

NINETEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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Senate
Office of the Secretary

'22 NOV 23 P6:21

SENATE

S. No. 1543

RECEIVED BY: _____

Introduced by SENATOR RAMON BONG REVILLA, JR.

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

EXPLANATORY NOTE

Article II, Section 16 of the 1987 Constitution underscores that, "The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature."

Public parks and open spaces are parts and parcels of community life and tourism. The establishment of urban parks and open spaces plays a crucial role in protecting the environment, promoting well-being and providing avenues for recreation. Parks provide arenas and opportunities for physical activity, and increased social interactions. Most developed countries invest in public parks as part of their tourism plan. Consistent with the United Nations Sustainable Development Goals of creating Sustainable Cities and Communities, parks are an essential component of its blueprint.

This bill aims to establish a cohesive body to develop parks in open spaces for public use. In pursuit of the desire to develop green spaces and tourist destinations, the passage of this bill is earnestly sought.


RAMON BONG REVILLA, JR.



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

**Chapter 1
General Provisions**

Section 1. *Short Title.* - This Act shall be known as the "*National Public Parks
System of 2022*"

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. To 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 historical 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, carbon
sequestration, water management, and cooling of the environment.

Sec. 3. *Definition of Terms* - As used in this Act, the following words shall mean:

- a. *Administrator* refers to the Chief Executive Officer and Head of the National and
Local Public Parks Authority (NALPA) Secretariat as defined in Sec. 9 of this Act.

- b. *Board* refers to the NALPA Board as defined in Sec. 5 of this Act.
- c. *National and Local Public Parks* refer to any land laid out as a public garden and/or used for public recreation. This excludes the national shrines administered by the Philippine Veterans Affairs Office.
- d. *National and Local Public Parks System or the System* refers to the system of parks and open spaces as defined under Chapter 4 of this Act.
- e. *NIPAS* refers to the National Integrated Protected Areas System as defined in Republic Act No. 7586, as amended or the NIPAS Act.
- f. *NPDC* refers to the National Parks Development Committee created by Executive Order series of 1963.
- g. *NPF or NPMI* refers to the Nayong Filipino Foundation Inc., a government-owned and controlled corporation registered with the Securities and Exchange Commission on May 7, 1969, as a non-stock, non-profit corporation. Presidential Decree No. 37 established the Nayong Pilipino Foundation on November 6, 1972.
- h. *Protected Areas* refers to the Protected Areas as defined under the NIPAS Act.
- i. *Secretariat* refers to the NALPA Secretariat as defined under Sec. 28 of this Act.

Chapter 2

Establishment of National and Local Public Parks Authority

Sec. 4. *Composition of the Authority* - The National and Local Public Parks Authority or the Authority shall be composed of the Board and the Secretariat.

Sec. 5. *Composition of the Board*. - The NALPA Board shall be composed of the of the following:

1. Secretary of Tourism as Chairperson;
2. Secretary of Environment and Natural Resources Co-Chairperson (who shall be officially represented by the Director of the Biodiversity Management Bureau);
3. Secretary of Public Works and Highways as Member;
4. Secretary of Interior and Local Government as Member;
5. Four (4) representatives from the Private Sector, in particular,

1 a. Two (2) representatives from recognized professional architectural
2 organizations; and

3 b. Two (2) representatives from the Academe, preferably in urban planning
4 and development.

5 The President shall appoint the representatives from the Private Sector from a list of
6 nominees endorsed by their respective fields. The term of the first member from the
7 private sector for each category shall be for three (3) years, while the second one will
8 only be for two (2) years. Any private member could only be reappointed once.

9 The NALPA Board shall meet at least twice a year, or as frequently as may be
10 deemed necessary by its Chairperson. In the absence of the Chairperson, a Co-
11 Chairperson shall preside. The internal rules of the NALPA Board shall be promulgated
12 during its first organizational meeting. The benefits, privileges, and emoluments of the
13 Board shall be consistent with the existing laws and rules.

