

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

SENATE
OFFICE OF THE SECRETARY

10 JUL 26 P2:52

SENATE

Senate Bill No. 2021

RECEIVED BY: 

Introduced by SENATOR EDGARDO J. ANGARA

EXPLANATORY NOTE

*"Only when the last tree has died and the last river has
been poisoned and the last fish has been caught will we realize
that we cannot eat money."*

So goes the Cree Indian saying. Conservation of the earth's biological diversity is steadily being recognized as the most fundamental of all environmental issues, and its preservation as the most important challenge of the 21st century.

Our own Philippine ecosystem is the "hottest" among the bio-diversity "hotspots" because it has the most number of species per square kilometer of territory, but unfortunately, the rate of habitat destruction in our country is also one of the highest in the world.

As a strategic preventive and conservation measure, this bill seeks to provide for the establishment of the Subic Watershed Forest Reserve and the Bataan Natural Park as protected areas. The necessary action must be done so as not to allow such areas to turn into irreparable bio-diversity hotspots.

This imperative piece of legislation would supplement Republic Act No. 7586 or the National Integrated Protected Areas System Act and would also be a noteworthy compliance with our country's international commitments. Furthermore, its passage will be a major leap towards the sustainable development and management of our national ecological treasures, as the bill seeks to respond and balance the objectives of biodiversity and the needs of the upland and lowland residents in and around the protected and buffer areas.

With this backdrop, I urge my colleagues in this Chamber to rally for the passage of this bill.


EDGARDO J. ANGARA
Senator

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SENATE

Senate Bill No. 2021

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AN ACT
ESTABLISHING THE BATAAN NATURAL PARK AND THE SUBIC
WATERSHED FOREST RESERVE SITUATED IN THE MUNICIPALITIES OF
HERMOSA, ORANI, SAMAL, ABUCAY, BAGAC AND MORONG IN THE
PROVINCE OF BATAAN AND A PORTION OF THE SUBIC BAY SPECIAL
ECONOMIC ZONE WITHIN THE ISLAND OF LUZON AS A PROTECTED
AREA UNDER THE CATEGORY OF A NATURAL PARK, PROVIDING FOR
ITS MANAGEMENT, AND FOR OTHER PURPOSES.

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

ARTICLE I.

TITLE, POLICIES AND OBJECTIVES

1
2
3
4 SECTION 1. *Short Title.* - This Act shall be known as the "*Subic-Bataan*
5 *Natural Park Act of 2010.*"
6

7 SECTION 2. *Declaration of Policy.* - Considering the diversity of Subic and
8 Bataan's biological resources and its socio-cultural, economic and ecological importance
9 to the Island of Luzon, the State declares the policy to ensure its protection and
10 conservation including its communities of people and their culture and way of life insofar
11 as they are in harmony in nature.
12

13 The protection and conservation of SBNP shall be pursued through sustainable
14 and participatory development, advancing and protecting the interests of its legitimate
15 inhabitants, and following customary laws in accordance with Republic Act. No. 7586 or
16 the National Integrated Protected Areas System (NIPAS) Republic Act No. 8371 or the
17 Indigenous Peoples Rights Act (IPRA) of 1997, and such international conventions to
18 which the Philippines is a signatory.
19

20 SECTION 3. *Definitions.* - For purposes of this Act:
21

- 1 a) **“Biodiversity”** shall refer to the variety and variability among all living organisms
2 and the ecological complexes in which they occur;
- 3 b) **“Bioprospecting”** shall refer to the research, collection and utilization of biological
4 and genetic resources, for the purpose of applying the knowledge derived therefrom
5 to make or modify products or processes and their derivatives for scientific,
6 agricultural, industrial, and other applications;
- 7 c) **“Buffer zone”** shall refer to identified areas outside the boundaries of and
8 immediately adjacent to the SBNP pursuant to Section 5 hereof that need special
9 development control in order to avoid or minimize harm to the protected area;
- 10 d) **“By-product”** shall refer to any part taken from wild species such as, but not limited
11 to, hides, antlers, feathers, fur, teeth, claws, internal organs, eggs, guano, roots, trunk,
12 branches, leaves, stems, flowers and any other item produced out of or utilizing
13 wildlife or any of its parts;
- 14 e) **“Convention on International Trade of Endangered Species (CITES)”** shall refer to
15 the international convention of flora and fauna including all its appendices referring
16 to the lists of species regulated therein;
- 17 f) **“Collection”** shall refer to the act of gathering, harvesting, or catching wildlife, or the
18 taking of any parts, derivatives or by-products;
- 19 g) **“Commercial”** shall refer to market sale in volume or value in excess of that required
20 to maintain a basic subsistence for workers and their dependents;
- 21 h) **“Department of Environment and Natural Resources (DENR)”** refers to the
22 government agency created pursuant to Executive Order No. 192;
- 23 i) **“Derivatives”** shall refer to anything extracted from wild species such as, but not
24 limited to, blood, oils, saliva, musks, resin, gum, seeds, spores, pollen and the like;
- 25 j) **“Endangered species”** shall refer to species or subspecies whose populations are in
26 danger of extinction and whose survival is unlikely if the causal factors continue
27 operating;
- 28 k) **“Endemic species”** shall refer to species or subspecies, which has limited
29 distribution, often within the geographical limits of the State;
- 30 l) **“Exotic species”** shall refer to species or subspecies, which do not naturally occur
31 within the biogeographic region of the SBNP at the present or historical time;
- 32 m) **“Exploration”** shall refer to searching or prospecting for mineral resources, as
33 defined by law, by geological, geochemical or geophysical surveys, remote sensing,
34 test pitting, trenching, shaft sinking, tunneling or any other means for the purpose of
35 determining the existence, extent, quantity and quality thereof and feasibility of
36 mining them for profit;
- 37 n) **“Exploitation”** shall refer to any mode of use, extraction, development, utilization or
38 disposition of resources, for whatever purpose, whether commercial or otherwise;

