| THIRTEENTH CONGRESS OF THE REPUBLI | C} |
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| OF THE PHILIPPINES | } |
| Third Regular Session |) |

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SENATE

NECEIVED BY:

COMMITTEE REPORT NO. <u>180</u>

Submitted jointly by the Committees on Environment and Natural Resources, Local Government and Finance on 2 3 NOV 2006

| Re | 4 7 | Senate Bill No. 2525 |
|-----------|------------------|--|
| Recommend | ling j is | approval in substitution of House Bill No. 4854. |

Sponsors : Senators Cayetano, Lim and Drilon.

MR. PRESIDENT:

The Committees on Environment and Natural Resources, Local Government, and Finance to which was referred House Bill No. 4854, introduced by Representatives Alferor and Banaag, entitled:

"AN ACT

DECLARING LAKES MANAPAO, KATUGDAY, MAYDANAO AND MAKUAO LOCATED WITHIN THE MUNICIPALITY OF BUHI, CAMARINES SUR AS A PROTECTED AREA TO BE KNOWN AS THE SINARAPAN SANCTUARY, PROVIDING FOR ITS MANAGEMENT AND FOR OTHER PURPOSES"

have considered the same and have the honor to report it back to the Senate with the recommendation that the attached bill, Senate Bill No. 2525, prepared by the Committees, entitled:

"AN ACT

DECLARING LAKES MANAPAO, KATUGDAY, MAYDANAO AND MAKUAO LOCATED WITHIN THE MUNICIPALITY OF BUHI, CAMARINES SUR AS A PROTECTED AREA TO BE KNOWN AS THE SINARAPAN SANCTUARY, PROVIDING FOR ITS MANAGEMENT AND FOR OTHER PURPOSES"

be approved in substitution of House Bill No. 4854, with Senator Cayetano and the members of the Committees as authors thereof.

Respectfully submitted:

Chairmen:

RA" PIA S. CAYETANO Committee on Environment

ommittee on Environme and Natural Resources

ALFREDO S. LIM Committee on Local Government

RILON **Committee on Finance**

Vice Chairman:

ayomend

AQUILINO Q. PIMENTEL, JR. Committee on Local Government Minority Leader

Members:

G" REVILLĄ, JR.

BICHARD J. GORDON

RODOLFO G. BIAZON

Mys

JOKER P. ARROYO

EDEARDO J. ANGARA PANFILO M. LACSON

SERGIO OSMEÑA III

MANUEL "LITO" M. LAPIDA per MAR ROX

JUAN PONCE ENRILE

MIRIAM DEFENSOR SANTIAGO

In that when LUISA "LOI" P. GJERCITO-ESTRADA

alladnigat M.A. MADRIGAL

DO S. LIM

89 fort JIXGGOY **EJERCITO ESTRADA**

Ex-Officio members:

> FRANCISN. PANGILINAN Majority Lender

AN M/FLAVIER President Pro-tempore

HON. MANNY VILLAR Senate President Pasay City

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THIRTEENTH CONGRESS OF THE REPUBLIC OF THE PHILIPPINES Third Regular Session

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SENATE

RECEIVED SY:

S. No. 2525

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(In substitution of H. No. 4854)

Prepared jointly by the Committees on Natural Resources, Local Government, and Finance, with Senator Cayetano and the members of the Committees as authors

AN ACT

DECLARING LAKES MANAPAO, KATUGDAY, MAYDANAO AND MAKUAO LOCATED WITHIN THE MUNICIPALITY OF BUHI, CAMARINES SUR AS A PROTECTED AREA TO BE KNOWN AS THE SINARAPAN SANCTUARY, 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. *Title.* – This Act shall be known as "The Sinarapan Sanctuary Act of 2 2006".

