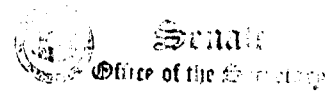


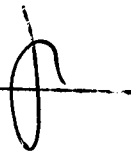
**NINETEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES**
Second Regular Session



24 FEB -6 P2 :55

SENATE

Senate Bill No. 2533

RECEIVED BY: 

Introduced by Senator Juan Miguel F. Zubiri

**AN ACT
DECLARING A PARCEL OF LAND LOCATED IN THE MUNICIPALITY OF
NARRA, IN THE PROVINCE OF PALAWAN, A PROTECTED AREA WITH
THE CATEGORY OF WILDLIFE SANCTUARY UNDER THE NATIONAL
INTEGRATED PROTECTED AREAS SYSTEM (NIPAS) TO BE REFERRED TO
AS THE RASA ISLAND WILDLIFE SANCTUARY, PROVIDING FOR ITS
MANAGEMENT, AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

Article II, Section 16 of the 1987 Constitution provides 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.

Rasa Island is situated in the jurisdiction of the Municipality of Narra in the southern part of Palawan. It has a total area of one thousand nine hundred eighty-three (1,983) hectares. The island was declared as Wildlife Sanctuary under Presidential Proclamation No. 1000 on 15 February 2006 pursuant to the National Integrated Protected Areas System (NIPAS) Act of 1992 in order to effectively protect and conserve the Philippine Cockatoo *Cacatua haematuropygia* and other threatened species of fauna and flora, and to preserve and enhance the ecosystem services of the pristine island.

The Rasa Island Wildlife Sanctuary (RIWS) is the habitat of the critically endangered Philippine Cockatoo *Cacatua haematuropygia* in Narra, Palawan and the stronghold of the wild population of this species where up to 38% of its global population could be found. It is crucial for the survival of the species and its recovery within its historical range in the country. The Philippine Cockatoo is the flagship species of Narra, Palawan through Municipal Ordinance 2018-844.

The Rasa Island Wildlife Sanctuary (RIWS) has a coastal forest, one of the last examples of an intact lowland forest on a small coral island in the Philippines and has 709.71 hectares of mangrove forest on 52% of Rasa Island's surface area and 222 hectares of coral reefs. At least 68 plant species, most of which are nest- and food-providing trees for the Philippine Cockatoo and other wildlife in the island, are present in the coastal forest. RIWS is home to 113 bird species, 12 reptiles, nine mammals and 132 species of fish currently listed. RIWS supports a large number of other globally threatened and restricted range

species, like Grey Imperial Pigeon *Ducula pickeringii*, Blue-headed Racquet-tail *Prioniturus platenae*, Mantanani Scops Owl *Otus mantananensis*, Nicobar Pigeon *Caloenas nicobarica*, Chinese Egret *Egretta eulophotes*, three species of marine turtles and Dugong *Dugong dugon*.

Biodiversity values of ecosystem services of Rasa Island Wildlife Sanctuary, Narra, Palawan have been clearly demonstrated also in monetary terms. The biodiversity of Rasa provides direct and indirect benefits to its stakeholders: its mangroves and coral reefs support fishery resources in Narra and, the island protects the adjacent areas from storm surges and serves as core habitat of the Philippine Cockatoo, among others.

The preservation of the environment is not a duty but a responsibility that should be practiced by each and every citizen of the State for the simple reason that its benefits will not only be for the present generation but for the future as well. It will also support the ongoing concerted and collaborative efforts of the Local Government of Narra, Palawan, the Protected Area Management Board (PAMB) of RIWS and the citizens of Narra. It is for these reasons that the strengthened protection and conservation of Rasa Island Wildlife Sanctuary therefore is urgently needed.

In light of the perceived uncertain future and challenges we face with climate change and unsustainable development programs, it is but suitable that its protection be implemented for the benefit of all humanity in general and for the benefit of the Filipino people in particular in accord with the provision enshrined in the Constitution.

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

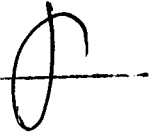


JUAN MIGUEL F. ZUBIRI

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**AN ACT
DECLARING A PARCEL OF LAND LOCATED IN THE MUNICIPALITY OF
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THE CATEGORY OF WILDLIFE SANCTUARY UNDER THE NATIONAL
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AS THE RASA ISLAND WILDLIFE SANCTUARY, PROVIDING FOR ITS
MANAGEMENT, AND APPROPRIATING FUNDS THEREFOR**

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

**ARTICLE I
GENERAL PROVISIONS**

1
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3
4 **SECTION 1. TITLE.** – This Act shall be known as the “Rasa Island Wildlife
5 Sanctuary Act.”
6

7 **SEC. 2. DECLARATION OF POLICY.** – It is the policy of the State to protect
8 and advance the right of the people to a balanced and healthful ecology in
9 accord with the rhythm and harmony of nature. As a habitat for endemic and
10 endangered species of flora and fauna, the State shall ensure the conservation,
11 rehabilitation, and protection of biodiversity of the Rasa Island Wildlife Sanctuary
12 (RIWS) which shall include, among others, the preservation of the Philippine
13 Cockatoo, the economic significance of the RIWS, and the survival of the
14 communities dependent on this protected area, their culture and way of life
15 insofar as they are in harmony with nature. The State shall likewise ensure that
16 the ecological systems and the magnitude of biological diversity of this protected
17 area shall not be altered. The State shall further ensure that the precautionary
18 principles shall be applied in the management of the RIWS and the
19 implementation of its regulations and management plans.
20

21 It is also the policy of the State to preserve and rehabilitate the RIWS as a
22 habitat for endemic, endangered and unique flora and fauna species and as an
23 ecotourism zone, and shall undertake steps to preserve its integrity for future
24 generations.

1 Pursuant to the provisions of Republic Act (RA) No. 11038 or the Expanded
2 National Integrated Protected Area System Act (ENIPAS) which amends RA No.
3 7586 or NIPAS), RA No. 7611 or the Strategic Environmental Plan for Palawan
4 (SEP Law), RA No. 8371 or the Indigenous People's Rights Act (IPRA), the State
5 shall ensure the conservation and protection of the protected area through a
6 sustainable and participatory development, and advance and protect the interest
7 of its legitimate inhabitants and honor customary laws in accordance with
8 pertinent provisions of existing laws and other applicable international laws to
9 which the Philippines is signatory.

10

11 **SEC. 3. LAND CLASSIFICATION.** – All lands and waters of the public domain
12 comprising the Rasa Island Wildlife Sanctuary shall fall under the classification of
13 a national park as provided for in the 1987 Philippine Constitution.