- 1 o) **“Habitat”** shall refer to an area inhabited by wildlife in the natural state;
- 2 p) **“ICC / IPS”** shall refer to Indigenous Cultural Communities/Indigenous Peoples as
3 defined in the IPRA, specifically the Agtas, Paranan and Kalinga within the SBNP;
- 4 q) **“Indigenous species”** shall refer to native Philippine species and/or subspecies with
5 an existing or historical natural occurrence and distribution within the SBNP and its
6 buffer zones;
- 7 r) **“IPRA”** shall refer to Republic Act No 8371 or the Indigenous Peoples Rights Act
8 and its pertinent rules and regulations;
- 9 s) **“Kaingin”** shall refer to the slash and burn of vegetation to clear the land for
10 agricultural purposes;
- 11 t) **“Large-scale infrastructure projects”** shall refer to major port facilities, major
12 highways, tall edifice, major dams, and the like;
- 13 u) **“Multiple-use zones”** shall refer to areas where settlement, traditional and/or
14 sustainable land use, including agriculture, agroforestry, extraction activities and
15 other income generating or livelihood activities may be allowed to the extent
16 prescribed in the management plan;
- 17 v) **“Natural park”** shall refer to a relatively large area not materially altered by human
18 activity where extractive resource use and largescale infrastructure projects are not
19 allowed in its strict protection zones and maintained to protect outstanding natural
20 and scenic areas of national or international significance for educational, scientific
21 and recreational use;
- 22 w) **“NIPAS Act”** shall refer to the National Integrated Protected Areas System Act of
23 1992 or Republic Act No. 7586, and its pertinent rules and regulations;
- 24 x) **“Non-government organization (NGO)”** shall refer to any civic, development,
25 conservation or philanthropic, non-stock, no-profit organization, duly registered,
26 having by-laws, a democratically elected representation and multi-sectoral in
27 character;
- 28 y) **“Non-renewable resources”** shall refer to those resources within the SBNP and its
29 buffer zones, the natural replenishment rate of which is not known;
- 30 z) **“PASu”** shall refer to the Protected Area Superintendent;
- 31 aa) **“PAMB”** shall refer to the Protected Area Management Board;
- 32 bb) **“People’s organization”** shall refer to any organized group of people residing within
33 the SBNP and its buffer zones formed to advance the interest of the sector they
34 represent;
- 35 cc) **“Protected area”** shall refer to identified portions of land and water set aside by
36 reason of their unique physical and biological significance, managed to enhance
37 biological diversity and protected against destructive human exploitation, and unless
38 the context otherwise provides, shall refer to the SBNP;

- 1 dd) ***“Protected Species”*** shall refer to any plant or animal that is declared ‘protected’
2 under Philippine laws, rules and regulations. These also include all plants and animals
3 listed under the Convention of International Trade of Endangered Species (CITES)
4 and all its Annexes, the Bonn Convention on Migratory Animals, those specified
5 under the red-list categories of the International Union for the Conservation of Nature
6 (IUCN), or any plant or animal which the PAMB may deem necessary for
7 conservation and preservation in the SBNP;
- 8 ee) ***“Quarrying”*** shall refer to the process of extracting, removing and disposing quarry
9 resources, as defined by law, found on or underneath the surface of private or public
10 land;
- 11 ff) ***“Recreation zones”*** shall refer to areas of high recreational, tourism, educational or
12 environmental awareness values where sustainable eco-tourism, recreational,
13 conservation, education or public awareness activities may be allowed as prescribed
14 in the management plan;
- 15 gg) ***“Special use zones”*** shall refer to areas containing existing installations of national
16 significance such as telecommunication facilities, irrigation canals or electric power
17 lines;
- 18 hh) ***“Sustainable use”*** shall refer to the use of components of biological diversity in a
19 way and at a rate that does not lead the decline of the species used and not causing
20 permanent or long-term diminishment or qualitative degradation of biological species,
21 ecological functions or of other resources extracted or disturbed thereby maintaining
22 its potential to meet the needs and aspirations of the present and future Filipino
23 generations;
- 24 ii) ***“Strict protection zones”*** shall refer to areas with high biodiversity value which shall
25 be closed to all human activity except for scientific studies and/or ceremonial or
26 religious use ICCs/IPs;
- 27 jj) ***“Tenured migrants”*** shall refer to individuals and households within the SBNP who
28 actually and continuously occupied such areas for five (5) YEARS PRIOR TO the
29 Presidential Proclamation of the Subic Watershed Forest Reserve and Bataan Natural
30 Park as protected area and are substantially dependent therein for subsistence;
- 31 kk) ***“Traditional”*** shall refer to using no power machinery resource in extraction process
32 and consistent with historically customary techniques of production;
- 33 ll) ***“Wildlife”*** shall refer to wild forms and varieties of flora and fauna, including captive-
34 bred or propagated individuals, parts, derivatives and by-products thereof; AND
- 35 mm) ***“Zones”*** shall refer to the divisions within the SBNP into levels of protection and
36 permitted use of natural resources such as strict protection zone, sustainable use zone,
37 restoration zone, habitat management zone, multiple-use zone, cultural zone,

1 recreational zone and special use zone, as provided under existing rules and
2 regulations;

3
4 **SECTION 4. Declaration and Scope.** - Pursuant to and in accordance with the
5 NIPAS Act, the Subic-Bataan Natural Park within the Island of Luzon is hereby declared
6 and established as a protected area and part of the National Integrated Protected Area
7 Systems under the category of a natural park as defined herein.

8
9 The boundaries of the Subic-Bataan Natural Park (SBNP) and its boundaries are
10 hereby described as follows:

11
12 **PARCEL 1:** Beginning at point 1 on the Map which is marked on the Nabasan Wharf
13 with coordinates of *120.2771 Latitude* and *14.7963 Longitude* towards point 2 in the
14 general direction of the Ilanin River, thence, the coordinates of the other corners of the
15 boundary of Parcel 1 (Subic Watershed protected area) of the Subic-Bataan Natural Park
16 are as follows:

17

CORNER/STATION		LATITUDE (000.0000°)
LONGITUDE (000.0000°)		
001	120.2271	14.7963
002	120.2685	14.7922
003	120.2692	14.7899
004	120.2671	14.7880
005	120.2761	14.7855
006	120.2783	14.7810
007	120.2768	14.7782
008	120.2746	14.7793
009	120.2727	14.7788
010	120.2739	14.7766
011	120.2724	14.7765
012	120.2705	14.7758
013	120.2688	14.7759
014	120.2675	14.7768
015	120.2627	14.7771
016	120.2639	14.7748
017	120.2634	14.7727
018	120.2602	14.7723
019	120.2579	14.7723

020	120.2561	14.7737
021	120.3562	14.7751
022	120.2545	14.7756
023	120.2538	14.7729
024	120.2528	14.7720
025	120.2550	14.7706
026	120.2563	14.7709
027	120.2585	14.7685
028	120.2567	14.7669
030	120.2533	14.7660
031	120.2510	14.7667
032	120.2492	14.7668
033	120.2468	14.7675
034	120.2448	14.7669
035	120.2421	14.7656
036	120.2404	14.7639
037	120.2428	14.7616
038	120.2453	14.7598
039	120.2466	14.7574
040	120.2462	14.7551
041	120.2455	14.7533
042	120.2471	14.7517
043	120.2492	14.7505
044	120.2509	14.7485
045	120.2538	14.7467
046	120.2568	14.7466
047	120.2595	14.7461
048	120.2622	14.7460
049	120.2651	14.7469
050	120.2685	14.7469
051	120.2712	14.7458
052	120.2742	14.7464
053	120.2754	14.7446
054	120.2744	14.7420
055	120.2945	14.7386
056	120.2973	14.7390
057	120.3015	14.7392
058	120.3074	14.7390

