

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



Senate
Office of the Secretary

23 JAN 18 P2:53

SENATE

S. No. 1690

RECEIVED BY: _____

Introduced by **SENATOR CYNTHIA A. VILLAR**

**AN ACT
DECLARING THE PANAON ISLAND AND ITS SURROUNDING AREAS,
SITUATED IN THE PROVINCE OF SOUTHERN LEYTE, AS PROTECTED
SEASCAPE, PURSUANT TO REPUBLIC ACT 11038, OTHERWISE KNOWN AS
THE EXPANDED NATIONAL INTEGRATED PROTECTED SYSTEM (ENIPAS)
ACT OF 2018**

EXPLANATORY NOTE

Under the 1987 Philippine Constitution, it is a declared policy 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."¹ In line with safeguarding a healthful ecology, the Constitution likewise provides that Congress shall determine the national parks, which shall be conserved and may not be increased nor diminished, except by law.²

Pursuant to the said constitutional provisions, the National Integrated Protected Areas System (NIPAS) was established by virtue of Republic Act (RA) No. 7586, as amended by RA No. 11038, otherwise known as the "Expanded NIPAS Act of 2018". Cognizant of the exacting impact of diverse human activities on all components of the natural environment, the NIPAS Act declared it the policy of the State "to secure for the Filipino people of present and future generations the perpetual existence of all native plants and animals through the establishment of a comprehensive system of integrated protected areas within the classification of

¹ Article II, Section 16, 1987 Philippine Constitution

² Article XII, Sec. 3, 1987 Philippine Constitution

national park as provided for in the Constitution.” The system shall encompass ecologically rich, unique and biologically important areas that are habitats of threatened species of plants and animals, biogeographic zones and related ecosystems, whether terrestrial, wetland or marine, all of which shall be designated as ‘protected areas’.³

To date, as of January 2023, there are already 114 protected areas in the Philippines that have been so declared through legislation. And yet, based on the records and various suitability assessments by the Biodiversity Management Bureau (BMB) of the Department of Environment and Natural Resources (DENR), there are still numerous sites in the country that have to be given ‘protected area’ status, by legislative action, in order to ensure its conservation. One of these sites is the Panaon Island Seascape.

The Panaon Island Seascape is located at the southern tip of Southern Leyte. It is under the jurisdiction of four municipalities, namely: Liloan, San Francisco, Pintuyan, and San Ricardo. The Panaon Island Seascape covers an area of 62,478.50 hectares. Panaon Island is known to have good to excellent coral reefs, with 41% of the coral reefs surveyed (11 of 27) estimated to have greater than 50% hard coral cover - a rarity in the country nowadays. Reef-associated fish communities at the different reef areas around Panaon Island were found to have moderate richness and very high abundance. Endemic wildlife such as Philippine ducks or *Anas luzonica* and the endangered whale shark or *Rhynchodon typus*⁴ species are frequently sighted around the island. Panaon Island is identified as part of the 50 priority reefs in the world⁵ that will highly likely withstand the devastating impacts of climate change, hence, the urgent need for protection and conservation.

³ Section 2, RA No. 7586, as amended by RA 11038

⁴ Whale shark. IUCN 2022. The IUCN Red List of Threatened Species. Version 2022-1. <https://www.iucnredlist.org/species/19488/2365291>. (Accessed 22/08/11).

⁵ Hawthorne Beyer, Emma Kennedy, Maria Beger, Chaolun Allen Chen, Joshua Cinner, Emily Darling, C. Mark Eakin, Ruth Gates, Scott Heron, Nancy Knowlton, David Obura, Stephen Palumbi, Hugh Possingham, Marji Puotinen, Rebecca Runting, William Skirving, Mark Spalding, Kerrie Wilson, Sally Wood, John Veron, Ove Hoegh-Guldberg, Risk-sensitive planning for conserving coral reefs under rapid climate change, Conservation Letters June 5, 2018. e12587; <https://doi.org/10.1111/conl.12587>