14

15 **SEC. 4. SCOPE AND COVERAGE.** – Pursuant to and in accordance with Section
16 3 of the NIPAS Act, as amended by ENIPAS Act, the Rasa Island Wildlife
17 Sanctuary, located in Barangay, Panacan, Municipality of Narra, Palawan, shall be
18 hereby declared as a protected area under the category of a wildlife sanctuary
19 category. The physical, natural features, sociocultural and economic importance
20 of RIWS all contribute to the protected area's valuable role as a life support
21 system for the people living around it. The Rasa Island Wildlife Sanctuary
22 constitutes land, mangroves, marine areas and inter tidal zones, and more
23 particularly described as follows:

24

25 The Line Cor. 1 is N. 89° 23' E. 2,068.89 meters from BLLM #1, PLS-23 of
26 Narra, Palawan (formerly Aborlan) at latitude 9° 14' 47.284" and longitude 118°
27 24'26.227",

28

29 Thence N 37° 40' E 1,165.47 meters to corner 2;

30

31 Thence S 80° 12' E 1,084.08 meters to corner 3;

32

33 Thence S 55° 22' E 1,298.12 meters to corner 4;

34

35 Thence S 35° 55' E 910.59 meters to corner 5;

36

37 Thence S 09° 08' E 1,165.47 meters to corner 6;

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39 Thence Due South 1,474.96 meters to corner 7;

40

41 Thence S 43° 57' W 1,024.41 meters to corner 8;

42

43 Thence S 62° 35' W 809.94 meters to corner 9;

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45 Thence Due West 1,066.52 meters to corner 10;

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47 Thence S 43° 57' W 768.30 meters to corner 11;

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49 Thence S 80° 11' W 1,082.34 meters to corner 12;

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51 Thence N 55° 19' W 648.49 meters to corner 13;

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- Thence N 13° 32' W 759.11 meters to corner 14;
- Thence N 17° 50' E 1,162.92 meters to corner 15
- Thence N 37° 40' E 1,165.47 meters to corner 16;
- Thence Due North 1,107.06 meters to corner 17;
- Thence N 10° 55' E 939.57 meters to corner 1;

Thence N 10° 55' E 939.57 meters to corner 1; the point of beginning containing an area of One Thousand Nine Hundred Eighty-Three (1,983) hectares (4,900-acre) bird sanctuary, subject to actual ground survey and verification by the DENR immediately after the effectivity of this Act.

Any modification of this Act due to factors such as changing ecological situations, new scientific, archaeological finding or discovery of traditional boundaries not previously considered shall be made through an Act of Congress passed after full consultation with the affected stakeholders and other concerned government agencies.

SEC. 5. DEFINITION OF TERMS. – For purposes of this Act:

- a) **Ancestral Domain** – refers to all lands and natural resources occupied or possessed by indigenous cultural communities, by themselves or through their ancestors, communally or individually, in accordance with their customs and tradition since time immemorial, continuously to the present except when interrupted by war, force majeure, or displacement by force, deceit or stealth. It includes all adjacent areas generally belonging to them and which are necessary to ensure their economic, social and cultural welfare;
- b) **Biological diversity or biodiversity** – refers to the variability among the living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part, and this includes diversity within species, between species and of ecosystems;
- c) **Biological Resources** – refer to genetic resources, organisms or part thereof; population or any other biotic components of the ecosystems with actual or potential use or value for humanity;
- d) **Bioprospecting** – refers to the research, collection and utilization of biological and genetic resources for the purpose of applying the knowledge derived therefrom solely for commercial purposes;
- e) **Buffer Zone** – refers to the identified area outside the boundaries of, and immediately adjacent to, designated protected areas that need special development control in order to avoid or minimize harm to the protected area;

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- f) **By-products and derivatives** – refer to parts taken or substance extracted from wildlife, in raw or in processed form;
- g) **CITES** – refers to the Conservation on International Trade of Endangered Species of wild flora and fauna including all its appendices referring to the lists of species differentially regulated therein;
- h) **Collecting** – refers to the act of gathering or harvesting wildlife and its by-products or derivatives;
- i) **Conservation** – refers to the preservation and sustainable utilization of wildlife, and/or maintenance, restoration and enhancement of the habitat;
- j) **Conveyance** – refers to every kind of vessel, including motorized or non-motorized vehicles, non-displacement crafts and seaplanes that are used or maybe used as a means of transportation on land or water and shall include everything found therein except personal effects;
- k) **Consultation** – shall refer to the meeting or dialogue with concerned or affected individuals and groups within and outside the RIWS, designed to identify and resolve issues and problems affecting them in relation to the protection, conservation and sustainable development of RIWS;
- l) **Delineation** – refers to the actual ground survey of the boundaries of protected areas and their buffer zones and management zones using the global positioning system (GPS) or other applicable survey instruments and technologies, with the intention of producing a map in the area;
- m) **Demarcation** – refers to the establishment of the boundaries of protected areas and their buffer zones using visible markers, monuments, buoys in case of marine areas, and known natural features and landmarks, among others, as a result of the actual ground delineation;
- n) **Endangered species** – refer to species or subspecies whose population is in danger of extinction and whose survival is unlikely if the casual factors continue operating;
- o) **Endemic species** – refer to species or subspecies which are naturally occurring and found only within specific areas in the country;
- p) **Exotic species** – refer to species or subspecies of flora and fauna which do not naturally occur within RIWS at present or in historical time;
- q) **Exploration** – refers to the act of discovering, searching, prospecting for mineral resources that include oil and gas as defined by law, by geological, geochemical surveys, remote sensing, test pitting trenching, drilling underground, shaft sinking, tunneling, or any other means for the purpose of determining the existence, extent, quantity, and quality of resources in the area, and the feasibility of utilizing these resources for profit;

