as Member; and,

1 g. Director-General of the Technical Education and Skills Development
2 Authority as Member.

3 In addition, the President of the Philippines shall appoint the following
4 members from the private sector:

- 5 a. Two (2) representatives from a recognized professional architectural
6 organization; and,
- 7 b. Two (2) representatives from the academe, preferably in urban planning
8 and development.

9 As soon as all members of the private sector are appointed, they shall so
10 organize themselves that the term of office of one-third (1/3) of their number shall
11 expire every year. The member from the private sector appointed thereafter to fill
12 vacancies caused by expiration of terms shall hold office for three (3) years.

13 The President however, may revise the membership of the NALPA Board,
14 whenever the President deems it necessary for the effective performance of the
15 Board's function through an administrative order.

16 The NALPA Board shall meet at least twice a year, or as frequently as may be
17 deemed necessary by its Chairperson. In the absence of the Chairperson, a Co-
18 Chairperson shall preside. The internal rules of the NALPA Board shall be
19 promulgated during its first organizational meeting.

20 The benefits, privileges, and emoluments of the Board shall be consistent with
21 existing laws and rules.

22 *Sec. 6. Powers and Functions of the Board.* – The Authority shall primarily be
23 responsible for the National and Local Public Parks System including the
24 establishment of policies, plans, and programs taking into consideration the
25 following:

- 26 a. The State policy declared herein of giving due consideration to the
27 establishment and maintenance of national and urban parks, open and
28 green spaces, and recreational facilities;
- 29 b. The implementation of the above-mentioned policy requires the
30 coordination and cooperation of policies, plans, and programs of different
31 concerned sectors of Philippine society; and,

1 c. Equal and active participation of the national government and its
2 appropriate agencies, the LGUs, the academe, and the private sector shall
3 be made the rule to ensure that the National and Local Public Parks
4 System shall be fully established and maintained.

5 The Board shall have the following powers:

- 6 a. Establish minimum quotas for all LGUs for the designation of municipal
7 and city lands for public parks, where applicable;
- 8 b. Manage the country's National and Local Public Parks System, and in doing
9 so shall guide and assist other government agencies and entities, and the
10 LGUs in the planning, establishment, and management of parks that will
11 be included in the System;
- 12 c. Promulgate, after due consultation with concerned groups and entities,
13 policies, plans, programs, and guidelines as may be necessary for the
14 effective implementation of this Act and the establishment of the National
15 and Local Public Parks System;
- 16 d. Establish and manage the National and Local Public Parks Institute, which
17 shall serve as the national center for park administration, management,
18 and maintenance training, research and development;
- 19 e. In coordination with the Biodiversity Management Bureau of the
20 Department of Environment and Natural Resources, shall make Protected
21 Areas accessible to the public for recreational purposes;
- 22 f. Organize and constitute standing committees, subsidiary groups, or
23 technical working groups for the efficient integration and coordination of
24 local open spaces and urban parks;
- 25 g. Exact reasonable fees and charges for such services provided and
26 trainings conducted and retain such earnings for its own use, subject to
27 guidelines promulgated by the Authority;
- 28 h. Create, when deemed necessary, an Advisory Committee which shall
29 provide expert and technical advice to the Board to be chosen from the
30 academe and the private sector: *Provided*, That in case the Advisory
31 Committee is created, the Board is hereby authorized to set aside a
32 portion of its appropriation for its operation; and,

1 i. Carry out any and all other functions characteristic of public institutions of
2 similar mandate and national scope, in line with prevailing international
3 principles and best practices.

4 *Sec. 7. The NALPA Secretariat.* – The NALPA Secretariat, an independent
5 agency of the executive department, shall have the primary mission of providing
6 pro-active leadership in the continuous development of systematic approaches as
7 well as measures to maintain and manage the National and Local Public Parks
8 System, and shall have the following functions and responsibilities:

9 a. Establish and maintain a planning process and formulate a national parks
10 development plan in which all concerned groups and entities at various
11 levels participate;

12 b. Provide analytical inputs to policy decision-making of the Authority on
13 allocation of resources and institutional roles and responsibilities as shall
14 be embodied in the annual national parks plans;

15 c. Recommend measures, and implement the same upon approval by the
16 Authority, for the effective and efficient implementation of the national
17 parks development plan;

18 d. Propose to the Authority the specific allocation of resources for the
19 programs and projects it shall undertake pursuant to approved national
20 parks development plan;

21 e. Submit to the Authority periodic reports on the progress and
22 accomplishment of work programs of implementation of plans and
23 policies; and,

24 f. Perform such other functions and duties as may be assigned by the Board.

25 *Sec. 8. The Dissolution of the National Parks Development Committee (NPDC)*
26 *and the Nayong Pilipino Foundation (NFC) and Transfer to NALPA Secretariat.* – The
27 NPDC and NFC are hereby dissolved and all their powers, functions, responsibilities,
28 personnel, all applicable funds and appropriations, records, assets, and properties
29 are hereby transferred to the NALPA Secretariat.

