



HOUSE OF REPRESENTATIVES

H. No. 4420

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BY REPRESENTATIVES SINGSON, BANAAG AND ANDAYA, PER COMMITTEE  
REPORT NO. 886

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AN ACT DECLARING THE LIDLIDDA-BANAYOYO LANDSCAPE IN  
THE PROVINCE OF ILOCOS SUR AS A PROTECTED AREA,  
PROVIDING FOR ITS MANAGEMENT AND FOR OTHER  
PURPOSES

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

1           SECTION 1. *Short Title.* – This Act shall be known as the Lidlidda-  
2 Banayoyo Protected Area Act of 2005.

3           SEC. 2. *Declaration of Policy.* – It is the policy of the State to regulate  
4 the utilization of wild flora and fauna consistent with sustainable development  
5 and biological diversity conservation. For this purpose, the State shall protect  
6 the Lidlidda-Banayoyo area as a protected landscape, which supports a variety  
7 of wildlife, especially indigenous forest tree species, possess natural features  
8 suitable for recreational and educational purposes, and as a watershed,  
9 provides the agricultural and household water requirements of the  
10 communities within the municipalities of Lidlidda and Banayoyo, Province of  
11 Ilocos Sur.

1           SEC. 3. *Scope.* – The boundaries of the Lidlidda-Banayoyo Protected  
2 Landscape, or the protected area (PA), are as follows:

3           Beginning at a point on Parcel 1, being identical to cor. 1 is N 88° W,  
4 about 500 m. from Poblacion of Lidlidda, Ilocos Sur:

5	Thence	S 18° 01' 48" W	289.686 m.	to point 2;
6	Thence	S 20° 00' 51" E	219.741 m.	to point 3;
7	Thence	S 00° 59' 29" E	169.797 m.	to point 4;
8	Thence	S 02° 59' 38" E	259.688 m.	to point 5;
9	Thence	S 51° 03' 33" W	219.863 m.	to point 6;
10	Thence	S 60° 03' 16" W	209.844 m.	to point 7;
11	Thence	S 10° 00' 08" E	179.783 m.	to point 8;
12	Thence	S 87° 04' 04" E	519.881 m.	to point 9;
13	Thence	S 44° 03' 15" W	229.829 m.	to point 10;
14	Thence	S 29° 01' 20" E	199.775 m.	to point 11;
15	Thence	S 13° 00' 21" E	219.736 m.	to point 12;
16	Thence	S 83° 04' 00" E	.89.972 m.	to point 13;
17	Thence	N 49° 56' 29" E	200.128 m.	to point 14;
18	Thence	N 51° 56' 24" E	260.157 m.	to point 15;
19	Thence	S 32° 01' 41" E	219.758 m.	to point 16;
20	Thence	S 08° 01' 08" W	179.792 m.	to point 17;
21	Thence	S 60° 03' 16" E	139.896 m.	to point 18;
22	Thence	S 67° 04' 00" W	399.875 m.	to point 19;
23	Thence	S 70° 03' 39" E	489.723 m.	to point 20;
24	Thence	S 56° 03' 04" E	89.928 m.	to point 21;
25	Thence	S 48° 02' 40" E	699.355 m.	to point 22;
26	Thence	N 38° 56' 58" E	180.148 m.	to point 23;
27	Thence	N 47° 57' 20" W	580.535 m.	to point 24;
28	Thence	N 34° 57' 10" E	110.097 m.	to point 25;