- 1 r) **Exploitation** – refers to any mode of use, extraction, development,
2 utilization or disposition of resources for whatever purpose, whether
3 commercial or otherwise;
4
- 5 s) **Gear** – refers to any instrument or device and its accessories utilized in
6 taking, catching, gathering, killing, hunting, destroying, disturbing,
7 removing, or possessing resources within the protected area;
8
- 9 t) **Genetically modified organism (GMO)** – refers to any living organism
10 that possesses a novel combination of genetic material through the use of
11 modern biotechnology;
12
- 13 u) **Habitat** – refers to an area inhabited by wildlife in its natural state;
14
- 15 v) **Hunting** – refers to the catching or killing of terrestrial and aquatic
16 species such as dugong, pawikan, giant clams and other wild fauna for
17 food and recreational purposes, with the use of weapons such as guns,
18 gear, bow and arrow, spears, traps and snares, and the like;
19
- 20 w) **Indigenous Cultural Communities (ICC)/ Indigenous Peoples**
21 **(IPs)** – refer to a group of people sharing common bonds of language,
22 customs, traditions, and other distinctive cultural traits, and who have,
23 since time immemorial, occupied, possessed and utilized a territory;
24
- 25 x) **Indigenous species** – refer to relative Philippine species or subspecies
26 with an existing or historical natural occurrence and distribution within the
27 RIWS;
28
- 29 y) **Integrated Protected Area Fund (IPAF)** – refers to the special
30 account established for the purpose of financing projects of the NIPAS
31 and individual protected areas;
32
- 33 z) **Invasive alien species** – refer to species introduced deliberately or
34 unintentionally outside their natural habitats where they have the ability
35 to establish themselves, invade, outcompete native species, and take over
36 the new environment;
37
- 38 aa) **Introduction** – refers to bringing species into the wild that is outside its
39 natural habitat;
40
- 41 bb) **Management plan** – is the basic long-term framework plan for the
42 management of the protected area and guide in the preparation of its
43 annual operation plan and budget;
44
- 45 cc) **Mineral** – refers to all naturally occurring inorganic substance in solid,
46 gas, liquid, or any intermediate state including energy materials such as
47 coal, petroleum, natural gas, radioactive materials and geothermal
48 energy;
49
- 50 dd) **Multiple-use zone** – refers to area where settlement, traditional or
51 sustainable land use, including agriculture, agroforestry, extraction
52 activities, may be allowed to the extent prescribed in the protected area
53 management plan;

- 1 ee) **National Integrated Protected Area System (NIPAS)** – refers to
2 the classification and administration of all designated protected areas for
3 the purpose of maintaining essential ecological processes and life support
4 systems, preserving genetic diversity, ensuring sustainable use of
5 resources found therein, and maintaining their natural conditions to the
6 greatest extent possible;
7
- 8 ff) **Non-government organization** – refers to an agency, institution, a
9 foundation or a group whose purpose is to assist people’s
10 organizations/associations in various ways including, but not limited to
11 organizing, educating, training, research and/or resource assessing;
12
- 13 gg) **Occupation** – refers to a continuous stay of individuals or groups within
14 a protected area, whether residing or engaging cultivation of land or
15 fishing for more than twenty-four (24) hours;
16
- 17 hh) **Palawan Council for Sustainable Development (PCSD)** – refers to
18 the multi-sectoral and inter-disciplinary body, which under the Strategic
19 Environment Plan for Palawan is charged with the governance,
20 implementation and policy direction of RA No. 7611 or the SEP law;
21
- 22 ii) **People’s organization** – refers to a bona fide association of citizens
23 with demonstrated capacity to promote the public interest and with
24 identifiable leadership, membership, and structure;
25
- 26 jj) **Poaching** – refers to gathering, collecting, or possessing products or
27 natural resources from the protected area by any individual person,
28 corporation or entity whether local or foreign; in the case of marine
29 protected areas, operating any foreign fishing vessels by any person,
30 corporation, or entity without a permit;
31
- 32 kk) **Protected area** – refers to identified portions of land and/or water set
33 aside by reason of their unique physical and biological diversity and
34 protected against destructive human exploitation;
35
- 36 ll) **Protected Area Management Board** – refers to a multi-sectoral policy
37 making body for protected areas created in accordance with the ENIPAS
38 Act, and consistent with the SEP Law;
39
- 40 mm) **Protected species** – refer to plants or animals declared protected
41 under Philippine laws, rules and regulations. These shall also include all
42 species listed under the Conservation on International Trade of
43 Endangered Species of Wild Fauna and Flora and all its Annexes, the
44 Convention of the Conservation of Migratory Species (CMS), specified
45 under the red-list categories of the International Union for the
46 Conservation of Nature and Natural Resources (IUCN), or any plant or
47 animal which the DENR, PAMB, PCSD or any government agency may
48 deem necessary for the conservation and preservation in the protected
49 area;
50
- 51 nn) **Quarrying** – refers to the process of extracting, removing and disposing
52 of sand, gravel, guano, limestone, and all other resources used as filling,

1 building and construction materials that are found within the protected
2 area;

3

4 oo) **Recreational zones** – refer to areas of high recreational, tourism,
5 educational or environmental awareness values where sustainable
6 ecotourism, recreational conservation education or public awareness
7 activities may be allowed as prescribed in the management plan;

8

9 pp) **Sustainable** – refers to the use of components of biological diversity in a
10 manner and at a rate that does not lead to the decline of the species used
11 nor cause permanent or long term diminishment or qualitative degradation
12 of biological species, ecological functions or of other resources extracted
13 or disturbed. It shall not pertain to exploitation of non-renewable
14 resources in commercial qualities which will significantly alter the
15 ecosystem or contribute to the extinction of species;

16

17 qq) **Strict protection zones** – refer to areas with high biodiversity value
18 which shall be closed to all human activity except for scientific studies;

19

20 rr) **Tenured migrants** – refer to individuals and households within the RIWS
21 who have actually and continuously occupied such protected area on or
22 before July 12, 1995 and are substantially dependent therein for
23 subsistence;

24

25 ss) **Wildlife** – refers to wild forms and varieties of flora and fauna, in all
26 developmental stages, including those which are in captivity or are being
27 bred, fed, or propagated; and

28

29 tt) **Wildlife sanctuary** – refers to an area which assures the natural
30 conditions necessary to protect nationally significant species, group of
31 species, biotic communities or physical features of the environment which
32 may require specific human manipulations for their perpetuation.

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ARTICLE II MANAGEMENT MECHANISMS

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SEC. 6. PROTECTED AREA MANAGEMENT PLAN (PAMP). – Within one (1)
year from the effectivity of this Act, the RIWS Management Plan that has been
prepared by the PAMB in consultation with various stakeholders shall be adopted.
The management plan shall serve as the basic long-term framework plan in the
management of the RIWS and guide in the preparation of the annual operations
plan and budget. The management plan embodies, among others:

a) Period of applicability is ten (10) years subject to periodic review every
five (5) years;

b) Vision, goals and objectives of the management of the protected area;

c) Mechanism strategy in the management of the protected area including,
but not limited to, the establishment of clear and simplified guidelines on
the activities that can be done within the zones, including the buffer
zones, to effectively manage the protected area;

- 1 d) Key management issues such as, but not limited to, issuance, screening
2 and approval of all development and resource-use activities within the
3 RIWS and adequate protection and restoration of endangered species and
4 fragile ecosystems;
5
- 6 e) Set mechanisms or basis for enforcement of existing laws and regulations
7 and addressing conflict resources issues;
8
- 9 f) Mechanisms to ensure adequate consultation and participatory decision-
10 making processes, and recognizing the role and participation of the PAMB
11 members.
12