Despite the presence of extensive coral reefs and vibrant fish communities, the abundance and biomass of commercially important species show signs of overfishing. Further, evidence of potential causes of large-scale habitat deterioration that can dramatically change the island's coral reef condition were observed, such as crown-of-thorns starfish, trash, and illegal fishing activities. With the Philippines considered among the most vulnerable to the impacts of climate change, the country needs more well-managed marine reserves that may "help marine ecosystems and people adapt to five prominent impacts of climate change: acidification, sea-level rise, intensification of storms, shifts in species distribution, and decreased productivity and oxygen availability, as well as their cumulative effects."⁶

This bill seeks to declare the Panaon Island as a Protected Seascape to regulate utilization of marine resources and ensure the conservation and continuity of critical, endangered, threatened coral reefs, seagrasses, and mangrove forests as well as the endemic and threatened species therein. It seeks the conservation, protection, and preservation of a protected seascape in accordance with the provisions of Republic Act No. 7586, otherwise known as the "National Integrated Protected Areas System Act of 1992" as amended by Republic Act No. 11038, or the Expanded National Integrated Protected Area System (ENIPAS) Act of 2018.

The bill also mandates the formulation of a management plan that shall promote the adoption and implementation of innovative, sustainable management techniques including, when biodiversity management, community organizing and development, socio-economic and scientific research, site-specific policy development, climate change adaptation and mitigation, disaster risk reduction and management, solid waste management, and gender and development, among others.

With the filing of the house bills declaring Panaon Island as a protected seascape by Representative Christopherson M. Yap of the 2nd District of Southern

⁶ Callum M. Roberts, Bethan C. O'Leary, Douglas J. McCauley, Philippe Maurice Cury, Marine reserves can mitigate and promote adaptation to climate change, PNAS June 13, 2017. 114 (24): 6167-6175; first published June 5, 2017; <https://doi.org/10.1073/pnas.1701262114>

Leyte and Representative Luz V. Mercado of the 1st District of Southern Leyte in the House of Representatives, I see the wisdom of filing a counterpart in the Senate and push for the passage of this bill.

In view of all the foregoing, I seek the immediate passage of this bill.



CYNTHIA A. VILLAR

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SEASCAPE, PURSUANT TO REPUBLIC ACT 11038, OTHERWISE KNOWN AS
THE EXPANDED NATIONAL INTEGRATED PROTECTED SYSTEM (ENIPAS)
ACT OF 2018

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

ARTICLE I
GENERAL PROVISIONS

1 **SECTION 1. *Short Title.*** – This Act shall be known as the “Panaon Island
2 Protected Seascape Act of 2023”.

3 **SEC. 2. *Declaration of Policy.*** – It shall be the declared policy of the State to
4 ensure the protection and maintenance of the natural, biological, and physical
5 diversities of the environment notably on areas with biologically unique features of
6 Panaon Island to secure its perpetual existence for the present and future
7 generations.

8 **SEC. 3. *Definition of Terms.*** – As used in this Act, the following terms and
9 phrases shall mean, as follows:

- 1 a) "*Buffer Zone*" refers to the identified area outside the boundaries of
2 and immediately adjacent to PIPS that needs special development control in order to
3 avoid or minimize harm to the protected area.
- 4 b) "*Conservation Fees*" refer to fees collected from authorized users of
5 the PIPS.
- 6 c) "*LGUs*" refer to the local government units in PIPS.
- 7 d) "*Management Plan*" refers to the fundamental management goals,
8 strategies and activities which shall guide all activities relating to the PIPS in order to
9 attain the objectives of this Act.
- 10 e) "*Multiple Use Zone*" refers to the area where settlement, traditional
11 and sustainable land use including agriculture, agroforestry, extraction activities, and
12 income generating or livelihood activities, and may be allowed to the extent
13 prescribed in the protected area management plan of the PIPS.
- 14 f) "*PAMO*" refers to the Protected Area Management Office of the PIPS.
- 15 g) "*PASu*" refers to the Protected Area Superintendent of the PIPS.
- 16 h) "*PIPS*" refers to Panaon Island Protected Seascape.
- 17 i) "*Protected Area*" refers to identified portions of land and water set
18 aside by reason of their unique physical and biological significance, managed to
19 enhance biological diversity and protected against destructive human exploitation.
- 20 j) "*Strict Protection Zone*" refers to the area declared within the PIPS
21 according to the protected area management plan which possess some outstanding
22 ecosystem, features, and species of flora and fauna of national scientific importance
23 that should be maintained to protect and to preserve nature in its undisturbed state
24 and to preserve ecologically representative examples of the natural environment to