1	Thence	N 47° 57' 20" W	120.111 m.	to point 26;
2	Thence	N 09° 58' 43" E	50.057 m.	to point 27;
3	Thence	N 56° 56' 14" E	330.168 m.	to point 28;
4	Thence	N 25° 58' 43" W	480.550 m.	to point 29;
5	Thence	N 67° 55' 58" E	190.056 m.	to point 30;
6	Thence	N 64° 56' 02" E	160.057 m.	to point 31;
7	Thence	S 59° 03' 13" E	399.697 m.	to point 32;
8	Thence	S 05° 59' 51" E	799.036 m.	to point 33;
9	Thence	S 26° 01' 17" E	379.565 m.	to point 34;
10	Thence	S 28° 01' 25" E	329.627 m.	to point 35;
11	Thence	S 40° 02' 11" E	319.673 m.	to point 36;
12	Thence	S 65° 03' 57" W	339.880 m.	to point 37;
13	Thence	S 79° 41' 08" W	2,688.765 m.	to point 38;
14	Thence	N 75° 33' 10" W	247.173 m.	to point 39;
15	Thence	N 37° 57' 55" W	490.511 m.	to point 40;
16	Thence	N 02° 59' 12" E	140.166 m.	to point 41;
17	Thence	N 31° 57' 20" E	160.148 m.	to point 42;
18	Thence	N 15° 58' 19" E	140.158 m.	to point 43
19	Thence	N 31° 58' 18" W	240.264 m.	to point 44
20	Thence	N 31° 58' 18" W	230.253 m.	to point 45
21	Thence	N 16° 59' 21" W	150.179 m.	to point 46;
22	Thence	N 07° 58' 51" E	260.301 m.	to point 47;
23	Thence	S 78° 04' 07" W	209.982 m.	to point 48;
24	Thence	N 28° 58' 30" W	210.236 m.	to point 49;
25	Thence	N 68° 55' 57" E	70.019 m.	to point 50;
26	Thence	N 07° 00' 04" W	120.145 m.	to point 51;
27	Thence	N 24° 58' 47" W	280.323 m.	to point 52;
28	Thence	N 33° 58' 11" W	160.173 m.	to point 53;

1	Thence	S 85° 04' 02" E	299.919 m.	to point 54;
2	Thence	N 06° 00' 08" W	100.120 m.	to point 55;
3	Thence	N 69° 56' 20" W	180.102 m.	to point 56;
4	Thence	N 51° 57' 07" W	100.087 m.	to point 57;
5	Thence	S 79° 04' 08" W	169.989 m.	to point 58;
6	Thence	S 22° 02' 04" W	139.854 m.	to point 59;
7	Thence	S 79° 03' 35" E	189.926 m.	to point 60;
8	Thence	S 34° 01' 49" E	159.827 m.	to point 61;
9	Thence	S 22° 02' 04" W	89.906 m.	to point 62;
10	Thence	S 19° 00' 47" E	159.811 m.	to point 63;
11	Thence	S 15° 00' 30" E	169.797 m.	to point 64;
12	Thence	S 29° 01' 29" E	209.764 m.	to point 65;
13	Thence	S 17° 01' 44" E	289.683 m.	to point 66;
14	Thence	N 34° 58' 07" W	180.193 m.	to point 67;
15	Thence	N 12° 59' 38" W	140.168 m.	to point 68;
16	Thence	N 42° 57' 37" W	200.197 m.	to point 69;
17	Thence	N 46° 57' 23" W	330.309 m.	to point 70;
18	Thence	N 70° 56' 18" W	220.120 m.	to point 71;
19	Thence	S 66° 03' 58" W	139.953 m.	to point 72;
20	Thence	N 36° 57' 59" W	280.295 m.	to point 73;
21	Thence	S 67° 04' 00" W	219.931 m.	to point 74;
22	Thence	S 76° 04' 07" W	259.967 m.	to point 75;
23	Thence	N 81° 56' 01" W	100.033 m.	to point 76;
24	Thence	N 39° 56' 55" E	200.161 m.	to point 77;
25	Thence	N 70° 55' 56" E	300.069 m.	to point 78;
26	Thence	N 62° 56' 05" E	200.079 m.	to point 79;
27	Thence	N 81° 55' 51" E	300.000 m.	to point 80;
28	Thence	N 12° 58' 31" E	80.090 m.	to point 81;