14 Sec. 6. *Powers and Functions of the Board.* - The Authority shall primarily be
15 responsible for the National and Local Public Parks System, including the establishment
16 of policies, plans, and programs taking into consideration the following:

17 a. The State policy declared herein of giving due consideration to the
18 establishment and maintenance of national and urban parks, open and green
19 spaces, and recreational facilities;

20 b. The implementation of the above-mentioned policy requires the coordination
21 and cooperation of policies, plans, and programs of different concerned sectors
22 of Philippine society; and

23 c. Equal and active participation of the national government and its appropriate
24 agencies, the LGUs, the academe, and the private sector shall be made the rule
25 in order to ensure that the National and Local Public Parks System shall be fully
26 established and maintained.

27 The Board, shall have the following powers:

28 a. Establish minimum quotas for all LGUs for the designation of municipal and city
29 lands for public parks, where applicable;

30 b. Manage the country's National and Local Public Parks System, and in doing so,
31 shall guide and assist other government agencies and entities, and the LGUs in

1 the planning, establishment, and management of parks that will be included in
2 the System;

3 c. Promulgate, after due consultation with concerned groups and entities, policies,
4 plans, programs, and guidelines as may be necessary for the effective
5 implementation of this Act and the establishment of the National and Local
6 Public Parks Systems;

7 d. Establish and manage the National and Local Public Parks Institute, which shall
8 serve as the national center for park administration, management, and
9 maintenance training, research, and development;

10 e. In coordination with the Biodiversity Management Bureau, shall make Protected
11 Areas accessible to the public for recreational purposes;

12 f. Organize and constitute standing committees, subsidiary groups, or technical
13 working groups for the efficient integration and coordination of local open
14 spaces and urban parks;

15 g. Exact reasonable fees and charges for such services provided and training
16 conducted and retain such earnings for its own use, subject to guidelines
17 promulgated by the Authority;

18 h. Create, when deemed necessary, an Advisory Committee which shall provide
19 expert and technical advice to the Board to be chosen from the academe and
20 the private sector: *Provided*, That in case the Advisory Committee is created,
21 the Board is hereby authorized to set aside a portion of its appropriation for its
22 operation; and

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

26 *Sec. 7. The NALPA Secretariat.* - The NALPA Secretariat shall be established. It
27 shall have the primary mission of providing proactive leadership in the continuous
28 development of systematic approaches as well as measures to maintain and manage
29 the National and Local Public Parks Systems, and shall have the following functions
30 and responsibilities:

- 1 a) To establish and maintain a planning process and formulate a national parks
2 development plan in which all concerned groups and entities at various levels
3 participate;
- 4 b) To provide analytical inputs to policy decision-making of the Authority on the
5 allocation of resources and institutional roles and responsibilities as shall be embodied
6 in the annual national parks plans;
- 7 c) To recommend measures, and implement the same upon approval by the Authority,
8 for the effective and efficient implementation of the national park's development plan;
- 9 d) To propose to the Authority the specific allocation of resources for the programs
10 and projects it shall undertake pursuant to the approved national parks development
11 plan;
- 12 e) To submit to the Authority periodic reports on the progress and accomplishment of
13 work programs of implementation of plans and policies; and
- 14 f) To perform such other functions and duties as may be assigned by the Board.

15 *Sec. 8. The Dissolution of NPDC and NPF and Transfer to NALPA Secretariat. -*
16 The NPDC and NPF are hereby dissolved and all their powers, functions,
17 responsibilities, all applicable funds and appropriations, records, assets, and properties
18 are hereby transferred to the NALPA Secretariat.

19 *Sec. 9. The NALPA Administrator and Chief Executive Officer. -* The NALPA
20 Secretariat shall be headed by an Administrator, who shall likewise be a member of
21 the Board. The Administrator shall be appointed by the President of the Philippines
22 and shall enjoy the benefits, privileges and emoluments equivalent to the rank of
23 Undersecretary. As Chief Executive Officer of the Secretariat, the Administrator shall
24 exercise general supervision and control over its technical and administrative
25 personnel. The Administrator shall have the power to recommend to the Authority the
26 structural organization and the personnel complement of the Secretariat. Furthermore,
27 the Administrator shall appoint such personnel necessary to carry out the objectives,
28 policies, and functions of the Authority subject to Civil Service laws, rules, and
29 regulations. The Administrator may call upon other instrumentalities or entities of the
30 government, non-government, and civic organizations for assistance in terms of the
31 use of their facilities and resources for the management and administration of any
32 park in the System. This authority includes the power to call on the Philippine National

Police to maintain peace and order in any park in the System. The performance of the functions of the Administrator under this Act shall, in no case, result in the diminution of the powers of the LGUs to establish their own parks or develop their own open or green spaces.