3 SEC. 2. *Establishment of the Sinarapan Sanctuary.* – There is hereby declared as part 4 of the National Integrated Protected Areas System (NIPAS), pursuant to Republic Act No. 5 7586, certain lakes near the area of Lake Buhi, located in the Municipality of Buhi, Province 6 of Camarines Sur, under the category of wildlife sanctuary, to be known as the Sinarapan 7 Sanctuary.

8 SEC. 3. Land Classification. – All lands of the public domain comprising the Sinarapan 9 Sanctuary shall fall under the classification of National Park as provided for in the Philippine 10 Constitution. *However*, Public Lands already classified as agricultural and alienable or 11 disposable prior to the passage of this Act shall remain as such and may be disposed of 12 pursuant to the provisions of Commonwealth Act No. 141 or the Public Land Act, as 13 amended.

SEC. 4. *Coverage.* – The Sinarapan Sanctuary covers the area of Lake Manapao and Lake Makuao, both located in Barangay San Ramon; Lake Katugday, located between Barangay San Ramon and Barangay De Lafe in the Municipality of Buhi, Camarines Sur; and Lake Maydanao, located in the boundary of Barangay Maydanao, Municipality of Polangui, Albay and the Municipality of Buhi, near Barangay Makaangay. The areas covered by the Sinarapan Sanctuary are more particularly described as follows:

20 A. LAKE MANAPAO

Beginning at corner "2", a point located S 75° 05' E, which is 712.296 meters from GPS Control Point BUHI No. 2, to corner 1 with longitude 123° 28' 41.3" and latitude 13° 24'

| | | | | 2 | | |
|----|---|-----------------|-------------------|---|--|--|
| 1 | 53.55"; | | | | | |
| 2 | thence | N 76° 55' W | 28.315 meters | to point 2 | | |
| 3 | thence | N 08° 10' W | 61.333 meters | to point 3 | | |
| 4 | thence | N 47° 51' E | 58.465 meters | to point 4 | | |
| 5 | thence | N 63° 18' E | 49.059 meters | to point 5 | | |
| 6 | thence | N 35° 30' E | 44.953 meters | to point 6 | | |
| 7 | thence | S 74° 48' E | 55.048 meters | to point 7 | | |
| 8 | thence | S 60° 47' E | 46.434 meters | to point 8 | | |
| 9 | thence | S 49° 38' E | 75.553 meters | to point 9 | | |
| 10 | thence | S 10° 19' E | 23.012 meters | to point 10 | | |
| 11 | thence | S 34° 15' W | 51.043 meters | to point 11 | | |
| 12 | thence | S 86° 02' W | 204.060 meters | to point 1 | | |
| 13 | B. LAKE | MAKUAO | | | | |
| 14 | Beginnin | g at corner "3" | , a point located | N 75° 08' W, about 138.333 meters from GPS | | |
| 15 | Control Point BUHI No. 3, to corner 1 and with longitude 123° 28' 49.23" and latitude 13° 25' | | | | | |
| 16 | 21.55"; | | | | | |
| 17 | thence | `N 83° 51' W | 35.727 meters | to point 2 | | |
| 18 | thence | N 70° 28' W | 59.038 meters | to point 3 | | |
| 19 | thence | N 05° 03' E | 63.316 meters | to point 4 | | |
| 20 | thence | N 54° 31' E | 61.480 meters | to point 5 | | |
| 21 | thence | S 66° 34' E | 46.288 meters | to point 6 | | |
| 22 | thence | S 18° 27' E | 56.832 meters | to point 7 | | |
| 23 | thence | S 26° 32' W | 55.808 meters | to point 1 | | |
| 24 | C. LAKE | KATUGDAY | , | | | |
| 25 | Beginnin | g at corner "5 | ", a point locate | d S 16° 15' W, which is about 533.870 meters | | |
| 26 | from GPS Co | ontrol Point BL | JHI No. 5, to co | rner 1 and with longitude 123° 29' 19.76" and | | |
| 27 | latitude 13° 2 | 5' 19.47"; | | | | |
| 28 | thence | S 45° 52' E | 49.234 meters | to point 2 | | |
| 29 | thence | S 20° 11' E | 49.104 meters | to point 3 | | |
| 30 | thence | S 26° 28' W | 83.419 meters | to point 4 | | |
| 31 | thence | S 26° 58' W | 42.951 meters | to point 5 | | |
| 32 | thence | S 28° 44' W | 157.389 meters | to point 6 | | |
| 33 | thence | S 27° 10' W | 50.100 meters | to point 7 | | |
| | | | | | | |