30 *Sec. 9. The NALPA Administrator and Chief Executive Officer.* – The NALPA
31 Secretariat shall be headed by an Administrator, who shall likewise be a member of
32 the Board. The Administrator shall be appointed by the President of the Philippines

1 and shall enjoy the benefits, privileges, and emoluments equivalent to the rank of
2 Undersecretary.

3 As Chief Executive Officer of the Secretariat, the Administrator shall exercise
4 general supervision and control over its technical and administrative personnel. The
5 Administrator shall have the power to recommend to the Authority the structural
6 organization and the personnel complement of the Secretariat. Furthermore, the
7 Administrator shall appoint such personnel necessary to carry out the objectives,
8 policies, and functions of the Authority subject to Civil Service laws, rules, and
9 regulations.

10 The Administrator may call upon other instrumentalities or entities of the
11 government and nongovernment and civic organizations for assistance in terms of
12 the use of their facilities and resources for the management and administration of
13 any park in the System. This authority includes the power to call on the Philippine
14 National Police to maintain peace and order in any park in the System.

15 The performance of the functions of the Administrator under this Act shall, in
16 no case, result in the diminution of the powers of the LGUs to establish their own
17 parks or develop their own open or green spaces.

18 *Sec. 10. Deputy Administrators.* – The Administrator shall be assisted by four
19 (4) Deputy Administrators for (i) Research and Development, (ii) National and Local
20 Public Parks Operations, (iii) Local Public Parks Operations, and (iv) Park Architecture
21 and Planning.

22 The Deputy Administrators shall enjoy the benefits, privileges, and
23 emoluments equivalent to the rank of Assistant Secretary.

24 *Sec. 11. Regional Administrators.* – The Regional Administrators shall be
25 under the direct control of the Administrator and shall oversee the operations of
26 National and Local Public Parks at the regional level.

27 The Regional Administrators shall enjoy the benefits, privileges and
28 emoluments equivalent to the rank of a Regional Director and shall provide technical
29 assistance particularly to Local Government Units (LGUs) for effective supervision,
30 coordination, and monitoring of national and local parks within their localities, and
31 their integration to the National Public Park System.

32 *Sec. 12. Organizational Divisions.* – The Secretariat shall have the

1 following divisions which shall be headed by Division Chiefs:

- 2 a. Administrative Division;
- 3 b. Finance Division;
- 4 c. Programs and Public Affairs Division;
- 5 d. Internal Audit Division;
- 6 e. Security and Safety Division;
- 7 f. Information and Communications Technology Division; and
- 8 g. Cultural and Heritage Preservation Division.

9 The following Divisions shall be headed by the Deputies Administrators:

- 10 a. National Public Park Operations and Management;
- 11 b. Local Public Park Operations and Management;
- 12 c. Research and Development; and,
- 13 d. Park Architecture and Planning.

14 *Sec. 13. Personnel Training, Development, and Performance Incentives.* – The
15 Authority shall undertake training and development programs to upgrade the
16 capabilities of its personnel in its various functions. Personnel shall be allowed to
17 train or study outside the Institute, in the Philippines or abroad, on official time,
18 subject to the needs of the service, upon approval of the Administrator.

19 A system of incentives shall be established to reward the superior performance
20 and milestones of professional development on the part of management and
21 administrative and technical personnel.

22 *Sec. 14. Consultants and Technical Assistance, Publication, and Research.* –
23 In pursuing its objectives, the Authority is hereby authorized to set aside a portion of
24 its appropriation for the hiring of services of qualified consultants, and private
25 organizations for research work and publication in the field of national and urban
26 parks, and open and green spaces. It shall avail itself of the services of other
27 agencies of the Government as may be required.

28 *Sec. 15. Privileges of the Authority.* – In line with the declared policy and the
29 avowed purposes of this Act, and to ensure its independence and autonomy, the
30 NALPA Secretariat shall be attached solely for budgetary coordination and related
31 purposes to the Office of the President. The Secretariat shall:

- 1 a. be classified as a National Government Agency, primarily for administrative
2 purposes, including receiving its annual budget from the general
3 appropriations of the National Government to cover appropriately the entirety
4 of its mandated operations and activities;
- 5 b. be considered as higher in level than a Bureau or Bureau-level agency but
6 beneath that of a Department or Department-level agency, primarily for
7 administrative purposes as to staffing pattern and compensation scales; and,
- 8 c. enjoy such privileges and special rules characteristic of both a Government-
9 Owned or -Controlled Corporation and a State University or College wherever
10 possible and which, in any and all case, promote the objectives of this Act;
11 and that special rules as may be necessary to this effect be formulated and
12 appropriately promulgated by the NALPA, the Department of Budget and
13 Management, the Commission on Audit, and other concerned agencies.