059	120.3138	14.7385
060	120.3139	14.7387
061	120.3236	14.7381
062	120.3284	14.7394
063	120.3338	14.7423
064	120.3533	14.7440
065	120.3550	14.7468
066	120.3728	14.7460
067	120.3766	14.7485
068	120.3782	14.7503
069	120.3803	14.7554
070	120.3856	14.7576
071	120.3855	14.7614
072	120.3804	14.7618
073	120.3785	14.7649
074	120.3704	14.7629
075	120.3647	14.7602
076	120.3699	14.7650
077	120.3686	14.7662
078	120.3702	14.7691
079	120.3712	14.7728
080	120.3712	14.7745
081	120.3710	14.7769
082	120.3708	14.7807
083	120.3705	14.7831
084	120.3708	14.7853
085	120.3727	14.7894
086	120.3723	14.7925
087	120.3716	14.7954
088	120.3683	14.7997
089	120.3664	14.8030
090	120.3655	14.8087
091	120.3644	14.8101
092	120.3633	14.8105
093	120.3620	14.8107
094	120.3615	14.8114
095	120.3615	14.8127
096	120.3624	14.8147

097	120.3631	14.8166
098	120.3631	14.8191
099	120.3626	14.8213
100	120.3618	14.8228
101	120.3604	14.8245
102	120.3628	14.8263
103	120.3605	14.8298
104	120.3512	14.8294
105	120.3384	14.8182
106	120.3207	14.8352
107	120.3084	14.8359
108	120.3038	14.8381
109	120.2957	14.8398
110	120.2941	14.8430
111	120.2959	14.8464
112	120.2962	14.8488
113	120.2934	14.8486
114	120.2887	14.8462
115	120.2896	14.8435
116	120.2876	14.8412
117	120.2280	14.8387
118	120.2946	14.8358
119	120.2921	14.8343
120	120.2929	14.8328
121	120.2976	14.8318
122	120.3045	14.8205
123	120.3156	14.8207
124	120.3164	14.8170
125	120.3211	14.8160
126	120.3227	14.8098
127	120.3284	14.8054
128	120.3283	14.7940
129	120.3244	14.8016
130	120.3166	14.7986
131	120.3114	14.7986
132	120.3057	14.8031
133	120.3045	14.8067
134	120.3053	14.8082

135	120.3028	14.8091
136	120.3014	14.8119
137	120.2985	14.8128
138	120.2985	14.8152
139	120.3031	14.8160
140	120.3027	14.8188
141	120.2986	14.8187
142	120.2929	14.8167
143	120.2919	14.8135
144	120.2979	14.8100
145	120.2978	14.8049
146	120.3102	14.7936
147	120.3132	14.7853
148	120.2882	14.7947
149	120.2854	14.7918
150	120.2814	14.7915
151	120.2788	14.7936

1

2 Thence, from the last corner marked corner/station 151, a point on the map at the
3 Nabasan Mangrove, to corner/station 1, the point of beginning due northwest,
4 representing the perimeter of Parcel 1 of the Subic-Bataan Natural Ark (Subic Watershed
5 Forest Reserve) with an approximate area of **Nine Thousand Two Hundred (9,200)**
6 **hectares.**

7

8 **PARCEL 2:** Beginning at a point 1 on the Map which is marked as corner "1"
9 which is approximately 2,800 meters at S 220 E from MBM No. 1 in the Morong
10 Cadastre which lies beside the US Naval Base Radar Station/Lighthouse located on the
11 Mt. Sta. Rita Peak, Hermosa, Bataan with the coordinates: *Latitude* and *Longitude*
12 towards point 2 in the general direction of the Ilanin River, thence, the coordinates of the
13 other corners of the boundary of Parcel 2 (Bataan Natural Park) of the Subic-Bataan
14 Natural Park are as follows:

15

CORNER/STATION (000.00000)	LATITUDE (000.0000)	LONGITUDE
001	120.36290	14.82633
002	120.36040	14.82454
003	120.36180	14.82279
004	120.36263	14.82125

005	120.36310	14.81905
006	120.36310	14.81664
007	120.36420	14.81467
008	120.36200	14.81357
009	120.36150	14.81269
010	120.36510	14.81137
011	120.36200	14.81072
012	120.36330	14.81050
013	120.36440	14.81006
014	120.36550	14.80874
015	120.36590	14.80676
016	120.36610	14.80479
017	120.36640	14.80304
018	120.36720	14.80150
019	120.36830	14.79974
020	120.37030	14.7973
021	120.37160	14.79535
022	120.37230	14.79250
023	120.37290	14.79031
024	120.37270	14.78943
025	120.37080	14.78526
026	120.37050	14.78307
027	120.37080	14.78065
028	120.37100	14.77692
029	120.37120	14.77451
030	120.37120	14.77275
031	120.37020	14.76913
032	120.36860	14.76623
033	120.36990	14.76497
034	120.36470	14.76020
035	120.37040	14.76288
036	120.27850	14.76488
037	120.38040	14.76182
038	120.38550	14.76137
039	120.38530	14.75764
040	120.38030	14.75542
041	120.37820	14.75026
042	120.37660	14.74853

043	120.37280	14.74600
044	120.35500	14.74678
045	120.35330	14.74403
046	120.33380	14.74231
047	120.33110	14.74093
048	120.32840	14.73940
049	120.32630	14.73874
050	120.32360	14.73808
051	120.31990	14.73874
052	120.31180	14.73852
053	120.30740	14.73896
054	120.30150	14.73918
055	120.29730	14.73896
056	120.29450	14.73864
057	120.28860	14.72762
058	120.28640	14.72701
059	120.28550	14.72836
060	120.28610	14.73113
061	120.28750	14.73213
062	120.28880	14.73263
063	120.29060	14.73248
064	120.29010	14.73403
065	120.29170	14.73482
066	120.29217	14.73641
067	120.29450	14.73864
068	120.36290	14.82633
069	120.37820	14.83143
070	120.37220	14.83143
071	120.37330	14.83033
072	120.37500	14.82903
073	120.37600	14.82836
074	120.37530	14.82666
075	120.37540	14.82624
076	120.37560	14.82061
077	120.37410	14.81968
078	120.37320	14.82024
079	120.37290	14.81920
080	120.37220	14.81839

081	120.38270	14.81720
082	120.37230	14.81556
083	120.37090	14.81197
084	120.37320	14.81258
085	120.37310	14.81133
086	120.37330	14.80952
087	120.37340	14.80848
088	120.37290	14.80762
089	120.37240	14.80628
090	120.37270	14.80497
091	120.37310	14.80979
092	120.37370	14.80145
093	120.37440	14.80063
094	120.37490	14.79111
095	120.37590	14.79735
096	120.37860	14.79650
097	120.37990	14.79647
098	120.38140	14.79646
099	120.38300	14.79651
100	120.38490	14.79670
101	120.39020	14.80169
102	120.39130	14.79501
103	120.39550	14.79572
104	120.39490	14.80161
105	120.40020	14.80636
106	120.40090	14.80724
107	12040140	14.80883
108	120.40170	14.81003
109	120.40240	14.81129
110	120.40240	14.81265
111	120.40210	14.81402
112	120.40190	14.81523
113	120.40290	14.81602
114	120.40300	14.81703
115	120.40270	14.81828
116	120.40270	14.82007
117	120.40300	14.82140
118	120.4510	14.82250