N 66° 11' W 19.709 meters to point 8

N 02° 04' E 105.608 meters to point 9

N 24° 03' E 287.369 meters to point 1

thence

thence

thence

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D. LAKE MAYDANAO

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Beginning at corner "20", a point located S 32° 12' E, about 906.042 meters from MBM
No. 20, Cad – 249 Malinao, Albay, to corner 1 and with longitude 123° 50' 0.68" and latitude
13° 25' 59.70";

| 5 | thence | S 72° 42' E | 95.790 meters | to point 2 |
|------------|--------|-------------|----------------|-------------|
| 6 ′ | thence | S 72° 17' E | 49.700 meters | to point 3 |
| 7 | thence | S 49° 04' E | 73.090 meters | to point 4 |
| 8 | thence | S 15° 26' E | 72.930 meters | to point 5 |
| 9 | thence | S 04° 19' W | 58.235 meters | to point 6 |
| 10 | thence | S 15° 21' W | 140.892 meters | to point 7 |
| 11 | thence | S 57° 05' W | 36.858 meters | to point 8 |
| 12 | thence | N 85° 27' W | 33.806 meters | to point 9 |
| 13 | thence | N 54° 18' W | 27.816 meters | to point 10 |
| 14 | thence | N 23° 22' W | 89.264 meters | to point 11 |
| 15 | thence | N 62° 02' W | 29.337 meters | to point 12 |
| 16 | thence | S 48° 19' W | 30.556 meters | to point 13 |
| 17 | thence | N 88° 25' W | 134.701 meters | to point 14 |
| 18 | thence | N 69° 39' W | 22.540 meters | to point 15 |
| 19 | thence | N 20° 34' W | 67.440 meters | to point 16 |
| 20 | thence | N 01° 17' W | 121.160 meters | to point 17 |
| 21 | thence | N 45° 16' E | 75.590 meters | to point 18 |
| 22 | thence | N 70° 43' E | 59.760 meters | to point 19 |
| 23 | thence | N 82° 56' E | 39.210 meters | to point 20 |
| 24 | thence | N 76° 28' E | 67.440 meters | to point 1 |
| | | | | |

25 Within six months following the effectivity of this Act, the Department of Environment 26 and Natural Resources (DENR) shall mark the boundaries of the Sinarapan Sanctuary with 27 visible and permanent markers and shall thereafter see to it that the same are maintained.

28 SEC. 5. *Definition of Terms.* – For purposes of this Act, the following terms are defined 29 as follows:

(a) "Buffer zones" refers to identified areas outside the boundaries of and immediately
 adjacent to the Sinarapan Sanctuary that need special development and control in order to
 avoid or minimize harm to the sanctuary.

(b) "Fish production" refers to the capacity of the species found within the Sinarapan
 Sanctuary to multiply to achieve a certain density of fish population.

(c) "Management manual" refers to the manual relating to the management of the
 Sinarapan Sanctuary described in Section 8 hereof.

(d) "Maximum sustainable yield" refers to the greatest amount of fish and fish products
 taken or harvested from within the Sinarapan Sanctuary without affecting sustainability.

(e) "Multiple-use zones" refers to areas where settlement, traditional or sustainable
 activities, and other income-generating or livelihood activities may be allowed to the extent
 prescribed in the management plan.

4 (f) "Nongovernment organization (NGO)" refers to any civic development or 5 philanthropic organization which is multi-sectoral in character.