13 The management plan shall be consistent with the nature of the RIWS as a
14 wildlife sanctuary. It shall be approved by the RIWS, PAMB, and all relevant
15 agencies will be furnished a copy of the plan.
16

17 The management plan shall be harmonized with the Ancestral Domain
18 Sustainable Development Protection Plan (ADSDPP) as required under RA No.
19 8371 or the Indigenous People’s Rights Act (IPRA), the Comprehensive Land Use
20 Plan of the local government as required under the Local Government Code and
21 other local plans such as the Comprehensive Land Use and Water Plan (CLUWP).
22

23 **SEC. 7. ZONING.** – The identification of the zones and the criteria in the
24 delineation and demarcation shall be adopted within the protected area, giving
25 consideration to the protection and conservation of flora and fauna in accordance
26 with applicable laws, rules and regulations: *Provided*, That the identification and
27 the designation of zones shall be undertaken in coordination with the PCSD,
28 concerned LGUs and other stakeholders and consistent with the existing laws
29 applicable to the protected area.
30

31 **SEC. 8. ADMINISTRATION AND MANAGEMENT OF RIWS.** – As provided
32 under the ENIPAS Act, the management of the RIWS shall be directly vested with
33 the Protected Area Management Board.
34

35 The PAMB shall have jurisdiction, power and authority over the RIWS, on matters
36 concerning the implementation of the PAMB’s authority and on matters that
37 generally relate to biodiversity conservation, protection and sustainable
38 development without prejudice to the implementation of special laws, including
39 but not limited to, the SEP law, Wildlife Act, Chainsaw Act, Caves Act, Fisheries
40 Code and other similar environmental laws. To harmonize all conservation efforts
41 within the protected area, there must be an established and adequate
42 coordination mechanism between the LGUs, DENR, PCSD and other relevant
43 stakeholders.
44

45 **SEC. 9. PROTECTED AREA MANAGEMENT BOARD (PAMB).** – Within ninety
46 (90) days from the effectivity of this Act, a PAMB shall be created. It shall be
47 composed of the following:
48

- 49 a. DENR Regional Executive Director of MIMAROPA Region as Chair;
- 50
- 51 b. Governor of the Province of Palawan;
- 52
- 53 c. 2nd District Representative of Palawan;
- 54

- 1 d. Mayor of the Municipality of Narra;
2
3 e. Chairperson/s of the barangays (Antipuluan, Panacan I, Panacan II)
4 where the RIWS is located;
5
6 f. Executive Director of the Palawan Council for Sustainable Development or
7 his/her designated representative;
8
9 g. Regional Directors of the Department of Agriculture (DA), the National
10 Economic and Development Authority (NEDA), the Department of Science
11 and Technology (DOST), the Philippine National Police (PNP), and the
12 Department of National Defense (DND) or their duly authorized
13 representative;
14
15 h. Three (3) representatives from either an NGO or PO, duly accredited both
16 by the DENR and the municipal government. The NGO or PO represented
17 must have been in existence for at least five (5) years and with track
18 record in protected area management;
19
20 i. At least one (1) but not more than three (3) representatives from all the
21 IPs/ICCs present in the area and recognized by the National Commission
22 on Indigenous Peoples (NCIP);
23
24 j. Two (2) representatives from academic institutions, preferably from
25 universities or colleges where the RIWS is located, with proven track
26 record in or related to protected area management; and
27
28 k. One (1) representative from the private sector, preferably a resident from
29 the Municipality of Narra who is distinguished in a profession or field of
30 interest relevant to protected area management.
31

32 *Ex officio* member or members of the PAMB by virtue of their elective or
33 appointive government positions, as specified in the preceding paragraphs (a),
34 (b), (c), (d), (e), and (f), shall serve for the duration of their respective terms of
35 office in their respective elective or appointive positions.
36

37 Members of the PAMB other than those mentioned in the preceding paragraph
38 shall be appointed by the DENR Secretary after the conduct of a transparent and
39 fair selection process. They shall serve a term of three (3) years and may be
40 reappointed for another term.
41

42 In the selection of the representatives of POs and NGOs, preference shall be
43 accorded to those organizations that are involved in the conservation, protection
44 and development of the RIWS. Representation shall be by institution and shall
45 aim to achieve balance in representation by geographic location or areas.
46

47 The members of the PAMB shall not receive a salary, but shall be entitled to
48 reimbursement for actual and necessary expenses incurred, either in attendance
49 in meeting with the Board or in connection with official business authorized by
50 resolution by the Board.
51

52 The members duly appointed prior to the effectivity of this Act shall continue
53 their term until the expiration of their appointment.
54

1 A member of the PAMB may be removed for any of the following grounds:

- 2
- 3 a. More than three (3) consecutive unexcused absences from regular
- 4 meetings of the management board;
- 5
- 6 b. Commission of acts prejudicial to the management of the protected area
- 7 as embodied in Section 18 hereof and/or its other existing rules and
- 8 regulations;
- 9
- 10 c. Disassociation from the office or organization being represented;
- 11
- 12 d. Termination of relationship with the office or organization being
- 13 represented; or
- 14
- 15 e. Conviction by final judgment of any criminal act.
- 16

17 **SEC. 10. POWERS AND FUNCTIONS OF THE RIWS-PAMB** – In addition to
18 the powers and functions enumerated in the implementing rules and regulations
19 of the ENIPAS Act, the RIWS-PAMB shall have the following powers and
20 functions:

- 21
- 22 a. Approve policies, guidelines, plans and programs, proposals, agreements
- 23 and other relevant documents including the manual of operations for the
- 24 management of the protected area;
- 25
- 26 b. Assist in the ground delineation and demarcation of the boundaries of the
- 27 protected area and buffer zone;
- 28
- 29 c. Ensure the implementation of programs as prescribed in the management
- 30 plan of the protected area and its approved work and financial plan;
- 31
- 32 d. Monitor and evaluate the progress in the implementation of the
- 33 management plan;
- 34
- 35 e. Monitor and assess the performance of the PASu and other protected area
- 36 personnel, and compliance of partners to the items and conditions of any
- 37 undertaking, contract or agreements;
- 38
- 39 f. Recommend fees and other charges to the DENR Secretary for the use of
- 40 protected area;
- 41
- 42 g. Perform such other functions necessary for the fulfillment of the
- 43 provisions of this Act and other applicable laws, rules and regulations, and
- 44 as may be required;
- 45
- 46 h. Decide matters relating to planning, resource use and protection, and
- 47 general administration of the area in accordance with the management
- 48 plan;
- 49
- 50 i. Promulgate rules and regulations and impose penalties for violations
- 51 thereof;
- 52