1	Thence	N 38° 56' 58" E	220.181 m.	to point 82;
2	Thence	N 82° 55' 51" E	179.997 m.	to point 83;
3	Thence	N 19° 59' 08" W	130.153 m.	to point 84;
4	Thence	N 75° 55' 52" E	420.054 m.	to point 85;
5	Thence	S 77° 03' 52" E	139.940 m.	to point 86;
6	Thence	S 56° 03' 04" E	159.871 m.	to point 87;
7	Thence	S 00° 59' 29" E	149.821 m.	to point 88;
8	Thence	N 32° 57' 17" E	330.300 m.	to point 89;
9	Thence	N 11° 59' 42" W	220.264 m.	to point 90;
10	Thence	N 53° 57' 01" W	50.042 m.	to point 91;
11	Thence	S 20° 01' 56" W	209.776 m.	to point 92;
12	Thence	N 84° 55' 57" W	240.065 m.	to point 93;
13	Thence	N 32° 57' 17" E	200.182 m.	to point 94;
14	Thence	N 52° 56' 22" E	330.193 m.	to point 95;
15	Thence	N 49° 57' 13" W	60.054 m.	to point 96;
16	Thence	S 62° 03' 53" W	239.901 m.	to point 97;
17	Thence	N 04° 00' 17" W	190.228 m.	to point 98;
18	Thence	N 22° 57' 52" E	310.320 m.	to point 99;
19	Thence	S 72° 04' 04" W	79.983 m.	to point 100;
20	Thence	S 29° 02' 29" W	179.827 m.	to point 101;
21	Thence	S 02° 00' 43" W	279.668 m.	to point 102;
22	Thence	S 88° 04' 07" W	120.015 m.	to point 103;
23	Thence	N 09° 59' 51" W	180.217 m.	to point 104;
24	Thence	S 77° 04' 07" W	89.991 m.	to point 105;
25	Thence	S 03° 59' 42" E	379.543 m.	to point 106;
26	Thence	S 37° 02' 55" W	149.872 m.	to point 107;
27	Thence	S 74° 04' 06" W	339.943 m.	to point 108;
28	Thence	S 66° 03' 58" W	229.900 m.	to point 109;

1	Thence	S 38° 57' 52" W	290.300 m.	to point 110;
2	Thence	N 28° 57' 20" E	270.260 m.	to point 111;
3	Thence	N 41° 56' 49" E	300.233 m.	to point 112;
4	Thence	N 27° 57' 34" E	200.195 m.	to point 113;
5	Thence	N 23° 57' 48" E	340.347 m.	to point 114;
6	Thence	N 31° 57' 20" E	220.203 m.	to point 115;
7	Thence	N 73° 55' 53" E	280.047 m.	to point 116;
8	Thence	N 09° 58' 43" E	130.149 m.	to point 117;
9	Thence	N 19° 59' 08" W	190.140 m.	to point 118;
10	Thence	N 09° 58' 43" E	180.206 m.	to point 119;
11	Thence	N 59° 56' 44" E	130.096 m.	to point 120;
12	Thence	S 17° 01' 44" W	219.760 m.	to point 121;
13	Thence	S 48° 03' 26" W	229.845 m.	to point 122;
14	Thence	N 73° 56' 13" W	90.044 m.	to point 123;
15	Thence	N 33° 57' 13" E	240.215 m.	to point 124;
16	Thence	N 28° 57' 30" E	220.212 m.	to point 125;
17	Thence	N 28° 57' 30" E	140.135 m.	to point 126;
18	Thence	N 15° 58' 19" E	120.132 m.	to point 127;
19	Thence	S 77° 03' 52" E	119.948 m.	to point 128;
20	Thence	N 38° 56' 58" E	80.066 m.	to point 129;
21	Thence	N 89° 55' 53" E	219.963 m.	to point 130;
22	Thence	N 84° 55' 51" E	219.986 m.	to point 131;
23	Thence	S 54° 02' 59" E	199.833 m.	to point 132;
24	Thence	S 01° 59' 34" E	129.844 m.	to point 133;
25	Thence	N 73° 55' 53" E	100.017 m.	to point 134;
26	Thence	N 37° 57' 01" E	160.134 m.	to point 135;
27	Thence	N 16° 59' 21" W	160.190 m.	to point 136;
28	Thence	N 08° 58' 47" E	130.150 m.	to point 137;