(g) "Protected species" refers to any individual species of plants and animals that are or
 shall be declared as protected under Philippine laws, and rules and regulations issued by the
 DENR.

9 (h) "Secretary" refers to the Secretary of the DENR.

(i) "Small fisherfolk inhabitant" refers to any person who has actually and continuously
 lived within the Sinarapan Sanctuary for a period of five years before the passage of this Act
 and is solely dependent on fishing for sustenance and livelihood.

(j) "Wildlife sanctuary" refers to an area which assures the natural conditions
 necessary to protect nationally significant species, groups of species, biotic communities or
 physical features of the environment where these may require specific human manipulation
 for the perpetuation of such species or groups of species.

SEC. 6. *The Protected Area Management Board (PAMB) for Sinarapan Sanctuary.* – There is hereby created a Protected Area Management Board for the Sinarapan Sanctuary (PAMB-SS) which shall be the sole policy-making and permit-granting body for the Sinarapan Sanctuary and its buffer zones.

In addition to the powers of a PAMB of a protected area enumerated in Republic Act
 No. 7586, the PAMB-SS shall have the following powers and functions:

(a) Formulate the management plan and management manual of the sanctuary asprovided;

25 (b) Decide on matters relating to planning, peripheral protection and general 26 administration of the Sinarapan Sanctuary in accordance with the management plan;

(c) Plan the proper utilization of the annual budget and the proper disposition of fees
 and other funds generated or held by for the Sinarapan Sanctuary;

(d) Control and supervise the office of the Sinarapan Sanctuary superintendent created
 pursuant to Section 9 hereof.

(e) Delineate and demarcate management zones such as strict protection zones,
 multiple-use zones and buffer zones;

(f) Promulgate rules and regulations to promote development programs and projects on
 biodiversity conservation and sustainable development consistent with the management
 manual;

(g) Control and regulate the construction, operation and maintenance of buildings,
 roads, trails, waterworks, sewerage, fire protection and sanitation systems and other public
 utilities within the sanctuary;

(h) Fix and prescribe fees to be collected from other government agencies or from any
 person, firm or corporation deriving benefits from the Sinarapan Sanctuary and exact
 administrative fees or fines for violation of the provisions of this Act;

(i) Grant permits to eco-tourists, campers, research groups or individuals and visitors;

5 (j) Grant permits for sustainable utilization of lake resources in accordance with 6 existing rules and regulations governing the same;

7 (k) Enter into contracts and agreements with private entities or public agencies as may
8 be necessary to carry out the purposes of this Act;

(I) Accept funds, gifts or donations for the Sinarapan Sanctuary;

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10 (m) Call on any agency or instrumentality of the government as well as academic 11 institutions, nongovernment organizations and other sectors as may be necessary to 12 accomplish the objectives of this Act;

(n) Conduct studies on various characteristics, features and conditions of the Sinarapan
 Sanctuary;

(o) Adopt and enforce plans or schemes for the control of activities that may threaten
 the ecological balance of the Sinarapan Sanctuary in consultation with the local government
 units in the area and other government agencies and instrumentalities; and

(p) Retain legal counsel to defend cases against the PAMB-SS and the office of the
 Sinarapan Sanctuary superintendent whenever they are sued in connection with the
 performance of their duties under this Act.

The DENR, through the Regional Executive Director (RED), shall ensure that the PAMB-SS shall act within the scope of its powers and functions. In case of conflict between administrative orders issued by the DENR pursuant to Republic Act No. 7586 and the resolutions issued by the PAMB-SS, the Secretary shall decide whether to apply the rule or withdraw its application in the Sinarapan Sanctuary.