119	120.40560	14.82464
120	120.40630	14.82520
121	120.41060	14.82669
122	120.41010	14.82173
123	120.40990	14.81875
124	120.40870	14.81580
125	120.40790	14.81417
126	120.40750	14.81189
127	120.40640	14.80961
128	120.40500	14.80889
129	120.40460	14.80504
130	120.40390	14.80384
131	120.40350	14.79945
132	120.40030	14.79866
133	120.40180	14.79594
134	120.40190	14.79258
135	120.40120	14.79118
136	120.40200	14.79045
137	120.40350	14.79017
138	120.40450	14.79088
139	120.40580	14.79162
140	120.40610	14.79281
141	120.40620	14.79499
142	120.40600	14.79639
143	120.40550	14.79815
144	120.40510	14.79988
145	120.40580	14.80147
146	120.40830	14.80068
147	120.40910	14.80003
148	120.40860	14.79914
149	120.40860	14.79802
150	120.40860	14.79643
151	120.41080	14.79509
152	120.41080	14.79672
153	120.41590	14.80379
154	120.41340	14.80415
155	120.41230	14.80400
156	120.40800	14.80280

157	120.40650	14.80500
158	120.40810	14.80540
159	120.40920	14.80561
160	120.41060	14.80587
161	120.41080	14.80703
162	120.41060	14.80814
163	120.41180	14.80923
164	120.41080	14.81117
165	120.41110	14.81450
166	120.41240	14.81687
167	120.41320	14.81866
168	120.41300	14.81975
169	120.41330	14.82240
170	120.41370	14.82427
171	120.41470	14.82551
172	120.41940	14.82096
173	120.41670	14.82137
174	120.41700	14.81859
175	120.41560	14.81783
176	120.41580	14.81593
177	120.41460	14.81370
178	120.41540	14.81225
179	120.41620	14.81105
180	120.41990	14.80782
181	120.42200	14.80939
182	120.42370	14.81396
183	120.42700	14.81910
184	120.42920	14.81767
185	120.42950	14.81241
186	120.42940	14.81132
187	120.42880	14.81014
188	120.42830	14.80926
189	120.42690	14.80807
190	120.42560	14.80693
191	120.42510	14.80594
192	120.42450	14.80470
193	120.42370	14.80342
194	120.42370	14.80342

195	120.42450	14.80238
196	120.42450	14.80124
197	120.42640	14.80212
198	120.42670	14.80343
199	120.42680	14.80471
200	120.42740	14.80560
201	120.42810	14.80655
202	120.42880	14.80750
203	120.42960	14.80836
204	120.43050	14.80981
205	120.43100	14.81108
206	120.43150	14.81245
207	120.43440	14.81359
208	120.43270	14.80812
209	120.43660	14.80549
210	120.43450	14.80193
211	120.43870	14.79872
212	120.44230	14.79624
213	120.44470	14.49488
214	120.44380	14.79408
215	120.44320	14.79271
216	120.44290	14.79166
217	120.44190	14.78879
218	120.44210	14.78624
219	120.44110	14.78040
220	120.43630	14.77415
221	120.43600	14.76996
222	120.43330	14.77034
223	120.43210	14.76386
224	120.43110	14.76130
225	120.42930	14.76448
226	120.42880	14.76314
227	120.42940	14.76168
228	120.42760	14.76052
229	120.42570	14.76202
230	120.42490	14.76384
231	120.42240	14.76374
232	120.42380	14.76110

233	120.42500	14.75868
234	120.42450	14.75671
235	120.42490	14.75292
236	120.42680	14.75082
237	120.42740	14.75160
238	120.42800	14.75239
239	120.42880	14.75297
240	120.42980	14.75263
241	120.43080	14.75248
242	120.43190	14.75243
243	120.43290	14.75237
244	120.43390	14.75226
245	120.43490	14.75229
246	120.43550	14.75145
247	120.43570	14.75044
248	120.43560	14.74940
249	120.43570	14.74536
250	120.43600	14.74729
251	120.43620	14.74630
252	120.43670	14.74542
253	120.43730	14.74458
254	120.43810	14.43900
255	120.43910	14.74365
256	120.44010	14.74351
257	120.44110	14.74358
258	120.44210	14.74370
259	120.44300	14.74423
260	120.44400	14.74450
261	120.44170	14.74196
262	120.43930	14.74078
263	120.42440	14.73093
264	120.43870	14.72184
265	120.44690	14.71679
266	120.43090	14.69522
267	120.41770	14.69048
268	120.41460	14.67740
269	120.41910	14.67305
270	120.41170	14.66917

271	120.40460	14.66953
272	120.39720	14.33984
273	120.39720	16.66984
274	120.38880	14.65960
275	120.37530	14.65890
276	120.37180	14.65835
277	120.37180	14.65749
278	120.37090	14.65654
279	120.37070	14.65551
280	120.37070	14.65448
281	120.37080	14.65345
282	120.37080	14.65243
283	120.37080	14.65141
284	120.37060	14.65042
285	120.37030	14.64945
286	120.37040	14.64844
287	120.37090	14.64752
288	120.37130	14.64656
289	120.37160	14.64556
290	120.37170	14.64456
291	120.37170	14.64354
292	120.37170	14.64253
293	120.37180	14.64151
294	120.37190	14.64052
295	120.37150	14.63958
296	120.37110	14.63864
297	120.37070	14.63770
298	120.37040	14.63673
299	120.37040	14.63573
300	120.37060	14.63471
301	120.37050	14.63367
302	120.36960	14.63309
303	120.36920	14.63214
304	120.36890	14.63118
305	120.36820	14.63018
306	120.36830	14.62920
307	120.36770	14.62838
308	120.36670	14.62848

309	120.36640	14.62944
310	120.36620	14.63042
311	120.36570	14.63135
312	120.36480	14.63110
313	120.36410	14.63036
314	120.36340	14.62956
315	120.36240	14.62927
316	120.36150	14.62901
317	120.36080	14.62829
318	120.36010	14.62756
319	120.35910	14.62716
320	120.35810	14.62733
321	120.35720	14.62694
322	120.35670	14.62605
323	120.35640	14.62508
324	120.35610	14.62411
325	120.35510	14.62414
326	120.35500	14.62514
327	120.35510	14.62614
328	120.35510	14.62714
329	120.35480	14.62812
330	120.35440	14.62902
331	120.35390	14.62991
332	120.35340	14.63083
333	120.35290	14.63167
334	120.35290	14.63167
335	120.35270	14.63069
336	120.35240	14.62972
337	120.35240	14.62871
338	120.35210	14.62774
339	120.35190	14.62676
340	120.35150	14.62584
341	120.35100	14.62493
342	120.35020	14.62436
343	120.34920	14.62413
344	120.34820	14.62391
345	120.34730	14.62343
346	120.34640	14.62308