1	Thence	S 74° 03' 47" E	229.888 m.	to point 138;
2	Thence	N 82° 55' 51" E	149.997 m.	to point 139;
3	Thence	S 08° 00' 00" E	179.783 m.	to point 140;
4	Thence	S 19° 00' 47" E	179.787 m.	to point 141;
5	Thence	S 60° 03' 50" W	129.941 m.	to point 142;
6	Thence	N 89° 55' 53" E	189.968 m.	to point 143;
7	Thence	S 13° 00' 21" E	199.760 m.	to point 144;
8	Thence	S 41° 03' 07" W	239.810 m.	to point 145;
9	Thence	S 44° 03' 15" W	219.837 m.	to point 146;
10	Thence	N 58° 56' 46" W	100.076 m.	to point 147;
11	Thence	S 46° 03' 21" W	89.935 m.	to point 148;
12	Thence	S 78° 03' 21" E	79.967 m.	to point 149;
13	Thence	S 58° 03' 10" E	79.938 m.	to point 150;
14	Thence	S 42° 02' 19" E	129.870 m.	to point 151;
15	Thence	S 21° 00' 56" E	49.941 m.	to point 152;
16	Thence	S 65° 03' 57" W	259.908 m.	to point 153;
17	Thence	S 30° 01' 33" E	119.866 m.	to point 1,
18	the point of beginning, containing an area of one thousand seventy-nine and			
19	249/1000 (1,079.249) hectares, more or less, as Parcel 1,			
20	Thence	N 00° 30' 35" E	239.239 m.	to point 2;
21	Thence	N 67° 21' 55" E	100.239 m.	to point 3;
22	Thence	N 74° 18' 52" E	201.531 m.	to point 4;
23	Thence	N 16° 33' 55" W	79.549 m.	to point 5;
24	Thence	N 66° 22' 19" W	30.204 m.	to point 6;
25	Thence	S 11° 27' 41" E	100.488 m.	to point 7;
26	Thence	S 17° 27' 36" W	700.250 m.	to point 8;
27	Thence	S 12° 27' 23" E	582.260 m.	to point 9;
28	Thence	S 63° 36' 33" W	1,629.275 m.	to point 10;

1	Thence	N 45° 29' 14" E	120.484 m.	to point 11;
2	Thence	N 30° 39' 24" W	208.467 m.	to point 12;
3	Thence	N 58° 25' 22" E	251.462 m.	to point 13;
4	Thence	S 88° 49' 35" E	161.428 m.	to point 14;
5	Thence	N 04° 31' 15" E	159.593 m.	to point 15;
6	Thence	N 09° 31' 45" W	189.113 m.	to point 16;
7	Thence	N 88° 11' 59" E	474.116 m.	to point 17;
8	Thence	N 56° 26' 03" E	412.290 m.	to point 18;
9	Thence	N 13° 32' 56" W	208.902 m.	to point 19;
10	Thence	N 19° 34' 58" W	278.313 m.	to point 20;
11	Thence	N 48° 28' 28" E	291.298 m.	to point 1;

12 to the point of beginning, containing an area of seventy-eight and 1889/10000  
 13 (78.1889) hectares, more or less, as Parcel II.

14 The PA contains a total aggregate area of approximately one thousand  
 15 one hundred fifty-seven and 4379/10000 (1,157.4379) hectares.

16 Any modification on this Act due to factors such as changing ecological  
 17 situations, new scientific or archaeological findings, or discovery of traditional  
 18 boundaries not previously taken into account shall be made through an act of  
 19 Congress after full consultation with the affected public.

20 All lands inside the PA shall be governed or managed as part of the PA  
 21 and subject to the rules and regulations issued by the Protected Area  
 22 Management Board, except titled private lands duly registered pursuant to  
 23 Presidential Decree No. 1529, otherwise known as the Property Registration  
 24 Decree.

25 SEC. 4. *Definition of Terms.* –

26 (a) “Protected Area Management Board (PAMB)” refers to the  
 27 management body within the site, responsible for deciding the budgetary  
 28 allocation and decisions on matters relating to planning, peripheral protection



1. and general administration of the PA in accordance with the General  
2. Management Plan.

3. (b) "General Management Plan" refers to the basic long-term  
4. framework plan in the management of the PA and serves as guide in the  
5. preparation of the annual operations plan and budget.

6. (c) "General Management Planning Strategy (GMPS)" refers to the  
7. general guide in the formulation of site specific management plans including  
8. buffer zones.

9. (d) "Tenured migrants" refers to any person who has actually and  
10. continuously occupied the PA for five years prior to its designation as a PA in  
11. accordance with the provisions of Republic Act No. 7586, otherwise known as  
12. the *National Integrated Protected Areas Act of 1992* or the *NIPAS Act*, and is  
13. solely dependent therein for subsistence.

14. (e) "Protected Area Superintendent (PASu)" refers to the chief  
15. operating officer of the Department of Environment and Natural Resources  
16. (DENR) in the PA under the supervision of the PAMB and the concerned  
17. DENR Regional Executive Director.

18. (f) "Forest lands" refers to all lands within the Lidlidda-Banayoyo  
19. Protected Landscape which are public land and have not been classified as  
20. alienable or disposable and all unclassified lands of the public domain.

21. (g) "Protected landscape" refers to areas of national significance  
22. characterized by the harmonious interaction of man and land while providing  
23. opportunities for enjoyment through recreation and tourism within the normal  
24. lifestyle and economic activity of these areas.