- 1 j. Exercise quasi-judicial functions for adjudicating cases of violations of this
2 Act and impose penalties for violations of guidelines, rules, and
3 regulations within the RIWS;
4
- 5 k. Establish productive partnership, with national and local agencies, local
6 government units, local communities, the academe, nongovernmental
7 organizations, and such other institutions to ensure the conservation and
8 management of the RIWS;
9
- 10 l. Initiate the implementation of the delineation of the boundaries of the
11 RIWS and provide a map and legal descriptions of natural boundaries of
12 RIWS;
13
- 14 m. Control and regulate construction, operation and maintenance of structure
15 and utilities within the RIWS;
16
- 17 n. Appoint the RIWS PASu, and, upon recommendation of the PASu, appoint
18 management personnel based on internal selection criteria and decide on
19 their compensation and benefits;
20
- 21 o. Generate funds and accept donations and grants, appropriate and
22 disburse the same, and exercise accountability over all funds that may
23 accrue to the RIWS;
24
- 25 p. Manage the RIWS Trust Fund, as herein provided;
26
- 27 q. Deputize individuals for the enforcement of laws, rules and regulations
28 governing conduct within the RIWS, and prescribe the necessary
29 qualifications therefor;
30
- 31 r. Retain legal counsel to defend cases against the PAMB and the Office of
32 the PASu whenever they are sued in connection with the performance of
33 their duties under this Act, guidelines, and rules and regulations pertaining
34 to the RIWS;
35
- 36 s. Provide adequate measures to ensure consultation and participation of
37 stakeholders;
38
- 39 t. Possess authority to issue permits and conditions thereto, and determine
40 and collect fees, for the utilization and enjoyment of the RIWS and the
41 resources therein: *Provided*, That the RIWS may delegate to the PASu the
42 authority to issue permits and collect fees for temporary access to the
43 RIWS; *Provided*, however, That entry into the RIWS for emergency
44 reasons shall not be subject to permit and users' fees;
45
- 46 u. Determine, based on existing scientific evidence, laws, rules and
47 regulations, international instruments, traditional resource utilization,
48 management modalities in the area, carrying capacity, and observing
49 precautionary principle, the modes of utilization of the RIWS and all the
50 resources found therein. Permits shall only be issued for such modes of
51 utilization and enjoyment as the RIWS and this Act shall allow;
52

- 1 v. Adopt a manual of operations to include rules of procedures in the
2 conduct of business, and the creation of committees and their respective
3 terms of reference;
4
- 5 w. Allocate financial resources for the implementation of the management
6 plan and manage the Protected Area Retention Income Account and other
7 funds in accordance with government accounting, budgeting, and auditing
8 rules and regulations; and
9
- 10 x. Recommend appropriate policy changes to the DENR and other
11 government authorities with respect to the management of the RIWS.
12

13 The PAMB, in coordination with the LGU, DENR, PCSD and other relevant
14 stakeholders shall ensure that the management of the RIWS is within the scope
15 of its powers and functions. In case of conflict between policies, programs and
16 plans of other government agencies' administrative orders, such conflict shall be
17 resolved by RIWS PAMB on the basis of its PAMP.
18

19 **SEC. 11. EXECUTIVE COMMITTEE.** – The RIWS PAMB may create an
20 Executive Committee (ExeCom) from among themselves and shall be authorized
21 to perform some of the tasks and functions of the PAMB, if it is deemed
22 necessary.
23

24 **SEC. 12. PROTECTED AREA MANAGEMENT OFFICE (PAMO).** – There is
25 hereby established a Protected Area Management Office (PAMO) to be headed
26 by a Protected Area Superintendent (PASu) with a permanent plantilla position
27 who shall supervise the management, protection and administration of the RIWS.
28

29 The PASu shall be primarily accountable to the PAMB and the DENR for the
30 management and operations of the RIWS. Pursuant thereto, the PASu shall have
31 the following duties and responsibilities:
32

- 33 a) Enhance rules and regulations to protect the area from trespassing,
34 damage, vandalism and illegal occupancy. In case of seizure, he/she shall
35 assume the custody of the apprehended item. The disposition of the
36 confiscated items shall be subject to the clearance from the PAMB except
37 those items that are held under *custodia legis*, those that are subject of
38 donation, those that must be deposited with the appropriate government
39 agency and those that will be utilized for the DENR's own needs in
40 accordance with the existing related rules and regulations;
41
- 42 b) Issue permits for the use of facilities and amenities except those
43 considered as special uses, as defined under DENR Administrative Order
44 2008-26;
45
- 46 c) Issue certification whether the proposed activity/project allowable or not
47 within the management zones;
48
- 49 d) Submit quarterly progress report to the PAMB;
50
- 51 e) Serve as head secretariat to the PAMB and its committees;
52
- 53 f) Collect and/or receive pertinent fees, charges, donations and other
54 income for the protected area: *Provided*, That such fees, charges,

1 donations and other income collected/received shall be reported regularly
2 to the PAMB and the DENR in accordance with the existing guidelines;

3
4 g) Prepare and recommend to the PAMB approval of the annual work and
5 financial plans of the protected area based on the management plan;

6
7 h) Develop a management information system to ensure that the relevant
8 and updated information are available for planning, monitoring and
9 decision-making; and

10
11 i) Perform such other functions as the RIWS PAMB and the DENR may
12 delegate.
13

14 The PASu shall be supported with a sufficient number of staff with permanent
15 plantilla position to be appointed by the DENR Secretary who shall be performing
16 the day-to-day management, protection and administration of the RIWS for the
17 efficient operations of the protected area. The PAMO staff shall be responsible
18 primarily for research, conservation, monitoring and enforcement.
19

20 **SECT. 13. ANCESTRAL DOMAINS AND CUSTOMARY RIGHTS.** – Ancestral
21 domains and other customary rights and interest of indigenous
22 communities/peoples shall be accorded due recognition. The preservation of the
23 ancestral domain and customary rights shall be considered as one of the
24 management objectives. The maintenance, management and development of
25 ancestral domains which are found to be necessary for the RIWS will be
26 pursuant to Section 58 of the IPRA law. The identification, delineation and
27 recognition of ancestral domain claims within the RIWS shall be conducted by
28 the NCIP pursuant to the provisions of the IPRA, and its implementing rules and
29 regulations, in coordination with the PAMB.
30

31 Nothing herein shall be construed to impair or diminish prior and existing rights
32 currently enjoyed by the indigenous cultural communities or indigenous peoples
33 as provided for by the existing laws.
34

35 **SEC. 14. EXISTING RIGHTS.** – All properties and rights within the protected
36 area already existing or vested prior to the effectivity of this Act shall be
37 protected and respected in accordance with existing laws: *Provided,* That the
38 exercise of such property and private rights shall be harmonized, as far as
39 practicable with the provisions of this Act. Consequently, all lands that were
40 already classified as alienable and disposable or agricultural lands prior to the
41 passage of this Act shall continue to be classified as such and shall be available
42 for disposition and titling subject to existing rules and regulations.
43

44 The renewal of permits, contracts, and agreements shall be subject to the
45 provisions of this Act. If the permits, contracts, agreements are not renewed,
46 such areas shall be rehabilitated or restored by the permit holders within the
47 period provided by the pertinent laws shall revert to the national park
48 classification. As such, all holders of permits, contracts, and agreements are
49 required to prepare and submit a rehabilitation plan to the RIWS PAMB:
50 *Provided,* That upon renewal, a sufficient bond shall be remitted by the
51 proponent to the DENR to be released to the depository bank in the event of
52 damage by a closure of the establishment after satisfactory rehabilitation

1 according to the zones and objectives of the management plan as attested by
2 the RIWS PAMB.