347	120.34550	14.62350
348	120.34470	14.62180
349	120.34460	14.62518
350	120.34460	14.62620
351	120.34470	14.62721
352	120.34480	14.62821
353	120.34410	14.63918
354	120.34480	14.63015
355	120.34310	14.63081
356	120.34220	14.63131
357	120.34280	14.63224
358	120.34290	14.63323
359	120.34320	14.63420
360	120.34310	14.63522
361	120.34230	14.63522
362	120.34230	14.63570
363	120.34120	14.66357
364	120.24040	14.63562
365	120.33970	14.63509
366	120.38880	14.63431
367	120.33780	14.63378
368	120.33680	14.63372
369	120.33590	14.63344
370	120.33500	14.63319
371	120.33450	14.63363
372	120.33350	14.63449
373	120.33250	14.63481
374	120.33180	14.63498
375	120.33230	14.63576
376	120.33210	14.63667
377	120.33270	14.63766
378	120.33340	14.63842
379	120.33420	14.63921
380	120.33510	14.63984
381	120.33580	14.64085
382	120.33650	14.64162
383	120.33690	14.64254
384	120.33600	14.64291

385	120.33500	14.64328
386	120.33430	14.64392
387	120.33360	14.64474
388	120.33320	14.64567
389	120.33330	14.64668
390	120.33350	14.64765
391	120.33390	14.64861
392	120.33440	14.64944
393	120.33530	14.64987
394	120.33630	14.65010
395	120.33730	14.65046
396	120.33760	14.65142
397	120.33780	14.65240
398	120.33800	14.65338
399	120.33810	14.65439
400	120.33810	14.65540
401	120.33720	14.65576
402	120.33620	14.65599
403	120.33520	14.65613
404	120.33420	14.65593
405	120.33320	14.65567
406	120.33320	14.65475
407	120.33240	14.65386
408	120.33140	14.65401
409	120.33040	14.65435
410	120.32950	14.65484
411	120.32860	14.65530
412	120.32770	14.65569
413	120.32670	14.65616
414	120.32610	14.65505
415	120.32520	14.65115
416	120.32430	14.65360
417	120.32100	14.65347
418	120.31750	14.65348
419	120.31470	14.65336
420	120.31320	14.65030
421	120.30960	14.34952
422	120.30870	14.65297

423	120.31030	14.65402
424	120.31210	14.65585
425	120.31380	14.65802
426	120.31150	14.65907
427	120.31110	14.62249
428	120.31110	14.66397
429	120.31110	14.66501
430	120.31250	14.66605
431	120.31220	14.66730
432	120.30850	14.66832
433	120.30830	14.66950
434	120.31010	14.67067
435	120.31130	14.67235
436	120.31450	14.67377
437	120.31250	14.67429
438	120.31370	14.67524
439	120.31480	14.67631
440	120.31660	14.67797
441	120.31570	14.68046
442	120.31250	14.68108
443	120.30890	14.68004
444	120.30570	14.68068
445	120.30450	14.67963
446	120.60210	14.67795
447	120.29920	14.67607
448	120.29690	14.67695
449	120.29720	14.67882
450	120.29620	14.68067
451	120.29480	14.68226
452	120.29430	14.64859
453	120.29200	14.65831
454	120.29360	14.68746
455	120.29040	14.68716
456	120.29040	14.68934
457	120.29100	14.69119
458	120.29200	14.69258
459	120.29320	14.69464
460	120.29510	14.69834

461	120.29980	14.70051
462	120.30410	14.70147
463	120.30740	14.70141
464	120.30120	14.70132
465	120.31360	14.70161
466	120.31420	14.70246
467	120.31150	14.70253
468	120.30830	14.70400
469	120.30640	14.70461
470	120.30430	14.70564
471	120.30590	14.70745
472	120.30710	14.70844
473	120.30600	14.70967
474	120.30410	14.71044
475	120.30500	14.71247
476	120.30610	14.71514
477	120.30760	14.71646
478	120.30800	14.71924
479	120.30720	14.72013
480	120.30580	14.72099
481	120.30590	14.72263
482	120.30580	14.72385
483	120.30400	14.72419
484	120.30250	14.72557
485	120.29990	14.72565
486	120.29720	14.72658
487	120.29500	14.72589
488	120.29280	14.72506
489	120.29090	14.72397
490	120.28990	14.72244
491	120.28710	14.72239
492	120.28860	14.72412
493	120.28950	14.72579
494	120.28860	14.72762

1

2 Thence, to the point of beginning in the map marked Point 1 representing MBM
3 No. 1 in the Morong Cadastre, containing an approximate land area of Twenty-three
4 Thousand (23,000) hectares of proclaimed Bataan National Park.

1
2 The adjacent areas of the Subic Watershed Forest Reserve and Bataan Natural
3 Park is hereby proclaimed as a single protected area with Subic Watershed Forest
4 Reserve as Parcel 1 and Bataan Natural Park as Parcel 2 having a combined total area of
5 Thirty-two Thousand Four-Hundred Seventy eight (32,478.00) hectares.
6

7 **SECTION 5. *Establishment of a Buffer Zone,*** - Buffer zones shall be
8 established for the purpose of providing an extra layer of protection around the protected
9 area in which restrictions can apply but where sustainable resource management
10 strategies involving local communities and the private sectors can assist in repelling
11 threats to the protected area. Such buffer zones shall be managed according to the
12 management plan as herein provided.
13

14
15 **ARTICLE 11.**

16 **THE PROTECTED AREA MANAGEMENT BOARD**
17

18 **SECTION 6. *Protected Area Management Board.*** - The above describe area of
19 SBNP, consisting of Parcel 1 and Parcel 2 shall be managed under the respective
20 Protected Area Management Board (PAMB) as constituted pursuant to this Act and its
21 implementing rules and regulations; and shall be administered by the Department of
22 Environment and Natural Resources (DENR) and the Subic Bay Metropolitan Authority
23 as follows:
24

- 25 I. **Parcel 1** - Subic Watershed Forests Reserve shall remain under the jurisdiction of
26 the Subic Bay Metropolitan Authority (SBMA) with the PAMB authority and
27 functions delegated to the SBMA Board, the provisions of existing laws, rules
28 and regulations, agreements to the contrary notwithstanding. However,
29 management and administration of the protected area by the SBMA shall be in
30 accordance with the appropriate provisions of the Act, and the NIPAS Law, and
31 still subject to existing DENR Policies on protected areas in a manner provided
32 for in the DENRSBMA MOA.
33

34 The SBMA Management Board shall perform the duties and functions of
35 the Protected Area Management Board (PAMB) as specified/defined and
36 provided for under this Act and shall be composed of the following and duly
37 appointed by the Secretary of the Department of Environment and Natural
38 Resources:

- 1 a. SBMA Chairman and Administrator
- 2 b. SBMA Chief Operating Officer
- 3 c. All SBMA Board of Directors
- 4 d. D. A. for Public Works and Technical Services Group
- 5 e. D. A. for Trade and Tourism
- 6 f. D. A. for Ports
- 7 g. Head, Legal Department
- 8 h. Head, Ecology Center
- 9 i. Head, Strategic Planning Office
- 10 j. Head, Land and Estate Department
- 11 k. One representative from each IP/ICC within the Subic Watershed and Forest
- 12 Reserve
- 13 l. At least 4 representatives from NGOs operating within the Subic Watershed
- 14 and Forest Reserve, elected from among themselves
- 15 m. At least 4 representatives from Pos operating within the Subic Watershed
- 16 and Forest Reserve, elected from among themselves
- 17 n. Others as may be designated by the SBMA Management Board.