1 ensure their availability for scientific study, environmental to ensure their availability
2 for scientific study, environmental monitoring, education, and for the maintenance of
3 genetic resources in a dynamic and evolutionary state.

4 **SEC. 4.** *Establishment of the Panaon Island Protected Seascape (PIPS).* –
5 Pursuant to the above policy, the ENIPAS Act and as provided herein, Panaon Island
6 and its surrounding areas with boundaries as described hereunder, is hereby
7 declared and established as a protected area under the category of protected
8 landscape and seascape to be known as the Panaon Island Protected Seascape
9 (PIPS).

10 **SEC. 5.** *Scope and Coverage.* – The Panaon Island Protected Seascape (PIPS)
11 shall cover the Municipalities of Liloan, San Francisco, Pintuyan, and San Ricard,
12 containing an area of 62,478.50 hectares subject to delineation and demarcation on
13 the ground with the following boundaries and technical description:

	WGS 84 DATUM			Remarks
	POINTS	Latitude	Longitude	
16	Beginning at 1	10° 9' 39.79" N	125° 7' 57.57" E	Cabalian Bay
17	thence 2	10° 10' 13.0" N	125° 10' 15.04" E	Cabalian Bay
18	thence 3	10° 11' 13.97" N	125° 14' 3.0" E	Cabalian Bay
19	thence 4	10° 11' 10.05" N	125° 14' 50.97" E	Cabalian Bay
20	thence 5	10° 10' 37.35" N	125° 15' 36.28" E	Surigao Strait
21	thence 6	10° 10' 36.16" N	125° 15' 37.52" E	Surigao Strait
22	thence 7	10° 9' 34.01" N	125° 16' 24.31" E	Surigao Strait
23	thence 8	10° 8' 52.23" N	125° 16' 38.37" E	Surigao Strait
24	thence 9	10° 8' 42.07" N	125° 16' 45.15" E	Surigao Strait

1	thence 10	10° 8' 31.85" N	125° 16' 48.23" E	Surigao Strait
2	thence 11	10° 8' 11.85" N	125° 16' 56.4" E	Surigao Strait
3	thence 12	10° 7' 36.98" N	125° 17' 4.09" E	Surigao Strait
4	thence 13	10° 7' 23.82" N	125° 17' 12.63" E	Surigao Strait
5	thence 14	10° 7' 11.32" N	125° 17' 22.51" E	Surigao Strait
6	thence 15	10° 6' 56.55" N	125° 17' 32.54" E	Surigao Strait
7	thence 16	10° 6' 42.93" N	125° 17' 39.95" E	Surigao Strait
8	thence 17	10° 5' 50.18" N	125° 18' 1.84" E	Surigao Strait
9	thence 18	10° 5' 24.35" N	125° 18' 9.82" E	Surigao Strait
10	thence 19	10° 4' 31.04" N	125° 18' 25.08" E	Surigao Strait
11	thence 20	10° 4' 4.46" N	125° 18' 37.12" E	Surigao Strait
12	thence 21	10° 3' 31.92" N	125° 18' 54.48" E	Surigao Strait
13	thence 22	10° 3' 0.81" N	125° 19' 15.04" E	Surigao Strait
14	thence 23	10° 2' 37.97" N	125° 19' 39.07" E	Surigao Strait
15	thence 24	10° 2' 21.17" N	125° 19' 54.43" E	Surigao Strait
16	thence 25	10° 2' 4.04" N	125° 20' 7.68" E	Surigao Strait
17	thence 26	10° 1' 34.63" N	125° 20' 25.97" E	Surigao Strait
18	thence 27	10° 0' 31.63" N	125° 20' 49.29" E	Surigao Strait
19	thence 28	10° 0' 4.07" N	125° 20' 53.85" E	Surigao Strait
20	thence 29	9° 59' 36.44" N	125° 20' 55.42" E	Surigao Strait
21	thence 30	9° 59' 0.51" N	125° 20' 50.51" E	Surigao Strait
22	thence 31	9° 58' 54.83" N	125° 20' 54.74" E	Surigao Strait
23	thence 32	9° 58' 32.14" N	125° 21' 8.98" E	Surigao Strait
24	thence 33	9° 58' 8.05" N	125° 21' 23.97" E	Surigao Strait