26 SEC. 7. Composition of the PAMB-SS. – The PAMB-SS shall be composed of the 27 following:

28 (a) The Regional Executive Director (RED) of the DENR-Region V, as chairman;

29 (b) The Provincial Planning and Development Officer;

30 (c) The municipal mayor of Buhi and the Provincial Governor of Camarines Sur or his
 31 authorized representative;

32 (d) The chief of police of the Municipality of Buhi;

(e) Five representatives from nongovernment organizations (NGOs) who shall be
 elected by the respective members of their organizations which are based in the Municipality
 of Buhi, Camarines Sur, and have established and recognized interest in the protected
 areas. These representatives shall include two representatives from the fisherfolk
 organizations, one representative from duly registered commercial fishing associations, one

representative from the youth sector and one representative from civic-oriented organizations; and

(f) A representative of the Department of Agriculture (DA) appointed by the regional
 director for Region V-DA.

5 The members shall choose from among themselves the vice chairperson of the PAMB-6 SS.

7 The members of the PAMB-SS shall serve for a term of five years: *Provided, however,* 8 That the term of office of the representatives of government agencies shall be coterminous 9 with their positions. They shall not receive compensation but shall be entitled to reasonable 10 *per diem* incurred in the performance of their duties, in accordance with existing budgeting 11 and auditing rules and regulations.

SEC. 8. *Removal from Office*. – A PAMB member may be removed for cause and upon
 majority vote of the members of the PAMB-SS on the following grounds:

14 (a) More than three consecutive unexcused absences in regular PAMB meetings;

15 (b) Commission of any of the prohibited acts provided in this Act, Republic Act No.

16 7586, or other rules and regulations governing protected areas and protected species;

17 (c) Graft and corruption; and

18 (d) Conviction of any criminal offense.

19 The members of the PAMB-SS shall serve for a term of five years.

20 SEC. 9. *Protected Area Superintendent (PASu) Office.* – There is hereby established a 21 Protected Area Superintendent's office in charge of the management, protection and 22 administration of the protected area (PA). The PASu shall be supported by the existing 23 personnel of the DENR. The head of office shall be the chief operating officer of the 24 Sinarapan Sanctuary Protected Area or PA and shall be accountable to the Regional 25 Executive Director of the DENR-Region V and the PAMB. The PASu shall have the 26 following powers and functions:

(a) Serve as head of the secretariat to the PAMB-SS with the duty to provide it with all
 the information necessary to make appropriate decisions for the effective implementation of
 this Act;

30 (b) Establish a productive partnership with local communities, including groups
 31 supporting the achievement of the goals and objectives of this Act;

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(c) Develop and implement sanctuary information, education and visitor programs;

(d) Enforce the laws, rules and regulations and the PAMB-SS resolutions relevant to the
 Sinarapan Sanctuary and its buffer zones, and assist in the prosecution of offenses;

(e) Monitor all activities within the Sinarapan Sanctuary and its buffer zones in
 conformity with the management plan; and

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(f) Perform such other functions as the PAMB-SS may assign.

1 SEC. 10. Small Fisherfolk Inhabitants. – Small fisherfolk inhabitants shall be 2 allowed to fish within the Sinarapan Sanctuary, subject to the rules and regulations 3 promulgated by the PAMB-SS.

SEC. 11. Other Activities within the Sinarapan Sanctuary. - Proposals for 4 activities which are outside the scope of the management plan shall be subject to an 5 Environmental Impact Assessment (EIA) as required by existing laws, rules and regulations. 6 The results thereof shall be taken into consideration in the decision-making process of the 7 PAMB-SS. No actual implementation of such activities shall be allowed without the required 8 Environmental Compliance Certificate (ECC) under the Philippine Environmental Impact 9 Assessment System and PAMB-SS approval. For purposes of this Act, the following policies 10 are provided: 11