3
4 **SEC. 15. RIWS Recognized Occupants/Claimants.** – Recognized
5 Occupants/Claimants shall be eligible to become stewards of portions of lands
6 within multiple-use zones. The RIWS PAMB shall identify, verify, and review all
7 land claims for possible organization to acquire a legal tenurial agreement
8 consistent with the zoning provided in the management plan.

9
10 Should areas occupied by recognized claimants/occupants be designated as
11 zones in which no occupation or other activities are allowed pursuant to the
12 attainment of the sustainable development, the provision for the transfer of the
13 recognized claimants/occupants to multiple-use zones shall be accomplished
14 through just and humane means: *Provided*, That protected area occupants who
15 are not qualified as recognized claimants/occupants shall be resettled outside the
16 protected area.

17
18 The rights of the recognized claimants/occupants may be transferred only to the
19 spouse or one of their direct descendants listed at the time of the survey. In the
20 event of termination of a tenurial agreement for cause or by voluntary surrender
21 of rights, the PASu shall take immediate steps to rehabilitate the area to return it
22 to its natural state.

23
24
25 **ARTICLE III**
26 **UTILIZATION OF RESOURCES**

27
28 **SEC. 16. MAJOR FACILITIES WITHIN RIWS.** – Since its establishments as a
29 protected area, the RIWS has no major existing facilities such as roads,
30 buildings, water systems, transmission lines, communication facilities, heavy
31 equipment and irrigation facilities existing within its boundaries. Considering its
32 nature as a wildlife sanctuary, major facilities shall be considered inappropriate
33 inside the RIWS.

34
35 Existing minor structures for protection, enforcement and tourism activities shall
36 be maintained.

37
38 **SEC. 17. UTILIZATION OF RESOURCES.** – Any exploitation or utilization of
39 non-renewable resources within the prohibited zones of RIWS shall not be
40 allowed.

41
42 The PAMB shall issue guidelines for utilization of resources inside the designated
43 multiple use zones.

44
45
46 **CHAPTER IV**
47 **PROHIBITIONS AND PENALTIES**

48
49 **SEC. 18. PROHIBITED ACTS.** – Unless otherwise allowed and in pursuant to
50 existing rules and regulations, the following acts shall be prohibited within the
51 protected area:

- 52
53 a. Poaching, killing, taking, hunting, destroying, collecting, disturbing, or
54 possessing of any wildlife derived from the RIWS without the necessary

- 1 permit, authorization, or exemption: *Provided*, That the hunting of animals
2 shall be absolutely prohibited except if the collection is for scientific
3 research and for traditional hunting by the IPs/ICCS;
4
- 5 b. Cutting, gathering, removing, or collecting timber or any forest products,
6 and agricultural products within the RIWS without the necessary permit,
7 authorization, or exemption;
8
- 9 c. Possessing or transporting outside the RIWS any timber, forest products
10 wild terrestrial or aquatic plants, animals, flora or fauna, or by-product
11 derived therefrom which is ascertained to have been taken from the
12 RIWS;
13
- 14 d. Using any fishing or harvesting gear and practices or any of their
15 variations that destroy coral reefs, seagrass beds or other marine life and
16 their associated habitat in as may be determined by the PAMB, LGU,
17 PSCD, Department of Agriculture – Bureau of Fisheries and Aquatic
18 Resources (DA-BFAR) or DENR: *Provided*, That mere possession of such
19 gears within the protected area shall be prima facie evidence of their use;
20
- 21 e. Docking of vessels and entering within the restricted areas without permit
22 from the PAMB;
23
- 24 f. Dumping, throwing, using or causing to be dumped into or placed in the
25 RIWS any toxic chemical, noxious or poisonous substances or non-
26 biodegradable material, animal waste or products whether in solid, liquid,
27 or gas state, including pesticides and other hazardous substance as
28 defined under RA No. 6969 or the "Toxic Substances and Hazardous and
29 Nuclear Waste Control Act of 1990";
30
- 31 g. Altering, removing, destroying or defacing boundary marks or signages;
32
- 33 h. Engaging in kaingin or any manner causing for forest fire in the protected
34 area;
35
- 36 i. Mutilating, defacing, destroying, excavating, vandalizing, or in any manner
37 damaging any natural formation, religious, spiritual, historical sites,
38 artifacts and other objects of natural beauty, scenic value or objects of
39 interest to IPs/ICCs;
40
- 41 j. Littering or depositing refuse or debris on the ground or in bodies of
42 water;
43
- 44 k. Possessing or using blasting caps or explosives for fishing and/or for other
45 purposes within the RIWS;
46
- 47 l. Occupying or dwelling in any public land within the protected area without
48 clearance from the PAMB;
49
- 50 m. Constructing, erecting, or maintaining any kind of structure, fence, or
51 enclosure, conducting any business enterprise within the RIWS without
52 prior clearance from the RIWS-PAMB and permit from the DENR and
53 PCSD, or conducting these activities in a manner that is inconsistent with
54 the management plan duly approved by the PAMB;

- 1
2 n. Undertaking mineral exploration or extraction within the protected area;
3
4 o. Engaging in quarrying, whether small or large/commercial-scale, within
5 the RIWS;
6
7 p. Establishing or introducing exotic species, including genetically-modified
8 organisms (GMOs) or invasive alien species within the RIWS;
9
10 q. Conducting bioprospecting within the RIWS without prior PAMB clearance
11 in accordance with existing guidelines: *Provided*, That as a condition to
12 the penalty provided herein, any commercial use of any substance derived
13 from non-permitted bioprospecting within RIWS will not be allowed and all
14 revenue earned from illegal commercialization thereof shall be fortified
15 and deposited as part of the RIWS Fund;
16
17 r. Prospecting or otherwise locating hidden treasure within RIWS;
18
19 s. Purchasing or selling, mortgaging or leasing lands or other portions of the
20 RIWS which are covered by any tenorial instrument;
21
22 t. Constructing any permanent structure within the forty (40) meter
23 easement from the high-water mark of any natural body of water or
24 issuing a permit for such construction pursuant to Article 51 of Presidential
25 Decree No. 1067 (otherwise known as the Water Code): *Provided*, That
26 construction for common usage wharves and shoreline protection shall be
27 permitted by the PAMB only after thorough EIA;
28
29 u. Expansion of coconut plantation inside the RIWS; and
30
31 v. Unauthorized activities within multiple use zones.
32