25. (h) "Nongovernment organization (NGO)" refers to any civic,  
26. development or philanthropic organization which is multi-sectoral in  
27. character.

1 (i) "People's organization (PO)" refers to organizations of members  
2 of the local community whose purpose for establishment is to protect or  
3 advance the interest of specific sectors such as, but not limited to, farmers,  
4 fisherfolks, women and the like.

5 (j) "Protected species" refers to existing individuals of any species  
6 listed under the Convention on International Trade of Endangered Species  
7 (CITES), or any plants or animals that are declared protected under Philippine  
8 laws, rules and regulations issued by the DENR or the PAMB, or the  
9 management plan herein provided for.

10 SEC. 5. *Management Plan.* – The PASu shall prepare the management  
11 plan in consultation with the appropriate offices of the DENR and local  
12 experts who may donate their services including, but not limited to, people's  
13 organizations, nongovernment units and other government agencies. The  
14 management plan shall be reviewed, approved and adopted by the PAMB and  
15 certified by the Secretary of the DENR. Such certification shall declare that  
16 the management plan conforms to all laws, rules and regulations of national  
17 application issued by the DENR. In no case shall the DENR revise or modify  
18 the management plan without prior consultation with the PAMB.

19 The PASu, in coordination with all concerned offices, shall prepare all  
20 successor plans one year before the expiration of the period of applicability of  
21 the current plan. The PASu shall cause the publication of notices for  
22 comments and suggestions on the next successor plan in a newspaper of local  
23 circulation and the posting of such notices in the provincial, municipal and  
24 barangay halls and in three other areas frequented by the public. Public  
25 hearings may be conducted on the successor plan upon the written request of  
26 any interested party. A final plan shall be made available for public comment  
27 at the Office of the PASu upon its approval by the PAMB.

1           Within one year from the effectivity of this Act, a management plan  
2 shall have been put into effect following the GMPS provided under the NIPAS  
3 Act and according to the procedure herein set forth.

4           SEC. 6. *Institutional Mechanism.* – The following administrative and  
5 policy-making mechanisms shall apply.

6           (A) The Protected Area Management Board (PAMB). – The PAMB  
7 shall be the policy-making body of the PA. It shall be composed of:

8           (1) The Regional Executive Director (RED), Region I of the DENR, as  
9 chairman;

10          (2) The Ilocos Sur Provincial Planning and Development Officer;

11          (3) One representative from the municipal governments of Lidlidda  
12 and Banayoyo to be appointed by their respective sangguniang bayan;

13          (4) One representative from each barangay, with territory inside the  
14 PA, of the two municipalities to be appointed by their respective sangguniang  
15 barangay;

16          (5) At least three representatives from NGOs and community  
17 organizations (COs) including POs, church or civic organizations based in or  
18 near the PA and duly accredited by the local government units (LGUs)  
19 concerned. The representatives of these organizations shall be chosen from  
20 among the sectors or organizations being represented in an election called for  
21 the purpose by the DENR in coordination with the LGUs concerned; and

22          (6) One representative from other national government agencies  
23 involved in protected area management for each municipality, to be appointed  
24 by the DENR upon the recommendation of the most senior official of the  
25 agency concerned.

26           The PAMB for the Lidlidda-Banayoyo Protected Landscape shall have  
27 the following powers and functions:

28          (1) Decide matters related to planning, resource protection and general

1 administration of the area in accordance with the GMPS adopted pursuant to  
2 the NIPAS Act;

3 (2) Approve proposals, work plans, action plans and guidelines for the  
4 management of the PA in accordance with the approved management plan;

5 (3) Promulgate rules and regulations to promote development  
6 programs and projects on biodiversity conservation and sustainable  
7 development as well as developmental activities and such other related  
8 activities within the PA consistent with the approved management plan;

9 (4) Ensure the implementation of programs as prescribed in the  
10 management plan in order to provide employment to the people dwelling in  
11 and around the PA;

12 (5) Monitor and evaluate the performance of the PA personnel, NGOs  
13 and the communities in providing for biodiversity conservation and the  
14 sociocultural and economic development and report their assessment to the  
15 NIPAS Policy and Program Steering Committee (NPPSC) and the Integrated  
16 Protected Areas Fund (IPAF) Governing Board; and

17 (6) Approve proposals for funding and budget allocation and exercise  
18 responsibility over all funds that may accrue to the PA donated for the purpose  
19 of the above policy declaration.