1	thence 34	9° 57' 56.99" N	125° 21' 29.27" E	Surigao Strait
2	thence 35	9° 57' 22.31" N	125° 21' 43.76" E	Surigao Strait
3	thence 36	9° 57' 15.33" N	125° 21' 46.11" E	Surigao Strait
4	thence 37	9° 56' 58.43" N	125° 21' 50.97" E	Surigao Strait
5	thence 38	9° 56' 36.74" N	125° 21' 55.5" E	Surigao Strait
6	thence 39	9° 56' 20.59" N	125° 21' 56.92" E	Surigao Strait
7	thence 40	9° 56' 7.68" N	125° 21' 58.45" E	Surigao Strait
8	thence 41	9° 55' 51.08" N	125° 22' 1.83" E	Surigao Strait
9	thence 42	9° 54' 49.78" N	125° 21' 58.67" E	Surigao Strait
10	thence 43	9° 53' 37.15" N	125° 21' 33.48" E	Surigao Strait
11	thence 44	9° 52' 56.5" N	125° 21' 2.48" E	Surigao Strait
12	thence 45	9° 52' 43.59" N	125° 20' 55.24" E	Surigao Strait
13	thence 46	9° 52' 29.27" N	125° 20' 45.13" E	Surigao Strait
14	thence 47	9° 52' 4.56" N	125° 20' 24.44" E	Surigao Strait
15	thence 48	9° 51' 48.24" N	125° 20' 7.97" E	Surigao Strait
16	thence 49	9° 51' 23.13" N	125° 19' 35.24" E	Surigao Strait
17	thence 50	9° 51' 16.29" N	125° 19' 24.52" E	Surigao Strait
18	thence 51	9° 50' 58.64" N	125° 18' 50.38" E	Surigao Strait
19	thence 52	9° 50' 48.7" N	125° 18' 24.59" E	Surigao Strait
20	thence 53	9° 50' 42.85" N	125° 18' 4.94" E	Surigao Strait
21	thence 54	9° 50' 38.63" N	125° 17' 46.53" E	Surigao Strait
22	thence 55	9° 50' 34.54" N	125° 17' 18.59" E	Surigao Strait
23	thence 56	9° 50' 30.83" N	125° 16' 16.19" E	Surigao Strait
24	thence 57	9° 50' 29.96" N	125° 15' 58.23" E	Surigao Strait