33 **SEC. 19.** Composition of the Adjudication Board – the adjudication board shall
34 be composed of the following, appointed through the issuance of the special
35 order (SO) to be supported by resolution of the PAMB:
36

- 37 1. Governor of the Province of Palawan;
38 2. Executive Director of the Palawan Council for Sustainable
39 Development or his/her designated representative;
40 3. Mayor of the Municipality of Narra; and
41 4. NGO representative.
42

43 **SEC. 20. PENALTIES. –**
44

- 45 a. A fine of not less than Two hundred thousand pesos (P200,000.00) but
46 not more than One million (P1,000,000.00) or imprisonment from one (1)
47 year but not more than six (6) years, or both, plus damages triple the
48 value of the said resources, or both, shall be imposed upon any person
49 who violates paragraphs (a) to (e) of Section 18 herein;
50
51 b. A fine of not less than Two hundred thousand pesos (P200,000.00) but
52 not more than One million (P1,000,000.00) or imprisonment from one (1)

1 year but not more than six (6) years, or both, shall be imposed upon any
2 person who violates paragraphs (f) to (n) of Section 18 herein;

3
4 c. A fine of not less than One million pesos (P1,000,000.00) but not more
5 than Five million (P5,000,000.00) or imprisonment from one (1) year but
6 not more than twelve (12) years, or both, shall be imposed upon any
7 person who violates paragraphs (o) to (v) of Section 18 herein;

8
9 d. A fine of Fifty thousand pesos (P50,000.00) daily shall be imposed on the
10 owner of existing facilities within the RIWS under Section 18 of this Act, if
11 the existence of the same and its future plans and operations will be
12 detrimental to RIWS. For every continuing violation, or if the violation
13 continues to be committed for thirty (30) days and upon reaching a total
14 fine of Five hundred thousand pesos (P500,000.00), the RIWS-PAMB
15 through the PASu and other deputized government entities, shall cause
16 the cessation of operation and either forfeit in favor of the PAMO or
17 demolish the facility at the cost of its owner. If the facility is government-
18 owned, the agency in charge shall submit a plan for a substitute facility
19 that complies with the RIWS standard and, within one (1) year, execute
20 the approved RIWS management plan;

21
22 e. Administrative fines of not less than Fifty thousand pesos (P50,000.00),
23 but not exceeding Five million pesos (P5,000,000.00), shall be imposed by
24 the RIWS PAMB for the violation of any rule, regulation, or provision of
25 any agreement reached with the PAMB: *Provided*, That if an area which
26 has sustained damage from any activity conducted therein and requires
27 rehabilitation or restoration as determined by the court, the offender shall
28 be required to restore or pay compensation for such damages, which
29 payment shall accrue to the IPAF;

30
31 On the basis of a court order, the RIWS PAMB shall cause the eviction of an
32 offender from the RIWS: *Provided*, That in cases where the wildlife and
33 biodiversity of RIWS are seriously threatened, the PAMB may order the
34 immediate exit or departure of the offender from the RIWS. The PASu may call
35 on other enforcement agencies to assist in executing the order to vacate.

36
37 An emergency occurs when there is a demonstrated impending threat to human
38 life and biodiversity or to species found within the ecosystem of the protected
39 area.

40
41 All minerals, timber or species collected or removed from the protected area,
42 including all equipment, devices, conveyances, and firearms used in connection
43 therewith, shall be forfeited in favor of the government, and any construction or
44 improvement made thereon by the offender shall be subject to confiscation by
45 the RIWS PAMO, subject to the application of due process.

46
47 The conveyances, vessels, equipment, paraphernalia, implements, gears, tools,
48 and similar devices used in commission of the crime shall be dealt with in
49 accordance with Part 4, Rule 12 (Custody and Disposition of Seized Items,
50 Equipment, Paraphernalia, Conveyances, and Instruments) of Administrative
51 Matter No. 09-6-8-sc (Rules of Procedures for Environmental Cases) issued by
52 the Supreme Court. However, in no case shall any confiscated or rescued
53 protected animal species be sold or in any manner disposed of but shall be
54 immediately turned over to the RIWS PAMO for rehabilitation and release to its

1 natural habitat, subject to existing regulations. Valuation of the damage shall
2 take into account biodiversity and conservation considerations as well as
3 aesthetic and scenic value. The valuation and assessment by the RIWS PAMO, in
4 coordination with other concerned government agencies, shall be presumed
5 regular, unless otherwise proven by preponderance of evidence.

6
7 If the offender is an association or corporation, the president or manager, which
8 is proven to have participated in or have actual knowledge of any violation
9 against the provisions of this Act shall be directly liable for the act of the
10 employees and laborers: *Provided*, finally, That the RIWS PAMB may impose
11 administrative fines and penalties consistent with this Act.

12
13 Any person who shall include another or conspire to commit any of the acts
14 prohibited in this Act, or force theory workers to commit any of the same, shall
15 be liable as principal.

16
17 The penalties specified in this section shall be in addition to the penalties
18 provided in RA No. 9072 or the National Caves and Cave Resources Management
19 and Protection Act, RA No. 9147 or the Wildlife Resources Conservation and
20 Protection Act, RA No. 8550, as amended by RA No. 10654 or "An Act to
21 Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing" and
22 other related laws.

23
24 The conviction of a public officer or officer of the law whether form the LGU or
25 any national government agency for any violation of the provisions of this Act
26 shall carry the accessory penalty of perpetual disqualification from public office.

27
28 **SEC. 21. SPECIAL PROSECUTOR AND RETAINED COUNSEL.** – Within thirty
29 (30) days from the effectivity if this Act, the Department of Justice shall appoint
30 a special prosecutor to whom all cases of violation of the laws and rules and
31 regulations in the protected area shall be assigned. Such special prosecutor shall
32 coordinate with the PAMB through the PASu in the performance of his/her duties
33 and assist in the training of enforcement officers. The PAMB may retain the
34 services of a counsel to prosecute and assist in the prosecution of cases under
35 the direct supervision of the regular or special prosecutor. Said counsel shall also
36 represent and defend the members of the PAMB, PASu, the staff, or any
37 deputized individual and volunteer, against any legal action arising from the
38 performance of their works and functions as provided in this Act.