(a) Existing Infrastructure - Existing infrastructure established within the Sinarapan 12 Sanctuary by government and nongovernment institutions shall be subject to inventory and 13 evaluation, as to whether it conforms to the management plan and assessed in terms of their 14 significance to the public interest and impact on the sanctuary. In case these are found 15 significant to public interest, but with no adverse impact to the sanctuary, a contract or 16 agreement may be entered into by the PAMB-SS including negotiations for payment of fees 17 based on profit-sharing agreement in accordance with law: Provided, That infrastructure 18 which do not conform to the management plan shall not be allowed to be repaired, 19 renovated or improved until they are naturally destroyed and vacated. Repairs, renovation 20 and improvement of the existing infrastructure allowed by the PAMB-SS within the sanctuary 21 shall be in conformity with the management plan and duly approved by the PAMB-SS. 22

(b) Special-use Infrastructure - Special-use infrastructure such as power lines, 23 telecommunications equipment and military installations may be allowed in the Sinarapan 24 Sanctuary if such conform to the management plan: Provided, That construction of these 25 special-use infrastructures shall be subject to EIA and the issuance of ECC by the DENR 26 and approval of the PAMB-SS: Provided, further, That power lines and telecommunications 27 equipment must not traverse through strict-protection zones and preferably be constructed 28 within the multiple-use zones only. Military installations shall not be constructed of 29 permanent materials and must be covered by a memorandum of agreement with the PAMB-30 SS providing for regulation of facilities. 31

(c) Livelihood and Other Economic Activities – Except as otherwise provided herein,
 only small fisherfolk inhabitants shall be allowed within multiple-use or buffer zones of the
 Sinarapan Sanctuary to engage in livelihood and economic activities, in conformity with the
 management plan and subject to the terms and conditions imposed by the PAMB-SS.

36 The PAMB-SS, upon recommendation of the superintendent, when findings show that 37 *tabios* and other fish production exceeds the maximum sustainable yield, may open certain

portions of the multiple-use zones to economic activities which shall be in accordance with
 the management plan and in all cases use ecologically sustainable methods.

(d) Energy and Mineral Use - Survey for energy and mineral resources within the 3 Sinarapan Sanctuary shall be allowed for the purpose of gathering information on energy 4 5 and mineral resources: Provided, That such activity is carried out without damage to the area and conducted in accordance with a program approved by the PAMB-SS, which shall 6 7 submit such energy and mineral survey findings to the President of the Philippines for recommendation to Congress. Any exploitation and utilization of energy and mineral 8 resources within the Sinarapan Sanctuary shall be allowed only upon the approval of the 9 PAMB-SS, compliance with the EIA system and other applicable laws, rules and regulations, 10 and through an act by Congress. 11

(e) Special Activities – All other activities such as eco-tourism and related activities,
 scientific research, marine life rescue by other agencies, government programs affecting the
 sanctuary and military activities shall be properly coordinated and approved by the PAMB SS.

SEC. 12. Special Prosecutor and Retained Counsel. - Within thirty (30) days from 16 the effectivity of this Act, the Department of Justice (DOJ) shall appoint a special prosecutor 17 to whom all cases of violation of laws, rules and regulations in the PA shall be assigned. 18 Such Special Prosecutor shall coordinate with the PAMB-SS and the PASu in the 19 performance of his/her duties and assist in the training of wardens and rangers in arrest and 20 criminal procedures. The PAMB-SS may retain the services of a counsel to prosecute and/or 21 assist in the prosecution of cases under the direct control and supervision of the regular or 22 special prosecutor and to defend the members of the PAMB-SS, the PASu and the staff, or 23 any person assisting in the protection, conservation and sustainable development of the PA, 24 against any legal action related to their powers, functions and responsibilities as provided in 25 this Act or as delegated or tasked by the PAMB-SS. 26

Sinarapan Sanctuary Protected Areas Fund. - There is hereby 27 SEC. 13. established a trust fund to be known as the Sinarapan Santuary Protected Areas Fund for 28 purposes of financing projects of the system. All income generated from the operation of 29 the system or management of wild flora and fauna in the PA shall accrue to the fund. 30 These income shall be derived from visitors/tourists fee, fees from permitted sale and 31 export of flora and fauna and other resources from the PAs, proceeds from registration 32 and lease of multiple-use areas, including tourism concessions, contributions from 33 industries and facilities directly benefiting from the PA; and such other fees and income 34 derived from the operation of the PA. 35