1	thence 58	9° 50' 30.95" N	125° 15' 30.87" E	Surigao Strait
2	thence 59	9° 50' 37.84" N	125° 14' 49.97" E	Surigao Strait
3	thence 60	9° 50' 41.7" N	125° 14' 36.45" E	Surigao Strait
4	thence 61	9° 50' 47.46" N	125° 14' 17.98" E	Surigao Strait
5	thence 62	9° 51' 0.15" N	125° 13' 48.66" E	Surigao Strait
6	thence 63	9° 51' 10.56" N	125° 13' 29.97" E	Surigao Strait
7	thence 64	9° 51' 22.86" N	125° 13' 10.55" E	Surigao Strait
8	thence 65	9° 51' 42.97" N	125° 12' 44.02" E	Surigao Strait
9	thence 66	9° 51' 58.54" N	125° 12' 26.28" E	Surigao Strait
10	thence 67	9° 52' 33.36" N	125° 11' 56.96" E	Surigao Strait
11	thence 68	9° 52' 56.15" N	125° 11' 42.35" E	Surigao Strait
12	thence 69	9° 53' 36.36" N	125° 11' 25.24" E	Surigao Strait
13	thence 70	9° 54' 4.92" N	125° 11' 13.82" E	Surigao Strait
14	thence 71	9° 54' 30.83" N	125° 11' 4.29" E	Sogod Bay
15	thence 72	9° 55' 2.16" N	125° 10' 21.62" E	Sogod Bay
16	thence 73	9° 55' 57.86" N	125° 9' 43.0" E	Sogod Bay
17	thence 74	9° 56' 24.06" N	125° 9' 32.84" E	Sogod Bay
18	thence 75	9° 56' 35.3" N	125° 9' 22.92" E	Sogod Bay
19	thence 76	9° 57' 3.03" N	125° 9' 4.17" E	Sogod Bay
20	thence 77	9° 57' 30.12" N	125° 8' 50.11" E	Sogod Bay
21	thence 78	9° 57' 45.51" N	125° 8' 43.79" E	Sogod Bay
22	thence 79	9° 58' 13.52" N	125° 8' 34.69" E	Sogod Bay
23	thence 80	9° 58' 34.22" N	125° 8' 26.45" E	Sogod Bay
24	thence 81	9° 58' 46.65" N	125° 8' 16.85" E	Sogod Bay

1	thence 82	9° 59' 9.8" N	125° 8' 2.15" E	Sogod Bay
2	thence 83	9° 59' 31.75" N	125° 7' 48.22" E	Sogod Bay
3	thence 84	9° 59' 37.63" N	125° 7' 21.44" E	Sogod Bay
4	thence 85	9° 59' 50.0" N	125° 7' 12.0" E	Sogod Bay
5	thence 86	10° 1' 22.0" N	125° 5' 14.0" E	Sogod Bay
6	thence 87	10° 1' 49.0" N	125° 5' 2.0" E	Sogod Bay
7	thence 88	10° 2' 44.0" N	125° 4' 54.0" E	Sogod Bay
8	thence 89	10° 4' 15.0" N	125° 4' 26.0" E	Sogod Bay
9	thence 90	10° 5' 48.0" N	125° 4' 13.0" E	Sogod Bay
10	thence 91	10° 6' 9.0" N	125° 4' 9.0" E	Sogod Bay
11	thence 92	10° 7' 18.0" N	125° 3' 54.0" E	Sogod Bay
12	thence 93	10° 7' 59.0" N	125° 3' 45.0" E	Sogod Bay
13	thence 94	10° 8' 57.0" N	125° 3' 36.0" E	Sogod Bay
14	thence 95	10° 10' 42.84" N	125° 6' 20.55" E	Sogod Bay
15	thence 96	10° 11' 1.43" N	125° 6' 46.75" E	Sogod Bay
16	thence 97	10° 9' 46.97" N	125° 7' 42.47" E	Sogod Bay
17	thence following the Liloan Bridge to point 98			
18	thence 98	10° 9' 44.09" N	125° 7' 42.11" E	Sogod Bay
19	thence following the coastline of Liloan Bay to Liloan Point			
20	thence following the coastline to Sonok Point			
21	thence following the coastline to Bolobolo Point			
22	thence following the coastline to Calapian Point			
23	thence following the coastline to Point 1			
24	Total Area: 62,478.50 hectares			

1 Any modification of the scope and coverage of the PIPS in this Act shall be
2 made through an act of Congress, after consultation with the concerned government
3 agencies and stakeholders.