20 The DENR, through the RED, shall exercise the authority to oversee the  
21 PAMB to ensure that it is acting within the scope of its powers and functions.  
22 In case of a conflict between administrative orders for national application  
23 issued by the DENR pursuant to the NIPAS Act and the rules and regulations  
24 issued by the PAMB, the PAMB shall notify the DENR Secretary who shall  
25 decide whether to apply the rule or withdraw it for purposes of the Lidlidda-  
26 Banayoyo Protected Landscape. The decision of the DENR Secretary shall be  
27 guided by a preference to local initiative and specific policies enacted by the

1 PAMB. The decision of the Secretary shall be appealable to the regional trial  
2 court which has jurisdiction over the PA.

3 (B) The Protected Area Superintendent's Office. – There is hereby  
4 established a Protected Area Superintendent's Office in charge of the  
5 management, protection and administration of the PA. The PASu shall be  
6 supported by the existing personnel of the DENR. The head of office shall be  
7 the chief operating officer of the Lidlidda-Banayoyo Protected Landscape and  
8 shall be accountable to the RED of the DENR-1 and the PAMB. The PASu  
9 shall have the following powers and functions:

- 10 (1) Prepare the management and successor plans as herein provided;
- 11 (2) Serve as the secretariat for the PAMB with duty to provide the  
12 PAMB with all information necessary for it to make appropriate decisions  
13 when necessary;
- 14 (3) Supervise the necessary personnel to support the operations of the  
15 office;
- 16 (4) Establish a productive partnership with the local community,  
17 including groups interested in the achievement of the herein goals and  
18 objectives, in the planning, protection and management of the PA;
- 19 (5) Develop and implement a park information, education and visitor  
20 program;
- 21 (6) Enforce the laws and the rules and regulations relevant to the PA  
22 and assist in the prosecution of offenses;
- 23 (7) Monitor all activities within the PA to ensure compliance with the  
24 management plan; and
- 25 (8) Perform such other functions as the PAMB may assign.

26 The PASu may, as necessary, delegate authority granted in this section  
27 to his staff.

1           SEC. 7. *Prohibited Acts and Penalties.* –

2           (A) The penalties in Articles 309, on theft, and 310, on qualified theft,  
3 of the Revised Penal Code depending on the value of the resource taken,  
4 damaged or destroyed shall be imposed upon any person who:

5           (1) Hunts, destroys, disturbs or removes from the Lidlidda-Banayoyo  
6 Protected Landscape any wild plants or animals without a permit from the  
7 PAMB;

8           (2) Conducts mineral exploration or extraction without a permit from  
9 the PAMB; and

10          (3) Cut, remove, gather or take timber or forest products from the  
11 forestlands without an authorization from the PAMB.

12          Valuation of the damage shall take into account biodiversity and  
13 conservation consideration as well as aesthetic and scenic value.

14          (B) A fine of not less than Five thousand pesos (P5,000.00) but not  
15 more than Two hundred fifty thousand pesos (P250,000.00) and/or  
16 imprisonment of not less than one year nor more than five years and the  
17 restoration and rehabilitation of the damage shall be imposed upon any person  
18 who:

19          (1) Alters the topography through digging, blasting, earth-filling  
20 activities or stonewalling without a permit from proper authorities as required  
21 under existing laws, rules and regulations, and from the PAMB;

22          (2) Damages roads, trails or leaves them in a damaged condition or  
23 mutilates, defaces, destroys or vandalizes any object of natural beauty or  
24 scenic value within the PA;

25          (3) Constructs or maintains any kind of structure without a permit from  
26 the PAMB or without the requisite permits under existing laws such as, but not  
27 limited to, municipal permits, public works requirements and Environmental  
28 Clearance Certificates (ECC); and

1           (4) Alters, removes, destroys or defaces boundary marks/monuments  
2 or signs in the PA.

3           (C) A fine of not less than Five thousand pesos (P5,000.00) nor more  
4 than One hundred thousand pesos (P100,000.00) and/or imprisonment from  
5 one year to three years shall be imposed upon any person who:

6           (1) Occupies lands classified as forestlands as herein defined without a  
7 legal instrument for such occupation;

8           (2) Violates any rules and regulations in the management plan of the  
9 PAMB in its exercise of adjudicative functions;

10           (3) Dumps any waste materials on land other than in areas identified as  
11 dumping sites by the concerned local governments or leaves exposed or in  
12 unsanitary condition on land human wastes or refuse; and

13           (4) Possesses a chainsaw without a clearance from the PAMB, which  
14 shall specify the legal uses for which it can be applied.