18 The Chairman and Administrator of SBMA is hereby designated as the Chairman
 19 of the Protected Area Management Board for Parcel 1 of the SBNP. Membership of other
 20 representatives to the said PAMB of Parcel 1 shall be subject to the approval and
 21 endorsement by the SBMA Board.

22 II. **Parcel 2** - Bataan Natural Park shall be under the administrative jurisdiction of
 23 the Department of Environment and Natural Resources (DENR) to be
 24 administered by the Protected Area Management Board (PAMB) composed of
 25 the following and duly appointed by the DENR

- 26 a. The RED of the DENR Region I11 as chairperson
- 27 b. The Provincial Environment and Natural Resources Officer (PENRO) of
- 28 Bataan
- 29 c. The Provincial Environment and Natural Resources Office (PENRO) of
- 30 Zambales
- 31 d. The Mayors of the Municipalities of Hermosa, Orani, Samal, Abucay,
- 32 Bagac and Morong. Each mayor may appoint a regular representative
- 33 whenever he/she cannot personally attend any of the PAMB meetings
- 34 e. The Provincial Planning and Development Officers of Bataan and
- 35 Zambales
- 36 f. The chairpersons of the associations of barangay captains of the
- 37 municipalities of Hermosa, Orani, Samal, Abucay, Bagac and Morong.

- 1 g. One (1) representative from the Sangguniang Kabataan to be chosen from
- 2 among the chairpersons of each of the municipalities within the BNP
- 3 h. At least four (4) representatives from NGOs operating within the BNP,
- 4 chosen from among themselves
- 5 i. At least four (4) representatives from POs from within the BNP, chosen
- 6 form among themselves; and,
- 7 j. One representative from each ICC/IP within the BNP.

8 The Protected Area Management Board (PAMB) shall be the sole policy-making
9 and permit granting body of the SBNP and its buffer zones.

10
11 **SECTION 7. *The Advisory and Coordinating Council (ACC)*** - The SBMA and
12 BNP PAMBs shall enter into a Memorandum of Agreement (MOA) to create an
13 Advisory Coordinating Council (ACC) composed of RED of Region 111, as chairperson,
14 the SBMA chairman and the Provincial Environment and Natural Resources Officer of
15 Bataan, as members. The duties and responsibilities of the ACC shall include the
16 following:

- 17 a. Give advice, whenever necessary or upon request, to Parcel 1 and Parcel 2
- 18 management boards to ensure cooperation, coordination and complementation
- 19 of protected area management planning and implementation in the two (2)
- 20 sites;
- 21 b. Coordinate the activities of the two management boards and Protected Area
- 22 Superintendent Offices and ensure harmony of sitebased policies and
- 23 regulations; and,
- 24 c. Evaluate, settle, mediate, and recommend resolutions to any conflicts, dispute,
- 25 misunderstandings and disagreements related to the management of the two
- 26 parcels of SBNP.

27
28 **SECTION 8. *The Executive Committee.*** - There shall be an Executive
29 Committee (Execom) within the PAMB to whom the PAMB may delegate some of its
30 powers and functions. It shall composed of

31 For Parcel 1:

- 32 a. SBMA Chairman and Administrator, as chairperson
- 33 b. SBMA Chief Operating Officer
- 34 c. Two (2) representatives from the SBMA Management Board
- 35 d. One (1) IP/ICC representative elected from themselves
- 36 e. One (1) representative from NGOs operating within the SBNP, elected
- 37 among themselves

- 1 f. One (1) representative from POs operating within the SBNP, elected
2 from themselves.

3 **For Parcel 2:**

- 4 a. The RED of the DENR Region I11 as chairperson
5 b. The Provincial Environment and Natural Resources Officer (PENRO)
6 of Bataan
7 c. The Provincial Environment and Natural Resources Officer (PENRO)
8 of Zambales
9 d. One (1) from among the mayors of the municipalities of Hermosa,
10 Orani, Samal, Abucay, Bagac and Morong, elected among themselves
11 e. One (1) from among the chairpersons of the associations of barangay
12 captains of the municipalities of Hermosa, Orani, Samal, Abucay,
13 Bagac and Morong
14 f. One (1) representative from the sangguniang kabataan to be chosen
15 from among the chairpersons of each of the municipalities within the
16 BNP
17 g. One (1) from among the NGO representatives, elected among
18 themselves
19 h. One (1) from among the PO representatives, elected among themselves
20 i. One (1) from among the ICC/IP representatives, elected among
21 themselves

22 The Execom may meet on a more regular basis to discuss day-to-day affairs and
23 other matters delegated by the PAMB.

24
25 **SECTION 9. Powers and Functions of the PAMB.** - In addition to the powers
26 enumerated in the NIPAS Act, the PAMB shall decide by a majority vote and shall have
27 the following powers and functions:

- 28 (a) Issue rules and regulations in accordance with the management plan to prohibit
29 and regulate acts that may be prejudicial to the SBNP and its buffer zones
30 pursuant to the policy declarations herein set forth;
31 (b) Issue land and resource permits and all the necessary permits within the SBNP
32 and its buffer zones in accordance with the management plan and consistent with
33 the nature of SBNP as a natural park. This authority may be delegated by the
34 PAMB to the PASu upon prior determination of the conditions and qualifications
35 necessary for the issuance therefore;
36 (c) Establish criteria and set fees for the issuance of permits for the activities
37 regulated by this Act or the management plan. The PAMB shall only issue
38 permits taking into consideration ecological and sustainability factors.

- 1 (d) Adopt rules of procedure for the conduct of business, including the creation of
2 committees to which the PAMBs powers may be delegated;
- 3 (e) Supervise the office of the PASu;
- 4 (f) Deputize, through the PASu, individuals for the enforcement of the laws, rules
5 and regulation governing conduct within the SBNP and its buffer zones, and
6 prescribe the necessary qualifications therefore;
- 7 (g) To own and dispose property;
- 8 (h) Accept donations, approve proposals for funding, budget allocations and exercise
9 accountability over all funds that may accrue to the SBNP;
- 10 (i) Coordinate with the appropriate agencies of the government; and
- 11 (j) To sue and retain legal counsel to defend cases against the PAMB and the Office
12 of the PASu whenever they are sued in connection with the performance of their
13 duties under this Act.
- 14 (k) To impose administrative sanctions against any person found guilty of violating
15 any provision of this Act: and;
- 16 (l) Confiscate any species, item or property extracted or taken illegally from the
17 protected area.

18 The DENR shall ensure that the PAMB acts within the scope of its powers and
19 functions. In case of conflict between administrative orders issued by the DENR pursuant
20 to the NIPAS Act and the resolutions issued by the PAMB, the DENR Secretary shall
21 decide whether to apply the rule or withdraw its application within the SBNP.