4 **SEC. 6. *Establishment of Buffer Zones.*** – The Department of Environment
5 and Natural Resources (DENR) Secretary, upon recommendation of the Protected
6 Area Management Board (PAMB) created under Section 7 of this Act, may designate
7 areas surrounding the PIPS as buffer zones for the purpose of providing an extra
8 layer of protection where restrictions may be applied: *Provided, That*, in cases where
9 the designated buffer zones would cover private lands, the owners thereof shall be
10 required to design their development with due consideration to the protected area
11 management plan.

12 ARTICLE II
13 ADMINISTRATION AND MANAGEMENT

14 **SEC. 7. *Protected Area Management Board (PAMB).*** – Within three (3)
15 months from the effectivity of this Act, a Protected Area Management Board (PAMB)
16 shall be created to oversee the management of the PIPS. The PAMB shall be
17 composed of the following:

- 18 a) DENR Regional Executive Director for Region 8, as Chairperson;
- 19 b) Governor of the Province of Southern Leyte or his/her duly designated
20 representative;
- 21 c) A Senator of the Republic of the Philippines who is a duly registered
22 resident of the city or province where the protected area is located or his/her duly
23 authorized representative, unless the Senator declines membership in the PAMB;

- 1 d) District Representative of the Congressional district where the
2 protected area is located or his/her duly designated representative, unless the
3 District Representative declines membership in the PAMB;
- 4 e) Mayors of the Municipalities of Liloan, San Francisco, Pintuyan, and San
5 Ricardo or their duly designated representative/s;
- 6 f) Chairpersons of the barangays where the protected area is located;
- 7 g) Regional Directors of the following government agencies, namely: the
8 Department of Agriculture (DA), the National Economic and Development Authority
9 (NEDA), the Department of Science and Technology (DOST), the Philippine National
10 Police (PNP), the Department of National Defense (DND), and the Department of
11 Tourism (DOT);
- 12 h) Three (3) representatives from either an NGO or PO, duly accredited
13 both by the DENR and the provincial government of Southern Leyte. The NGO or PO
14 represented should have been in existence for at least five (5) years and with track
15 record in or related to protected area management;
- 16 i) At least one (1) but not more than three (3) representatives from all
17 the IPs/ICCs present in the area and recognized by the National Commission on
18 Indigenous Peoples (NCIP);
- 19 j) One (1) representative from an academic institution, preferably from a
20 university or college in the Province of Southern Leyte, with proven track record in
21 or related to the protected area management; and
- 22 k) One (1) representative from the private sector, preferably a resident of
23 the Province of Southern Leyte, who is distinguished in a profession or field of
24 interest relevant to the protected area management.

1 *Ex officio* members or members of the PAMB by virtue of their elective or
2 appointive government positions as specified in the immediately preceding
3 subparagraphs (a), (b), (c), (d), (e), (f), and (g), shall serve for the duration of their
4 respective terms of office in their respective elective or appointive government
5 positions.

6 On the other hand, the members of the PAMB specified under subparagraphs
7 (h), (i), (j), and (k) of this section shall be appointed by the DENR Secretary after
8 the conduct of a transparent and fair selection process. They shall each serve a term
9 of three (3) years and may be reappointed for another term.

10 The PAMB members duly appointed prior to the effectivity of this Act shall
11 continue their term until the expiration of their appointment. Thereafter, members of
12 the management board shall be appointed in accordance with the provisions of this
13 Act: *Provided*, That the Regional Executive Director of the DENR shall ensure that
14 the relevant members of the PAMB are duly appointed by the DENR Secretary:
15 *Provided, further*, that at least forty percent (40%) of the PAMB members shall be
16 women, pursuant to Republic Act No. 9710 or "The Magna Carta of Women".