Sec. 10. *Deputy Administrators.* - The Administrator shall be assisted by four (4) Deputy Administrators for (i) Research and Development, (ii) National and Local Public Parks Operations, (iii) Local Public Parks Operations, and (iv) Park Architecture & Planning. The Deputy Administrators shall enjoy the benefits, privileges, and emoluments equivalent to the rank of Assistant Secretary.

Sec. 11. *Regional Administrators* - The Regional Administrators shall be under the direct control of the Administrator and shall oversee the operations of National and Local Public Parks at the regional level. The Regional Administrators shall enjoy the benefits, privileges, and emoluments equivalent to the rank of a Regional Director, and shall provide technical assistance, particularly to local government units for effective supervision, coordination, and monitoring of national and local parks within their localities, and their integration to the National Public Park System.

Sec. 12. *Organizational Divisions.* - The Secretariat shall have the following Divisions which shall be headed by Division Chiefs: (i) Administrative Division; (ii) Finance Division; (iii) Programs and Public Affairs Division; (iv) Internal Audit Division; (v) Security and Safety Division; (vi) Information and Communications Technology Division; and (vii) Cultural & Heritage Preservation Division.

The following Divisions shall be headed by the Deputy Administrators: (i) National Public Park Operations & Management; (ii) Local Public Park Operations & Management; (iii) Research & Development; and (iv) Park Architecture & Planning.

Sec. 13. *Personnel Training, Development and Performance Incentives.* - The Authority shall undertake training and development programs to upgrade the capabilities of its personnel in its various functions. Personnel shall be allowed to train or study outside the Institute, in the Philippines, or abroad, on official time, subject to the needs of the service, upon approval of the Administrator. A system of monetary incentives shall be established to reward the superior performance and milestones of professional development on the part of management and administrative and technical

personnel, subject to the approval of the Department of Budget and Management and, where applicable, to the Civil Service Commission.

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

Sec. 15. *Privileges of the Authority.* - In line with the declared policy of this Act, and to ensure its independence and autonomy, the NALPA Secretariat shall be attached solely for budgetary coordination and related purposes to the Office of the President.

The Secretariat shall:

a) Be classified as a National Government Agency, primarily for administrative purposes, including receiving its annual budget from the general appropriations of the National Government to cover appropriately the entirety of its mandated operations and activities;

b) Be considered as higher in level than a Bureau or Bureau-level agency but beneath that of a Department or Department-level agency, primarily for administrative purposes as to staffing pattern and compensation scales; and

c) Enjoy such privileges and special rules characteristic of both a Government-Owned or Controlled Corporation and a State University or College wherever possible and which, in any and all cases, promote the objectives of this Act; and that special rules as may be necessary to this effect be formulated and appropriately promulgated by the NALPA, the Department of Budget and Management (DBM), the Commission on Audit (COA), and other concerned agencies.

Chapter 3

The National Parks System

Sec. 14. *Study and Planning of National Parks, Urban Parks, Open Spaces, and Recreational-Area Facilities.* - Within 3 years from the effectivity of this Act, the Authority shall make a comprehensive study of the National Parks, Urban Parks, Open

1 Spaces, and Recreational-Area Facilities programs of the national government and the
2 LGUs and of areas of land throughout the Philippines that are or may be chiefly
3 valuable as National Parks, Urban Parks, Open Spaces, and Recreational-Area
4 Facilities. The report shall be submitted to the Board who shall be empowered to
5 declare specifically identified areas as either National Parks, Urban Parks, Open
6 Spaces, or Recreational-Area Facilities.

7 Sec. 15. *Identification of National Parks.* - Notwithstanding any law or
8 proclamation to the contrary, the following parks are hereby considered National Parks
9 and shall be under the authority of the Authority: (1) Rizal Park, and (2) Paco Park.