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

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

The local government units (LGUs) shall continue to impose and collect all other fees 5 not enumerated herein which they have traditionally collected, such as business permits, 6 property tax and rentals of LGUs' facilities. Furthermore, LGUs may charge add-ons to 7 fees imposed by the PAMB: Provided, That such add-ons shall be determined based on 8 the contribution of the LGUs in the maintenance and protection of the PA. 9

SEC. 14. Prohibited Acts. - The following acts are prohibited within the Sinarapan 10 Sanctuary: 11

(a) Hunting, destroying, disturbing or mere possession of any marine resources or 12 products derived therefrom without a permit from the PAMB-SS; 13

(b) Dumping or otherwise disposing of any waste products detrimental to the Sinarapan 14 Sanctuary or to plants, animals or inhabitants therein; 15

(c) Use of any motorized equipment without permit; 16

(d) Mutilating, defacing or destroying objects of natural beauty or ecological importance 17 found within the sanctuary; 18

(e) Mineral or energy exploration or any entry into the sanctuary which has a tendency 19 to damage its ecological balance; 20

(f) Constructing or maintaining any kind of structure, fence or enclosures and 21 conducting any business enterprise without a permit; and 22

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(g) Altering, removing, destroying or defacing boundary marks or buoys.

SEC. 15. Penalties. - Any person found guilty of any of the offenses enumerated 24 above shall be punished with fine in an amount not less than Five thousand pesos 25 (P5,000.00) but not more than Five hundred thousand pesos (P500,000.00), exclusive of the 26 value of the things damaged, or imprisonment of not less than one year but not more than 27 six years, or both, as determined by the court. 28

If the Sinarapan Sanctuary requires rehabilitation and restoration as determined by the 29 court, the offender shall be required to restore or compensate for the restoration of the 30 damage. The court shall order the forfeiture of all mineral, flora or fauna collected or 31 removed, including all equipment, devices and firearms used in connection therein, and any 32 construction or improvements made thereon by the offender. 33 If the offender is an association or corporation, the president or manager shall be responsible for the act of 34 his/her employees and laborers. 35

SEC. 16. Reporting Responsibility. - The PASu, through the PAMB, shall submit an 36 annual accomplishment report to the Secretary of the DENR on the activities undertaken in 37 the PA. 38

SEC. 17. Appropriations. – The Secretary of the DENR shall immediately include
 the Department's program the implementation of this Act, the funding of which shall be
 included in the annual General Appropriations Act.

SEC. 18. Construction and Suppletory Application of Existing Laws. - The provisions of this Act shall be construed liberally in favor of achieving biodiversity, conservation, protection and sustainable development. Provisions of Republic Act No. 7586, otherwise known as the National Integrated Protected Areas Management Act of 1992, and existing environmental and forestry laws not inconsistent with the provisions of this Act shall have suppletory effect in the implementation of this Act.

10 SEC. 19. Separability Clause. – If any part of this Act shall be declared 11 unconstitutional, such declaration shall not affect the other parts or sections hereof.

SEC. 20. Repealing Clause. – All laws, presidential decrees, executive orders and
 rules and regulations inconsistent with the provisions of this Act shall be deemed repealed or
 modified accordingly.

Effectivity. - This Act shall take effect fifteen (15) days after its complete SEC. 21. 15 publication in the Official Gazette or in a national newspaper of general circulation available 16 in the PA. This Act shall be translated in a dialect known in the PA by the DENR within thirty 17 (30) days from approval hereof and shall be posted for three consecutive weeks in 18 conspicuous place in the provincial, municipal and barangay halls within the PA as well as in 19 frequented the public. three other public places by 20 Approved.