14 **CHAPTER III**

15 **The National Parks Institute**

16 *Sec. 16. The Creation of the National Parks Institute.* – There is hereby
17 created the National Parks Institute of the Philippines which shall be under the
18 supervision of the Board. The Institute shall serve as the training and development
19 arm of the Authority. The Institute shall be headed by a Director.

20 In coordination with the Commission on Higher Education (CHED), State
21 Universities and Colleges, Private Universities and Institutions, the Institute shall
22 establish a unique training course aimed at supporting the purposes of this Act, and
23 shall:

- 24 a. Formulate and implement training programs for all personnel of NALPA, LGUs,
25 National Government Agencies, and Private entities and institutions who wish
26 to train with the Institute;
- 27 b. Formulate and implement select mandatory and specialized courses, and for
28 that purpose shall be allowed to issue diplomas and technical certificates
29 under such rules as will be coordinated with CHED and TESDA;
- 30 c. Develop and implement research and development to support NALPA and for
31 educational training programs; and,

1 d. Perform such other related functions as may be prescribed by NALPA and the
2 Board.

3 **CHAPTER IV**

4 **The National Parks System**

5 *Sec. 17. Study and Planning of National Parks, Urban Parks, Open Spaces,*
6 *and Recreational-Area Facilities.* – Within three (3) years from the effectivity of this
7 Act, the Authority shall make a comprehensive study of the National Parks, Urban
8 Parks, Open Spaces, and Recreational-Area Facilities programs of the National
9 Government and the LGUs and areas of land throughout the Philippines that are or
10 may be chiefly valuable as National Parks, Urban Parks, Open Spaces, and
11 Recreational-Area Facilities.

12 The report shall be submitted to the Board who shall be empowered to
13 declare specifically identified areas as either National Parks, Urban Parks, Open
14 Spaces, or Recreational-Area Facilities.

15 *Sec. 18. Identification of National Parks.* – Notwithstanding any law or
16 proclamation to the contrary, the following parks are hereby considered National
17 Parks and shall be under the jurisdiction of the Authority: (1) Rizal Park and (2) Paco
18 Park.

19 The Administrator and the Provincial Administrators are strictly mandated to
20 investigate, study, and continually monitor areas whose overall circumstances exhibit
21 qualities of national significance and that may have potential to become a NALPA
22 Park.

23 *Sec. 19. Acquisition of Land.* – In the exercise of its power under this Act, the
24 Authority through the Administrator shall have the power to acquire land and
25 interests in land within the boundary of any NALPA Park. In the same manner and
26 for the establishment of an identified National Park, the power of eminent domain
27 shall be exercised through the Administrator, or by any of its deputies or Provincial
28 Administrators.

29 *Sec. 20. Creation of Urban Parks and Open Spaces in LGUs.* – Within the
30 period provided by the Authority, LGUs shall be obliged to identify Urban Parks and
31 Open Spaces within their jurisdictions.

1 Identified areas may either become NALPA Administered Parks or maintain
2 their nature as Local Parks at the discretion of the LGU.

3 The Authority is hereby mandated to enter into cooperative agreements with
4 colleges and universities, in partnership with LGUs and other agencies, to establish
5 cooperative study units to conduct multi-disciplinary research and develop integrated
6 information products on the resources in the NALPA Parks, or the LGU of which the
7 NALPA Park is located for possible commercial production or utilization.

8 *Sec. 21. Delineation of Authority and Coverage.* – Subject to the
9 Implementing Rules and Regulations (IRR) and dependent on the categorization of
10 the land or an area, a nature reserve or a declared protected area under the NIPAS
11 shall continue to be under the jurisdiction of the DENR. All other parks established or
12 may be established may be covered under this Act.

13 *Sec. 22. Administration, Management, and Funding of NALPA Parks.* – Subject
14 to reasonable restrictions under the IRR the public is hereby granted free admission
15 to all NALPA Parks. However, the Authority may levy appropriate fees to special
16 activities or programs.

17 *Sec. 23. Retention of Income.* – The Authority is hereby authorized to retain
18 the entirety of its income from all sources of its operations nationwide, and to spend
19 the same for any purpose.

20 *Sec. 24. The NALPA Fund.* – The NALPA Fund is hereby established to be
21 managed or administered by the Authority, the income from which shall be utilized
22 exclusively in awarding of grants and providing assistance to park development
23 programs, LGUs for upgrading their capabilities, and to develop and implement
24 training and training-related activities for park development. The contribution to the
25 fund shall be the following:

- 26 a. One-time lump sump appropriation from the National Government in the
27 amount of P100,000,000.00;
- 28 b. Donations, grants, endowments, and other bequests or gifts of which the
29 Authority is hereby authorized to accept; and,
- 30 c. Any other income generated by the Authority.