10 Their Administrator and Provincial Administrators are strictly mandated to
11 investigate, study, and continually monitor areas whose over-all circumstances exhibit
12 qualities of national significance and that may have the potential to become a NALPA
13 Park.

14 Sec. 16. *Acquisition of Land.* - In the exercise of its power under this Act, the
15 Authority through the Administrator shall have the power to acquire land and interests
16 in land within the boundary of any NALPA Park. In the same manner and for the
17 establishment of an identified National Park, the power of eminent domain shall be
18 exercised through the Administrator, or by any of its Deputies or Provincial
19 Administrators.

20 Sec. 17. *Creation of Urban Parks and Open Spaces in LGUs.* - Within the period
21 provided by the Authority, LGUs shall be obliged to identify Urban Parks and Open
22 Spaces within their jurisdictions. Identified areas may either become NALPA
23 Administered Parks or maintain their nature as Local Parks at the discretion of the
24 LGU. The Authority is hereby mandated to enter into cooperative agreements with
25 colleges and universities, in partnership with LGUs and other agencies, to establish
26 cooperative study units to conduct multidisciplinary research and develop integrated
27 information products on the resources in the NALPA Parks or the LGU of which the
28 NALPA Park is located for possible commercial production or utilization.

29 Sec. 18. *Delineation of Authority and Coverage.* - Subject to the IRR and
30 dependent on the categorization of the land or an area, a nature reserve or a declared
31 protected area under the NIPAS shall continue to be under the jurisdiction of the

DENR. All other parks established or may be established may be covered under this Act.

Sec. 19. *Administration, Management, and Funding of NALPA Parks.* - Subject to reasonable restrictions under the IRR, the general public is hereby to be granted free admission to NALPA Parks. However, the Authority may levy appropriate fees for special activities or programs.

Sec. 20. *Income Retention.* - The Authority is hereby authorized to retain the entirety of its income from all sources of its operations nationwide and to spend the same for any purpose.

Sec. 21. *The NALPA Fund.* - The NALPA Fund is hereby established, to be managed and administered by the Authority, the income from which shall be utilized exclusively in awarding grants and providing assistance to park development programs, local government units for upgrading their capabilities, and to develop and implement training and training related activities for park development. The contribution to the fund shall be the following:

a) A one-time lump sum appropriation from the national government in the amount of P100,000,000.00;

b) Donations, grants, endowments, and other bequests or gifts of which the Authority is hereby authorized to accept; and

c) Any other income generated by the Authority.

The Authority shall be the administrator of the fund, and as such, shall formulate the necessary implementing guidelines for the management of the fund, subject to the following: a) unless otherwise stipulated by the private donor, only earnings of private contributions shall be used; and b) no part of the seed capital of the fund, including earnings, thereof, shall be used to underwrite expenses for administration. The Board shall appoint a reputable government-accredited investment institution as a fund manager, subject to guidelines promulgated by the Board.

Sec 22. *Incentives Schemes.* - The Authority shall develop and administer appropriate incentives schemes to encourage the LGUs and private industries and institutions to participate in the development of the National Parks System.

1 Sec. 23. *Parks and Green Spaces Awards* - To promote park development in
2 the country and with the view of participating in international park development
3 competitions, the Authority, with the active participation of private industries, shall
4 organize and conduct an Bi-annual Parks and Green Spaces Awards.

5 The Authority, through the Secretariat, shall promulgate the necessary rules
6 and guidelines for the effective and efficient conduct of the Annual National Parks and
7 Green Spaces Competition among the LGUs and for the country's participation in
8 international park development competitions.

9 Sec 24. *Exemption from Taxes, Duties, Fees, and Charges.* - The Authority shall
10 be exempt from the payment of taxes, fees, and charges imposed by the National
11 Government and its political subdivisions, agencies and instrumentalities regardless of
12 the nature of its activity. All donations in any form shall be exempt from the donor's
13 tax and the same shall be considered as an allowable deduction from the gross income
14 in the computation of the income tax of the donor, in accordance with the provisions
15 of Republic Act No. 8424, otherwise known as the "*National Internal Revenue Code of*
16 *1997*", as amended. Furthermore, the importation of supplies and materials for the
17 use of the Authority shall be exempt from customs duties.