17 The terms of office of members of the PAMB, as well as the grounds for their
18 removal, shall be in accordance with the provisions of Republic Act No. 7586,
19 otherwise known as the "National Integrated Protected Areas System Act of 1992",
20 as amended by Republic Act No. 11038, otherwise known as the "Expanded National
21 Integrated Protected Areas System Act of 2018".

22 **SEC. 8. Powers and Functions of the PAMB.** – The PAMB shall have the
23 following powers and functions:

24 a) Oversee the management of the PIPS;

- 1 b) Approve policies, plans and programs, proposals, agreements, and other
2 related documents for the management of the PIPS;
- 3 c) Approve the management plan of the PIPS and ensure its harmonization
4 and integration with the land use plan and other development plan public or private,
5 and its implementation;
- 6 d) Adopt a manual of operations to include rules of procedures in the
7 conduct of business, and the creation of committees and their respective terms of
8 reference;
- 9 e) Recommend the deputation of appropriate agencies and individuals for
10 the enforcement of the laws, rules and regulations governing the management of
11 protected area;
- 12 f) Allocate financial resources for the implementation of the management
13 plan and manage the Protected Area Retention Income Account and other funds in
14 accordance with the accounting and budgeting rules and regulations;
- 15 g) Set fees and charges in accordance with the existing guidelines;
- 16 h) Issue rules and regulations for the resolution of conflicts through
17 appropriate and effective means;
- 18 i) Recommend appropriate policy changes to the DENR and other
19 governing authorities;
- 20 j) Monitor and assess the performance of the protected area personnel
21 assigned in the PAMO and all those implementing activities and projects in the PIPS;
- 22 k) Establish partnerships with national and local agencies, local
23 government units, local communities, the academe, nongovernmental organizations,
24 and such other institutions to ensure the conservation and management of the PIPS,

1 and monitor compliance of partners with the terms and conditions of any
2 undertaking, contract or agreement;

3 l) Recommend from among a shortlist of qualified candidates, the
4 designation or appointment of the PASu;

5 m) Assess the effectiveness of the management of the PIPS: *Provided, That*
6 the members of the management board representing the LGUs and national agencies
7 in the PAMB shall inform their respective constituents, offices or sectors, of PAMB-
8 approved or other relevant policies, rules, regulations, programs, and projects and
9 shall ensure that the provisions of this Act and its implementing rules and regulations
10 are complied with, and used as reference and framework in their respective plans,
11 policies, programs, and projects. Failure to comply with the foregoing shall be the
12 basis for disciplinary action against such member according to administrative rules
13 and regulations and such penalties as the PAMB may provide: *Provided, further, That*
14 the DENR, through the Regional Executive Director, shall ensure that the PAMB acts
15 within the scope of its powers and functions. In case of conflict between the
16 resolutions issued by the PAMB and the existing administrative orders of national
17 application, the latter shall prevail;

18 n) Provide adequate measures to ensure consultation and participation of
19 stakeholders; and

20 o) Perform such other functions necessary for the fulfillment of the
21 provisions of this Act and other applicable laws, rules and regulations, and as may be
22 required.

23 **SEC. 9. *The Protected Area Management Office (PAMO).*** – There is hereby
24 established a Protected Area Management Office (PAMO) to be headed by a

1 Protected Area Superintendent (PASu) who shall supervise the day to day
2 management, protection, and administration of the PIPS. The PASu shall hold a
3 permanent plantilla position and shall be appointed by the DENR Secretary. A
4 sufficient number of support staff with permanent plantilla positions shall likewise be
5 appointed by the DENR Secretary to assist the PASu in the management of the PIPS.