39
40 **SEC. 22. CITIZEN SUIT.** – For purposes of enforcing the provisions of this Act
41 or its implementing rules and regulations, any Filipino citizen, whether an
42 individual or a corporation, in representation of others, including, minors, or
43 generations yet unborn, may file an action to enforce rights and obligations in
44 the proper courts/bodies against:

- 45
46 a) Any person who violates or fails to comply with the provisions of this Act,
47 its implementing rules, and regulations; or
48
49 b) Those mandated to implement and enforce the provisions of this Act with
50 respect to orders, rules and regulations issued inconsistent with this Act;
51 and/or
52
53 c) Any public officer who willfully or grossly neglects the performance of an
54 act specifically enjoined as a duty by this Act or its implementing rules and

1 regulations; or abuses his authority in the performance of his duty; or in
2 any manner improperly performs his duties under this Act or its
3 implementing rules and regulations: *Provided*, however, That no suit can
4 be filed until after a thirty (30)-day notice have been given to the public
5 officer and the alleged violator concerned and no appropriate action has
6 been taken thereon. The court shall exempt such action from the payment
7 of filing fees, upon prima facie showing of the non-enforcement or
8 violations complained of and exempt the plaintiff from the filing of an
9 injunction bond for the issuance of preliminary injunction.

10
11 In the event that the complainant/petitioner should prevail, the court shall award
12 reasonable attorney's fees, moral damages and litigation costs as appropriate.

13
14 **SEC. 23. STRATEGIC LAWSUIT AGAINST PUBLIC PARTICIPATION**
15 **(SLAPP).** – Any legal action filed to harass, vex, exert undue pressure or stifle
16 any legal resources that any person, institution or government has taken or may
17 take in the implementation of this Act, which includes among others the
18 enforcement of environmental laws, protection of the environment or assertion
19 of environmental rights shall be treated as SLAPP. The court where the said legal
20 action has been filed should immediately make a determination not exceeding
21 thirty (30) days whether said legal action is a SLAPP. Upon determination
22 thereof, evidence warranting the same, the court shall dismiss the complaint. In
23 addition, the court shall award damages attorney's fees and cost of suits under a
24 counterclaim, if such has been filed. The defense of SLAPP can also be raised
25 even at the Prosecutor's Office.

26
27 This provision shall also apply and benefit public officers who are sued for acts
28 committed in their official capacity, there being no grave abuse of authority, and
29 done in the course of enforcing this Act.

30
31
32 **CHAPTER V**
33 **PROCEEDS, FEES AND APPROPRIATIONS**
34

35 **SEC. 24. RASA ISLAND WILDLIFE SANCTUARY PROTECTED AREA FUND.**
36 – There is hereby established a trust fund to be known as the Rasa Island
37 Wildlife Sanctuary Protected Area Fund for purposes of financing projects of the
38 RIWS, including but not limited to monitoring and enforcement activities.
39 Seventy five percent (75%) of the income generated from the operation of the
40 RIWS or management of wild flora and fauna in the RIWS shall accrue to the
41 fund. The remaining Twenty five percent (25%) shall go to the Integrated
42 Protected Area Fund as Wildlife Management Fund established under the ENIPAS
43 Act.

44
45 Income shall be derived from visitor/tourist fees, fees from permitted sale and
46 export of flora and fauna and either sources from RIWS, proceeds from the
47 registration and lease of multiple-use areas, including tourism concessions, fees,
48 proceeds, and contributions from industries and facilities directly benefiting from
49 the RIWS, and such other fees and income derived from the operations of the
50 RIWS.

51
52 The fund may be augmented by grants, donations, endowment from various
53 sources, domestic or foreign, for purposes related to their functions: *Provided*,
54 That the fund shall be deposited as a special account from the National Treasury

1 and disbursements therefrom shall be made solely for the protection,
2 maintenance, administration and management of the system, and duly approved
3 projects endorsed by the RIWS PAMB in accordance with existing accounting and
4 budgeting rules and regulations: *Provided*, further, That the fund shall not be
5 used to cover personal services expenditures.
6

7 The LGUs shall continue to impose and collect all other fees not enumerated
8 herein which they have traditionally collected, such as business permits, property
9 tax and rentals of LGD facilities: *Provided*, That the LGU shall not impose
10 property tax and issue tax declaration for areas or properties located in
11 timberland areas. Furthermore, LGUs may charge add-ons to fees imposed by
12 the RIWS PAMB: *Provided*, That such add-ons shall be determined based in the
13 contribution of the LGUs in the maintenance and protection of the RIWS.
14

15 **SEC. 25. APPROPRIATIONS.** – The Secretary of the DENR shall immediately
16 include in the Department’s program the implementation of this Act, the funding
17 of which shall be included in the annual General Appropriations Act.
18

19 **SEC. 26. REPORTING RESPONSIBILITY.** - The PASu through the PAMB shall
20 submit an annual accomplishment report to the Secretary of DENR on the
21 activities undertaken by RIWS.
22

23
24 **CHAPTER VI**
25 **MISCELLANEOUS PROVISIONS**
26

27 **SEC. 27. CONSTRUCTION AND SUPPLETORY APPLICATION OF**
28 **EXISTING LAWS.** – The provisions of this Act shall be construed liberally in
29 favor of achieving biodiversity, conservation of the protected area and
30 environmental protection and sustain its development. The provisions of RA No.
31 7586, or the NIPAS Act of 1992 as amended by the RA No. 11038, existing
32 forestry and other corresponding rules and regulations not inconsistent hereto
33 shall have the suppletory effect in the implementation of this Act.
34

35 **SEC. 28. TRANSITORY PROVISIONS.** – In order to ensure sustainability, the
36 DENR, PCSD and LGU shall henceforth cease to issue concessions, licenses,
37 permits, clearances, compliance documents or any other instrument that allows
38 exploitation of the resources within the RIWS.
39

40 **SEC. 29. SEPARABILITY CLAUSE.** – If any part or section of this Act is
41 declared unconstitutional or invalid, such other parts or sections not affected
42 thereby shall remain in full force and effect.
43

44 **SEC. 30. REPEALING CLAUSE.** – All laws, decrees, executive orders, rules and
45 proclamations inconsistent with any provisions of this Act shall be deemed
46 repealed or modified accordingly.
47

48 **SEC. 31. EFFECTIVITY CLAUSE.** – This Act shall take effect fifteen (15) days
49 after its publication in the Official Gazette or in two (2) national newspapers of
50 general circulation. It shall be translated in Filipino for local publication.
51

52 *Approved,*