22

23 **SECTION 10. *Terms of Office.*** - Except for SBMA-PAMB, each PAMB
24 member shall serve for a term of five (5) years; *Provided,* That he / she remains
25 connected with the sector he / she is supposed to represent. *Provided, further,* That
26 representatives of the local government units shall only serve ex-officio. Whenever a
27 vacancy occurs during the term of a member who does not represent the government, a
28 new member shall be chosen in the same manner as the original selection process:
29 *Provided, finally,* That he / she shall serve only for the remaining term.

30

31 **SECTION 11. *Removal from Office*** - A PAMB member may be removed, for
32 cause and upon majority vote, on the following ground:

- 33 (a) More than three (3) consecutive absences in regular PAMB en banc meetings;
- 34 (b) Commission of any of the prohibited acts as provided herein, the NIPAS Act
35 or other laws and rules and regulations governing protected areas and
36 protected species;
- 37 (c) Graft and corruption;
- 38 (d) Conviction of any criminal offense;

1 (e) Acts inimical to the PAMB or the protected area as may be voted upon by a
2 majority of all the members of the PAMB.

3
4 **SECTION 12. *The Office of the PASu.*** - There shall be a separate Protected
5 Area Superintendents (PASu) for Parcel 1 and 2 who shall be appointed/designated and
6 report to their respective management board chairman, and shall directly be responsible
7 in the preparation, implementation of their respective PA management plans through their
8 administrative and regulatory functions. The PASu shall have full responsibility for the
9 protection of the land, water, wildlife and other resources within the SBNP.

10 As such, he shall have the duties and responsibilities in addition to those provided
11 under the existing laws and regulations:

- 12 (a) Prepare the management plan and its successor plans as herein provided;
13 (b) Serve as Secretariat to the PAMB with the duty to provide the PAMB with all the
14 information necessary to make appropriate decisions for the implementation of
15 this Act;
16 (c) Hire and supervise the necessary personnel to support operations as the budget
17 may allow;
18 (d) Establish a productive partnership with local communities, including groups
19 supporting the achievement of the goals and objectives of this Act;
20 (e) Develop and implement park information, education and visitor programs;
21 (f) Enforce the laws, rules and regulations and PAMB resolutions relevant to the
22 protected area and its buffer zones and assist in the prosecution of offenses;
23 (g) Monitor all activities within the SBNP and its buffer zones in conformity with
24 management plan; and
25 (h) Perform such other functions as the PAMB may assign.

26
27 **ARTICLE III.**

28 **ADMINISTRATION, MANAGEMENT PLAN AND ZONING**

29
30 **SECTION 13. *Management of the SBNP and its Buffer Zones.*** - The
31 management and administration of the SBNP and its buffer zones shall be vested with the
32 PAMB, as herein provided. The management of zones to be established within the SBNP
33 shall be consultative and participatory.

34
35 **SECTION 14. *Management Plan.*** - Within one (1) year from the effectivity of
36 this act and in accordance with the general management planning strategy as provided for
37 in the NIPAS Act, there shall be a management plan to be prepared by the office if the
38 PASu in coordination with the local communities, ICCs/ILPs and experts with

1 socioeconomic, anthropological and ecological experience in the area. It shall contain,
2 among others:

- 3 a. A period of applicability for twenty-five (25) years subject to periodic review
4 every three (3) years;
- 5 b. Goals and objectives of management in support of Section 2 hereof;
- 6 c. Key management issues such as, but not limited to, issuance of tenurial
7 instruments; issuance, screening and approval of development and land-use
8 activities within the SBNP and its buffer zones; and adequate protection and
9 restoration of endangered species and fragile ecosystems;
- 10 d. Site management strategy including, but not limited to, establishment of clear and
11 simplified guidelines on activities, consistent with the NIPAS Act and this Act,
12 that shall be allowed within the zones;]
- 13 e. Major management activities such as, but not limited to, enforcement of laws,
14 habitats and wildlife management, sustainable use management, infrastructure
15 development and maintenance, fire prevention and pest and disease control;
- 16 f. Zoning
- 17 g. Mechanisms for the protection of the occupants therein in the exercise of their
18 rights;
- 19 h. Regulations on the sustainable, ecologically sound use of non-protected species of
20 flora and fauna and their habitats; harvesting, hunting and trapping with respect to
21 the protection of fragile habitats, wild animal breeding seasons, roosting and
22 feeding sites; and
- 23 i. Sustainable livelihood activities.

24 The management plan shall be consistent with the nature of the SBNP as a protected
25 area under the category of a natural park. It shall be reviewed and approved by the
26 PAMB and certified to by the DENR Secretary that it conforms to all laws and rules and
27 regulations issued by the DENR. The management plan shall not be revised or modified
28 except by prior consultation with the PAMB and in accordance with the procedure herein
29 set forth.

30 Before the expiration of the initial management plan, there shall be a successor plan to
31 be prepared by the office of the PASu in the same manner as the procedure and principles
32 herein set forth and in accordance with the general management planning strategy as
33 provided in the NIPAS Act. A year before the expiration of the management plan, the
34 PASu shall cause the publication of notices for comments and suggestions on the
35 successor plan in a newspaper of local circulation and the posting of such notices in the
36 provincial, municipal and barangay halls and in three (3) other conspicuous areas
37 frequented by the public. The successor plan to the management plan shall be made
38 available for public perusal at the office of the PASu and the DENR provincial office.

1 The PAMB is authorized to impose regulatory measures such as, hunting
2 moratoriums, closed hunting seasons and other restrictions on the use of resources within
3 the SBNP and its buffer zones to ensure the sustainability of the species and ecosystems:
4 **Provided,** That these will not pose a threat to the food security of ICCs / IPS or other
5 tenured migrants directly dependent therein for their subsistence: **Provided, further,** That
6 these restrictions shall be made upon due consultation with ICCs / IPS and tenured
7 migrants.

8 Any exploration, exploitation or utilization of non-renewable resources within the
9 SBNP for commercial purposes or by non-tenured migrants or non-ICCs / IPS shall not
10 be allowed.

11 Commercial exploitation of water resources within the SBNP shall require prior
12 PAMB approval, must be in accordance with the management plan, and should undergo
13 the EIA system.

14
15 **SECTION 21. Existing Facilities within the SBNP.** – Within ninety (90) days
16 from the effectivity of this Act, all existing commercial facilities within the SBNP or its
17 buffer zones with a total capitalization in excess of Fifty thousand pesos (P100,000)
18 shall submit to the PAMB through the PASu the following information:

- 19 (a) Potential for disturbance of protected species and their habitat, reproductive cycle,
20 nesting and feeding grounds and migratory paths;
21 (b) Noise levels at all levels of operations;
22 (c) Emissions and effluent at all stages of operation;
23 (d) Energy requirements and sources of energy; and
24 (e) Requirements of water supply and source of water.

25 Based on these submissions, the PAMB with the assistance of the DENR, shall
26 determine whether the existence of such facility/ies and its future plans and operations
27 will be detrimental to the SBNP and its buffer zones.