15           (D) A fine of not less than Five thousand pesos (P5,000.00) nor more  
16 than Five hundred thousand pesos (P500,000.00) and/or imprisonment of not  
17 less that one year and not more that five years, or both, shall be imposed upon:

18           (1) Any person who shall induce another or conspire to commit any of  
19 the above acts or suffer their workers to commit any of the above acts; and

20           (2) Any public officer or officer of the law, who, in dereliction of the  
21 duties of his office, shall maliciously refrain from prosecuting the violators of  
22 this Act or shall tolerate the commission of the offense. Conviction for this  
23 offense shall also carry the penalty of perpetual disqualification from public  
24 office.

25           SEC. 8. *Special Prosecutors.* – Within thirty (30) days from the  
26 effectivity of this Act, the Department of Justice shall appoint a special  
27 prosecutor to whom all cases of violations of laws and rules and regulations in  
28 the PA shall be assigned. Such special prosecutor shall coordinate with the

1 PAMB and the PASu in the performance of his/her duties and assist in the  
2 training of wardens and rangers in arrest and criminal procedures.

3 SEC. 9. *Lidlidda-Banayoyo Protected Area Fund.* – There is hereby  
4 established a trust fund to be known as the Lidlidda-Banayoyo Protected Area  
5 Fund for purposes of financing projects of the system. All income generated  
6 from the operation of the system or management of wild flora and fauna in the  
7 PA shall accrue to the Fund. These income shall be derived from  
8 visitors/tourists fee, fees from permitted sale and export of flora and fauna and  
9 other resources from the PA, proceeds from registration and lease of multiple-  
10 use areas including tourism concessions, contributions from industries and  
11 facilities directly benefiting from the PA, and such other fees and other income  
12 derived from the operation of the PA.

13 The Fund may be augmented by grants, donations, endowment from  
14 various sources, domestic or foreign for purposes related to their functions:  
15 *Provided*, That the Fund shall be deposited as a special account in the National  
16 Treasury and disbursements therefrom shall be made solely for the protection,  
17 maintenance, administration and management of the system, and duly  
18 approved projects endorsed by the PAMB in accordance with existing  
19 accounting and budgeting rules and regulations: *Provided, further*, That the  
20 Fund shall not be used to cover personal services expenditures.

21 The LGUs shall continue to impose and collect all other fees not  
22 enumerated herein which they have traditionally collected, such as business  
23 permits, property tax and rentals of LGUs facilities. Furthermore, LGUs may  
24 charge add-ons to fees imposed by the PAMB: *Provided*, That such add-ons  
25 shall be determined based on the contribution of the LGUs in the maintenance  
26 and protection of the PA.

27 SEC. 10. *Utilization of Energy and Non-renewable Resources.* – Any  
28 exploitation and utilization of energy and other non-renewable resources



1 within the PA shall be allowed only through the PAMB approval. In no case  
2 shall an exemption from the Environmental Impact Assessment (EIA) System  
3 be made for energy and non-renewable resources exploitation projects within  
4 the PA.

5 SEC. 11. *Appropriations.* -- The Secretary of the DENR shall  
6 immediately include in the Department's program the implementation of this  
7 Act, the funding of which shall be included in the annual General  
8 Appropriations Act.

9 SEC. 12. *Repealing Clause.* -- For the purpose of the scope of this Act,  
10 the provisions of the NIPAS Act are hereby repealed or modified accordingly.  
11 Within the scope of the PA as herein specified, the prohibitions and penalties  
12 under the NIPAS Act are hereby superseded.

13 SEC. 13. *Separability Clause.* -- If any part or section of this Act is  
14 declared by the courts as unconstitutional, such declaration shall not affect the  
15 other parts or sections hereof.

16 SEC. 14. *Effectivity Clause.* -- This Act shall be translated in English or  
17 Ilocano. The English version shall be published once every week for three  
18 consecutive weeks in a newspaper of general circulation and in Ilocano in a  
19 newspaper readily available in the area in and around the scope specified  
20 hereunder. It shall likewise be posted in the appropriate language in a  
21 conspicuous place in the municipal and barangay halls within the area as well  
22 as in three other places frequented by the public. Fifteen (15) days after  
23 publication, this Act shall have full force and effect.

Approved,