31 The Authority shall be the administrator of the fund, and as such, shall

1 formulate the necessary implementing guidelines for the management of the fund,
2 subject to the following:

- 3 a. Unless otherwise stipulated by the private donor, only earnings of private
4 contributions shall be used; and,
- 5 b. No part of the seed capital of the fund, including earnings, thereof, shall
6 be used to underwrite expenses for administration.

7 The Board shall appoint a reputable government-accredited investment
8 institution as fund manager, subject to guidelines promulgated by the Board.

9 *Sec. 25. Parks and Green Spaces Awards.* – To promote parks development in
10 the country and with the view of participating in international park development
11 competitions, the Authority, with the active participation of private industries, shall
12 organize and conduct an annual Parks and Green Spaces Awards. The Authority,
13 through the Secretariat, shall promulgate the necessary rules and guidelines for the
14 effective and efficient conduct of Annual National Parks and Green Spaces
15 Competition among LGUs and for the country’s participation in international park
16 development competitions.

17 *Sec. 26. Exemption from Taxes, Duties, Fees, and Charges.* – The Authority
18 shall be exempt from the payment of taxes, fees, and charges imposed by the
19 National Government and its political subdivisions, agencies, and instrumentalities
20 regardless of the nature of its activity.

21 All donations in any form shall be exempt from the donor’s tax and the same
22 shall be considered as allowable deduction from the gross income in the
23 computation of the income tax of the donor, in accordance with the provisions of
24 Republic Act No. 8424, otherwise known as the National Internal Revenue Code of
25 1997, as amended.

26 Furthermore, importation of supplies and materials for the use of the
27 Authority shall be exempt from customs duties.

28 *Sec. 27. Commercial Operations of and Inside of NALPA Parks.* – The
29 Authority shall be authorized to undertake commercial operations, the proceeds of
30 which shall be credited to the NALPA Fund:

- 31 a. The rental of dedicated areas for external events, functions, and similar
32 activities;

- 1 c. Within four (4) months after the appointment of the Administrator, the
2 Board shall convene to determine the organizational structure and staffing
3 pattern of the Authority.
- 4 d. Within one (1) year after the organization of the Authority, the Board shall
5 commission an expert group on funding schemes for the NALPA Fund as
6 provided in Section 24, the results of which shall be used as the basis for
7 appropriate action by the Board.
- 8 e. Upon the effectivity of this Act, and prior to the appointment of the Board
9 and the Administrator, the officials and personnel of the NPDC and the
10 NPF shall continue to exercise their functions and duties in holdover
11 capacity and shall ensure the smooth transition to the Board and the
12 Administrator.
- 13 f. All personnel of the NPDC and the NPF who are separated from service as
14 a result of the dissolution of the NPDC and NPF shall receive benefits to
15 which they may be entitled under Executive Order No. 366, series of 2004:
16 *Provided, That* those who are qualified to retire under existing retirement
17 laws shall be allowed to retire and receive retirement benefits to which
18 they may be entitled under applicable laws and issuances.
- 19 g. The Authority may retain any personnel of the NPDC and the NPF it deems
20 necessary to carry out its purpose and functions.
- 21 h. The ownership and title to the properties now actually occupied by the
22 NPDC and the NPF are hereby transferred in fee simple to the Authority,
23 subject to the following conditions:
- 24 1. The titles to the land conveyed by this Act shall not be transferred by
25 the Authority to another person or entity without previous
26 authorization by the President of the Philippines;
 - 27 2. The Authority is hereby authorized to mortgage any properties referred
28 to above for the purpose of carrying out its objectives and purposes
29 only; and
 - 30 3. In case the Authority is dissolved or ceases, for any reason, to
31 undertake its objectives, or ceases to need any of the lands for any

1 reason, said land shall *ipso facto* revert to the National Government
2 without compensation.

3 Sec. 32. *Automatic Review.* – Every five (5) years after the effectivity of this
4 Act, an independent review panel composed of three (3) persons appointed by the
5 President shall review the performance of the Authority and shall make
6 recommendations based on its findings to the President and to both Houses of
7 Congress.

8 Sec. 33. *Separability Clause.* – If any provision, section, or part of this Act is
9 declared unconstitutional or invalid, such judgement shall not affect, invalidate, or
10 impair any other provisions, sections, or parts hereof.

11 Sec. 34. *Repealing Clause.* – All laws, decrees, orders, issuances, circulars,
12 rules and regulations or parts thereof, which are inconsistent with the provisions of
13 this Act are hereby repealed or modified accordingly.

14 Sec. 35. *Effectivity.* – This Act shall take effect fifteen (15) days after its
15 publication in the *Official Gazette* or in at least two (2) newspapers of general
16 circulation.

Approved,