6 The PASu shall be primarily accountable to the PAMB and the DENR for the
7 management and operations of the PIPS. Pursuant thereto, the PASu shall have the
8 following duties and responsibilities:

9 a. Prepare the management plan, in consultation with the stakeholders,
10 including the annual work and financial plan and ensure its implementation;

11 b. Ensure the integration of the PIPS management plans, programs,
12 projects, and policies with relevant national and LGUs' plans and programs;

13 c. Provide secretariat services to the PAMB and its committees and
14 ensure the availability of relevant and timely information for decision-making;

15 d. Formulate and recommend to the PAMB proposed policies, rules,
16 regulations, and programs;

17 e. Establish, operate, and maintain a database management system
18 which shall be an important basis for decision-making;

19 f. Enforce the laws, rules and regulations relevant to the PIPS,
20 commence and institute administrative and legal actions in collaboration with other
21 government agencies or organizations, and assist in the prosecution of offenses
22 committed in violation of the provisions this Act;

23 g. Monitor, evaluate, and report the implementation of management
24 activities of the PIPS;

1 h. Request for and receive any technical assistance, support or advice
2 from any agency or instrumentality of the government as well as academic
3 institutions, NGOs, and the private sector, as may be necessary for the effective
4 management, protection and administration of the PIPS;

5 i. Issue permits and clearances for activities that implement the
6 management plan and other permitted activities in accordance with terms,
7 conditions, and criteria established by the PAMB: *Provided*, That all permits for
8 extraction of natural resources, including collection of wildlife, and its by-products or
9 derivatives for research purposes, shall continue to be issued by relevant authorities,
10 subject to prior clearance from the PAMB, through the PASu, in accordance with the
11 specific acts to be covered;

12 j. Collect and receive pertinent fees, charges, donations, and other
13 income for the PIPS: *Provided*, That such fees, charges, donations, and other
14 income collected and received shall be reported regularly to the PAMB and the DENR
15 in accordance with existing guidelines;

16 k. Prepare and recommend to the PAMB, approval of the annual work and
17 financial plans of the PIPS based on the management plan; and

18 l. Perform such other functions as the PAMB and the DENR may assign.

19 The PAMO may be augmented by the deputized local environment and
20 natural resources officers upon the recommendation of the PAMB and approval of
21 the DENR.

22 ARTICLE III
23 PROCEEDS AND FEES

24 **SEC. 10.** *Panaon Island Protected Seascape Integrated Protected Area Fund*
25 *(PIPS-IPAF)*. – There is hereby established a Panaon Island Protected Seascape

1 Integrated Protected Area Fund (PIPS-IPAF) for purpose of financing the projects of
2 the PIPS and the NIPAS. All income generated from the operation and management
3 of wild lora and fauna in the PIPS shall accrue to the PIPS-IPAF. The income shall be
4 derived from fees and charges from the use of resources and facilities of the PIPS;
5 contributions from industries and facilities directly benefiting from the PIPS; and
6 such other fees and income derived from the operation of the PIPS.

7 The PAMB shall retain seventy-five percent (75%) of all revenues raised
8 through the above means, which shall be deposited in the Protected Area-Retained
9 Income Account (PA-RIA) in any authorized government depository bank within the
10 locality: *Provided*, That disbursement out of such deposits shall be used solely for
11 the protection, maintenance, administration, and management of the PIPS and
12 implementation of duly approved projects of the PAMB.

13 The remaining twenty-five percent (25%) of revenues shall be deposited as a
14 special account in the General Fund in the National Treasury for purposes of
15 financing the programs and projects of the NIPAS.

16 The PIPS-IPAF may be augmented by grants, donations, endowment from
17 various sources, domestic or foreign: *Provided*, That the fund shall be deposited in
18 full as a special account in the National Treasury and disbursement therefrom shall
19 be made solely for the protection, maintenance, administration, and management of
20 the NIPAS and duly approved projects endorsed by the PAMB in accordance with
21 existing accounting, budgeting, and auditing rules and regulations: *Provided, further*,
22 That the fund shall not be used to cover personal services expenditures.

1 **SEC. 16. Effectivity Clause.** – This Act shall take effect fifteen (15) days after
2 its complete publication in the *Official Gazette* or in two (2) newspapers of general
3 circulation.

Approved,