28 Failure to submit the required information shall constitute a violation of this Act.
29 The PAMB may prescribe further conditions for the operation of the facility to ensure
30 that it does not contradict the management objectives of the SBNP. If any such conditions
31 are violated, a fine of Five thousand pesos (P10,000) for every day of violation shall be
32 imposed upon the owners of the said facility but not to exceed Four hundred fifty
33 thousand pesos (P500,000). At anytime whenever necessary, the PAMB through the
34 PASu or other government entities shall cause the cessation of operation or demolition of
35 the facility at the cost of its owners or forfeiture in favor of the PAMB.

36
37
38 **ARTICLE VI.**

- 1 (13) Construction or maintains any kind of road, edifice, facility or any infrastructure
2 project within the SBNP without a prior permit form PAMB: *Provided*, That no
3 PAMB permit can be issued unless:
- 4 a) The PAMB has been fully informed of the project or undertaking and
5 its environmental consequences through consultative process;
 - 6 b) All other legal requirements have been complied with; and
 - 7 c) The project is consistent with the nature of the SNP as a protected area
8 natural park.
- 9 (14) Occupation of any portion of land inside the SBNP without a permit from the
10 PAMB. Clearing, construction of residence or any introduction of improvements
11 shall constitute prima facie evidence of occupation or settlement;
- 12 (15) Alteration, removal, destruction of boundary marks or signs;
- 13 (16) Engaging in Kaingin or any manner causing a forest fore inside the SBNP or its
14 buffer zones;
- 15 (17) Fishing anywhere within the SBNP without prior permit from the PAMB;
- 16 (18) Fishing within the SBNP using spear and submerged underwater breathing
17 apparatus, trawling equipment or gillnets of more than one hundred meters
18 (100m) in total length or any other equipment prohibited under the Republic Act
19 no. 8550 or the Fisheries Code of 1998;
- 20 (19) Destruction or in any manner damaging the coral reefs except in cases of
21 emergency;
- 22 (20) Disposal or dumping into the SBNP or its buffer zones nonbiodegradable, toxic,
23 hazardous materials and other prohibited substances; AND
- 24 (21) Violation of any rules and regulation provided in the management plan or any
25 resolution reached by the PAMB in its exercise of its adjudicative functions.

26
27 **SECTION 23. Penalties –**

- 28 (a) For any violation of Section 21 hereof, a fine of not less than Twenty Thousand
29 pesos (P20,000) but not more than Five Hundred Thousand Pesos (P500,000)
30 and / or imprisonment of not less than one (1) year not more than six (6) years
31 shall be imposed.
- 32 (b) Any provisions contrary notwithstanding the commission of any unlawful act as
33 provided by the Section 22 (a) herein shall carry the penalty of imprisonment of
34 six (6) years and one (1) day to twelve (12) years, and a minimum fine of One,
35 Million Pesos (P1,000,000) in case the species involved is listed under CITES
36 Appendix 11, and Five Hundred thousand pesos (P500,000) for all the
37 threatened species in addition to accessory penalties provided in the immediately
38 succeeding paragraph.

1 (c) Commission of any foregoing acts shall likewise carry the accessory penalties of
2 eviction from the SBNP or its buffer zones, payment of damages to rehabilitation
3 and restoration, and the forfeiture of all equipment, devised, weapons or any
4 other instrument or tool used in the commission of the offense. Any resource
5 found in the possession of the offender shall also be forfeited. Pending the
6 outcome of the case, any resource confiscated shall be immediately be turned
7 over to the PAMB for proper disposal and the proceeds thereof deposited in trust
8 funds. However, in no case shall any confiscated or rescued protected animal
9 species be sold or in any manner be disposed of but shall be immediately turned
10 over to PASu office for release in its natural habitat. Valuation of the damage to
11 the SBNP and its buffer zones shall take into account biodiversity and
12 conservation considerations as well as aesthetic, socioeconomic values, and
13 rehabilitation and restoration costs. Failure to comply with the provision shall
14 constitute an offense under this subsection.

15 (d) A fine of not less than One hundred thousand pesos (P100,000) but not more
16 than Five hundred thousand pesos (P500,000) and / or imprisonment of not less
17 than one (1) year but not more than (6) years shall be imposed upon any public
18 officer or officer of the law who shall unjustifiably refuse or refrain from
19 instituting prosecution or shall tolerate the commission of the above-mentioned
20 offenses. Conviction of this offense shall carry accessory penalty of perpetual
21 disqualification from public office.

22 (e) A fine of not less than Five Hundred Pesos (P500) but not more than One
23 Thousand Pesos (P1,000) or community service from one (1) day to one (1)
24 week, or both, shall be imposed on anyone who enters into the strict protection
25 zone of the SBNP without the prior PAMB permit.

26
27 **SECTION 24. *Special Prosecutor.*** - Within thirty (30) days from the effectivity
28 of this Act, the Department of Justice (DOJ) shall designate a special prosecutor to whom
29 all cases of violation of protected area laws, rule and regulations within the SBNP and its
30 buffer zones shall be assigned. The special prosecutor shall coordinate with the PAMB
31 and the PASu in the performance of his/her duties and assist in the training of the
32 wardens and rangers in arrest and criminal procedures.

33 The PAMB may appoint a private prosecutor on case-to-case basis to assist the
34 public prosecutors in the enforcement of protected area laws.

35
36
37 **ARTICLE VII.**

38 **PROCEEDS, FEES AND APPROPRIATIONS**

1
2 **SECTION 27. *Construction.*** - The provisions of this Act shall be construed
3 liberally in favor of tenured migrants and ICCs / IPS and in consideration of the
4 protection and conservation of biodiversity. The NTPAS Act shall have suppletory effect
5 in the implementation of this Act.

6
7 **SECTION 28. *Transitory Provisions.*** - In order to ensure the sustainability and
8 recovery of biodiversity and to develop sustainable livelihood opportunities for tenured
9 migrants, the DENR shall henceforth cease to issue concessions, licenses, permits,
10 clearances, compliance documents or any other instrument that allows exploitations of
11 resources within the SBNP until the management plan shall have been put into effect.

12 Pending the organization of anew PAMB in accordance with this Act, the
13 incumbent PAMB member shall continue to hold office until a new PAMB has been
14 convened.

15
16 **SECTION 29. *Implementing Rules and Regulations.*** – Within ninety (90) days
17 after the effectivity of this Act, the Department of Environment and Natural Resources
18 shall, in consultation with the concerned PAMBS, government agencies and non-
19 government organization, promulgate the necessary rules and regulations to effectively
20 implement the provisions of this Act.

21
22 **SECTION 30. *Separability Clause.*** - If any part, or section of this Act is declared
23 unconstitutional, the remainder hereof shall remain in full force and effect.

24
25 **SECTION 31. *Repealing Clause.*** - All laws, decrees, proclamation, rules and
26 regulations inconsistent with the provisions of this Act are hereby repealed or modified
27 accordingly.

28
29 **SECTION 32. *Effectivity Clause.*** - This Act shall take fifteen (15) days after its
30 complete publication in the Official Gazette or two (2) newspapers of national
31 circulation, whichever comes first

32
33 *Approved.*