18 Sec 25. *Commercial Operations of and inside of NALPA Parks.* - The Authority
19 shall be authorized to undertake commercial operations, the proceeds of which shall
20 be credited to the NALPA Fund:

21 a) The rental of dedicated areas for external events, functions, and similar
22 activities;

23 b) The lease of dedicated areas for the erection and operation of commercial
24 establishments inside NALPA Parks, which NALPA shall be allowed to award, through
25 public bidding, and giving preference to nonprofit organizations of a nature related to
26 or supportive of its mandate, for a term of up to five (5) years per contract;

27 c) The production and/or licensing of official merchandise;

28 d) The award of concession contracts is when the Authority shall utilize
29 concession contracts to authorize a person, corporation, or other entity to provide
30 accommodations, facilities, and services to visitors or users of NALPA Parks.

31 Sec. 26. *Contracted Services.* - The Authority is authorized to contract out
32 services for Park Management and Safety and Security Services.

Chapter 4

Miscellaneous Provisions

Sec. 27. *NALPA Budget.* - The amount necessary to finance the initial implementation of this Act shall be charged against the existing appropriations of the NPDC and the NPF, and shall be supported by funds coming from the Office of the President. Thereafter, such funds as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

Sec. 28. *Implementing Rules and Regulations (IRR).* - Within 180 days from the effectivity of this Act, the Administrator shall submit to the Board the IRR of this Act upon prior consultation with all concerned groups and entities.

Sec. 29. *Transitory Provisions.* -

a) Within two (2) months after the approval of this Act, the President shall, in consultation with the Secretary of Tourism, appoint the private sector representatives of the Board.

b) Within three (3) months after the appointment of the private sector representatives, the President shall, upon the recommendation of the Board, appoint the Administrator.

c) Within four (4) months after the appointment of the Administrator, the Board shall convene to determine the organizational structure and staffing pattern of the Authority.

d) Within one (1) year after the organization of the Authority, the Board shall convene to determine the organizational structure and staffing pattern of the Authority.

e) Upon the effectivity of this Act, and prior to the appointment of the Board and the Administrator, the heads and personnel of both NPDC and the NPF shall continue to exercise their functions and duties, in a holdover capacity, and shall ensure the smooth transition to the Board and the Administrator.

g) The Authority may at its discretion retain any personnel of NPDC and NPF it deems necessary to carry out its purpose and function. Otherwise, NPDC and NPF personnel are hereby deemed retired from service. Retirement and separation benefits shall be paid under existing rules and regulations.

1 personnel are hereby deemed retired from service. Retirement and separation benefits
2 shall be paid under existing rules and regulations.

3 h) The ownership and title to the properties now actually occupied by the NPF
4 and NPDC are hereby transferred in fee simple to the Authority, subject to the
5 following conditions:

- 6 1. The titles to the land conveyed by this Act shall not be transferred by the
7 Authority to another person or entity without previous authorization by the
8 President of the Philippines;
- 9 2. The Authority is hereby authorized to mortgage any properties referred to
10 above for the purpose of carrying out its objectives and purposes only; and
- 11 3. In case the Authority is dissolved or ceases, for any reason, to undertake its
12 objectives, or ceases to need any of the lands for any reason, said land shall
13 *ipso facto* revert to the National Government without compensation.

14 Sec. 30. *Automatic Review.* - Every five (5) years after the effectivity of this
15 Act, an independent review panel composed of three (3) persons appointed by the
16 President shall review the performance of the Authority, and shall make
17 recommendations, based on its findings to the President and to both Houses of
18 Congress.

19 Sec. 31. *Separability Clause.* - If any provision of this Act is declared invalid or
20 unconstitutional, the remainder of this Act or any provision not affected thereby shall
21 remain in full force and effect.

22 Sec. 32. *Repealing Clause.* - All laws, presidential decrees or issuances,
23 executive orders, letters of instruction, administrative orders, rules, or regulations
24 contrary to, or inconsistent with, the provisions of this Act are hereby repealed,
25 amended or modified accordingly.

26 Sec 33. *Effectivity.* - This Act shall take effect fifteen (15) days after its complete
27 publication either in the *Official Gazette* or in two (2) newspapers of general circulation
28 in the Philippines.

Approved,